

**Phase I Environmental Site Assessment
Commercial Property
41 Kensico Drive
Mount Kisco, Westchester County, New York**

***Prepared For:*
AutoNation, Inc.**

September 21, 2016

***Prepared By:*
URS Corporation**

URS Job No. 60517657

September 21, 2016

AutoNation, Incorporated
200 SW 1st Avenue, Suite 1400
Fort Lauderdale, Florida 33301

Attention: Mr. Michael Archey
Senior Counsel, Real Estate

**Re: Phase I Environmental Site Assessment Report
Commercial Property
41 Kensico Drive
Mount Kisco, Westchester County, New York
URS Job No. 60517657.1**

Dear Mr. Archey:

Transmitted with this letter is our report titled "Phase I Environmental Site Assessment" for the commercial property located at 41 Kensico Drive in Mount Kisco, Westchester County, New York. This letter also serves to allow the use of, and reliance on URS' Phase I Environmental Site Assessment Report, listed above (the Report), by AutoNation, Inc. and its affiliates.

We trust this report provides you with the information you require at this time. Should you have any questions regarding the information presented in this report, or need further assistance, please contact me at 904.281.9251.

Sincerely,
URS Corporation

A handwritten signature in cursive script, reading "Michael Emilio".

Michael Emilio, CPM
Project Manager

cc: file

EXECUTIVE SUMMARY

URS Corporation (URS) was retained by AutoNation, Inc. (AutoNation) to conduct a Phase I Environmental Site Assessment (ESA) of the commercial property located at 41 Kensico Drive in Mount Kisco, Westchester County, New York (subject property). The purpose of URS' Phase I ESA was to evaluate whether current or historical activities on or near the subject property may have resulted in significant contamination by hazardous substances or wastes, also known as a Recognized Environmental Condition (REC).

URS has performed this Phase I ESA of the subject property in general conformance with the scope and limitations of the ASTM International (ASTM) Standard Practice for Environmental Site Assessments (Standard E 1527-13) and the United States Environmental Protection Agency (USEPA) 40 Code of Federal Regulations (CFR) Part 312 Standards and Practices for All Appropriate Inquiries (AAI) – Final Rule updated on December 30, 2013. The Phase I ESA was also performed in accordance with URS' proposal to AutoNation, dated August 26, 2016.

The subject property is developed with a commercial building located at 41 Kensico Drive in Mt. Kisco, Westchester County, New York. According to the owner, the subject property lot consists of approximately 1.7 acres with an approximate 13,000 square foot slab-on-grade commercial building. The building is currently occupied by Human Relations Media, a commercial and movie production company. According to the site representative, the subject building was constructed as a commercial warehouse/office building in 1976. The existing subject building appears to have been developed similar to its current configurations at the time of the 1984 aerial photograph. The exterior of the subject property is developed with asphalt-paved parking and drive areas and associated landscaping. The subject property is situated immediately east of and accessible from Kensico Drive.

Historical information was reviewed for the subject property dating back to 1892. The subject property appears to be undeveloped land in the historical sources reviewed from 1892 through 1975. The subject property first appeared in its current configuration in the 1984 aerial photograph. The subject building was constructed in 1976 and was originally occupied by a veterinary hospital. In 1982, Design for Leisure, a pool table and bar stool manufacturer took occupancy of the subject property until 1998 when Human Relations Media took occupancy. The western portion of the subject building is currently vacant and, according to the site contact, was previously occupied by a home health care company and then a coin and stamp dealer.

Only household-size maintenance and cleaning chemicals were observed on the subject property. These materials were stored in containers of 5-gallon or less. The majority of the hazardous material storage areas were observed to be relatively free of stains and fairly well-maintained. Evidence of leaks and staining were not observed in the vicinities of these materials. None of the current or historic facilities located at the subject property addresses are registered as generators of hazardous waste and no hazardous wastes were observed onsite during URS' site reconnaissance.

URS did not observe visual indications of any underground storage tanks (USTs) (i.e., vent pipes, fill-ports, piping, etc.) or aboveground storage tanks (ASTs) onsite during the site reconnaissance. Based on information provided by the site representative and regulatory records reviewed, two heating oil USTs were removed from the property in 1998 along with an unspecified volume of contaminated soil. Endpoint soil samples were collected and no constituents of concern were detected above applicable cleanup criteria. As a

result, on August 26, 1998, the New York Department of Environmental Conservation (NYSDEC) granted No Further Action (NFA) status. These steel USTs were replaced with a 1,000-gallon fiberglass heating oil UST. According to a building permit on file with the Village of Mt. Kisco (dated March 25, 2008), this fiberglass UST was removed in 2008 when the subject property converted to natural gas. Envirostar Corporation submitted a letter to the Village of Mount Kisco, dated July 30, 2008, indicating that the UST was removed and no holes were found in the UST. A soil sample was collected and Total Petroleum Hydrocarbons (TPH) was detected at a concentration of 68 parts per million (ppm) which is below the regulatory cleanup criteria for TPH of 100 ppm (residential) and 500 ppm (commercial). The Village of Mount Kisco issued a Certificate of Compliance (dated August 11, 2016) regarding the removal of the UST. Based on the historical operation of the three heating oil USTs and former presence of petroleum-impacted soil, it is URS' opinion that shallow groundwater in the vicinity of the UST may have been potentially impacted. Therefore, it is URS' opinion that the three former USTs represent RECs to the subject property and a Vapor Encroachment Condition (VEC) cannot be ruled out.

Based on URS' review of environmental databases, a visual reconnaissance of the adjacent properties, a review of historical documents and information provided by site representatives, no properties of potential environmental concern were identified adjacent to or in the surrounding areas that could be reasonably expected to create a REC at the subject property at this time.

The following other environmental, safety concerns, and/or recommended best management practices were identified on the subject property.

- Based on the reported date of building construction for the subject building (prior to 1976), it is possible that asbestos-containing materials (ACMs) were utilized during construction; however, an asbestos survey was not conducted nor included in the authorized scope of services. Note that additional inspection, including limited exploratory demolition and bulk sampling in accordance with EPA NESHAPS and OSHA requirements is required prior to any future renovation, demolition, and/or construction activities. If any building materials are identified by laboratory analysis to be ACMs, they should be removed by qualified abatement contractors in accordance with local, State and Federal regulations. URS recommends that as part of the standard operating practices, property management should notify workers of the potential for the presence of ACM in the suspect non-friable materials, and modify the maintenance work procedures should the materials be disturbed due to repair or replacement activities. URS recommends that an asbestos Operations & Maintenance (O&M) Plan be prepared for the site to fulfill these recommendations.
- According to the NWI map, no wetland areas are identified onsite. However, site representatives noted that the site may have been a former wetland, as fill material was brought in during the initial site development in the 1970's to raise the site elevation to the current grade. Site representatives noted that during previous UST excavations the fill material in the vicinity of the USTs was noted to contain construction debris (concrete, brick, wood, etc.).

TABLE OF CONTENTS

Section	Page
EXECUTIVE SUMMARY	i
1.0 INTRODUCTION.....	1
1.1 OBJECTIVE	1
1.2 SCOPE OF WORK.....	2
1.3 LIMITING CONDITIONS	2
1.4 LIMITATIONS OF THE ASSESSMENT	2
1.5 VALIDITY	2
1.6 USER RELIANCE.....	3
2.0 SITE DESCRIPTION.....	4
2.1 PHYSICAL LOCATION AND DESCRIPTION OF PROPERTY	4
2.2 ENVIRONMENTAL SETTING	4
2.2.1 Topography.....	4
2.2.2 Soils and Geology	4
2.2.3 Hydrogeologic Conditions	5
2.2.4 Surface Water.....	5
2.2.5 Wetlands.....	5
3.0 USER PROVIDED INFORMATION.....	6
3.1 TITLE RECORDS	6
3.2 ENVIRONMENTAL LIENS OR ACTIVITY AND USE LIMITATIONS	6
3.3 DATA GAPS	6
3.4 PREVIOUS INVESTIGATIONS	6
4.0 SITE INSPECTION.....	8
4.1 CURRENT USES OF THE PROPERTY	8
4.2 PAST USES OF THE PROPERTY	8
4.3 EXTERIOR AND INTERIOR SITE OBSERVATIONS.....	8
4.3.1 Hazardous Substances	8
4.3.2 Hazardous Wastes.....	9
4.3.3 Underground/Aboveground Storage Tanks	9
4.3.4 Odors/Air Emissions	9
4.3.5 Drums and Containers.....	9
4.3.6 PCB-Containing Equipment	9
4.3.7 Hydraulic Lifts	9
4.3.8 Drains and Sumps	9
4.3.9 Pits, Ponds, and Lagoons.....	10
4.3.10 Solid Waste.....	10
4.3.11 Wastewater.....	10
4.3.12 Water Supply.....	10
4.3.13 Wells.....	10
4.3.14 Stormwater.....	10
4.3.15 Radon	10
4.3.16 Asbestos.....	10
4.3.17 Mold Conditions.....	11

	4.3.18 Other Physical Evidence of Contamination.....	11
5.0	ADJOINING AND SURROUNDING LAND USE.....	12
5.1	CURRENT USES OF ADJACENT PROPERTIES.....	12
5.2	SURROUNDING PROPERTIES OF POTENTIAL ENVIRONMENTAL CONCERN	12
6.0	HISTORIC SITE AND SURROUNDING PROPERTY CONDITIONS.....	13
6.1	CURRENT AND PRIOR OWNERSHIP	13
6.2	INTERVIEWS	13
6.3	AERIAL PHOTOGRAPHS.....	13
6.4	SANBORN FIRE INSURANCE MAPS	13
6.5	TOPOGRAPHIC MAPS.....	14
6.6	CITY DIRECTORIES	14
7.0	REGULATORY AGENCY REVIEW	16
7.1	DATABASE SEARCH	16
7.2	SUBJECT PROPERTY	18
7.3	ADJACENT PROPERTIES	18
7.4	SITE VICINITY	19
7.5	UNMAPPED SITES	20
7.6	REGULATORY AGENCY CONTACTS/INTERVIEWS	20
7.7	Vapor Migration.....	20
	7.7.1 Subject Property.....	21
	7.7.2 Surrounding Sites.....	21
7.8	COMPLIANCE RECORDS	21
8.0	CONCLUSIONS	22
8.1	FINDINGS AND RECOMENDATIONS	22
8.2	DEVIATIONS	22
8.3	USER OBLIGATION.....	23
9.0	QUALIFICATIONS AND SIGNATURES	24
10.0	REFERENCES.....	25

List of Figures

Figure 1	Site Vicinity Map
Figure 2	Site Map

List of Appendices

Appendix A	Scope of Work
Appendix B	Site Photographs
Appendix C	Information Transmittal Form
Appendix D	Environmental Lien Search
Appendix E	Historical Information
Appendix F	EDR Database Search
Appendix G	Regulatory Documents
Appendix H	Curricula Vitae of URS Personnel

1.0 INTRODUCTION

URS Corporation (URS) was retained by AutoNation, Inc. (AutoNation) to conduct a Phase I Environmental Site Assessment (ESA) of the commercial property located at 41 Kensico Drive, Mt. Kisco, New York (subject property). URS has performed this Phase I ESA of the subject property in general conformance with the scope and limitations of the ASTM International (ASTM) Standard Practice for Environmental Site Assessments (Standard E 1527-13) and the United States Environmental Protection Agency (USEPA) 40 Code of Federal Regulations (CFR) Part 312 Standards and Practices for All Appropriate Inquiries (AAI) – Final Rule updated on December 30, 2013. The Phase I ESA was also performed in accordance with URS’ proposal to AutoNation dated August 26, 2016. The Phase I ESA objectives, scope, and limitations are presented in the following sections.

1.1 OBJECTIVE

The term “recognized environmental condition,” as defined by the ASTM Standard E 1527-13, means:

The presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. Conditions determined to be *de minimis* are not recognized environmental conditions.

The publication of ASTM Standard E 1527-13 also includes the evaluation of environmental conditions as a controlled REC (CREC), a historical REC (HREC), or as a *de minimis* condition.

A CREC is defined as:

A recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls). Conditions determined to be *de minimis* are not CRECs.

An HREC is defined as:

A past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

A *de minimis* condition is defined as:

A condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of

appropriate governmental agencies. Conditions determined to be *de minimis* are not RECs or CRECs.

1.2 SCOPE OF WORK

URS' Scope of Work for the Phase I ESA consisted of an inspection of the subject property and nearby area, a review of historical information on activities at the subject property, a review of readily available regulatory information concerning the subject property and other nearby properties of environmental concern, and preparation of a report detailing URS' results and conclusions. This environmental assessment was prepared in general conformance with URS' proposal to AutoNation dated August 26, 2016, which also references ASTM Standard E 1527-13. A more detailed description of the Scope of Work is presented as **Appendix A**.

1.3 LIMITING CONDITIONS

URS' site inspection included a walking inspection of areas that were accessible by foot (interior and exterior), and a drive-by inspection (exterior only) of surrounding and adjacent properties, including those properties identified in the environmental database search. Not every tenant space could be accessed. However, accessed areas were representative of building spaces. No other limiting conditions were encountered during URS' site inspection.

1.4 LIMITATIONS OF THE ASSESSMENT

This Phase I ESA report has been prepared pursuant to Article 7 of the executed Agreement for Professional Services (dated 12/27/99) and is for the exclusive use of AutoNation, Inc. and its affiliates. It is intended to provide these parties with an understanding of the potential for environmental contamination at the property assessed.

In assessing the subject property, URS has relied upon representations and information furnished by individuals noted in the report with respect to existing operations, property conditions and the historic uses to the extent that the information obtained has not been contradicted by data obtained from other sources. Accordingly, to the extent that URS should have and did rely solely upon information furnished orally, URS accepts no responsibility for any deficiency, misstatements or inaccuracy contained in this report as a result of misstatements, omissions, misrepresentations or fraudulent information provided by the persons interviewed.

1.5 VALIDITY

This Phase I ESA was conducted in general accordance with the recommended guidelines established by ASTM Standard E 1527-13, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process". This Phase I ESA is generally consistent with the standards and practices set forth in Title 40 Code of Federal Regulations (CFR) Part 312 for "All Appropriate Inquiry (AAI) - Final Rule, as updated on December 30, 2013. The following components of this report must be updated after one hundred eighty (180) days of the date of this report if the contemplated transaction has not taken place within that period of time:

1. Interviews with owners, operator and occupants;
2. Searches for recorded environmental cleanup liens;
3. Reviews of federal, tribal, state, and local Government records;

4. Visual inspection of the property and of adjoining properties; and
5. The declaration of the environmental professional responsible for the assessment or update.

1.6 USER RELIANCE

This report is intended to be used in its entirety, and excerpts are not considered representative of the results presented. The report is intended for the sole use of AutoNation, Inc., and its affiliates. The Scope of Services performed during this investigation may not be appropriate for other users, and any use or reuse of this document, or the findings, conclusions, or recommendations presented herein, is at the sole risk of said user.

2.0 SITE DESCRIPTION

Information concerning the subject property was obtained from a site inspection conducted by Mr. Steve Wright of URS on September 1, 2016, interviews with representatives of the property, and a review of the documents referenced in **Section 10.0** of this report. Mr. Yair Cadmon, President of Human Relations Media, accompanied Mr. Wright during URS' site reconnaissance.

2.1 PHYSICAL LOCATION AND DESCRIPTION OF PROPERTY

The subject property is developed with a commercial office/warehouse building located at 41 Kensico Drive in Mt. Kisco, Westchester County, New York. According to the owner, the subject property lot consists of approximately 1.7 acres with an approximate 13,000 square foot slab-on-grade commercial building. The building is currently occupied by Human Relations Media, a commercial and movie production company. The building contains office space, warehouse space, a small filming studio, conference rooms, break rooms, rest rooms, a boiler room, a utility room and storage areas. The western portion of the building is currently vacant office space. Additional information regarding current and past tenants is referenced in **Section 6.6**.

According to site representatives, the subject building was constructed in 1976. The subject building appeared to have been developed similar to its current configuration at the time of the 1984 aerial photograph. The exterior of the subject property is developed with asphalt-paved parking and drive areas and associated landscaping. The subject property is situated immediately east of and accessible from Kensico Drive.

Con Edison provides electrical and natural gas services to the subject property. Potable water service and sanitary sewer service are provided by the Town of Mount Kisco.

Selected photographs of the subject property are attached as **Appendix B**. The general location of the subject property is shown on the Site Vicinity Map, **Figure 1**. A Site Map is presented as **Figure 2**.

2.2 ENVIRONMENTAL SETTING

Environmental characteristics including topography, geology, and hydrogeology were evaluated based on site observations, published literature, and available maps.

2.2.1 Topography

Topographic map coverage of the subject property is provided by the United States Geological Survey (USGS) "*Mount Kisco*" 7.5-minute quadrangle map (reference year 2013). Topographic relief across the subject property is relatively flat, with an elevation of approximately 290 feet above mean sea level; local topographic relief slightly slopes down toward the east-southeast.

2.2.2 Soils and Geology

Based on information from the United States Department of Agriculture (USDA), Soil Conservation Service as provided to Environmental Data Resources, Inc. (EDR), the soils in the vicinity of the subject property are primarily classified as urban land. Based on the urban (developed) nature of the subject property vicinity, the specific soils underlying the subject property are likely to have been modified through cutting, grading, filling, and shaping for urban development. It is unknown (not reported) whether or not this soil series meets the requirements to be considered a hydric soil.

2.2.3 Hydrogeologic Conditions

It is difficult to predict groundwater movement, particularly on a small scale. Groundwater flow direction generally mimics the topography of the land. Based on the US Geological Survey (USGS), 7.5-minute series Topographic Map, Mount Kisco, NY dated 2013, site observations, and investigations at nearby sites, the anticipated ground water flow direction is to the east-southeast in the site vicinity. However, site specific groundwater conditions can only be determined by a subsurface investigation.

2.2.4 Surface Water

No surface water bodies are located onsite. URS observed one storm drain in a grassy area on the northwestern portion of the subject property. According to site representatives, the drain discharges to a storm drain line that traverses the northern portion of the site and discharges to a small creek adjacent to the eastern site boundary.

The nearest surface water body is a small creek located adjacent to the east of the property. This creek flows in a southerly direction and is connected to the Kisco River (further to the southwest), as depicted on historical topographic maps.

2.2.5 Wetlands

URS reviewed a United States Department of Interior, United States Fish & Wildlife Service National Wetlands Inventory (NWI) map provided in the Environmental Data Resources, Inc. (EDR) Radius Map Report. A wetland delineation was not performed as part of this assessment. According to the NWI map, no wetland areas are identified onsite. However, site representatives noted that the site may have been a former wetland, as fill material was brought in during the initial site development in the 1970's to raise the site elevation to the current grade. Site representatives noted that during previous UST excavations the fill material in the vicinity of the USTs was noted to contain construction debris (concrete, brick, wood, etc.).

3.0 USER PROVIDED INFORMATION

As required by AAI, additional inquiries are required to be conducted by the property purchaser. These inquiries include:

1. Identification of environmental cleanup liens against the subject property;
2. Specialized knowledge or experience regarding the subject property;
3. Relationship of the purchase price to the fair market value if the subject property was not contaminated;
4. Commonly known or reasonably ascertainable information regarding the subject property; and
5. Degree of obviousness of the presence or likely presence of contamination at the subject property.

These inquiries were presented to AutoNation (the “Client”) in the Information Transmittal Form (ITF) by URS. A copy of the ITF as completed by Mr. Harry C. Brumley, AutoNation’s National Director of Real Estate, is attached as **Appendix C**.

3.1 TITLE RECORDS

Procurement and review of a 50 Year Chain-of-Title was not included in the scope of services for this project. According to the deed for the subject parcel obtained from the Westchester County Clerk, 41 Kensico Drive, LLC, (grantor) transferred the subject property via a Bargain and Sale Deed to Kisco River Properties (grantee) on September 3, 1998. This deed was for Assessor’s Parcel Number (APN): 69.50-1-2 at 41 Kensico Drive. No additional information concerning previous owners of the subject property was available.

3.2 ENVIRONMENTAL LIENS OR ACTIVITY AND USE LIMITATIONS

URS contracted with Nationwide Environmental Title Research, LLC (NETR) to provide an environmental lien search report for the subject property (**Appendix D**). According to NETR, no environmental liens or activity and use limitations (AULs) were identified for the subject property.

3.3 DATA GAPS

No significant data gaps were identified by URS during the Phase I ESA project.

3.4 PREVIOUS INVESTIGATIONS

The following previous environmental investigations were provided to URS for review:

Phase I Environmental Site Assessment, prepared by Ecosystems Strategies, Inc. (ESI), dated July 22, 1998

At the time of the ESI assessment, the subject property was developed with an approximate 13,000 square foot commercial building that was occupied by Designs for Leisure, LTD, a manufacturer of bar stools and billiard tables. ESI stated that the subject property was undeveloped land prior to construction of the current day commercial building in 1976. The subject property was originally occupied by a veterinarian hospital until Designs for Leisure took occupancy in 1982.

During the ESI inspection, a 1,000-gallon heating oil UST was observed to the east of the building. In addition, ESI reported that stains, paints and lacquer thinner are used on-site and a paint spray booth is located

in the northern portion of the building. As a result of their assessment, AS a result of their system ESI concluded with the following recommendations:

- The subject property is connected to the municipal sewer system. It is unknown whether a wastewater discharge permit is required for discharging of wastewater from the paint booth floor washer. ESI recommended that the subject property owner contact the local wastewater authority to determine whether this discharge is acceptable.
- No tank tightness tests were on file for the heating oil UST. ESI recommended that the UST be precision tested for tightness to document its integrity.
- It is unknown if the paint booth requires a NYSDEC air permit. ESI recommended that the property owner contact the NYSDEC to determine whether the on-site paint booth requires a NYSDEC air discharge permit.
- A spill incident (Spill #9705582) was reported at a property approximately 0.1 miles north of the subject property. This spill incident was not listed as “closed”. ESI recommended that a file review be conducted for this spill incident.
- Two empty 55-gallon drums were observed on the central portion of the property. No staining or leakage was observed in the vicinity of the drums. ESI recommended that the drums be removed and disposed of properly.
- An approximate 6”x6” area of stressed vegetation, indicative of improper fuel transfer, was observed around the fill port for the heating oil UST. ESI recommended that a site representative be present during fuel oil deliveries to ensure that future releases of petroleum do not occur.
- Some staining was observed on the concrete flooring adjacent to the compressor and boiler and staining was observed on a wall adjacent to the 5-gallon buckets of cutting oil within the manufacturing area. ESI recommended that absorbent materials be maintained in all areas where petroleum products and paints are stored.
- Suspect ACMs encountered during maintenance, renovation or demolition work should be handled, removed and disposed of in accordance with applicable regulations.

4.0 SITE INSPECTION

URS inspected the subject property on September 1, 2016. URS' site inspection included a walking inspection of the subject property. A windshield survey was also completed of adjoining properties and nearby properties listed in the search radii. Photographs taken during URS' site inspection are provided in **Appendix B**.

4.1 CURRENT USES OF THE PROPERTY

The subject property is developed with a single commercial building located at 41 Kensico Drive in Mount Kisco, Westchester County, New York. The current tenants in the office building are listed in **Section 2.1**.

4.2 PAST USES OF THE PROPERTY

Historical information was reviewed for the subject property dating back to 1892. The subject property appeared to be undeveloped land in the historical sources reviewed from 1892 to 1975.

The existing subject building appeared similar to its current configuration at the time of the 1984 aerial photograph. According to site representative, the subject building was constructed in 1976 and was originally occupied by a veterinary hospital. In 1982, Design for Leisure, a pool table and bar stool manufacturer took occupancy of the subject property until 1998 when Human Relations Media took occupancy. The western portion of the subject building is currently vacant and according to the site contact, was previously occupied by a home health care company and then a coin and stamp dealer. Further information on the historical use of the property is presented in **Section 6.0**.

4.3 EXTERIOR AND INTERIOR SITE OBSERVATIONS

The subject property consists of approximately 1.7 acres of land developed with a one-story commercial office building. The subject building is constructed with a concrete slab-on-grade foundation and a cinder block construction with decorative masonry exterior. The roof is flat membraned. The interior spaces of the subject building consist of office space, warehouse space, a small filming studio, conference rooms, break rooms, rest rooms, the boiler room, a utility room and storage rooms. The western portion of the building is vacant office space.

A Site Map is presented as **Figure 2**.

4.3.1 Hazardous Substances

The following hazardous materials were observed in the subject building:

- Household size maintenance and cleaning products. These materials were stored in containers of 5-gallon or less. These materials were primarily stored in the mechanical and maintenance areas.

The majority of the hazardous material storage areas were observed to be relatively free of stains and fairly well-maintained. Evidence of leaks and staining were not observed in the vicinities of these materials.

Based on current observations, hazardous substances do not represent a REC at or an environmental concern to the subject property.

4.3.2 Hazardous Wastes

None of the current or historic facilities located at the subject property are registered as generators of hazardous waste and no hazardous wastes were observed onsite during URS' site reconnaissance. According to site representatives, development of film was never conducted on site and current filming is all digital-based. Based on current observations, hazardous wastes do not represent a REC at or an environmental concern to the subject property.

4.3.3 Underground/Aboveground Storage Tanks

URS did not observe visual indications of any underground storage tanks (USTs) (i.e., vent pipes, fill-ports, piping, etc.) or aboveground storage tanks (ASTs) onsite during the site reconnaissance. The site representatives stated that there were currently no USTs or ASTs on the subject property. Based on current observations, USTs and ASTs do not represent a REC at or an environmental concern to the subject property.

Heating oil USTs were formerly located on the subject property. According to records reviewed, two heating oil USTs were removed in 1998 and one heating oil UST was removed in 2008. Additional information regarding these former USTs is provided in **Section 7.2**.

4.3.4 Odors/Air Emissions

URS did not observe any paint booths or visual evidence of any site activities which would be expected to generate regulated air emissions.

4.3.5 Drums and Containers

No drums or containers, greater than 5-gallon in size, were observed on the subject property.

4.3.6 PCB-Containing Equipment

URS did not observe any electrical transformers located onsite. Fluorescent light ballasts are located throughout the subject building. These light ballasts were not readily accessible for evaluation regarding the potential PCB content. No staining was observed in the vicinity of the above-referenced units.

No elevators or other potential PCB-containing equipment were observed at the subject property.

4.3.7 Hydraulic Lifts

URS did not observe any aboveground hydraulic lifts (AHLs) or underground hydraulic lifts (UHLs) located onsite. Thus, AHLs and UHLs do not represent RECs to the subject property at this time.

4.3.8 Drains and Sumps

One storm drain was observed in a grassy area on the northwestern portion of the subject property. Reportedly, the drain discharges to a storm drain line that traverses the northern portion of the site and discharges to a small creek adjacent to the eastern site boundary. Six (6) floor drains were observed within the warehouse area. These drains reportedly discharge to the sanitary sewer system. The site representatives stated that there are additional drains in the warehouse and office areas. However, these drains are covered with shelving, cabinets or carpeting.

Site representatives indicated that no oil-water separator (OWS) units or sumps are present onsite and none

were observed by URS during the site reconnaissance.

4.3.9 Pits, Ponds, and Lagoons

No pits, ponds or lagoons were observed on the subject property at the time of the site inspection.

4.3.10 Solid Waste

Solid waste consists of general packaging, paper, and household-type wastes that are consolidated in two dumpsters (one cardboard and one municipal waste). Solid waste is picked up weekly by a contracted waste transporter, Winter Brothers. Solid waste appears to be appropriately managed at this time.

4.3.11 Wastewater

Wastewater generated at the subject property is from the restrooms and sinks in the subject buildings and also from the drains mentioned in **Section 4.3.8**. All of the referenced wastewater sources discharge directly to the municipal sanitary sewer system (Town of Mt. Kisco Sewer Department).

4.3.12 Water Supply

According to the site representative, potable water is supplied to the subject property by the Town of Mt. Kisco.

4.3.13 Wells

No groundwater monitoring, potable supply, production, or irrigation wells are located at the subject property.

4.3.14 Stormwater

URS observed one (1) storm drain in the grassy area on the northwestern portion of the property. Further description of the stormwater drain is provided in **Section 4.3.8**.

4.3.15 Radon

A radon gas survey was not conducted nor included in the authorized scope of services.

URS reviewed the United States Environmental Protection Agency's (USEPA) Map of Radon Zones for Westchester County, New York. The USEPA Radon Zone for Westchester County is 3: indoor air average is less than 2 picoCuries per liter (pCi/L). According to the state radon database, 2130 sites in Westchester County have been tested for radon, with an average radon concentration of 0.930 pCi/L in 1st floor living areas and an average of 1.730 pCi/L in basement areas. Therefore, it is URS' opinion that radon gas does not represent a significant environmental concern for the subject property because the subject property is utilized for non-residential purposes.

4.3.16 Asbestos

An asbestos survey was not conducted nor included in the authorized scope of services. Asbestos testing of building materials is the only way to assess the presence or absence of asbestos. Based on the reported date of construction for the subject building (1976), it is possible that asbestos-containing materials (ACMs) were utilized during construction. Some suspected ACMs include the ceiling tiles, floor tiles, wallboards and roof membranes. According to site representative, the interior of the building was renovated in 1998 into the

current configuration.

Note that additional inspection, including limited exploratory demolition and bulk sampling in accordance with EPA NESHAPS and OSHA requirements is required prior to any future renovation, demolition, and/or construction activities. If any building materials are identified by laboratory analysis to be ACMs, they should be removed by qualified abatement contractors in accordance with local, State and Federal regulations.

URS recommends that as part of the standard operating practices, property management should notify workers of the potential for the presence of ACM in the suspect non-friable materials, and modify the maintenance work procedures should the materials be disturbed due to repair or replacement activities. URS recommends that an asbestos Operations & Maintenance (O&M) Plan be prepared for the site to fulfill these recommendations.

4.3.17 Mold Conditions

The URS representative did not observe mold or evidence of mold on the building materials during the site reconnaissance.

4.3.18 Other Physical Evidence of Contamination

No unusual odors, pools of waste liquids, runoff patterns, or berms were observed on the subject property during the site inspection.

5.0 ADJOINING AND SURROUNDING LAND USE

URS performed a visual inspection of readily visible areas of adjacent properties. The following description of the current uses of adjoining properties and surrounding properties of potential environmental concern is based on URS' observations on the date of the inspection, and onsite and telephone interviews with owner's representatives, managers, and other site employees.

5.1 CURRENT USES OF ADJACENT PROPERTIES

The subject property is located within an area that consisted of commercial uses. In general, adjoining land and nearby uses are as follows:

North: The subject property is bordered to the north by two office buildings (43 & 45 Kensico Drive).

South: The subject property is bordered to the south by Suburban Propane (25 Kensico Drive).

East: The subject property is bordered to the east by a small brook, beyond which are railroad tracks. Further to the east, beyond the railroad tracks, is a multi-tenant commercial plaza. No tenants of environmental concern were noted in the commercial plaza at the time of site reconnaissance.

West: The subject property is bordered to the west by Kensico Drive, beyond which is Lexus of Mt. Kisco (275 Kisco Avenue) to the southwest and Holiday Inn (One Holiday Inn Drive) to the northwest.

5.2 SURROUNDING PROPERTIES OF POTENTIAL ENVIRONMENTAL CONCERN

Based on URS' review of the regulatory databases (presented in **Section 7.0**), several adjacent and nearby property addresses were identified in the databases searched by EDR. A storage tank and Spill site were identified to the southwest of the subject property and Spill sites were identified to the northeast and north of the subject property. These properties are further discussed in the applicable portions of **Section 7.3**.

6.0 HISTORIC SITE AND SURROUNDING PROPERTY CONDITIONS

The history of land use on and near the subject property was evaluated from interviews, and review of historical information and other documents referenced in **Section 10.0**.

6.1 CURRENT AND PRIOR OWNERSHIP

Procurement and review of a 50 Year Chain-of-Title was not included in the scope of services for this project. According to the deed for the subject parcels obtained from the Westchester County Clerk, 41 Kensico Drive, LLC, (grantor) transferred the subject property, via a Bargain and Sale Deed, to Kisco River Properties (grantee) on September 3, 1998. This deed was for Assessor's Parcel Number (APN): 69.50-1-2 at 41 Kensico Drive. No additional information concerning previous owners of the subject property was available.

6.2 INTERVIEWS

Mr. Yair Cadmon, President of Human Relations media, accompanied Mr. Wright during URS' site reconnaissance and provided information regarding the past and present activities on the subject property. That information has been incorporated into the appropriate sections of this report.

6.3 AERIAL PHOTOGRAPHS

Information regarding past site land use was obtained by a monoscopic review of historical aerial photographs obtained from EDR for the years 1941, 1949, 1953, 1964, 1974, 1984, 1989, 1994, 2006, 2009, and 2011. Copies of the historic aerial photographs are presented at a scale of 1 inch = 500 feet in **Appendix E**. Because of the relative scale of these photographs and dense development onsite and on neighboring properties, the identification of individual site features is limited.

1941 – 1953 The subject property and surrounding properties appear to be primarily undeveloped land with the exception of railroad tracks which are apparent to the east.

1964 – 1974 By 1964, a commercial warehouse structure was visible to the southwest, smaller commercial buildings (and possibly storage trailers) were visible to the south, and the multi-tenant commercial building was present to the east, beyond the railroad tracks. By 1974, the current day hotel building was visible to the northwest and a commercial office building was apparent to the north.

1984 – 2011 By 1984, the subject building appeared to be developed similar to its current configuration which matches the owner's comment that the building was built in 1976. Also by 1984, an additional commercial office building is apparent to the north. The subject property and adjacent properties remained relatively unchanged until the current automobile dealership building was constructed to the southwest sometime between 2006 and 2009. No significant changes were observed between 2009 and 2011.

6.4 SANBORN FIRE INSURANCE MAPS

URS obtained Sanborn™ Fire Insurance Maps for the subject property for the year 1942 from EDR. Sanborn™ Maps are published detailed city maps which were originally designed to meet the requirements of the fire insurance industry. Fire insurance maps provide detailed property information by outlining all buildings in applicable areas, showing construction types, building heights, building numbers, use by

occupancy, as well as the location and content of USTs/ ASTs. A copy of the Certified Sanborn™ Map Report is included in **Appendix E**. A summary of the findings from the review of the Sanborn maps is provided below.

1942 The subject property is depicted as undeveloped land. The adjoining properties are primarily depicted as undeveloped land with the exception of the New York Central Railroad which is depicted to the east.

No potential RECs were identified during review of the Sanborn map.

6.5 TOPOGRAPHIC MAPS

URS obtained USGS topographic maps of the vicinity of the subject property for the years 1892, 1893, 1899, 1955, 1971, 1979, 1998 and 2013 from EDR (**Appendix E**). A summary of the findings from the review of the topographic maps is provided below.

1892 - 1899 The subject property and adjoining properties consisted of undeveloped land located immediately west of the New York Central and Hudson River Railroad. A creek is depicted on the northern adjoining property (*Stamford, NY* quadrangle, scale of 1:62,500; *Tarrytown, NY* quadrangle, scale of 1:62,500)

1955 - The subject property is depicted as undeveloped land located immediately west of a creek and the New York Central Railroad. A few small commercial buildings are depicted to the south. No other significant changes were evident onsite or on adjoining properties as compared to earlier maps. (*Ossining, NY* quadrangle, scale of 1:24,000; *Mount Kisco, NY* quadrangle, scale of 1:24,000)

1971 – 1998 The subject property is depicted as undeveloped land located immediately west of a creek and the New York Central Railroad. Beyond the railroad is a commercial building. Additional commercial buildings are present to the north, south and west of the subject property. (*Ossining, NY* quadrangle, scale of 1:24,000; *Mount Kisco, NY* quadrangle, scale of 1:24,000)

2013 The adjoining roads are visible to the west and the adjoining railroads tracks and creek are present to the east. No structures or other site specific features are depicted on the subject property on the 2013 map. (*Ossining, NY* quadrangle, scale of 1:24,000; *Mount Kisco, NY* quadrangle, scale of 1:24,000)

6.6 CITY DIRECTORIES

Information from city directories regarding past property ownership and the inferred land use was obtained from EDR for the years 1972 to 2013 from various city directory sources. Directories were searched in approximately five (5) year intervals. The subject property address, a commercial building at 41 Kensico Drive was identified as follows (year of directory is shown in parentheses): Veterinary Hospital (1978); Designs for Leisure (1988-1995); no listing (1999); Human Relations Media & My Second Home Family Services (2003); Human Relations Media, Cambridge Stamp Co & HRM Video (2008-2013).

The northern adjacent address at 43 Kensico Drive was identified as a multi-tenant office building (1992-2013) and the northern adjacent address at 45 Kensico Drive was identified as a multi-tenant office building (1973-2013). The southern adjacent address at 25 Kensico Drive was identified as Suburban Propane (2003-2013). It should also be noted that the address of 19 Kensico Drive was identified as Kisco Beverage (1978-

1999). The western adjacent address at 275 Kisco Avenue was identified as Smit Nymegen Corp (1978); ABM Intl Corp & All Boro Metal Products (1988); ABM International Corp (1992-1999); ABM International Corp, ABM Alloy & Stainless Steel Corp, and Kensico Properties (2003); occupant unknown (2008); and Lexus of Mount Kisco (2013).

Additional information concerning neighboring facilities is discussed further in the appropriate portions of **Section 7.0** and the EDR-City Directory Image Report is included in **Appendix E**.

7.0 REGULATORY AGENCY REVIEW

During the performance of the Phase I ESA, URS reviewed and obtained information from State and local regulatory agencies having jurisdiction over the subject property, as well as several environmental databases compiled by EDR.

7.1 DATABASE SEARCH

URS reviewed information gathered from EDR in order to evaluate, to the extent possible, whether activities on or near the subject property have the potential to create adverse environmental impacts on the subject property. EDR reviews databases compiled by Federal, state, and local Government agencies. The EDR Radius Map Report with GeoCheck and its complete list of databases is provided in **Appendix F**.

It should be noted that this information is reported as URS received it from EDR, which in turn reports information as it is provided in various Government databases. It is not possible for either URS or EDR to verify the accuracy or completeness of information contained in these databases. However, the use of and reliance on this information is a generally accepted practice in the conduct of environmental due diligence. A description of the pertinent databases searched and the information obtained is summarized below:

Type of Database	Description of Database/Effective Date	Radius Searched	Number of Sites Identified
FEDERAL ASTM STANDARD RECORDS			
NPL	The National Priorities List identifies uncontrolled or abandoned hazardous waste sites. To appear on the NPL, sites must have met or surpassed a predetermined hazard ranking system score, been chosen as a state's top priority site, pose a significant health or environmental threat, or be a site where the EPA has determined that remedial action is more cost-effective than removal action.	1 mile	0
SEMS	Superfund Enterprise Management System (SEMS), formerly the CERCLIS List. The Comprehensive Environmental Response, Compensation, and Liability Information System -Active (CERCLA) database identifies hazardous waste sites that require investigation and possible remedial action to mitigate potential negative impacts on human health or the environment.	½ mile	0
SEMS-ARCHIVE	SEMS-Archive was formerly known as listing CERCLA sites that have been designated as No Further Remedial Action Planned (NFRAP). These sites have been removed from the CERCLIS list, archived, and EPA has determined that no further action will be taken to list the site on the NPL list.	½ mile	0
CORRACTS	The Corrective Action Report identifies hazardous waste handlers with RCRA corrective action activity.	1 mile	0
RCRA TSDFs	Resource Conservation & Recovery Act Treatment, Storage, or Disposal Facilities.	½ mile	0
RCRA Generators	RCRA-regulated hazardous waste generator notifiers list; Large, Small, and Conditionally Exempt Small Quantity Generators (LQGs, SQGs, & CESQGs), and Non Generators (NonGen) are included.	¼ mile	0 LQG 0 SQG 2 CESQG 15 NonGen
ERNS	EPA's Emergency Response Notification System (ERNS) list contains reported spill records of oil and hazardous substances.	Target Property	1

Type of Database	Description of Database/Effective Date	Radius Searched	Number of Sites Identified
DOD	Department of Defense (DOD) list consists of federally owned or administered lands that have an area equal to or greater than 640 acres.	1 mile	0
TRIS	Toxic Chemical Release Inventory System. TRIS identifies facilities which release toxic chemicals into the air, water, and land in reportable quantities under SARA title III Section 313.	Target Property	0
ROD	Records of Decision (ROD) documents mandate a permanent remedy at an NPL site containing technical and health information to aid in the cleanup.	1 mile	0
NY SWF/LF	Solid Waste / Land Fill disposal facilities (SWF/LF) listings.	½ mile	0
FINDS	Facility Index System/Facility Registry System	Target Property	0
FUSRAP	Formerly Utilized Sites Remedial Action Program established by the DOE to remediate sites where radioactive contamination remained from Manhattan Project and early US Atomic Energy Commission (AEC) operations	⅓ mile	1
STATE ASTM STANDARD RECORDS			
NY LTANKS	State inventory of leaking aboveground and/or underground storage tanks (NY LTANKS)	½ mile	31
NY CBS	Chemical Bulk Storage Listing (NY CBS).	¼ mile	1
NY UST	State inventory of registered underground storage tank sites (UST).	¼ mile	13
NY AST	State inventory of registered aboveground storage tank sites (AST).	¼ mile	7
NY CBS AST	List of facilities that store regulated hazardous substances in ASTs with capacities of 185 gallons or greater, and/or in USTs of any size (NY CBS AST).	¼ mile	1
NY INST CONTROL	State Institutional / Engineering Control List (NY INST CONTROL)	½ mile	0
NY VCP	State Voluntary Cleanup Program Sites (VCP)	½ mile	0
STATE OR LOCAL SUPPLEMENTAL RECORDS			
NY DRY CLEANERS	Drycleaning facilities.	¼ mile	0
NY SPILLS	Listing of spills reported to NYSDEC that are active as of April 1, 1986, as well as spills occurring since this date (NY SPILLS)	⅓ mile	6
Financial Assurance	Listing of financial assurance information for storage tank sites (Financial Assurance)	Property	0
NY SWRCY	List of recycling center locations (SWRCY)	½ mile	0
NY MANIFEST	State of NY Hazardous Waste Manifest Data (NY MANIFEST)	¼ mile	17
NJ MANIFEST	State of NJ Hazardous Waste Manifest Data (NJ MANIFEST)	¼ mile	1
EDR PROPIETARY RECORDS			
EDR MGP	Manufactured Gas Plants.	1 mile	0
EDR Hist Auto	EDR US Historical Auto Stations	⅓ mile	2
EDR Hist Cleaners	EDR US Historical Cleaners	⅓ mile	0
RGA HWS	EDR Recovered Government Archives (RGA) Hazardous Waste facilities (HWS)	Target Property	0
RGA LF	EDR RGA Solid Waste (LF) facilities	Target Property	0

7.2 SUBJECT PROPERTY

The subject property address at **41 Kensico Drive** was identified as “Spill Number 9805645” in the NY Spills database in two separate spill incidents (Site ID: 199749/ Spill Number: 0403981 and Site ID: 444336/ Spill Number: 1010722). The facility’s NY Spills listing (Site ID: 199749/ Spill Number: 0403981) indicated that on July 14, 2004, an unreported amount of raw sewage spilled on the street and was cleaned up. URS reviewed the New York State Department of Environmental Conservation (NYSDEC) Spills Incident Database records which indicated that this Spill incident was closed on August 11, 2004. Further information on Spill Number 9805645 is discussed with the NY LTANKS information.

The facility’s NY Spills listing Site ID: 444336/ Spill Number: 1010722 indicated that on January 18, 2011, an unreported amount of petroleum was spilled. According to the EDR report, “a spill, probably fuel oil dripping off a truck was released and a sheen was visible for several blocks but it was unrecoverable”. The report stated and, that “unknown oil going down street into the Kisco River”. The Spill incident is listed with No Further Action status and according to the NYSDEC records reviewed, this Spill incident was closed on January 18, 2011. The subject property is also listed on the ERNS database. According to information reviewed, on January 18, 2011, an unknown sheen was reported going towards the Kisco River. Based on the records reviewed, it appears that the ERNS listing is the same as the previously-discussed release, Spill Number: 1010722.

The subject property is listed on the NY LTANKS database (Spill Number: 9805645). According to information reviewed, in 1998, a 1,000-gallon steel fuel oil UST failed a tank tightness test. During the removal of the UST, contaminated soil was encountered; however, the UST appeared to be in good condition. Additional excavation revealed the presence of an abandoned 2,000-gallon steel fuel oil UST adjacent to the 1,000-gallon UST. This UST was removed along with an unspecified volume of contaminated soil. Endpoint soil samples were collected and no constituents of concern were detected above applicable cleanup criteria. As a result, on August 26, 1998, the NYSDEC granted No Further Action (NFA) status. These two steel USTs were replaced with a 1,000-gallon fiberglass heating oil UST. According to a building permit on file with the Village of Mt. Kisco (dated March 25, 2008) and the site representative, this fiberglass UST was removed in 2008 when the subject property converted to natural gas. Envirostar Corporation submitted a letter to the Village of Mount Kisco, dated July 30, 2008, indicating that the UST was removed and no holes were found in the UST. A soil sample was collected and Total Petroleum Hydrocarbons (TPH) was detected at a concentration of 68 parts per million (ppm) which is below the regulatory cleanup criteria for TPH of 100 ppm (residential) and 500 ppm (commercial). The Village of Mount Kisco issued a Certificate of Compliance (dated August 11, 2016) regarding the removal of the UST.

URS reviewed the New York State Department of Environmental Conservation (NYSDEC) Spill Incidents Database Search online for additional information. Records reviewed indicate that all of the Spill incidents on the subject property have been closed.

Based on the historical operation of the three heating oil USTs and former presence of petroleum-impacted soil, it is URS’ opinion that shallow groundwater in the vicinity of the UST may have been potentially impacted. Therefore, it is URS’ opinion that the three former USTs represent RECs to the subject property.

7.3 ADJACENT PROPERTIES

The following adjacent properties were identified in the databases searched by EDR:

The southwestern adjacent address at **275 Kisco Avenue** was identified as Kensico Properties in the NY LTANKS (Facility ID: 192548/Spill Number 0111676 and Facility ID: 192548/Spill Number 0404904) database. The property is at an estimated cross-gradient topographic position relative to the subject property. Spill Number 0111676 occurred on March 11, 2002, due to a tank test failure. An unknown amount of #2 fuel oil was released. It was reported that excavated soils were removed. The Spill case was closed on September 11, 2002. Spill Number 0404904 occurred on August 4, 2004, due to a tank test failure. An unknown amount of #2 fuel oil was released. The Spill case was closed on February 07, 2005.

The southwestern adjacent address at **275 Kisco Avenue** was identified as Lexus of Mount Kisco in the NY UST and NY AST databases (Facility ID: 3-437573). This facility currently has a 6,000-gallon heating oil AST, a 1,000-gallon new oil AST, and a 500-gallon new oil AST in service that were installed in 2008. This facility formerly had a 1,000-gallon UST and a 5,000-gallon UST that were removed in 2002, a 10,000-gallon UST that was removed in 2004, and a 5,000-gallon UST and two 330-gallon ASTs that were removed in 2007. Two Spill incidents are listed for this address. Refer to the Kensico Properties discussion above for additional information regarding the Spill listings.

The northwestern adjacent address at **Kisco Drive** was identified as Holiday Inn in the NY Spills database (Facility ID: 0706937/Spill Number 0706937). The property is at an estimated cross to up-gradient topographic position relative to the subject property. According to information reviewed, on September 22, 2007, approximately one-gallon of dielectric fluid was observed on the soil adjacent to a transformer. No additional information regarding the cleanup of the Spill incident was found in the regulatory records reviewed. However, the Spill case was closed on September 25, 2007.

The northern adjacent address at **43 Kensico Drive** was identified as Water Way in the NY Spills database (Facility ID: 505893/Spill Number 1412082). According to information reviewed, on March 25, 2015, a caller reported a sheen on a stream adjacent to this office property. An inspection was made by Westchester County and no sheen was observed. This Spill incident was closed on March 26, 2015.

The northern adjacent address at **45 Kensico Drive** was identified on the EDR Historic Auto Station database. According to information reviewed, this facility is listed as Marathon Brake Systems, Inc. for the years 1999, 2000, 2002, 2007 and 2009.

7.4 SITE VICINITY

URS reviewed the EDR database report to identify off-site facilities with suspected or documented environmental concerns or RECs that may negatively impact the subject property. URS' criteria for further evaluating the potential impact of a listed off-site facility are summarized below:

- The listed off-site facility is documented or assumed to be hydrogeologically up-gradient and a likely pathway exists for environmentally mobile contaminants to reach the subject property; or, contaminants from the listed off-site facility can reach the subject property through other pathways (i.e., surface runoff); and,
- The off-site facility is listed on one (1) of the following databases: Federal NPL, Federal CORRACTS, Federal CERCLIS, Federal ERNS, State SPL, State SCL, State LUST, State Deed Restrictions, State Toxic Pits, Landfill (excluding transfer stations), and is not listed in the database as "closed" or "no further action" (including NFRAP); or,

- The facility adjoins the subject property and is listed as a RCRA large-quantity hazardous waste generator, a CERCLIS NFRAP site, or an UST operator; or
- The facility is a known or suspected concern based on URS' experience or observations made during the site reconnaissance (i.e., Dry-cleaning operations that may or may not be listed as RCRA-SQG or a non-adjacent UST site that appears to have a remediation system in place).

Using the criteria discussed above, none of the offsite facilities identified in the databases searched by EDR appeared to represent a potential environmental concern to the subject property at this time

7.5 UNMAPPED SITES

URS reviewed EDR's Orphan Summary, which is a listing of sites that have not been geocoded based on lack of sufficient data regarding their exact location within the general area. The subject property was not identified as an Unmapped Site. No additional Unmapped Sites identified on the Orphan Summary appear to be located within the ASTM-designated radii of the subject property therefore URS has no reason to believe that these sites could have impacted the subject property.

7.6 REGULATORY AGENCY CONTACTS/INTERVIEWS

During the performance of an environmental assessment, State and local regulatory agencies having jurisdiction over the subject property are contacted to evaluate the following information: the status of relevant environmental permits; whether there has been violations, or other similar correspondence from such agencies; whether corrective action or remediation is planned, currently taking place, or has been completed at the subject property; whether there have been reported violations or complaints that the subject property is not in compliance with environmental laws, regulations, or standards, and whether the subject property is under investigation for such non-compliance; whether the subject property is listed on the regulatory databases; and whether there is other pertinent documentation on file with such regulatory agencies regarding the subject property or surrounding sites of concern.

URS reviewed the US Environmental Protection Agency (EPA) Envirofacts Warehouse, the New York State Department of Environmental Conservation (NYSDEC) Spill Incidents Database Search, and the NYSDEC Bulk Storage Database online, for information on the subject property and nearby facilities listed in various government databases.

Copies of selected materials of the regulatory documents for the facilities identified above and copies of regulatory correspondence are provided in **Appendix G**. Information obtained from the aforementioned sources has been included in the previous sections of this report.

7.7 VAPOR MIGRATION

Based upon site observations, a regulatory database review, a review of historical documents and information provided by AutoNation, URS evaluated the potential for migration of hazardous substances or petroleum products in vapor at the subject property. The purpose is to determine if a Vapor Encroachment Condition (VEC) exists, likely exists, cannot be ruled out, or can be ruled out because a VEC does not or is not likely to exist. URS's evaluation is not an exhaustive screening and is intended to reduce, but not eliminate, uncertainty regarding whether or not a VEC exists in connection with a property.

The sites located within an approximate minimum search distance of one-third mile for hazardous substances or one-tenth mile for petroleum contaminated sites, were evaluated to determine if a VEC exists for the subject property.

7.7.1 Subject Property

The subject property address at 41 Kensico Drive was identified as **Spill Number 9805645** in the NY Spills database in two separate occasions (Site ID: 199749/ Spill Number: 0403981 and Site ID: 444336/ Spill Number: 1010722). However, as noted on **Section 7.2**, based on the historical operation of the three heating oil USTs and former presence of petroleum-impacted soil, it is URS' opinion that shallow groundwater in the vicinity of the UST may have been potentially impacted. Therefore, it is URS' opinion that a VEC cannot be ruled out.

7.7.2 Surrounding Sites

Several surrounding offsite properties were identified within one-tenth mile (528 feet) of the subject property that once were known to have petroleum hydrocarbons as the chemicals of concern (i.e. gasoline fuel associated with underground storage tanks). Based on the closed with no further action regulatory status of these facilities, there is no evidence that a potential VEC exists from these facilities. Therefore, it is the opinion of URS that none of the offsite properties listed in the regulatory databases are likely to be the source of potential VECs at the subject property, either by releases to the ground surface or through the migration of impacted groundwater.

7.8 COMPLIANCE RECORDS

URS did not observe any activities at the site that may require compliance records.

8.0 CONCLUSIONS

URS has performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312 *Standards and Practices for All Appropriate Inquiries; Final Rule* for the commercial properties located at in Elmsford, Westchester County, New York (subject property). Any exceptions to, or deletions from, this practice are described in the limitations sections of this report.

8.1 FINDINGS AND RECOMMENDATIONS

Based on URS' review of environmental databases, a visual reconnaissance of the adjacent properties, a review of historical documents and information provided by site representatives, no properties of potential environmental concern were identified adjacent to or in the surrounding areas that could be reasonably expected to create a REC at the subject property at this time.

Based on information provided by the site representative and regulatory records reviewed, two heating oil USTs were removed from the property in 1998 along with an unspecified volume of contaminated soil. Endpoint soil samples were collected and no constituents of concern were detected above applicable cleanup criteria. As a result, on August 26, 1998, the New York Department of Environmental Conservation (NYSDEC) granted No Further Action (NFA) status. These steel USTs were replaced with a 1,000-gallon fiberglass heating oil UST. According to a building permit on file with the Village of Mt. Kisco (dated March 25, 2008), this fiberglass UST was removed in 2008 when the subject property converted to natural gas. Envirostar Corporation submitted a letter to the Village of Mount Kisco, dated July 30, 2008, indicating that the UST was removed and no holes were found in the UST. A soil sample was collected and Total Petroleum Hydrocarbons (TPH) was detected at a concentration of 68 parts per million (ppm) which is below the regulatory cleanup criteria for TPH of 100 ppm (residential) and 500 ppm (commercial). The Village of Mount Kisco issued a Certificate of Compliance (dated August 11, 2016) regarding the removal of the UST. Based on the historical operation of the three heating oil USTs and former presence of petroleum-impacted soil, it is URS' opinion that shallow groundwater in the vicinity of the UST may have been potentially impacted. Therefore, it is URS' opinion that the three former USTs represent RECs to the subject property and a Vapor Encroachment Condition (VEC) cannot be ruled out.

The following other environmental, safety concerns, and/or recommended best management practices were identified on the subject property.

- Based on the reported date of building construction for the subject building (1976), it is possible that asbestos-containing materials (ACMs) were utilized during construction; however, an asbestos survey was not conducted nor included in the authorized scope of services. Note that additional inspection, including limited exploratory demolition and bulk sampling in accordance with EPA NESHAPS and OSHA requirements is required prior to any future renovation, demolition, and/or construction activities. If any building materials are identified by laboratory analysis to be ACMs, they should be removed by qualified abatement contractors in accordance with local, State and Federal regulations. URS recommends that as part of the standard operating practices, property management should notify workers of the potential for the presence of ACM in the suspect non-friable materials, and modify the maintenance work procedures should the materials be disturbed due to repair or replacement activities. URS recommends that an asbestos

Operations & Maintenance (O&M) Plan be prepared for the site to fulfill these recommendations.

- According to the NWI map, no wetland areas are identified onsite. However, site representatives noted that the site may have been a former wetland, as fill material was brought in during the initial site development in the 1970's to raise the site elevation to the current grade. Site representatives noted that during previous UST excavations the fill material in the vicinity of the USTs was noted to contain construction debris (concrete, brick, wood, etc.).

8.2 DEVIATIONS

During preparation of this report, no deletions or deviations occurred from the ASTM *Standard Practice for Environmental Site Assessments* standard (E 1527-13).

8.3 USER OBLIGATION

To receive/maintain liability protections established under the Brownfields Amendments, in addition to conducting AAI, the purchaser has the continued obligation of:

- Complying with land use restrictions and not impeding the effectiveness or integrity of institutional controls;
- Taking steps to prevent releases with respect to hazardous substances affecting a landowner's property;
- Providing cooperation, assistance and access to EPA, a state, or other party conducting response actions or natural resource restoration at the property;
- Complying with CERCLA information requests and administrative subpoenas; and,
- Providing legally required notices.

9.0 QUALIFICATIONS AND SIGNATURES

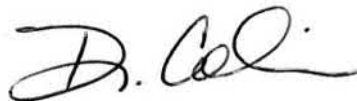
We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312. Copies of the resumes of those involved in the preparation of this report are provided in **Appendix H**.

This report was prepared by:

URS Corporation



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10.0 REFERENCES

- ASTM, 2013. Standard Practice for Environmental Site Assessments: *Phase I Environmental Site Assessment Process*, Standard E1527-13. November 6, 2013.
- EDR, 2016. The Environmental Data Resources Inc. (EDR) Certified Sanborn Map Report, Commercial Property, 41 Kensico Drive, Mount Kisco, NY 10549. Inquiry Number: 4714553.3. August 30, 2016.
- EDR, 2016. The EDR Historical Topo Map Report, Commercial Property, 41 Kensico Drive, Mount Kisco, NY 10549. Inquiry Number: 4714553.3. August 30, 2016.
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FIGURES

APPENDIX A

APPENDIX B

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

APPENDIX G

APPENDIX H