

**BCP APPLICATION
SUPPORT
INFORMATION**

Section II. Property Information Summary Sheet

PROPERTY NAME: Sun PolyChrome Corporation - West

ADDRESS/LOCATION 137-145 Alexander Street
CITY/TOWN Yonkers, NY

ZIP CODE 10701

MUNICIPALITY (IF MORE THAN ONE, LIST ALL): City of Yonkers

COUNTY Westchester

SITE SIZE (ACRES) 2.89 acres excluding water land

LATITUDE (degrees/minutes/seconds) 73° 89' 997 "

LONGITUDE (degrees/minutes/seconds) 40 ° 94' 111 "

HORIZONTAL COLLECTION METHOD: SURVEY GPS MAP
terraserver.microsoft.com

HORIZONTAL REFERENCE DATUM:
terraserver.microsoft.com

FOR EACH PARCEL, FILL OUT THE FOLLOWING TAX MAP INFORMATION (if more than three parcels, attach additional information)

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
137-145 Alexander Street, Yonkers, NY 10701		2	2615	29	1.02 acres
				23	1.57 acres
[Note: Tax map for Lot 1 reads all .87 acres are in the water but approx. .3 acres is clearly upland based on the map. The metes and bounds of the upland will be surveyed].				1	0.30 acres

1. Do the site boundaries correspond to tax map metes and bounds? Yes, with exception of underwater land Yes* No
which cannot be part of the BCP site. Therefore, a survey will be prepared and attached to the BCA. See Exhibit A.

If no, please attach a metes and bounds description of the site.

2. Is the required site map attached to the application? (application will not be processed without map) Yes No

3. Is the site part of a designated En-zone pursuant to Tax Law § 21(b)(6)? Yes No

For more information go to:

[http://www.nylovesbiz.com/Productivity Energy and Environment/BrownField Redevelopment/default.asp](http://www.nylovesbiz.com/Productivity_Energy_and_Environment/BrownField_Redevelopment/default.asp)

If yes, identify area (name) Upper West Side Yonkers Waterfront

50% 100% of the site is in the En-zone (check one)

PROPERTY DESCRIPTION NARRATIVE:

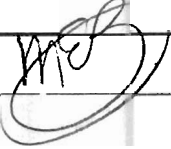
SEE ATTACHED SUPPLEMENT TO SECTION II PART A

List of Existing Easements (type here or attach information)

<u>Easement Holder</u>	<u>Description</u>
N/A	

List of Permits issued by the NYSDEC or USEPA Relating to the Proposed Site (type here or attach information)

<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>
Former Air	NYS Dept. Of Env. Cons.	Not Known
Water	SPDES	Not reported. Expired 7/18/1995
Haz. Waste Large Quantity Generator	RCRIS-LQG	#NYD001833847 (Admin/R&D Site)
Has. Waste Large Quantity Generator	RCRIS-LQG	#NYD980236152 (Manufacturing Site)
Chemical Bulk Storage AST	NYS Dept. Of Env. Cons.	3-000181 (CBS No.) S102153798 (CBS AST#)
Petroleum Bulk Storage UST	NYS Dept. Of Env. Cons.	3-412252 (PBS No.) U003646943 (UST No.)

Initials of each Requestor: 

Section III. Current Site Owner/Operation Information

OWNER'S NAME (if different from requestor) Sun Chemical Corporation, Michael Zachara, Esq.

ADDRESS 35 Waterview Blvd.

CITY/TOWN Parsippany, NJ

ZIP CODE 07054-1285

PHONE (973) 404-6560

FAX (973) 404-6439

E-MAIL michael.zachara@na.sunchem.com

OPERATOR'S NAME (if different from requestor or owner) County Department of Social Services

ADDRESS 137-145 Alexander Street (County DSS)

CITY/TOWN Yonkers, NY

ZIP CODE 10701

PHONE (914) 231-2000

FAX (914) N/A

E-MAIL N/A

Section IV. Requestor Eligibility Information (Please refer to ECL § 27-1407)

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

- 1. Are any enforcement actions pending against the requestor regarding this site? Yes No
- 2. Is the requestor subject to an existing order relating to contamination at the site? Yes No
- 3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Yes No
- 4. Has the requestor been determined to have violated any provision of ECL Article 27? Yes No
- 5. Has the requestor been previously denied entry to the BCP? Yes No
- 6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving contaminants? Yes No
- 7. Has the requestor been convicted of a criminal offense that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration? Yes No
- 8. Has the requestor knowingly falsified or concealed material facts or knowingly submitted or made use of a false statement in a matter before the Department? Yes No
- 9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.8(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? Yes No

Section V. Property Eligibility Information (Please refer to ECL § 27-1405)

- 1. Is the property listed on the National Priorities List? Yes No
- 2. Is the property listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites?
If yes, please provide: Site # _____ Class # _____ Yes No
- 3. Is the property subject to a permit under ECL article 27, title 9, other than an Interim Status Facility?
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____ Yes No
- 4. Is the property subject to a cleanup order under navigation law Article 12 or ECL Article 17 Title 10?
If yes, please provide: Order # _____ Yes No
- 5. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?
If yes, please provide explanation as an attachment. Yes No

Section VI. Project Description

Please attach a description of the project which includes the following components:

- Purpose and scope of the project **SEE ATTACHED SUPPLEMENT TO SECTION VI PART B and C**
- Estimated project schedule

Section VII. Property's Environmental History

To the extent that existing information/studies/reports are available to the requestor, please attach the following:

1. Environmental Reports [NOTE: At the 4/20/06 Pre-Application meeting, DEC staff agreed all Historic Environmental Reports related to Alexander Street DO NOT have to be attached to this application since such reports are in NYSDEC possession through submissions under the Bond Act ERP; however, excerpts of the February 2001 Phase I related to the Sun Sites have been attached in Exhibit G as supporting documentation for the application. A new Phase I report and Phase II data are also attached. A Phase II report has not yet been prepared, but preliminary Phase II data has been attached in Exhibit F].

A phase I environmental site assessment report prepared in accordance with ASTM E 1527 (American Society for Testing and Materials: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process), and all environmental reports related to contaminants on or emanating from the site.

If a final investigation report is included, indicate whether it meets the requirements of ECL Article 27-1415(2): Yes No

2. Sampling Data: Indicate known contaminants and the media which are known to have been affected: See Phase II data in Ex. F

Contaminant Category	Soil	Groundwater	Surface Water	Sediment (in Catch Basins & Drains)	Soil Gas
Petroleum	✓			✓	✓
Chlorinated Solvents	✓	✓			✓
Other VOC's	✓			✓	✓
SVOC's	✓	✓		✓	
Metals	✓	✓		✓	
Pesticides					
PCBs					
Other *					

*Please describe: _____

3. Suspected Contaminants: Indicate suspected contaminants and the media which may have been affected:

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum					
Chlorinated Solvents					
Other VOC's					
SVOC's					
Metals					
Pesticides					
PCBs					
Other *					

*Please describe: _____

4. INDICATE KNOWN OR SUSPECTED SOURCES OF CONTAMINANTS:

- | | | | |
|---|--|--|---|
| <input checked="" type="checkbox"/> Above Ground Pipeline or Tank | <input type="checkbox"/> Lagoons or Ponds | <input checked="" type="checkbox"/> Underground Pipeline or Tank | <input checked="" type="checkbox"/> Surface Spill or Discharge |
| <input checked="" type="checkbox"/> Routine Industrial Operations | <input type="checkbox"/> Dumping or Burial of Wastes | <input type="checkbox"/> Septic tank/lateral field | <input checked="" type="checkbox"/> Drums or Storage Containers |
| <input checked="" type="checkbox"/> Adjacent Property | <input type="checkbox"/> Seepage Pit or Dry Well | <input type="checkbox"/> Foundry Sand | <input type="checkbox"/> Electroplating |
| <input checked="" type="checkbox"/> Coal Gas Manufacture | <input type="checkbox"/> Industrial Accident | <input type="checkbox"/> Unknown | |
- Other: _____

5. INDICATE PAST LAND USES:

- | | | | | | |
|---|---|---|--------------------------------------|---|-------------------------------------|
| <input type="checkbox"/> Coal Gas Manufacturing | <input checked="" type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input type="checkbox"/> Dry Cleaner | <input type="checkbox"/> Salvage Yard | <input type="checkbox"/> Bulk Plant |
| <input checked="" type="checkbox"/> Pipeline | <input type="checkbox"/> Service Station | <input type="checkbox"/> Landfill | <input type="checkbox"/> Tannery | <input type="checkbox"/> Electroplating | <input type="checkbox"/> Unknown |
- Other: 1898: Barber Asphalt Co. plant, 1917: Yerks & Co. Lumber and Coal yard and coal pockets, Gwineburger & Wiell Fat & Bone Collecting Station; 1942: J.A. Malsted Lumber Co., Westchester Lighting Company; 1951: Arthur B. Blair Inc. Boat Building, machine shop; 1964 Polychrome acquired Site; 1978 company first appears on Sanborn maps.

6. Owners

A list of previous owners with names, last known addresses and telephone numbers (describe requestor's relationship, if any, to each previous owner listed. If no relationship, put "none"). **SEE ATTACHED SUPPLEMENT TO SECTION VII PART E**

7. Operators

A list of previous operators with names, last known addresses and telephone number (describe requestor's relationship, if any, to each previous operator listed. If no relationship, put "none"). **SEE ATTACHED SUPPLEMENT TO SECTION VII PART F**

Section VIII. Contact List Information

Please attach, at a minimum, the names and addresses of the following: **SEE ATTACHED SUPPLEMENT TO SECTION VIII PART G AND EX C**

1. The chief executive officer and zoning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the property contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). In addition, attach a copy of a letter sent to the repository acknowledging that it agrees to act as the document repository for the site.

Section IX. Land Use Factors (Please refer to ECL § 27-1415(3))

Current Use: Residential Commercial* Industrial Vacant Recreational (check all that apply) * County Department of Social Services

Intended Use: Unrestricted Residential Commercial Industrial

Please check the appropriate box and provide an explanation as an attachment if appropriate. Provide a copy of the local zoning classifications, comprehensive zoning plan designations, and/or current land use approvals. **SEE ATTACHED SUPPLEMENT TO SECTION IX PART H**

	Yes	No
1. Do current historical and/or recent development patterns support the proposed use? (See #12 below re: discussion of area land uses)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Is the proposed use consistent with applicable zoning laws/maps?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, designated Brownfield Opportunity Area plans, other adopted land use plans?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Are there any Environmental Justice Concerns? (See § 27-1415(3)(p)).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Are there any federal or State land use designations relating to this site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Do the population growth patterns and projections support the proposed use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site accessible to existing infrastructure?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Are there important cultural resources, including federal or state historic or heritage sites or Native American religious sites within ½ mile?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Are there important federal, state or local natural resources, including waterways, wildlife refuges, wetlands, or critical habitats of endangered or threatened species within ½ mile?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Are there floodplains within ½ mile?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Are there any institutional controls currently applicable to the property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Describe on attachment the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas. SEE ATTACHED SUPPLEMENT TO SECTION IX PART H		
13. Describe on attachment the potential vulnerability of groundwater to contamination that might migrate from the property, including proximity to wellhead protection and groundwater recharge areas. SEE ATTACHED SUPPLEMENT TO SECTION IX PART H		
14. Describe on attachment the geography and geology of the site. SEE ATTACHED SUPPLEMENT TO SECTION IX PART H		

Statement of Certification and Signatures

(By requestor who is an individual)

I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____ Signature: _____ Print Name: _____

(By a requestor other than an individual)

I certify that I am a Member (title) of SFC Sun, LLC (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 1/24/2007 Signature: Marc E. Person Print Name: MARC E PERSON

SUBMITTAL INFORMATION:

Three (3) complete copies are required.

- Two (2) copies, one hard copy with original signatures and one electronic copy in Portable Document Format (PDF) on a CD or diskette, must be sent to:

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020
- One (1) hard copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our website for the address of our regional offices: <http://www.dec.state.ny.us/website/der/index.html>

FOR DEPARTMENT USE ONLY

BCP SITE T&A CODE: _____ LEAD OFFICE: _____

SUPPORT FOR APPLICATION SECTION II: SITE INFORMATION

PART A: SITE INFORMATION

The “Site” that is the subject of this application consists of one of two PolyChrome Corporation (“PolyChrome”) Yonkers properties with the property address of 137-145 Alexander Street, Yonkers, New York. This is referenced as the “West” Site in the recent Phase I report, and is formerly known as the PolyChrome Administrative/R&D Site (the “Admin/R&D Site”). The Admin/R&D Site is located at the northwest corner of the intersection of Alexander and Ashburton Avenues with an official mailing address of 37 Alexander Street, Yonkers, NY 10701 (Tax Map No. Section 2 Block 2615 Lots 1, 23 and 29 excluding the underwater land). *See* Exhibit A including the Tax Map and the Site Location Map. The second property, with the property address of 80-94 Alexander Street, is subject to a separate BCP Application for two primary reasons. First, the Manufacturing Site is not directly adjacent, but is located at the northwest corner of the intersection of Alexander and Ashburton Avenues with an official mailing address of 80 Alexander St. Yonkers, NY 10701 (Tax Map No. Section 2 Block 2608 Lots 29, 35, and 37). *See* Exhibit B, Figure 2 depicting location of both sites overlain on tax map. In other words, the Sites are caddy corner from one another, but not adjacent. Second, the redevelopment on each Site may be different, and the timing for the projects on each site may not be exactly the same.

As a result, to maintain maximum flexibility, the applicant SFC Sun, LLC, which will acquire both sites, chose to submit separate applications for each Site simultaneously. SFC Sun, LLC is not aware at this time, which Site will be redeveloped more rapidly than the other, but the applicant intends to participate in the program along the same or a similar time frame in accordance with the schedule included herein.

The West or Admin/R&D Site (hereinafter, for purposes of this application, the “Site”) is located in the center of the Upper West Side (Alexander Street) Brownfield Opportunity Area. This area was studied in the February 2001 Area-Wide Phase I Study of the Alexander Street Corridor. Excerpts of this report relevant to the Site only have been attached. The presence of this Site on the waterfront is a permanent obstacle to any redevelopment opportunities on Alexander Street.

According to the February 2001 and more recent Phase I environmental reports, PolyChrome performed research and development at the Site for its manufacturing operations at the East Site at which it coated photosensitive aluminum printing plates potentially starting as early as the 1950's (See Abstract of Title in Exhibit D) to 1994. The R&D operations involved use of hazardous substances. PolyChrome was a large quantity generator of hazardous waste that primarily consisted of ignitable and corrosive solvents. However, the Site also had a long brownfield history, described in this application, prior to PolyChrome’s ownership and occupation at the Site.

The Site soils also consist of historic fill placed on the Site in approximately 1898. The Site is paved and/or covered with a building. Most of this Site is within the 100 year flood plain. The Site is currently zoned industrial, but will be subject to new zoning allowing for mixed use development once the currently pending Master Plan and Urban Renewal Plan being developed under the Brownfield Opportunity Area (“BOA”) Program are completed in the near future.

SUPPORT FOR APPLICATION SECTION VI: PROJECT DESCRIPTION

PART B: PURPOSE AND SCOPE OF THE PROJECT

Over the past several years, the City of Yonkers, in conjunction with its partners, the Yonkers Industrial Development Agency (YIDA), Yonkers Empowerment, Inc. (YEZ), Yonkers Office of Downtown and Waterfront Development, embarked on the development of a Master Plan for a portion of the Yonkers downtown waterfront area (Parcels A-J) as well as a number of other nearby sites. This planning effort immediately resulted in new development on a number of the waterfront area's less contaminated parcels – including, the new Yonkers Public Library/Board of Education Project in a former Otis Elevator building, a renovated Railroad Station Project, the rehabilitated Ipark Kawasaki plant, and Collins Hudson Park residential project. The development of the Greyston Bakery on a former manufactured gas plant site was a more complex cleanup, which was accomplished through the former Voluntary Cleanup Program.

Unfortunately, many additional challenging sites remained north of the original Master Plan sites along Alexander Street. The Alexander Street waterfront consists of at least 20 mostly vacant industrial properties bordered on the south by the Master Plan sites, on the west by the Hudson River, on the east by the Hudson Line railroad tracks and on the north by the British International Cables Corporation (BICC) Superfund site.

The purpose of this project is to continue Yonkers ongoing waterfront development efforts by remediating and redeveloping this centerpiece brownfield site on the Hudson River. While SFC Sun, LLC has not yet fully designed the reuse for the site, the evolving Master Plan under the Brownfield Opportunity Area (BOA) Program for the Upper West Side Alexander Street portion of the waterfront calls for mixed residential and commercial development.

The Site remains in the center of other brownfields on the waterfront. Therefore, the scope of the project may expand to other adjacent brownfields to facilitate the redevelopment of this Site. Currently, many of the sites on Alexander Street are vacant, tax delinquent or under utilized. By redeveloping the waterfront, Yonkers and the State of New York shall also experience increased tax revenues. A variety of water-based uses and business development activities are planned, including a marina, visiting ship pier, waterfront restaurants and shops, ferry service to Manhattan, street scape improvements, restoration of several historic buildings, new parking facilities and environmental education programs. The Yonkers waterfront can serve as the midpoint docking location between Manhattan to the south and Albany to the north. Smaller cities along the Hudson can benefit from increased water travel on the Hudson River. Overall, the State of New York stands to substantially gain from the remediation and renovation of the Alexander Street Waterfront, including this Site by the applicant SFC Sun, LLC.

PART C: PROJECT SCHEDULE

A pre-application meeting was held with NYSDEC on April 20, 2006. It was believed at that time

a Purchase & Sales Agreement (P&S Agreement) with Sun would be reached sooner than it ended up taking to negotiate the agreement. It took the remainder of 2006 to negotiate a P&S Agreement with Sun, which was executed on December 8, 2006. A closing is likely to take place the end of March 2007. By this time, a Brownfield Cleanup Agreement should be executed or will be close to being executed for this Site. The Phase II report summarizing the preliminary Phase II data and a Remedial Investigation Work Plan will begin to be prepared as soon as the Site is in the program in approximately April 2007. The remainder of the Project Schedule is contingent on Yonkers evolving Alexander Street BOA, Master and Urban Renewal Plans. The Master Plan concept was present to the public at a meeting in late November 2006. Drafts of these plans are now being prepared by the consultant, and will also be reviewed by the State through the BOA process. It may be necessary for SFC Sun, LLC to wait for these plans to be completed before remediation and construction can proceed since the Plans may dictate the nature and location of future on-Site structures. However, the tentative schedule for the completion of the plans is the same approximate time frame; notably April 2007. Therefore, by roughly April 2007, SFC Sun, LLC should be able to begin to develop reuse plans for the Site and begin the process of seeking approvals for a Site Plan, SEQRA and rezoning. In the interim, the BCP process, including Site investigation and the preparation of the Remedial Action Plan will proceed along the following tentative schedule:

April - May 2007 - Remedial Investigation Work Plan (RIWP) Submission

June - August 2007 - Implement Site Investigation

Late Fall 2007 - Zoning, SEQRA and Site Plan approvals

Winter 2007 - Remedial Action Work Plan (RAWP) Submission

Spring-Summer 2008 - RAWP Implementation and commencement of construction schedule

However, construction work will not proceed until the Remedial Investigation (RI) and Remedial Action Work Plan (RAWP) are complete. It is possible, however, interim remedial measures will be required before the RAWP is complete.

Construction is anticipated to take approximately 24 months from the start of demolition of existing buildings.

Demolition: Prior to demolition, existing tenants would be relocated. Demolition is expected to last approximately one to two months (April - June 2008).

Excavation and Foundation: The excavation and foundation work required for the new buildings is expected to take approximately six months (August - October 2008).

Building Construction: Erection and enclosure of the new structure would occur upon completion of the foundation, and is expected to require approximately nine months (November 2008 -July 2009).

Interior Construction: Interior construction activities are anticipated to require three months (August - December 2009).

Tenant Build-outs and Finishing: The final four months of the construction sequence would

be used for tenant build-outs and finishing (January -April 2010). Depending on tenant size and leasing, certain interior tenant improvements may continue past the 24-month construction period.

SUPPORT FOR APPLICATION SECTION VII: **ENVIRONMENTAL HISTORY**

PART D: ENVIRONMENTAL HISTORY OF THE PROPERTY

The following Site use history was obtained from the February 2001 area-wide Phase I investigation of the entire waterfront prepared by Edwards and Kelcey, Inc. for the City of Yonkers subsequent to receipt of the initial round of EPA grants (February 2001 Phase I Report), and updated Site-specific January 2006 Phase I Report prepared by Paulus Sokolowski & Sartor (PS&S) (collectively the "Phase I Reports"). The Phase I Reports principally utilized historic Sanborn maps, the abstract of title (See Exhibit D), local property documents and other agency documents to provide Site history information. The complete February 2001 Phase I Report is already in NYSDEC's possession in relation to a number of other Yonkers projects. At a meeting held on April 20, 2006, NYSDEC representatives indicated that copying the reports again was not necessary provided the same Yonkers Library repository is used for this application as has been used for the Bond Act projects. The applicant agrees to utilize the Yonkers library as a repository. Nevertheless, since the February 2001 Phase I Report had so much information about the Site, excerpts from this Report have been attached. The following Site history is referenced for review and convenience.

PolyChrome History (1964-1990's): The available documentation indicates that PolyChrome operated a lithographic plate coating research and development facility at the Site, affiliated with its manufacturing operations across the street from possibly 1964 when it acquired the Site. Sanborn maps indicate that operations were present as of 1978 and the 1991 map still has the facility in operation. During these time periods, PolyChrome used large quantities of flammable and/or corrosive solvents, sodium hydroxide and sulfuric acid according to acquired documentation. While underground storage tanks were not present on this Site to store the chemical and petroleum products used, a print shop, equipment storage area, truck loading area and the R&D operations were all located at this Site. *See Site Map in Exhibit A.* In addition, there is documentation above ground tanks were present. Hazardous Waste Activity Notification forms filed with the EPA indicate that PolyChrome was a large scale hazardous waste generator at the Admin/R&D site at least as early as 1980 and at least as late as 1990. PolyChrome installed their above ground hazardous substance storage tanks at the Admin/R&D Site in 1986 and closed them in 1994.

Pre-PolyChrome History (1898 - 1964): In 1898, the Admin/R&D Site had been partially developed by Barber Asphalt Co. By 1917, it was fully developed and included the following operations: Yerks & Co. Lumber and Coal buildings, lumber yard and coal pockets; Gwineburger & Wiell Fat & Bone Collecting Station buildings and storage. By 1942, the Admin/R&D Site included J.A. Malsted Lumber Co. buildings, docks, and land as well as land owned by the Westchester Lighting Company. In 1951, Arthur B. Blair Inc. Boat Building operated a boat yard as well as fabrication, construction, and storage buildings. There was also a machine shop on the property.

From approximately 1886 through 1917, Yonkers Gas Light operated a manufactured gas plant (MGP) to the north and east of the Site at 101 Woodworth Avenue and 485 Nepperhan Avenue. It is important to note that groundwater flow is probably south onto the Site from this former manufactured gas plant site particularly given the type of contamination found on the site to date which show evidence of impact from these adjacent MGP operations.

A number of spill files have been generated in relation to both this Site and Sun's Manufacturing Site during PolyChrome's ownership. Since it could not always be distinguished which site each spill related to, all spill files are listed but all spill files are noted as closed:

- ▶ Spill No. 8700879 (sulfuric acid discharge to municipal sewer on Manufacturing Site);
- ▶ Spill No. 8807603 (#2 fuel oil seeping into hole while pulling underground tanks on Manufacturing Site);
- ▶ Spill No. 8905053 (white milky substance discharged to Hudson River storm drain potentially related to the Admin/R&D Site);
- ▶ Spill No. 8905788 (county sewer line corroded from sulfuric acid discharged by PolyChrome. Resulted in replacement of portion of sewer pipe);
- ▶ Spill No. 9704871 (caller noted sheen on Hudson River emanating from area near Admin/R&D Site. No source found);
- ▶ Spill No. 9809331, 9809335, 9903690, 9909857, 9909858 (all at location of Ashburton and Alexander Streets, no further information available);

In addition to the spill files, the City of Yonkers Fire Department responded to a Hazardous Material incident (Incident #11471) which involved an oil sheen in an excavation hole at Admin/R&D site in August 2000.

The Site is listed in the CBS-AST, RAATS, TSCA, FINDS, RCRIS-LQG and NY SPILLS databases.

PolyChrome also had two occurrences of enforcement actions with respect to hazardous waste management at their Sites. The first in 1983 and the second in 1993, that resulted in civil penalties. Both involved proper labeling, storage, and packaging of drums of hazardous waste. The potential for harm to the environment from the violations was considered "major" for some of the violations and the penalty was increased due to repeat enforcement findings. Remedial actions included the construction of an acceptable hazardous waste storage area and improved procedures and training.

It is important to note that the Toxic Chemical Release Inventory System indicates that unspecified resources have been affected by the release of methoxyethanol and methanol at the Manufacturing Site.

Preliminary Phase II Data

Based on the significant Phase I history of the Site, PS&S conducted an initial limited subsurface environmental site investigation in November 2006, following a Phase I Environmental Site

Assessment. The investigation was designed to initially characterize soil and groundwater environmental impacts at the properties, in order to identify potential areas of concern and to support potential future remedial decisions for the re-development of the property.

Soil Samples

A total of 9 soil borings were installed with a Geoprobe rig, and 18 soil samples were collected. A chemical or petroleum odor was observed at one soil boring location, and a sheen was observed on soil at one boring location.

The soil investigation determined site-wide soil impacts as compared to New York State Department of Environmental Conservation (NYSDEC) Unrestricted Use Criteria (Track I). Target Compound List Volatile Organic Compounds (TCL VOCs) were detected in 6 of the soil samples, and 2 samples exceeded NYSDEC Criteria. TCL Semi-volatile Organic Compounds (SVOCs) were detected in all 18 soil samples; a total of 8 samples exceeded NYSDEC Criteria. Target Analyte List (TAL) Metals were detected in exceedance of the NYSDEC Criteria in all soil samples.

Potential on-site sources of VOC, SVOC, and metals impacts to soil are releases from former chemical and petroleum USTs and also potentially from the former lithographic printing activities documented by the Phase I ESA report. The former PolyChrome lithographic printing operations utilized large volumes of solvents, dyes and inks that included petroleum compounds and metals. Standard Oil was also present on the Site for many years, which likely contributed contamination to the Site. Westchester Lighting Company owned this site for a portion of time, and the Site appears to have been used for a variety of coal related operations. However, specific on-site sources were not identified during this first site investigation. Additional soil investigation is recommended as part of a Remedial Investigation under the program. Additional investigation would include further sampling near suspect USTs and former areas of chemical storage, handling and processing.

Sediment Samples

A total of 2 Sediment samples were collected from storm catch basins located in the site parking area. Visual observations of contamination were made in relation to all of the sediment samples.

TCL VOCs were detected in one sediment sample. TCL SVOCs were detected in both sediment samples. TAL Metals were detected in exceedance of NYSDEC Criteria in all sediment samples. A potential source of the VOC, SVOC and metals impacts detected in the sediment samples are the former brownfield industrial uses on the Site included the lithographic printing activities. The former Polychrome operations may have released or disposed of solvents, dyes and inks in site drains and catch basins. Additional investigation would include tracing suspect piping, drains, vaults and catch basins, as well as, soil and groundwater investigation in the area of suspect features.

Groundwater Samples

Groundwater samples were collected utilizing a Geoprobe groundwater sampling probe. Environmental impacts were identified in all of these “grab” groundwater samples. However, the

extent of the groundwater impacts are difficult to determine at this time due to turbidity in the collected samples. Permanent groundwater monitoring wells will likely need to be installed as part of the Remedial Investigation for the Site. Therefore, definitive conclusions regarding sources could not be made based on this data. A former MGP site was located next door, which could account for some of the groundwater data results. However, the groundwater samples were too turbid to reach any definitive conclusions.

Groundwater samples were collected at 3 probe locations. TCL VOCs were detected in one sample. TCL SVOCs were detected in all groundwater samples, and 2 samples exceeded NYSDEC Class GA Criteria, TOGS 1.1.1. TAL Metals were detected in exceedance of NYSDEC Criteria in all groundwater samples.

Additional groundwater investigation is recommended, and would include the installation of groundwater monitoring wells near former areas of chemical storage, handling and processing.

Soil Gas

Sample location SCSV-1, located in the parking lot behind 137 Alexander Street, had methane detected at 58 %. The source of methane is undetermined and is a potential safety concern. Further study is warranted prior to any demolition or intrusive construction activity.

Volatile Organic Carbon compounds found above the method detection limit at all three sample locations include acetone, hexane, heptane and toluene.

Data was screened for exceedances of the greater of the NYS indoor, NYS outdoor and ambient background concentrations. Compounds that exceed the greater of these “background” concentrations at one or more locations include acetone, carbon disulfide, methylene chloride, hexane, 2-butanone, cyclohexane, chloroform, benzene, heptane, trichloroethene, toluene, m,p-xylene, and styrene.

Two compounds were detected at the Site above the NYS Ambient Air Values, including methylene chloride (NYS ambient air value is 60 ug/m³) and trichloroethene (NYS ambient air value is 5 ug/m³). Methylene chloride was detected at location SCSV-1 at a concentration of 1500 ug/m³ and trichloroethene (TCE) was detected at location SCSV-2 at a concentration of 5.4 ug/m³.

Therefore, further Remedial Investigation of the Site is required.

PART E: PAST OWNERS

1898: Barber Asphalt Co. plant
Contact information unavailable.

1917: Yerks & Co. Lumber and Coal Yard
Contact information unavailable.

Gwineburger & Wiell Fat & Bone Collecting Station;
Contact information unavailable.

1942: J.A. Malsted Lumber Co.
Contact information unavailable.

Westchester Lighting Company
Acquired by Consolidated Edison
4 Irving Place
New York, New York 10003
Counsel's office: 212-460-3241

1951: Arthur B. Blair Inc. Boat Building, machine shop
Contact Information Unavailable

1964-1994: PolyChrome Corporation acquired and occupied the Site. PolyChrome Corporation and the Site was owned by Sun Chemical Corp. Current Contact information for Sun is included in the application and is as follows:

Sun Chemical Corporation
Michael Zachara, Esq.
35 Waterview Blvd.
Parsippany, New Jersey 07054-1285
(973) 404-6560
FAX (973) 404-6439
E-MAIL michael.zachara@na.sunchem.com

PART F: PAST OPERATORS

All of the past owners were also operators as noted above. The contact information is the same with the exception of the current operator.

County Department of Social Services
137-145 Alexander Street (County DSS)
Yonkers, NY (914) 231-2000

SUPPORT FOR APPLICATION SECTION VIII: CONTACT LIST INFORMATION

PART G: CONTACT LIST

1. The Chief Executive Officer:

Mayor Phillip A. Amicone

City Hall
40 South Broadway
Yonkers, New York 10701

2. a. The City Zoning Bureau:

Lee Ellman, Director of Planning and Development
Bureau of Housing and Buildings
87 Nepperhan Ave.
Yonkers, New York 10701

b. The County Zoning Bureau:

Gerard E. Mulligan, AICP
Commissioner
Westchester County Department of Planning
148 Martine Ave. Room 432
White Plains, NY 10601

3. Residents, owners, and occupants of the Site and properties adjacent to the Site:

See Brownfield Site Contact List attached hereto in Exhibit C.

4. Local news media from which the community typically obtains information:

The Journal News
One Gannet Drive
White Plains, New York 10604
(914) 694-9300

5. The public water supplier that services the area where the Site is located:

City of Yonkers Bureau of Water
Albina Glaz
Water Engineer
170 Saw Mill River Road
Yonkers, New York 10701
(914) 377-6735

6. Any person who has requested to be placed on the Site contact list:

No one has requested to be put on the list to date. However, we intend to voluntarily send information regarding this project to the adjacent property owners listed in Exhibit C.

7. The administrator of any school or day care facility located on or near the Site:

There are no schools or day care centers near the Site.

8. The location of a document repository for the project (e.g., local library):

Yonkers Public Library
One Larkin Center
Yonkers, New York 10701

SUPPORT FOR APPLICATION SECTION IX:
LAND USE FACTORS

PART H: LAND USE FACTORS

1. Do current historical and/or recent development patterns support the proposed use?

Yes. The City of Yonkers supports this project and the City Council has designated the applicant to be the designated Master Developer for this area. Enhancement of the downtown and waterfront area is specifically being encouraged by the City. Cost projections have been calculated, and the applicant and its investors believe the current historical and/or recent development patterns in the City of Yonkers support the proposed project. However, increased remedial costs outside the context of the BCP may diminish or eliminate the ability of the developer to obtain financing for the project. Therefore, the liability relief afforded by the program is critical for financing. As a result, program acceptance is essential for this project to move forward and continue the recent development patterns of growth in Yonkers.

2. Is the proposed use consistent with applicable zoning laws/maps?

No. The Site, and all other sites along Alexander Street are presently zoned Industrial, which does not allow for the residential or commercial reuse of the Site. However, the City and Yonkers Brownfield Solutions, Inc. (YBSI) are engaged in a Master Plan, Urban Renewal Plan, Local Waterfront Revitalization Plan and BOA Plan process to establish what is known as PUR zoning. This flexible form of zoning under the Urban Renewal Law will allow for the proposed reuse. In the meantime, it is possible to apply for a Use & Area Variance to proceed with the project.

3. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, designated Brownfield Opportunity Area plans, or other adopted land use plans?

Yes. The proposed use is consistent with the applicable brownfield opportunity area (“BOA”) designated pursuant to General Municipal Law §970-r because the Site is located in an area of former industrial and petroleum-related commercial properties, is located in a new Environmental Zone, and is part of the Upper West Side BOA currently being developed under a BOA Step 3 application. YBSI recently met with NYSDEC and NYSDOS to discuss a schedule projected to have the BOA Plan approved by early 2007. The City of Yonkers and YBSI are engaged in an extensive planning effort through the BOA Program, which will make a proposed residential mixed reuse of the Site consistent with all of the plans being developed for this purpose.

4. Are there any Environmental Justice Concerns (See §27-1415(3)(p))?

There are no Environmental Justice Concerns pursuant to §27-1415(3)(p).

5-8. Are answered as “yes” or “no” on the application form itself.

9. Are there important federal, state or local natural resources, including waterways, wildlife refuges, wetlands or critical habitats of endangered or threatened species proximate to the Site?

Yes. The Hudson River is adjacent to the property.

10. Are there floodplains proximate to the Site?

Yes, as a result of the adjacent Hudson River.

11. Are there any institutional controls currently applicable to the Site?

No, but there may be a need for a future environmental easement for the Site. In addition, a vapor mitigation system may need to be installed and maintained unless a future vapor investigation reveals such a system is not necessary subsequent to the remediation of the Site.

12. Describe on attachment the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas.

There are industrial uses in close proximity to the Site as it is still situated in an industrially zoned area. The adjacent properties include the Halstead-Quinn/ATI Petroleum Tank Farm to the south. The East Site subject to a separate BCP application is located to the east known as the Manufacturing Site along with and remediated Greyston Bakery Site. The Patclin Chemical Company CERCLIS Site is located approximately 100 feet to the south

Manufacturing Site. The Excelsior Bag and Liberty Lines Sites are located to the north. The February 2001 Phase 1 Report described the high medium and low potential for all of these sites to have contributed some contamination in the area. Essentially, the entire area is industrial and is an area-wide brownfield.

There are no proximate agricultural, recreational or residential uses immediately adjacent to the Site. Beczack Environmental Center is located several sites south of this Site.

13. Describe on attachment the potential vulnerability of groundwater to contamination that might migrate from the Site, including proximity to wellhead protection and groundwater recharge.

No active municipal water supply wells are located on or near the subject property. There is little potential that groundwater from the Site could affect either municipal water supply wells or recharge areas. Off-Site ground water issues are outside the scope of this volunteer's responsibility pursuant to the BCP.

14. Describe on attachment the geography and geology of the Site.

Site soils consist of fill materials, sand, gravel, and clay. Site lithology consists of historic fill underlain by flood plain sediments. Groundwater under the site is tidally influenced and flows to the Hudson River, which is a tidal estuary, on the western side of the site. Based on the preliminary investigation performed, the depth to groundwater varies from approximately 4.5 feet to 7.5 feet below ground surface across the site.

Brownfield Cleanup Program Application

SFC Sun, LLC's Proposed PolyChrome West Site Remediation and Development Project 137-145 Alexander Street, Yonkers, New York

New York Department of Environmental
Conservation
Division of Environmental Remediation
625 Broadway
Albany, New York 12233-7020



January 2007
Environmental Consulting Team:
Paulus, Sokolowski and Sartor, LLC
Knauf Shaw LLP



K N A U F

S H A W

L L P

January 24, 2006

Dale Desnoyers, Esq.
New York State Department of
Environmental Conservation
625 Broadway
Albany, New York 12233-7016

Ramanand Pergadia, Brownfield Prog. Coordinator
New York State Department of
Environmental Conservation
Region III
21 S. Putt Corners Road
New Paltz, New York 12561-1620

RE: Site: Sun PolyChrome Corporation - West
Site Address: 137-145 Alexander Street, Yonkers, New York
Brownfield Cleanup Program Application

Dear Dale and Ramanand:

On behalf of SFC Sun, LLC, we are pleased to submit an application for the Sun PolyChrome Corporation - West Site's participation in the Brownfield Cleanup Program ("BCP").

Enclosed is the original and one electronic copy for the State DEC office, and one copy for the Region III office. Also enclosed is a copy of the January 2007 Phase I ESA Report in both hard and electronic form.

Thank you for your attention to this matter.

Sincerely,

KNAUF SHAW LLP

Linda Shaw

LRS/jmy
enclosures

pc: Peter Klein
Joseph Apicella
Nora Finn