

1. INTRODUCTION AND BACKGROUND

The law firm of Phillips, Lytle, Hitchcock, Blaine & Huber retained Leader Environmental, Inc. ("Leader") on behalf of Foodlink, Inc. ("Foodlink") to complete a Phase I Environmental Site Assessment ("ESA") at contiguous developed properties located at 936 Exchange Street and 22 Flint Street, and an vacant parcel on the south-west side of the intersection between Exchange and Flint Streets ("the Site"), in the City of Rochester, New York. Foodlink was considering acquiring the Site, which has been owned since 1957 by Exchange Genesee Associates, Inc. - a partnership owned by three individuals (Sam Kolko, Myron Kolko, and Mordecai Kolko). Presently, the Site is comprised of three buildings (two connected buildings on Exchange Street and a smaller adjacent building to the east on Flint Street) that are presently vacant. The purpose of this project was to complete an ESA in accordance with the American Society of Testing and Materials ("ASTM") E 1527-94 and an asbestos assessment, subject to the limitations of Appendix A.

The scope of this ESA report was developed to reduce lender and buyer liability under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"). This ESA included the following:

- Site reconnaissance;
- Interviews with local individuals, as well as local and State government officials;
- Review of reasonably attainable Federal, State, and local records of activities conducted both on the Site and nearby where there has been, or may be, activities which could pose a potential threat to the environment;
- Completion of a computer record search of available Federal and State databases to identify potential off-Site contamination sources which are within ASTM-required radiuses of the Site;
- Completion of an asbestos assessment including sampling and testing of selected potential asbestos containing materials ("ACMs"), and;
- Submittal of this ESA report which summarizes our findings.

Note that the only intrusive investigations, (i.e., environmental sampling and analysis) that were conducted as part of this ESA involved sampling and testing of ACMs.

2. SITE DESCRIPTION

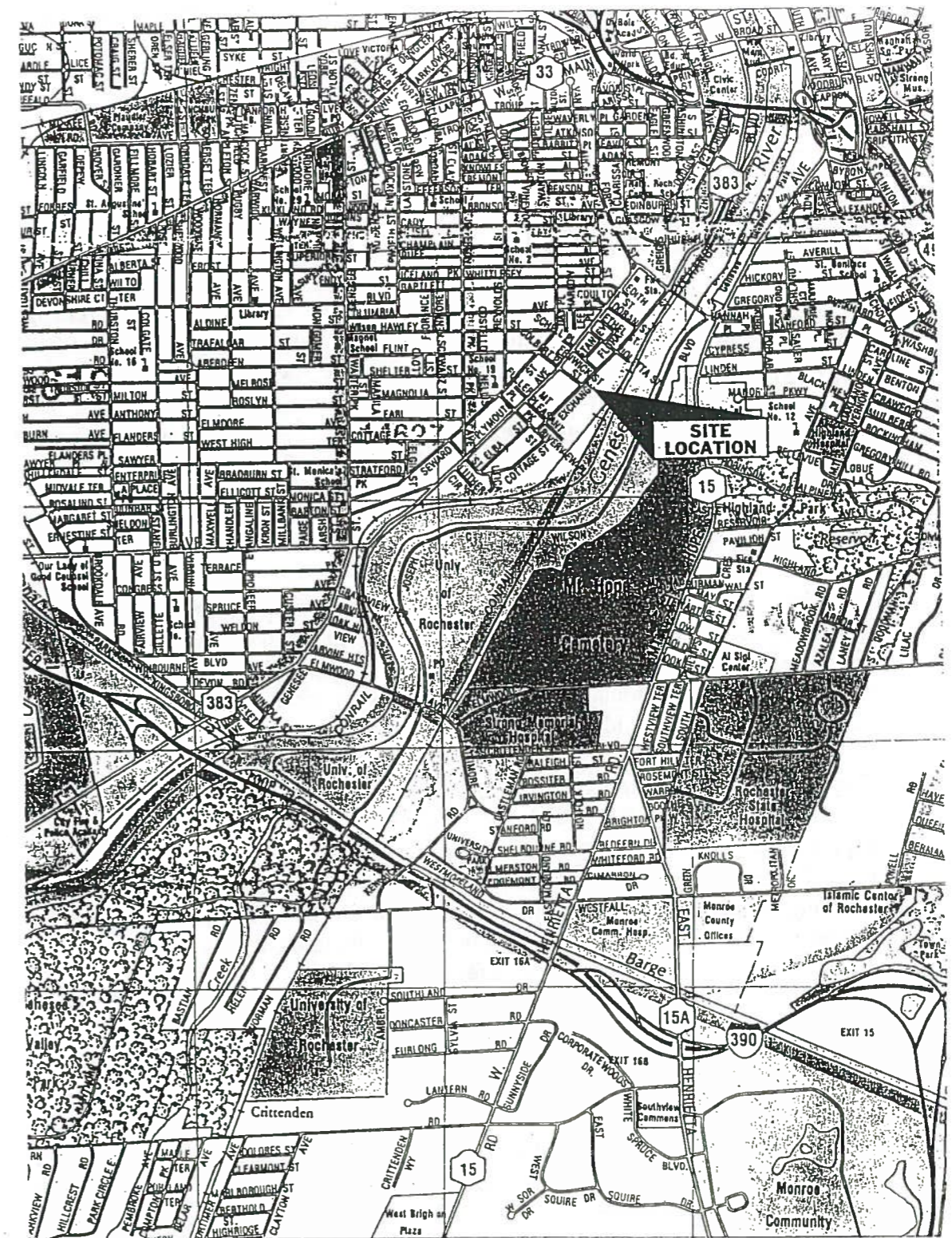
2.1 Location and Current Use

The Site is located at two of the corners of the intersection between Exchange Street and Flint Street, and is comprised of approximately 2.9 acres (Figure 2-1). The Site has been owned by the Exchange Genesee Associates, Inc. since 1957, and has been leased to a variety of industries for warehouse storage. The main tenant during this period of ownership was the Kolko Paper Co., Inc., which used the complex for storing and distributing a wide variety of paper products.

2.2 Site and Area Features

The Site is located in a urban area in the City of Rochester, New York and has historically been used for industrial purposes. The Site is comprised of contiguous developed properties located at 936 Exchange Street and 22 Flint Street, and a vacant parcel on the south-west side of the intersection between Exchange and Flint Streets. Three buildings (two connected multi-story buildings on Exchange Street and a smaller adjacent building to the east on Flint Street) are present (Figure 2-2). We were informed by Mr. Sam Kolko (a partner of Exchange Genesee Associates, Inc.) that the buildings on Exchange Street contain approximately 100,000 square-feet of floor space, while the two-floor building on Flint Street contains approximately 25,000 square-feet of floor space. The Exchange Street buildings are currently vacant, while the building on Flint Street is vacant with the exception that a portion of this building is currently leased to a company for the seasonal storage of a few cars and boats.

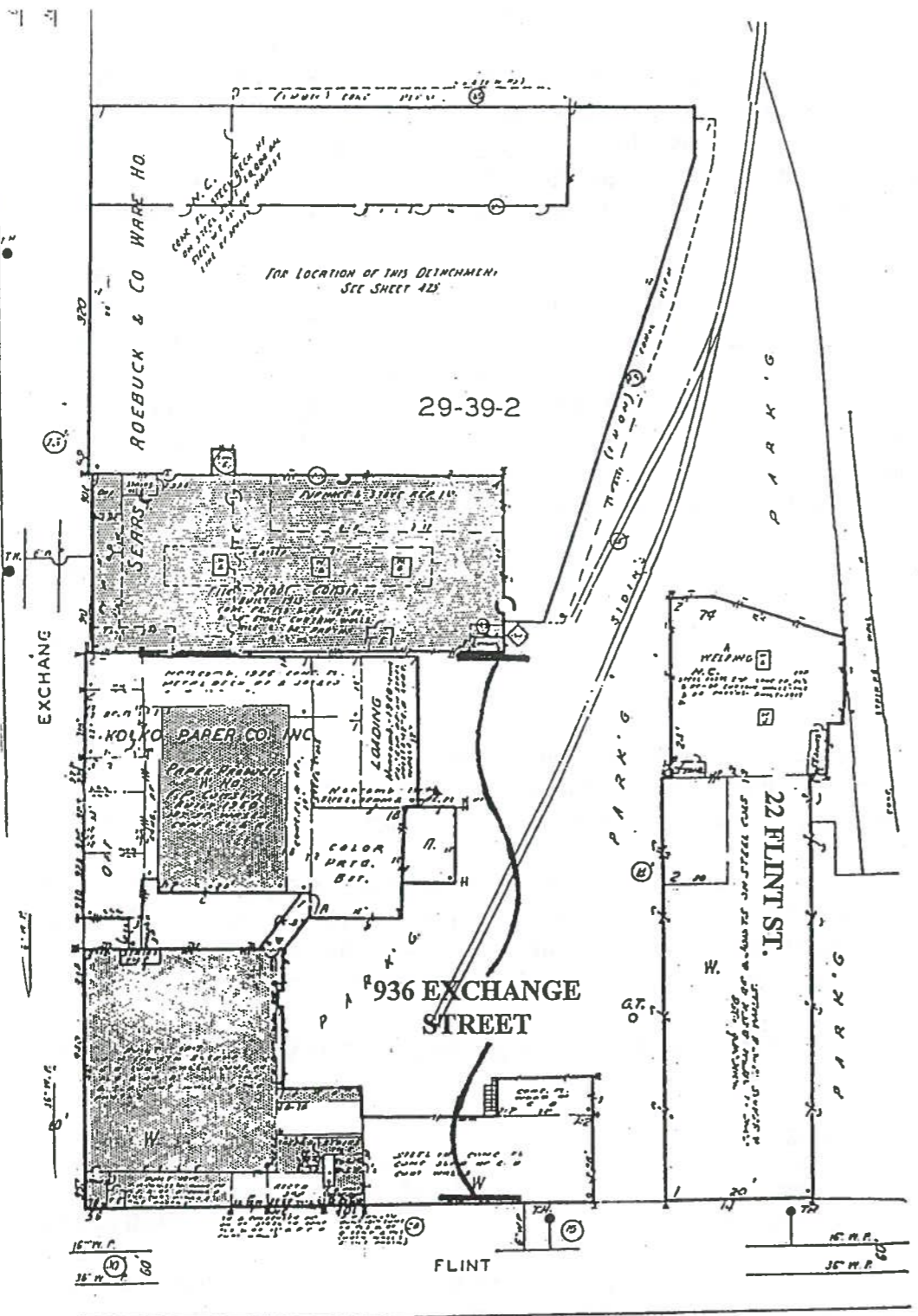
The Site is mostly square in shape, as shown on Figure 2-2. The boundaries for the Site are as follows: 1) a former Sears, Roebuck & Company warehouse is located to the north, and this warehouse is presently partially leased out for storage; 2) Exchange Street forms the Site's western boundary; and Canfield & Tack (commercial printers) occupy the western side of the street; 3) the southern boundary of the Site is Flint Street, and on the southern side of Flint Street are two businesses: XLI Corporation (a manufacturer of small equipment and parts) and an un-named junkyard (several acres of old, junked automobiles), and; 4) an abandoned canal forms the eastern boundary and this canal is partially filled in with miscellaneous fill material. A soil berm and concrete retaining wall separate the former canal from the Genesee River.



Notes

1) SOURC O S C 990

<p>Title SITE LOC 936 EXC NGE STRE ROC ES</p>	 <p>Leader Environmental, Inc. 435 Lawrence Oaks Drive Suite 120 Williamsville, NY 14221 (716) 565-0963 (716) 565-0984 (Fax)</p>	<p>Project 154.001</p> <p>Date 3/97</p> <p>Scale 1" = 0.5 MI.</p>	<p>Drawn GTW</p> <p>Checked JAW</p> <p>File Name SITEMAP</p>	<p>Figure 2-1</p>
<p>Prepared For PHILIPS, LYTLE, HITCHCOCK, BLAINE & HUBER</p>				



Notes
SOURCE: SANBORN, 1971

Title
936 EXCHANGE STREET & 22 FLINT STREET
ROCHESTER, NEW YORK

Prepared For
PHILIPS, LYTLE, HITCHCOCK, BLAINE & HUBER

Project
154.001

Date
3/97

Scale
1" = 175'

Drawn
GTW

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JAW

File Name
SITEPLAN

Figure
2-2

2.3 Site Abutters and Nearby Properties

Leader observed the adjacent and some nearby properties for the purpose of identifying those that currently have the potential to impact the Site. Presented below is a listing of these identified properties:

<u>Name/Owner</u>	<u>Address</u>	<u>Abutting Side</u>
XLI Corp.	950 Exchange Street	South
Canfield & Tack, Inc.	925 Exchange Street	West
"Un-named" Junkyard	Flint Street	South

2.4 Topography, Surface Water Bodies, and Drainage

Based on a United States Geological Survey ("USGS") Rochester East Quadrangle Topographic Map of the area, the Site is at an elevation of approximately 525 feet above mean sea level and is situated in an urban setting. The topography in the vicinity generally slopes to the east towards the Genesee River.

The regional drainage of surface water in the area is controlled by the municipal storm-sewer system. The Monroe County Pure Waters confirmed that locally collected stormwater runoff flows into a municipal system with treatment at its VanLare Plant.

2.5 Utilities

The Site has the access to the following utility connections:

- Potable water - The City of Rochester, Water Bureau supplies potable water to this area of the City. Mr. Dale Kriewall (Manager of Water Production) was contacted for information on the City's potable water system. Mr. Kriewall stated that the City has two sources of water: 1) Hemlock Lake (Finger Lakes region); and 2) Monroe County Water Authority, which obtains its water from Lake Ontario. Mr. Kriewall also stated the City prohibits the operation of private water wells; thus, it is unlikely that any facilities nearby the Site are using local groundwater for any purpose.
- Sanitary sewer - Monroe County Pure Waters ("Pure Waters") maintains the sanitary sewer lines, with ultimate treatment and discharge being by the VanLare Treatment Plant. Mr. Michael Kirchgessner of Pure Waters was contacted for additional information on local sewer lines. He stated that the facility is served by a combined storm and sanitary sewer that flows northwest along a side street

- Storm sewer - Pure Waters also maintains the storm-sewer lines in this area, with the main storm-sewer line being combined with the sanitary system. Mr. Kirchgessner of Pure Waters stated that there is also a second storm sewer system that mainly serves as an overflow tunnel, and this second system ultimately merges with the combined flow system. When asked about whether there were any reported local industrial releases into the system, Leader was informed to submit a F.O.I.A. request to Mr. John Riley of Pure Waters (Appendix D).
- Electric - Rochester Gas and Electric Corp. (RG&E); and
- Natural gas - RG&E.

3. GEOLOGIC/HYDROGEOLOGIC CONDITIONS

The local topography suggests that prior to development in the 1800's, the Site and surrounding area were located in the Genesee River floodplain. Development of the area probably entailed placement of fill materials along the banks of the River to raise the ground elevation, thereby reducing the frequency of flooding. It is probable that there is little, if any, native soil present from the ground surface to depths of 10 to 15 feet. There was no readily available documentation on the materials that were used to fill and regrade the former floodplain.

The direction of groundwater flow and the depth to groundwater in the vicinity of the Site are presumably influenced to a large degree by the Genesee River. The general direction of groundwater flow is likely northeast, towards the Genesee River, and the depth to groundwater is probably 10 feet or less (corresponding to the surface of the Genesee River, typically 510 to 515 feet above mean sea level in the stretch of river that is just east of the Site). It should be recognized that local groundwater flow directions and elevations will vary considerably as a result of the man-made features, including: heterogeneous subsurface conditions associated with the suspected fill materials and underground utilities, foundations of former buildings, the nearby former canal, and the Genesee River retaining wall, among other factors.

4. HISTORICAL INFORMATION

4.1 Historical Sources Used

Leader reviewed/solicited information from the following sources as part of our historical review:

1. H. W. Haran Phase I ESA Report;
2. Interviews with Messrs. Sam Kolko and Myron Kolko, owners (as Exchange Genesee Associates) of the Site since 1957, and operators of Kolko Paper Company Inc., the main tenant at the site; and
3. Environmental Risk Information & Imaging Services ("ERIIS").

The ERIIS report, including Sanborn Maps, has been provided in Appendix C.

4.2 Site and Area Descriptive Chain-of-Use

Given that H.W. Haran had previously performed a deed review for the Site and presented only minor inferences on historical Site usage, Leader concentrated on interviewing Messrs. Sam Kolko and Myron Kolko (owners of the Site for 40 years) and performing a review of available Sanborn Maps. The information gathered on the history of the Site ownership and usage is as follows:

Since 1957, the Site has primarily been the location of the Kolko Paper Company, a distributor of paper products. Other distribution companies have used various portions of the building as warehouse space; however, none were involved with on-Site manufacturing. Presently, the entire Site is vacant, and the buildings have been cleaned-out.

In addition to the interviewing the current property owners (Exchange Genesee Associates, Inc.), who have held title to the property since 1957 (Sam Kolko, verbal communication), Leader obtained Sanborn Fire Insurance Maps for the following dates: 1892; 1910; 1912; 1926; 1938; 1950; 1971. These maps (Appendix C) show the following information:

1892 - Site is completely developed and is part of the Vacuum Oil Works, a large oil refining complex along the Genesee River and W.NY & P.R Railroad. On-Site structures include numerous storage tanks, a bleaching area, a blacksmith machine shop, a cooper shop, a laboratory, a refined oil warehouse, a wagon warehouse, a paraffin building, a kiln, a grease warehouse, and other structures. (Note: based on Leader's experience with a Sacony Vacuum Oil site in Olean, NY, it is our understanding that this company evolved into Standard Oil. Also, these oil refineries were among the first in the world because oil was "discovered" nearby - along the NY-PA state line).

1910 - Site is still completely developed and is part of the Vacuum Oil Company. The Sanborn Map is less detailed than the 1982 map; however, it appears that there are fewer tanks on-Site and there are more buildings present, even more buildings than presently on-Site. The buildings are not labeled as to usage. The vast size of the Vacuum Oil Company can be seen on this map.

1912 -Site is similar to the 1910 map, except that all of the buildings are labeled. The entire complex is now referred to as an oil refinery, and the first references to gasoline production and storage are present. Also, there is an increase in on-Site piping for transporting the petroleum products. The on-Site building along Exchange Street is identified as "Standard Oil of New York".

1926 -This Sanborn Map is less detailed than the 1912 map, but shows that the Site is still part of the Vacuum Oil Company complex, where petroleum is refined and stored for distribution.

1938 - Though the Sacony Vacuum Oil Company still exists to the south, the Site is now in the southern portion of a whisky distillation complex operated by the Rochester Distilling Company. Machine shops and a cooperage are present to support the fermenting and bottling operations.

1950 - The Site is now the entire Rochester Distilling Company, with the building to the north now being identified as a Sears, Roebuck & Co. warehouse. Solvent tanks are present on the Site. The company must have ceased operations at the Site, since the map states that its not in operation. RG& E occupies one of the on-Site warehouses. The Rochester Scrap Bailing Corporation (a multi-acre scrap metal yard) is present to the south of Flint street in the former location of the Vacuum Oil Company

1971 - The building structures at the Site are similar to present day, and the Site is identified as being the Kolko Paper Company Inc. No tank or other chemical storage structures are identified at the Site.

5. SITE RECONNAISSANCE

Messrs. Glenn T. Wygant and Tom M. Tuori completed a reconnaissance of the Site on March 4, 1997. During the reconnaissance, Leader observed the Site and some surrounding properties, and met with Mr. Sam Kolko and Mr. Myron Kolko, owners (as Exchange Genesee Associates) of the Site since 1957, and operators of Kolko Paper Company Inc., the main tenant at the Site during the last 40 years. Below is a summary of our observations and findings.

5.1 Description of Site

The Site is located in the City of Rochester, New York. The 2.9 acre property is comprised of three buildings having approximately 125,000 square-feet of floor space. The Site is completely developed in that the land surface is covered by either buildings or parking spaces. The Site has been owned by the Exchange Genesee Associates since 1957.

All of the present Site buildings were built prior to 1971, with the oldest building at the corner of Exchange Street and Flint Street possibly being built in 1917 (Appendix C, 1971 Sanborn Map). This building has been modified during the years, with the windows having been filled in with masonry material, some floors having been raised, and numerous marks on the floor slabs were former stationary equipment was located.

5.2 Hazardous Substance Usage/Storage

No hazardous substances were observed during our Site walkthrough. The Site was vacant and was most recently used as a warehouse by Kolko Paper Company, Inc. (until February, 1997). The buildings were cleaned-out as part of the closing down of the warehouses.

Evidence regarding the Site's potential historical usage and storage of hazardous substances is discussed in Section 4.

5.3 Petroleum Products Usage/Storage

No petroleum substances or storage vessels were observed during our Site walkthrough. Evidence regarding the Site's extensive historical usage and storage of petroleum products is discussed in Section 4.

5.4 Underground and Aboveground Storage Tanks

No aboveground petroleum storage tanks were observed during our Site walkthrough, and there was no visual evidence (e.g., fill pipes) of subsurface tanks. However, there is historical evidence that numerous tanks were formerly present on-Site for several decades (see Section 4).

5.5 Drums and Containers

No drums were observed during our Site walkthrough, given that the Site was vacant having been cleaned-out as part of the closing down of the warehouses.

Evidence was observed in the northeast portion of the building at 22 Flint Street of past storage of numerous drums. The floor slab in this area contained concentric stains in the shape of drum bottoms.

5.6 PCBs Usage

The only potential poly-chlorinated biphenyl (PCB)-containing oils and products observed were the in-use fluorescent lighting fixtures in all buildings, and the electrical circuit breaker present in 22 Flint Street (Appendix D, Photo #8). No petroleum stains were observed on any of these features. Based on the age of the light ballasts, it is possible that they contain PCBs.

Electrical power is provided to the Site by RG&E, which maintains electrical transformers on three poles: 1) near the Site on Exchange Street; 2) on-Site in between the buildings at 936 Exchange Street and the building at 22 Flint Street, and, 3) behind 22 Flint Street. As owner, RG&E has the responsibility for proper management of these transformers, including compliance with the applicable State and Federal PCB regulations.

5.7 Stains, Corrosion, Stressed Vegetation

The Site has been completely developed, with the entire land surface being covered by either concrete or the building. Thus, no stressed vegetation resulting from a spill or release was observed. No stained soils or evidence of man-made materials were observed.

5.8 Fill/Solid Waste Disposal

The only evidence of fill or solid waste that was observed at the Site was some scattered surface debris behind 22 Flint Street (Appendix B, Photo #7). This debris appears unrelated to past operations at the Site, and has probably been disposed of by trespassers. Given that the Site has been completely developed with the entire land surface being covered by either buildings or parking lots, it is impossible to visually ascertain if there is any subsurface fill or waste present at the Site.

5.9 Wastewater

We observed no special wastestreams that needed either pretreatment or special discharge permitting. The Monroe County Pure Waters maintains the sanitary sewer lines, with ultimate treatment and discharge being by its VanLare Treatment Plant.

5.10 Wells

No supply nor monitoring wells were observed at the Site. Mr. Sam Kolko stated that to his knowledge, the Site has not used well water nor has been required to install groundwater monitoring wells. As mentioned in Section 2.5, The City presently prohibits the use of private water wells.

5.11 Sewage Disposal Systems

Monroe County Pure Waters maintains the sanitary sewer lines, with ultimate treatment and discharge being by the VanLare Treatment Plant.

5.12 Drains and Sumps

No drains were observed in the floor slabs of the buildings. However, several pipe-openings were observed on various floors that probably conveyed utilities (e.g., electrical lines, steam, etc.) to equipment during periods of previous ownership when the building was used for manufacturing. Though no floor drains were observed, given the extensive age and usage of the buildings (see Section 4) such drains may have existed in the past. The most likely receptor of any potential former floor drains would have been the municipal sewer system, thereby limiting potential releases to the environment.

5.13 Pits, Ponds, and Lagoons

No pits, ponds, nor lagoons were observed or known to have existed at the Site. Given that the entire Site has been serviced, for a long period of time, by sanitary and storm sewers, there would have been no need for these structures.

5.14 Asbestos Containing Materials

During the March 4, 1997 Site Reconnaissance, Leader completed an asbestos inspections of the subject 936 Exchange Street and 22 Flint Street Buildings. The following suspected/presumed asbestos containing materials were identified:

- 9 x 9 Floor Tile- seven types, numerous areas throughout 936 Exchange Street Building and 22 Flint Street Building;
- Transite Pipe- 3rd Floor, 4th Floor and roof of 936 Exchange Street Building, and west exterior wall of 22 Flint Street Building;
- Sheet Flooring- several areas on 2nd Floor of 22 Flint Street Building;
- Fire Door Insulation- numerous fire doors throughout 936 Exchange Street and 22 Flint Street Buildings; and,
- Roofing Materials- 936 Exchange Street and 22 Flint Street Buildings.

Leader collected nine samples: one sample of each of the seven types of 9 x 9 floor tile, one sample of the transite pipe in the 936 Exchange Street Building, and one sample of the sheet flooring in the 22 Flint Street Building. The samples, which were typically collected in triplicate sets, were analyzed by polarized light microscopy at Paradigm Environmental Services, Inc. of Rochester, New York). All of the sampled materials were determined by Paradigm to be asbestos containing. Additional information about the identified asbestos containing

materials is presented below. Note that all quantities are approximate and considered rough estimates.

- **9 x 9 Floor Tile-** there is a total of approximately 6,900 square-feet of asbestos floor tile in the 936 Exchange Street Building and approximately 4,400 square feet of asbestos floor tile in the 22 Flint Street Building:

936 Exchange Street Building

- 1st Floor Warehouse office, 800 square feet;
- 1st Floor Main Office, 2,000 square feet, under carpet;
- 2nd Floor Warehouse office, 900 square feet;
- 2nd Floor Warehouse northwest corner, 1,000 square feet;
- 2nd Floor Main Office, 1,000 square feet, under carpet;
- 3rd Floor Warehouse southwest corner, 1,000 square feet;
- 3rd Warehouse restrooms, 60 square feet; and,
- 3rd Floor Main Office landing, 140 square feet.

22 Flint Street

- 1st Floor Office, 2,200 square feet; and,
- 2nd Floor Office, 2,200 square feet.

The floor tile in both Buildings is non-friable and in poor to fair condition, with significant physical damage and deterioration in several areas.

- **Transite Pipe-** there are seven transite pipes, with a total length of approximately 200 linear feet, in the Exchange Street Building. Five of the pipes run from ceiling-mounted heating units (or the locations of former heating units) on the 2nd Floor, through the 2nd, 3rd, and 4th Floor ceilings, to the roof, and the other two pipes run from ceiling-mounted heating units (or the locations of former heating units) on the 2nd Floor, through the 2nd Floor ceiling, to the 3rd Floor ceiling, where they apparently terminate.

The 8-foot length of transite pipe on the west exterior wall of the 22 Flint Street Building was not accessible and consequently, was not sampled. However, the pipe appears similar to the transite pipes in the 936 Exchange Street Building that were sampled and determined to be asbestos containing. The transite pipe on the west exterior wall of the 22 Flint Street Building should be considered an asbestos containing material. The transite pipes are non-friable and in fair condition.

- **Sheet Flooring-** there is a total of approximately 300 square feet of asbestos sheet flooring in the 2nd Floor- North Area of the 22 Flint Street Building. The sheet flooring is non-friable and in poor to fair condition.

Note that the fire door insulating materials and the roofing materials were not sampled. The scope of work for this project did not include sampling these suspected/presumed ACMs. Based on age and appearance the fire door insulating materials and the roofing materials should be considered asbestos containing materials.

The 9 x 9 floor tile is damaged and deteriorating in several areas, most notably the 1st Floor Warehouse Office, the 2nd Floor Warehouse and the 3rd Floor Warehouse in the 936 Exchange Street Building and a small portion of the 1st Floor Office in the 22 Flint Street Building. The damaged sections of floor tile should be removed prior to future use of these areas. In addition, removal of all floor tile from these areas should be considered, given the condition of the materials and the potential for future deterioration. The other identified and suspected/presumed asbestos materials do not warrant immediate response actions.

Compliance with the OSHA Asbestos Standard involves management actions that should be implemented by the owners of the 936 Exchange Street and 22 Flint Street Buildings. Management of the identified and the suspected/presumed ACMs should also comply with New York State Department of Labor ("NYSDOL") Code Rule 56, and other state and Federal asbestos regulations. The NYSDOL Code Rule 56 requirement for pre-renovation and pre-demolition asbestos inspections is particularly relevant.

5.15 Lead Paint

Peeling and chipping paint were observed at the Site. The building exteriors were mostly unpainted block and brick. The interior locations that we observed were either painted masonry or wood. Much of the paint appeared in good condition; however, the stairwells and portions of the ceiling (mainly on the third and fourth floors of the oldest building) had areas where the paint was peeling. Though actual testing is needed to determine if lead-based paints are present, given the 1917 age of this building, it is probable that lead is present in this peeling paint.

5.16 Lead in Drinking Water

Potable water to the Site is provided by the City of Rochester's Water Bureau. Sampling and testing would be required to evaluate whether there is any lead in the municipal drinking water provided to the Site.

5.17 Radon

No radon tests have been performed at the Site, and the scope of this report did not include radon testing. The ERIIS Report stated that the Radon Zone Level for the Site is "2" - which predicts an average indoor screening level between 2 pCi/L and 4 pCi/L. However, the building structures at the Site do not have a basement - the location where radon gas predominantly accumulates.

5.18 Review of Additional Studies & Reports

Two documents were identified for the Site and were reviewed by Leader. A Phase I Environmental Report by N.W. Haran (dated January 23, 1997) identified a few potential environmental issues at the Site; however, the report omitted some of the reviews required by ASTM standards for environmental site assessments. A follow-up letter (dated February 10, 1997) by N.W. Haran contained the NYSDEC's FOIA response, which included a spill report. Leader's copy of the NYSDEC spill report was only partially legible and required Leader's visiting the NYSDEC Region 8 Office to obtain a clear copy (Appendix D).

Leader disagrees with the opinion of N.W. Haran (i.e., that the spill report is "of no cause for concern"), and views the spill report (which stated that at 22 Flint Street petroleum contaminated soil and groundwater were encountered during routine water line work) as a cause for concern. Given the Site's extensive history in being used to refine and store petroleum, the documented existence of soil and groundwater contamination could indicate existing subsurface contamination.

5.19 Other Environmental Compliance Issues

No additional potential environmental issues were observed on-Site, given that at the time of Leader's walkthrough the Site was vacant and was most recently used as only a warehouse by Kolko Paper Company, Inc. (until February, 1997). A potential on-Site safety issue was observed in that a large dug-out cavity was

observed beneath the floor slab at 22 Flint Street (Appendix D, Photo #10) and adjacent chairs indicates possible human use of the cavity.

A potential off-Site environmental issue involves the active filling-in of the former canal to the east of the Site (Appendix D, Photo #9). It is not presently known if this emplacement of fill (possibly in wetlands) has been approved by the regulatory agencies.

6. REGULATORY INFORMATION

Below is a summary of the regulatory information provided in the ERIIS report, and available information from local government agencies. Regulatory information requested directly from NYSDEC (Appendix D) was not available at the time this report was prepared. The ERIIS report is provided in Appendix C.

6.1 NPL Sites

There are no National Priority List ("NPL") sites listed within a one-mile radius of the Site.

6.2 CERCLIS Sites

There are no Comprehensive Environmental Response, Compensation, and Liability Information System ("CERCLIS") sites listed within a one-half mile radius of the Site.

6.3 RCRIS TSD Facilities

There are no sites within a one-mile radius of the Site that are included on the Resource Conservation and Recovery Information System ("RCRIS") - Treatment, Storage, or Disposal Facility list.

6.4 RCRA Generators

Below is a listing of the five sites within one-quarter mile of the Site which are included on the Resource Conservation and Recovery Act ("RCRA") - Generator's list.

<u>FACILITY</u>	<u>ADDRESS</u>	<u>DISTANCE FROM</u>
General Testing Corp.	710 Exchange Street	0.22 miles (northeast)
Canfield & Tack	925 Exchange Street	0.1 miles (west)
Whiz Cleaners	676-680 S. Plymouth Ave.	0.1 miles (northwest)
City of Rochester	217 Flint Street	0.2 miles (northwest)
Impact Motors	720 Exchange Street	0.2 miles (northwest)

One of the above-listed RCRA generator sites, General Testing Corp., is a large-quantity generator of hazardous waste (i.e., greater than 1,000 kg per month of hazardous wastes are generated). This facility (presently owned by and operated as Columbia Analytical Services, Inc.) is an environmental testing laboratory. It is unlikely that this facility mishandles chemicals given that they have registered with the USEPA as a generator of chemical wastes and that the nature of its business is testing of environmentally-sensitive chemicals.

The four above-listed small-quantity generators of RCRA waste (i.e., generate between 100 kg and 1,000 kg of hazardous waste per month) have notified the USEPA that they generate wastes needing special disposal, and track (e.g., manifest) their generated wastes (mostly general flammable [D001] and spent PCE [D039 and F002]). Thus, it is unlikely that these generators have impacted the Site.

6.5 RCRA Corrective Action Sites

There are no sites within a one-mile radius of the Site that are included on the RCRA Corrective Action Sites list.

6.6 ERNS List

There are no sites within a one hundred yard radius of the Site that are included on the Emergency Response Notification System ("ERNS") list.

6.7 State Hazardous Waste Sites

There are no sites within a one mile radius of the Site that are included on the State Hazardous Waste Site list.

6.8 State Landfill/Solid Waste Disposal Sites

There are no sites within a one-mile radius of the Site that are included on the State Landfill/Solid Waste Disposal Site list

6.9 Underground/Aboveground Storage Tank Sites

Below is a listing of the one facility within one-quarter mile of the Site which is

included on the Petroleum Bulk Storage list.

FACILITY	ADDRESS	DISTANCE FROM
One-Stop Convenience Store	684-700 S. Plymouth Ave.	0.1 miles (northwest)

The One-Stop Convenience Store is located on S. Plymouth Avenue, and the station maintains three (3) underground tanks (8,000 gal., 6,000 gal., and 5,000) for the purpose of storing retail unleaded-gasoline, and a forth tank (1,000 gal.) for storing retail kerosene. These tanks are presently registered with the NYSDEC and are all carbon-steel in construction. They were initially installed in October of 1985. All four tanks are active, and their permit was most-recently renewed by the NYSDEC on May 26, 1993. This certification is active until May 26, 1998, by which time it needs to be renewed by the NYSDEC.

This facility is not listed as having either a spill or a leaking tank. Thus, there is no evidence that the One-Stop Convenience Store has negatively-impacted the Site.

6.10 Leaking Underground Storage Tank Sites

There are no sites within a one-half mile radius of the Site that are included on the State Leaking Storage Tanks ("LRST") list.

6.11 Local Waste Sites

There are no listed local waste sites within a one-half mile radius of the Site.

7. INTERVIEWS

7.1 Owners/Operators

At the time of the Site visit (March 4, 1997), Leader interviewed Messrs. Sam Kolko and Myron Kolko, two of the three partners of Exchange Genesee Associates, Inc. (Site owners) and former operators of Kolko Paper Company, Inc. The information from the interview was included in Section 5.0 and used to supplement environmental information obtained from government officials.

7.2 Government Officials

7.2.1 State Agency

A Freedom of Information Act ("FOIA") request was made in person on March 4, 1997 (specifically for spills-reporting data) and a general FOIA letter was sent to NYSDEC - Region 8 offices at 6274 E. Avon-Lima Road, on March 5, 1997. This letter was directed to Ms. Vonnie Gerace, Citizen Participation Specialist. A second FOIA letter was sent to Mr. John Riley, Monroe County's Director of Communications and Special Events, to determine if any non-compliant sewer discharges have been reported for the Site.

At the time this report was issued, a full response was not provided by either the NYSDEC or Monroe County. A copy of the FOIA letters have been provided in Appendix D. Typically, a FOIA request is circulated to all divisions within the Departments and a response is provided within four to six weeks. Leader will forward copies to Phillips, Lytle, Hitchcock, Blaine & Huber of pertinent information that is provided by the NYSDEC or Monroe County, should it impact the findings of this report.

7.2.2 Department of Health

No contact was made with the Monroe County Health Department ("MCHD"). Typically, FOIA requests made to the MCHD are referenced to NYSDEC.

7.2.3 Sewer Department

The Monroe County Pure Waters provided information on the sanitary and storm sewers in the local area, and their outfalls.

7.2.4 Local/Regional Pollution Control Authority

Leader is unaware of any local or regional department of this type. Issues regarding pollution control are typically handled by the NYSDEC. The NYSDEC FOIA request should provide information on any pollution control issues at the Site.

7.2.5 Local/Regional Water Quality Agency

The City of Rochester's Water Bureau was contacted regarding water quality of potable drinking water. Issues regarding the quality of naturally occurring waterbodies are typically handled by the NYSDEC Division of Water. The NYSDEC FOIA request should provide information on water quality issues (if pertinent) at the Site.

8. FINDINGS AND CONCLUSIONS

Based on the scope of work, including Leader's Site visit, interviews and file reviews, there is sufficient historical evidence that indicates the probable release of petroleum-related compounds to the soil and groundwater at the Site. For several decades, the Site was part of a larger complex where petroleum was refined into different products (e.g., gasoline, lubricants, greases, etc.) and then stored on-Site for distribution. In 1987, workers excavating around a water line at 22 Flint Street found petroleum-contaminated soil and groundwater, but the NYSDEC, probably not knowing the history of the Site, listed the source as unknown and ceased any further investigatory work. It is probable that additional areas of subsurface petroleum contamination would be found if a subsurface investigation was performed.

The buildings (approximately 125,000 square-feet of floor space) and Site grounds (2.9 acres) are well maintained, especially given the ages of the structures. Very little solid waste debris and building staining were observed; most likely the result of good maintenance practices by the current property owners during their 40 years of Site ownership. An asbestos sampling and testing program at the Site indicated the presence of asbestos containing materials in all building components tested. Additionally, although no paint samples were collected and tested, a lead paint abatement project would likely need to be performed at the Site given the age of the building.

Lastly, a safety issues exists on-Site behind the 22 Flint Street building, where the floor slab has been undermined by excavation. If there is no remaining purpose for this excavation, preventative actions should be undertaken.

The identified potential off-site environmental concerns are the active filling-in of the adjacent former canal (i.e., is the filling being performed with NYSDEC approval?). This filling may impact groundwater flow at the Site and the adjacent areas of the former Vacuum Oil refinery complex.

9. QUALIFICATIONS OF THE ENVIRONMENTAL ASSESSORS

Below are the signatures of the Environmental Assessors who completed the ESA for the Site. Their resumes are included in Appendix E.



Glenn T. Wygant, P.G.
Senior Project Manager



Thomas Tuori
Senior Engineer

Appendix A: ESA LIMITATIONS

The services described in this report were performed consistent with generally accepted professional consulting principles and practices. No other warranty, expressed or implied, is made. These services were performed consistent with our agreement with our client. This report is solely for the use and information of our client unless otherwise noted. Any reliance on this report by a third party is at such party's sole risk.

Opinions and recommendations contained in this report apply to conditions existing when services were performed and are intended only for the client, purposes, locations, time frames, and project parameters indicated. We are not responsible for the impacts of any changes in environmental standards, practices, or regulations subsequent to performance of services. We do not warrant the accuracy of information supplied by others, nor the use of segregated portions of this report.

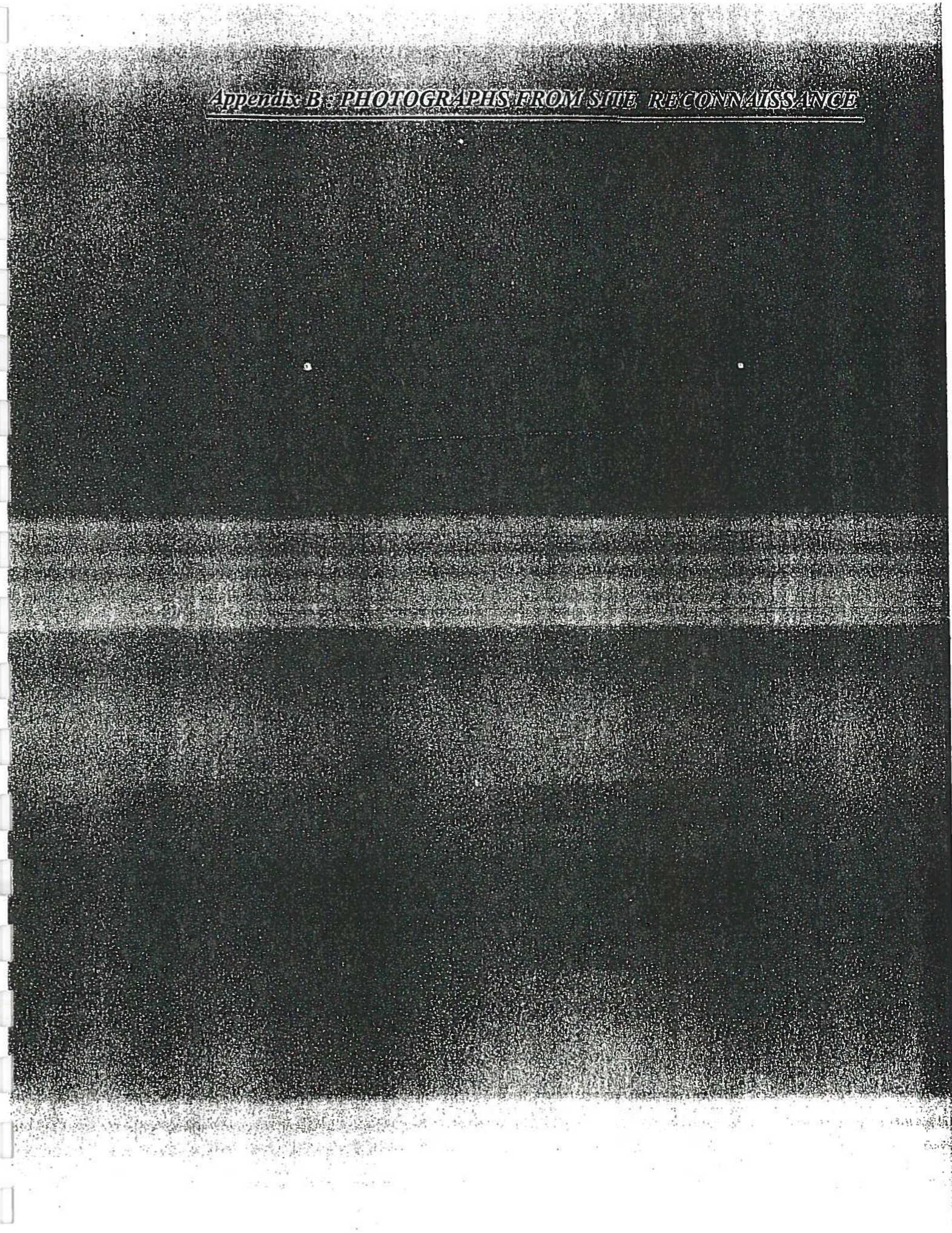
The purpose of an environmental assessment is to reasonably evaluate the potential for or actual impact of past practices on a given site area. In performing an environmental assessment, it is understood that a balance must be struck between a reasonable inquiry into the environmental issues and an exhaustive analysis of each conceivable issue of potential concern. The following paragraphs discuss the assumptions and parameters under which such an opinion is rendered.

No investigation is thorough enough to exclude the presence of hazardous materials at a given site. If hazardous conditions have not been identified during the assessment, such a finding should not therefore be construed as a guarantee of the absence of such materials on the site, but rather as the result of the services performed within the scope, limitations, and cost of the work performed.

Environmental conditions may exist at the site that cannot be identified by visual observation. Where sampling work was performed, our professional opinions are based in part on interpretation of data from discrete sampling locations that may not represent actual conditions at unsampled locations.

Except where there is express concern of our client, or where specific environmental contaminants have been previously reported by others, naturally occurring toxic substances, potential environmental contaminants inside buildings, or contaminant concentrations that are not of current environmental concern may not be reflected in this document.

Appendix B: PHOTOGRAPHS FROM SITE RECONNAISSANCE



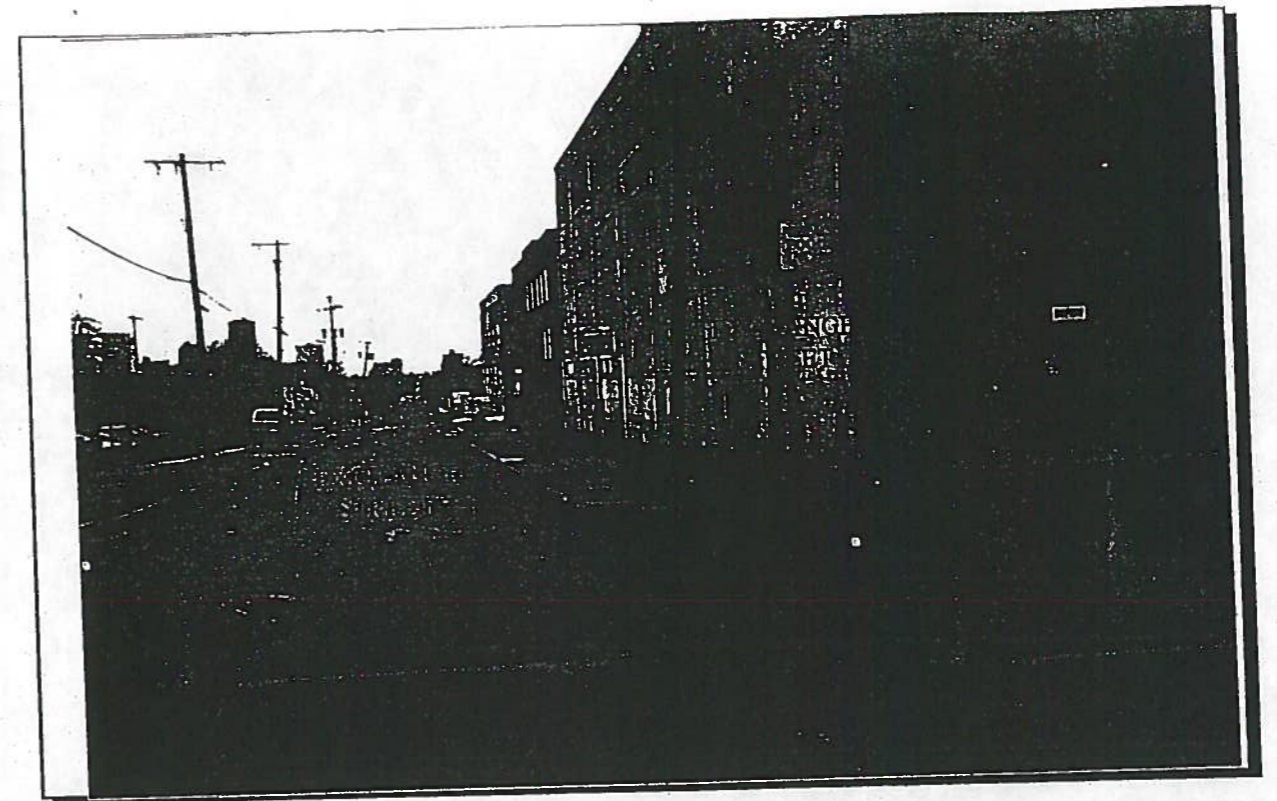


PHOTO 1: View to the northeast showing 936 Exchange Street buildings; gray building in foreground and brick building further down Exchange Street.

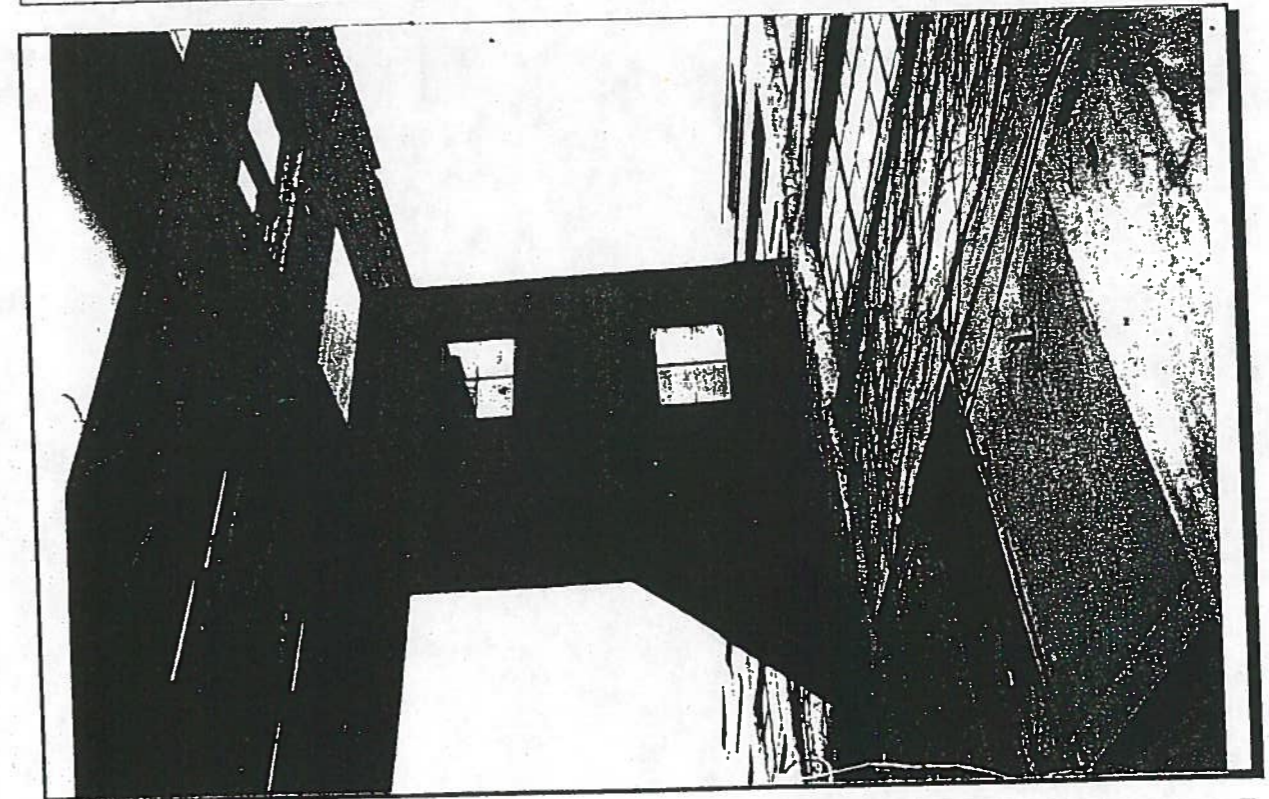


PHOTO 2: View to the east, showing one of the two enclosed walkways connecting the buildings on Exchange Street. This walkway is the older of the two, and is not sturdy.

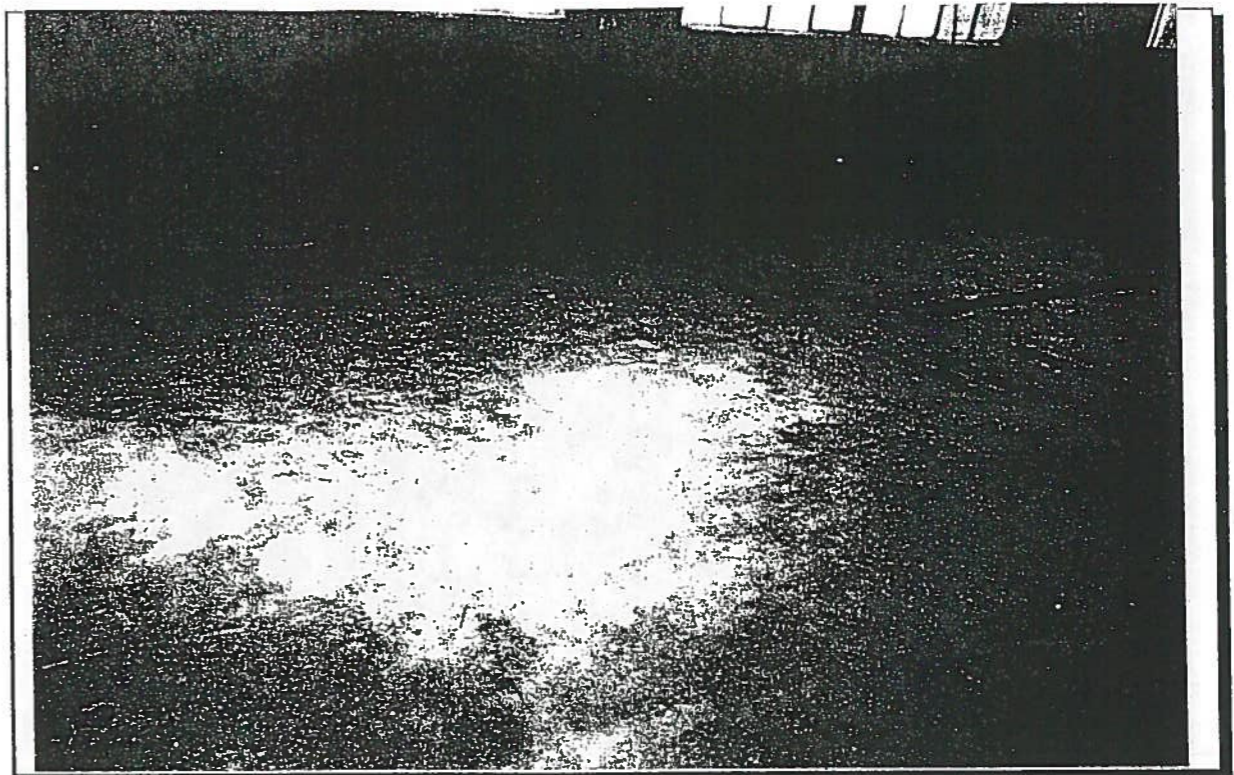


PHOTO 3: Interior view of gray building at 936 Exchange Street, 3rd floor looking east. Photo shows the excellent housekeeping that is typical throughout the building. Also shown are the impressions on the floor from industrial equipment.

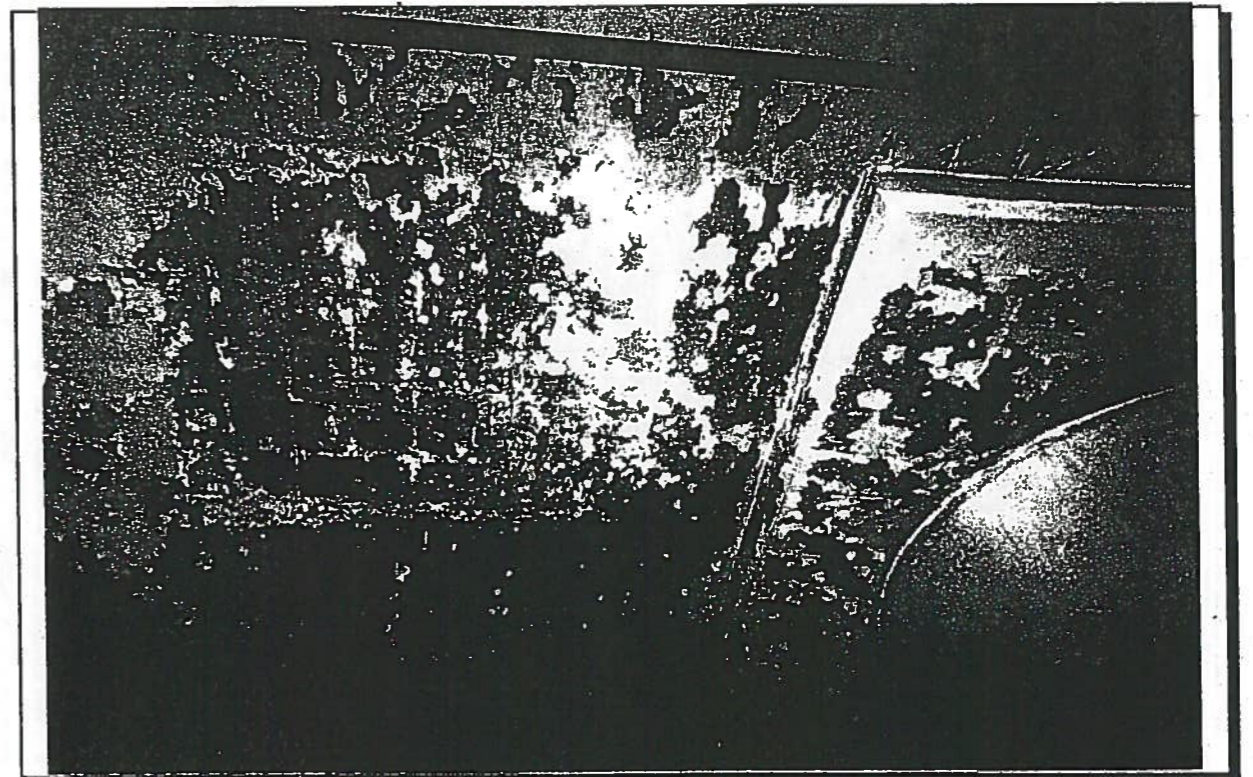


PHOTO 4: Interior view of gray building at 936 Exchange Street, 4th floor ceiling. Shown is one of several areas where ceiling paint is peeling, possibly associated with roofing problems.

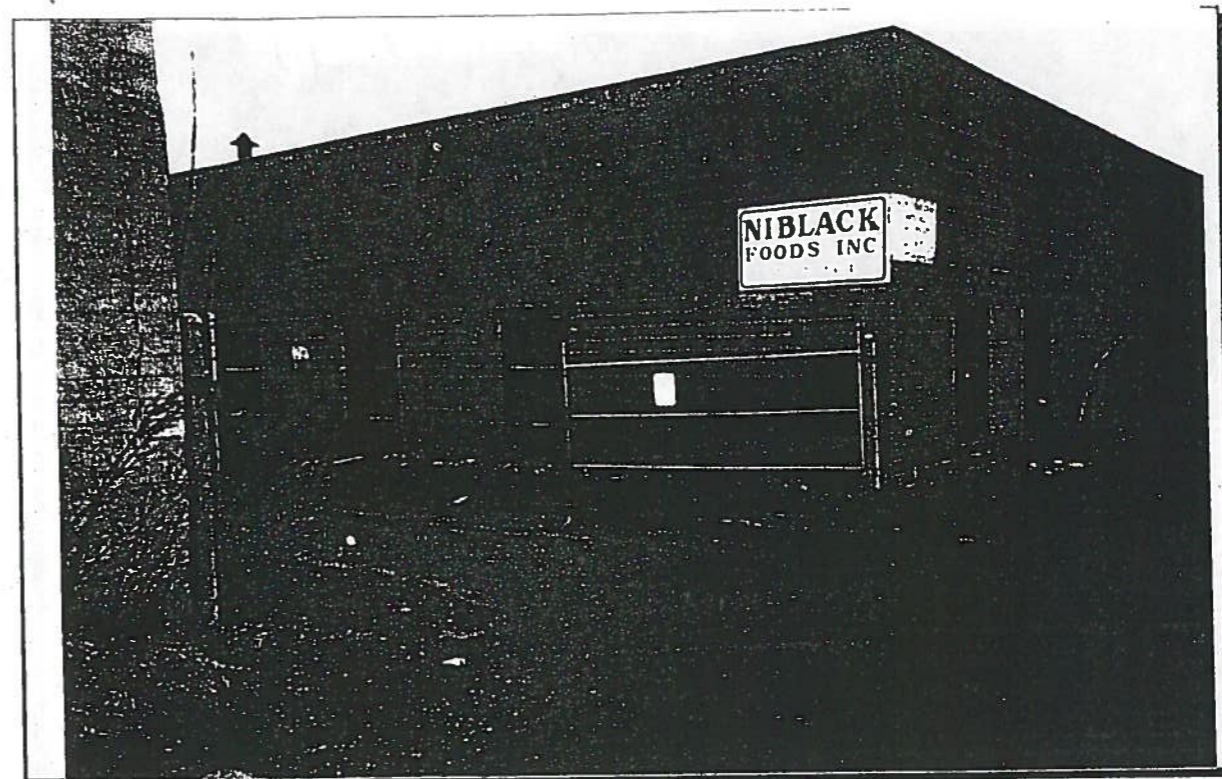


PHOTO 5: View to the east showing 22 Flint Street building. Access road with locking gate is shown. This access road is sole entrance into parking areas for both Exchange Street and Flint Street buildings.

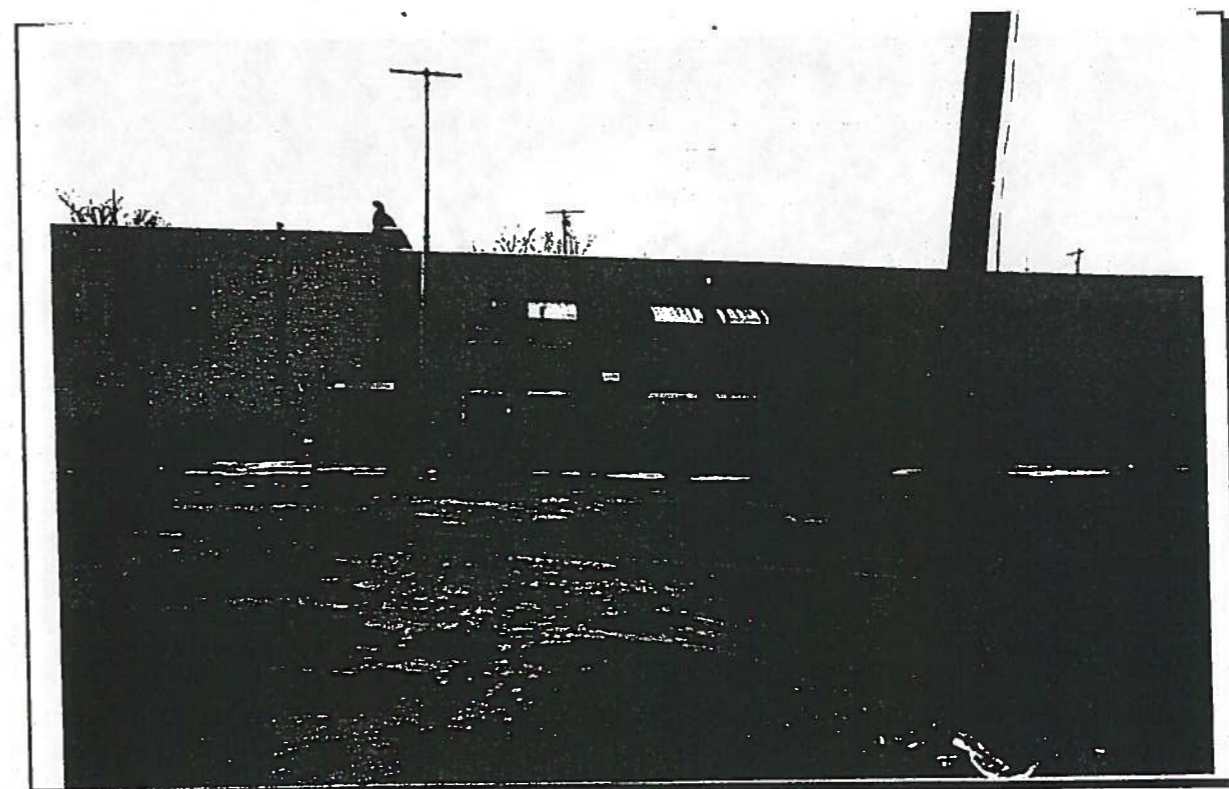


PHOTO 6: View to the east (from rear of Exchange Street building) showing the building at 22 Flint Street. The gray portion of the building is the older section.

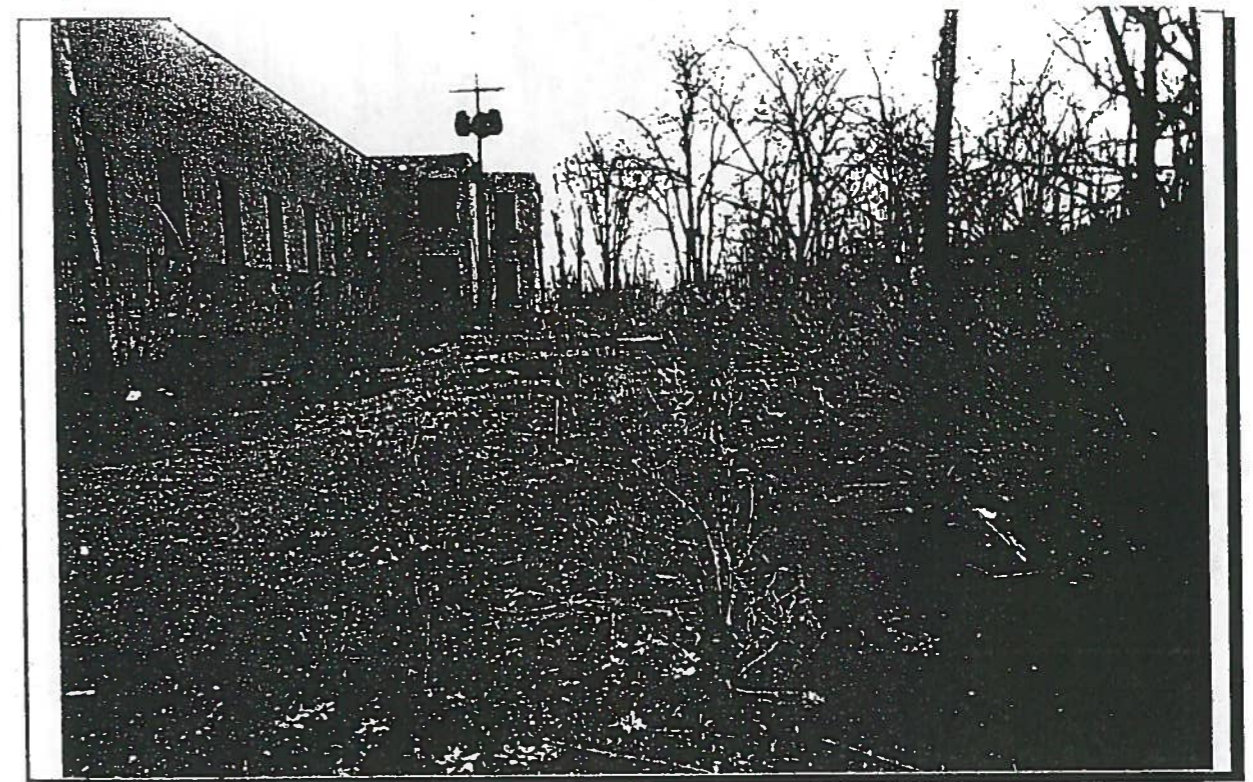


PHOTO 7: View to the north showing rear (former parking area) of 22 Flint Street building. Gray building in the distance is the older building section. Retaining wall separates the parking area from the former canal.

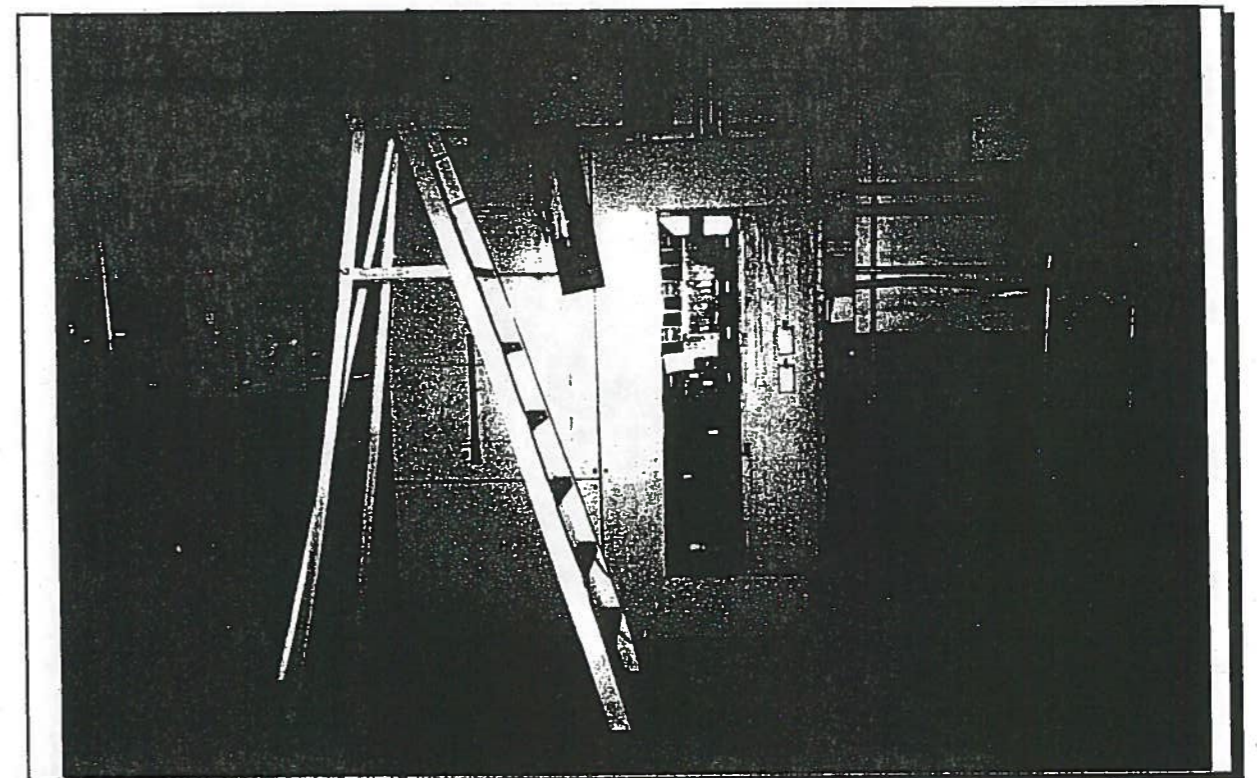


PHOTO 8: Inside view (ground floor level) of the 22 Flint Street building, showing the building's electrical circuit breaker. This is believed to be the "switch gear" referenced in the Phase I Report by N.W. Haran.



PHOTO 9: View to the north of the former canal behind 22 Flint Street. As can be seen, the canal is being actively filled.

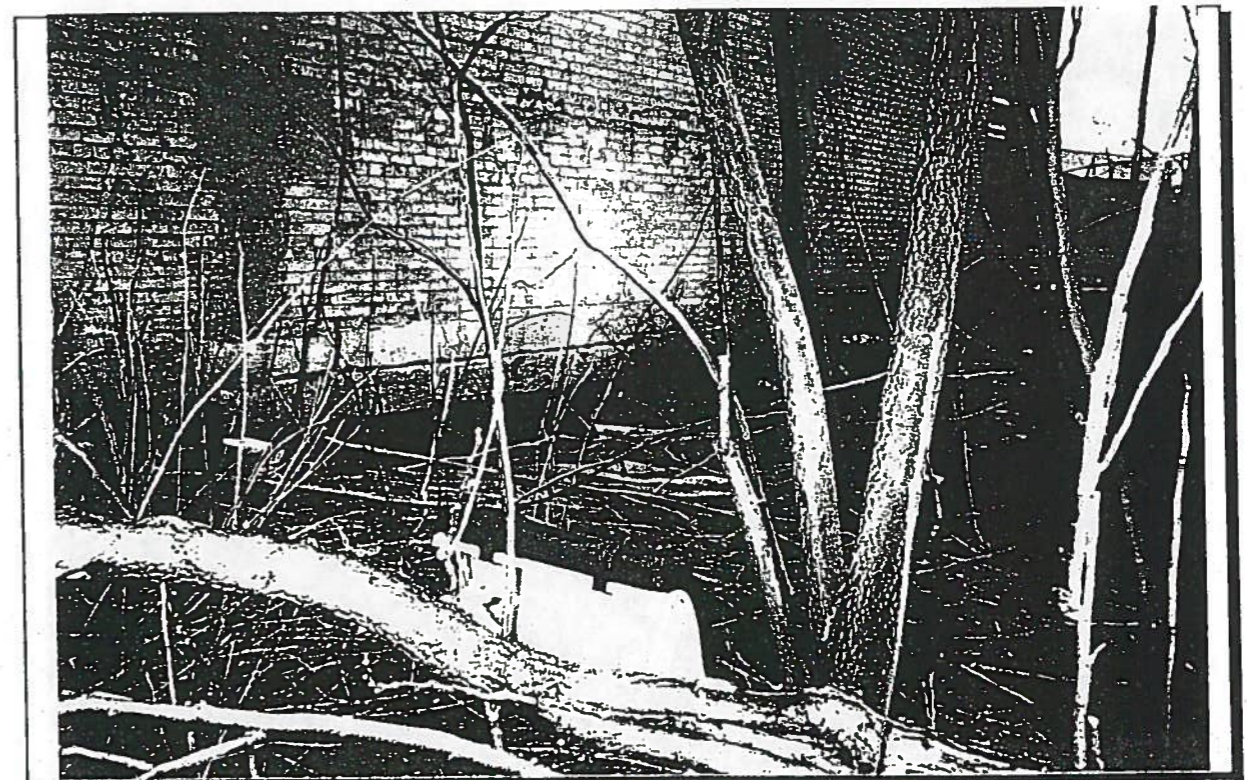


PHOTO 10: View to the north behind 22 Flint Street, showing a large cavity that has been dug beneath the floor slab.

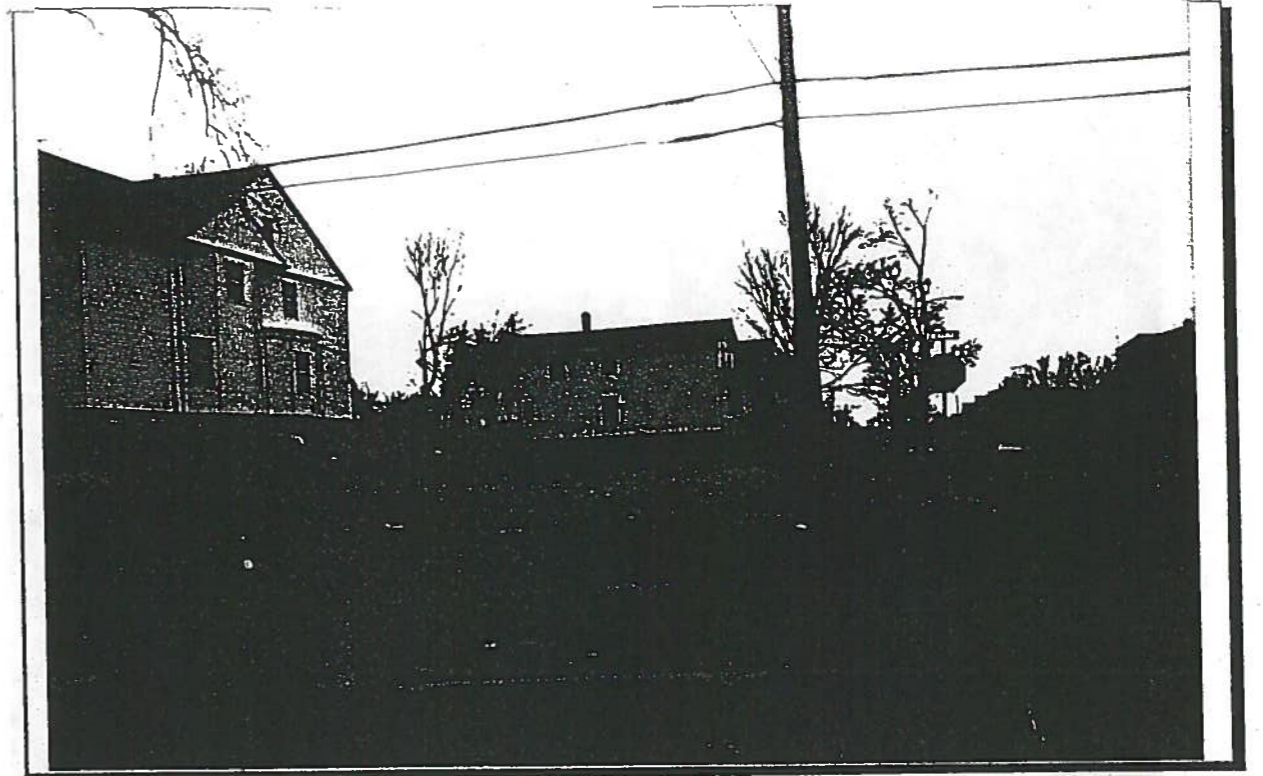


PHOTO 11: View to the west, showing the intersection of Flint Street and Exchange Street. Parking lot in the foreground is also owned by Kolko Paper Co., Inc.

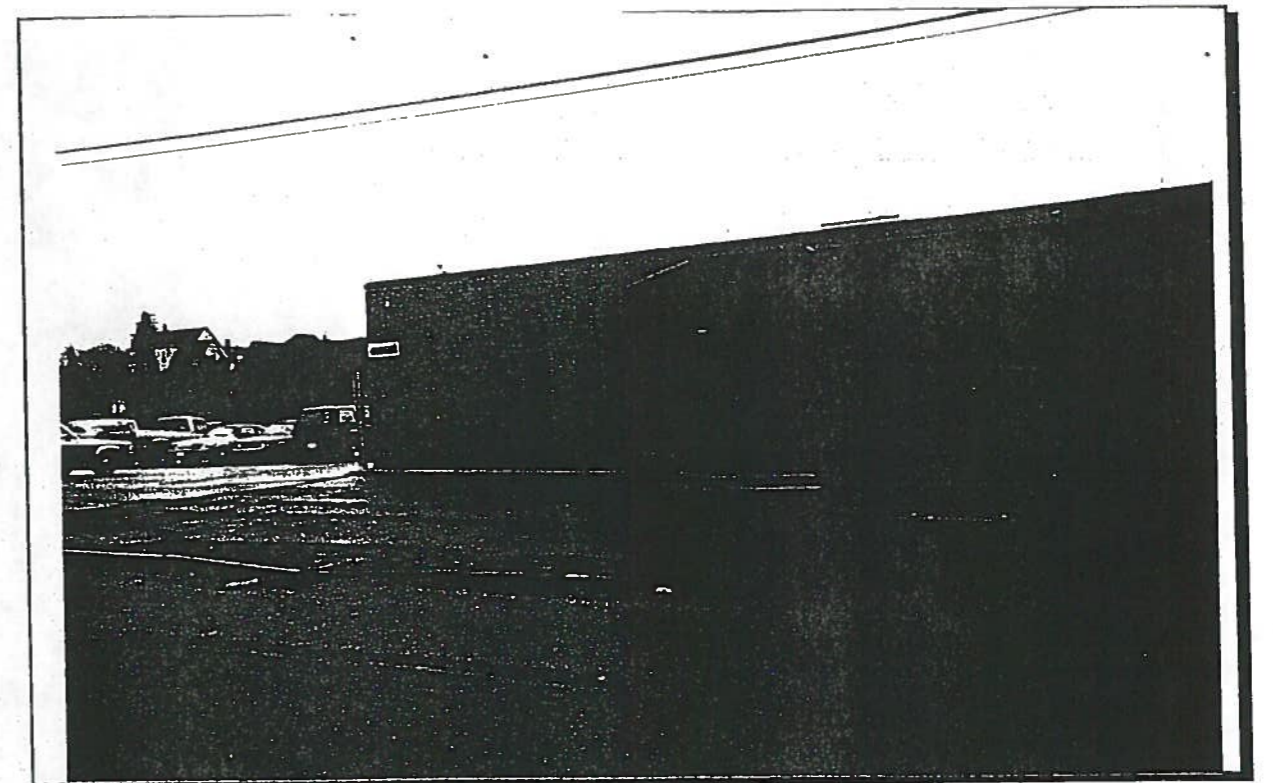


PHOTO 12: View to the west, showing Canfield & Tack, Inc., a commercial printing company at 925 Exchange Street. Company is located across the street from 936 Exchange Street.

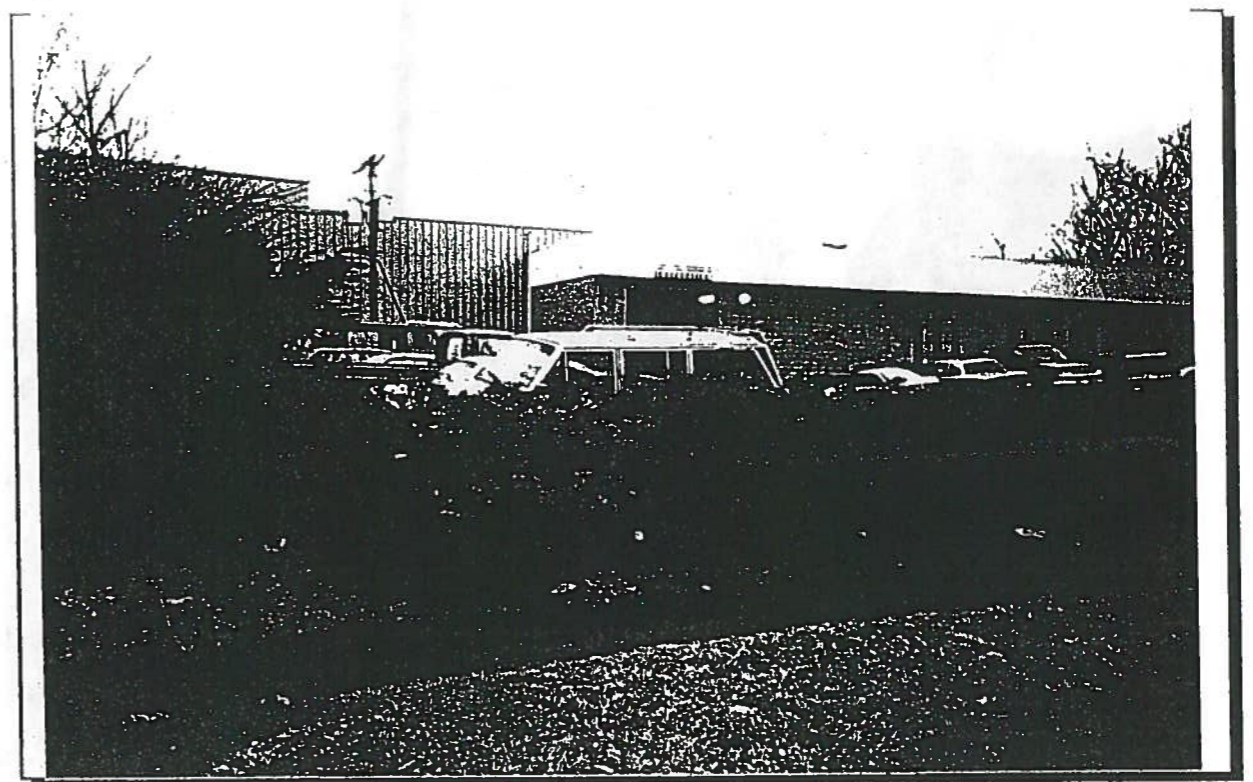


PHOTO 13: View to the southeast, showing neighboring property (XLI Corp.) located at 950 Exchange Street.

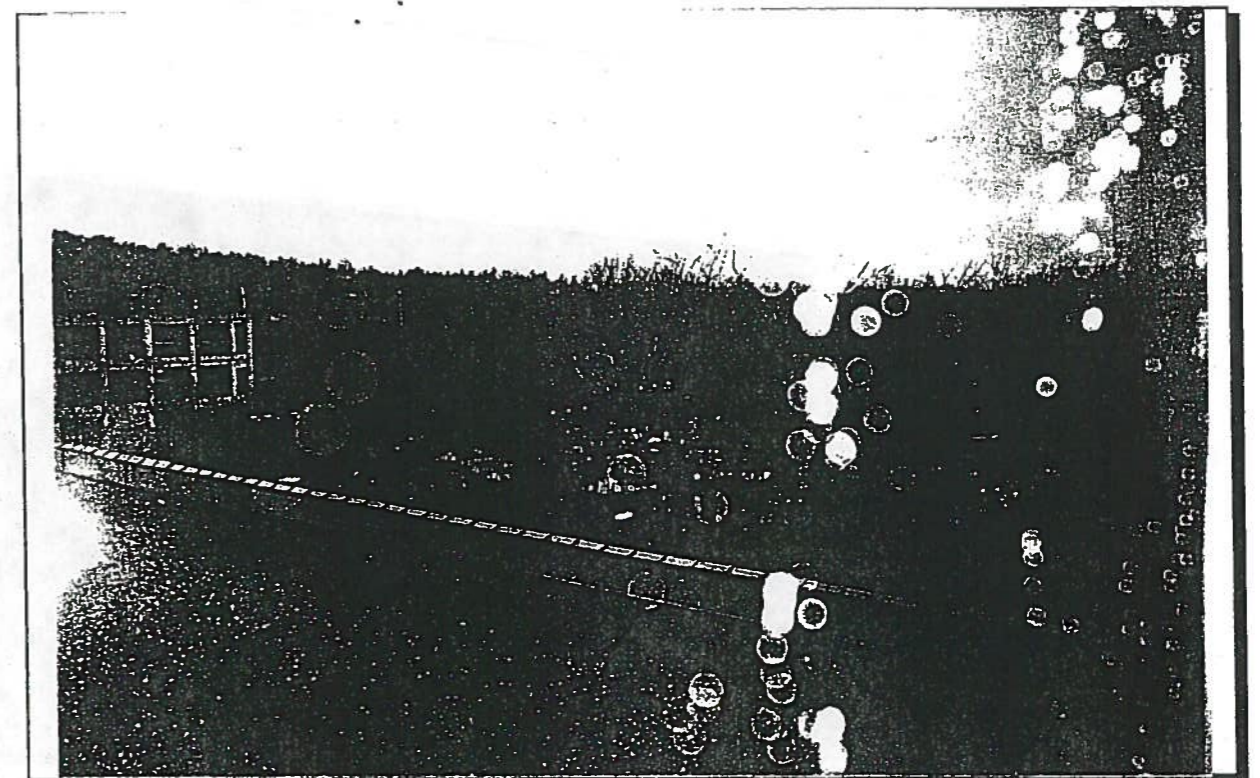


PHOTO 14: View to south, through a window on the forth floor of 936 Exchange Street. Shown is a several acre automobile junkyard that is accessible from Flint Street.

Appendix C :ERIIS REPORT

*Appendix E :RESUMES OF THE ENVIRONMENTAL
ASSESSORS*

Glenn T. Wygant, P.G.

Senior Project Manager

Fields of Competence

CERCLA and RCRA Programs
Remedial Design
Remedial Oversight
Expert Testimony and Litigation Support
Hydrogeologic Investigations
Aquifer and Contaminant Modeling
Environmental Compliance Auditing
ISO 14000 Programs
Safety Compliance Auditing

Experience Summary

Mr. Wygant has over fifteen years of experience in environmental and safety compliance consulting, and managing CERCLA and RCRA investigations and remediations at industrial facilities. He has performed ISO 14001 assessments at Fortune 50 Corporations.

Credentials

M.S., Geology, State University of N.Y. at Binghamton, 1983
B.S., Geology and Zoology, with Honors, State University of New York at Oswego, 1979

Professional Affiliations

Air and Waste Management Association
Association of Ground Water Scientists and Engineers
Water Environment Association
Association of Facility Engineers
American Institute of Professional Geologists

Registration

Licensed Geologist in Delaware, Kentucky, and Nationally (AIPG)

Recent Publications & Presentations

Pros & Cons of ISO 14001. Water Environment Association's Spring 1996.
Impact of ISO 14000 on Industry. CEI's Spring 1996 Seminar.
Environmental & Safety Compliance. Industrial Studies Program at RIT, Winter 1996.
Environmental Compliance Programs. CEI's Spring 1995 Seminar.

Key Projects

Manager for USEPA, NYSDEC, and PRP funded RI/FS and Site Investigation projects. Projects included three NPL sites, seven State Superfund sites, active and inactive industrial facilities, and several landfills. Responsibilities included coordination of all field activities, technical decisions, client and agency interactions, report preparation, and participation in public meetings.

Design and management of soil remediation programs. Responsibilities included negotiation of clean-up levels, soil treatability studies, preparation of contractor bid documents, construction oversight, and preparation of final reports.

Performed hydraulic analyses of numerous aquifers. Field tests have include insitu testing of wells, and pump testing of municipal, residential, industrial and recovery wells. Data was reduced using a variety of computer programs.

Performed numerous safety and environmental compliance assessments at active industrial facilities. These have been performed at the bequest of the facilities themselves, corporate headquarters, lenders, and insurers.

Project Manager for an OSHA, environmental and ISO 14001 assessment at a regional manufacturing facility owned by a Fortune 50 Company. This audit involved a building-by-building regulatory compliance review and benchmarking against similar industries and World-Class suppliers.

Project Manager for over 75 property transfer assessments and due diligence assignments at commercial and industrial facilities. Clients include industries, lending institutions, insurers, and law firms. Many of these assessments were performed under Attorney-Client Privilege.

Technical support during environmental litigation. Provided expert witness services against the USEPA during a CERCLA cost-recovery action, and enabled the case to be settled out of court. Also provided technical support during industrial tenant-landlord disputes on several environmental issues.