NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BROWNFIELD CLEANUP PROGRAM (BCP)
APPLICATION FORM

HAWKEYE TRADE CENTER AND RESIDENCES: 1B
1447 ST. PAUL STREET
ROCHESTER, NEW YORK 14650

Submitted For:

WBS Capital, Inc.
136-20 38th Avenue Suite 9J
Flushing, New York 11354

Prepared By:

BE3 CORP
PANAMERICAN
ENVIRONMENT • ENGINEERING • ENERGY

1270 Niagara Street
Buffalo, New York, 14213

May 2018

Prepared By: Alexander Brennen	**Signature**	**Date:** 6/05/18	**Title:** BE3 - EIT
Reviewed By: Jason M. Brydges, PE	**Signature:**	**Date:** 6/05/18	**Title:** BE3 - PE

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NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "*BCA*" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

☐ **Yes** ☑ **No** **If yes, provide existing site number:** _____

PART A (note: application is separated into Parts A and B for DEC review purposes) ***BCP App Rev 9***

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME WBS CAPITAL INC

ADDRESS 136-20 38TH Avenue Suite 9J

CITY/TOWN Flushing ZIP CODE 11354

PHONE 716-655-4991 | FAX | E-MAIL john@schenne.com

Is the requestor authorized to conduct business in New York State (NYS)? ☑ Yes ☐ No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application, to document that the requestor is authorized to do business in NYS. Refer to **Exhibit A**

Do all individuals that will be certifying documents meet the requirements detailed below? ☑ Yes ☐ No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of *DER-10: Technical Guidance for Site Investigation and Remediation* and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP**.

Section II. Project Description Refer to **Exhibit B**

1. What stage is the project starting at? ☑ Investigation ☐ Remediation

2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see *DER-10 / Technical Guidance for Site Investigation and Remediation* for further guidance).

3. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): ☐ Yes ☑ No FInal RIR Not Included

4. Please attach a short description of the overall development project, including:

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit the information requested in this section in electronic format only**):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). Refer to **Exhibit C**

2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.

Contaminant Category	Soil	Groundwater	Soil Gas See **Exhibit C**
Petroleum			
Chlorinated Solvents		X	X
Other VOCs		X	
SVOCs	X	X	
Metals		X	
Pesticides			
PCBs			
Other*			

***Please describe:** _____

3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:

See full report in Exhibit C, Summary in Exhibit D, and site drawing with data tables in FIgures 1b-d.

- **SAMPLE LOCATION**
- **DATE OF SAMPLING EVENT**
- **KEY CONTAMINANTS AND CONCENTRATION DETECTED**
- **FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE**
- **FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5**
- **FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX**

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?* ☑ **Yes** ☐ **No**
(*answering No will result in an incomplete application)

4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

☐ Coal Gas Manufacturing	☑ Manufacturing	☐ Agricultural Co-op	☐ Dry Cleaner
☐ Salvage Yard	☐ Bulk Plant	☐ Pipeline	☐ Service Station
☐ Landfill	☐ Tannery	☐ Electroplating	☐ Unknown

Other: Photo processing, thorium glass lens production

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME Hawkeye Trade Center and Residences - 1B

ADDRESS/LOCATION 1447 St Paul St

CITY/TOWN Rochester ZIP CODE 14650

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

COUNTY Monroe SITE SIZE (ACRES) 2.295

LATITUDE (degrees/minutes/seconds)						LONGITUDE (degrees/minutes/seconds)					
43	°	10	‘	56.12	“	77	°	37	‘	35.09	“

COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section No.	Block No.	Lot No.	Acreage
1447 ST Paul St	090.84	1	3.001	4.06

1. Do the proposed site boundaries correspond to tax map metes and bounds? ☐ Yes ☑ No
   If no, please attach a metes and bounds description of the property. See Survey Map with Metes & Bounds Descriprption Figure 3

2. Is the required property map attached to the application? ☑ Yes ☐ No
   (application will not be processed without map) See Figures 2-5

3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)?
   (See DEC's website for more information) Yes ☑ No ☐

   If yes, identify census tract : 46.02

   Percentage of property in En-zone (check one): ☐ 0-49% ☐ 50-99% ☑ 100%

4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? ☐ Yes ☑ No

   If yes, identify name of properties (and site numbers if available) in related BCP applications:_____

5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? See Figures 1c and Exhibit E. VOC contamination shown upgradient. ☐ Yes ☑ No

6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? ☐ Yes ☑ No
   If yes, attach relevant supporting documentation.

7. Are there any lands under water? ☐ Yes ☑ No
   If yes, these lands should be clearly delineated on the site map.

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas? If yes, identify here and attach appropriate information. ☐ Yes ☑ No

Easement/Right-of-way Holder	Description

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

Type	Issuing Agency	Description
None		

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of <u>each</u> narrative requested.**
Are the Property Description and Environmental Assessment narratives included in the **prescribed format**? See Exhibit E ☑ Yes ☐ No

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits? Not Applicable ☐ Yes ☐ No
If yes, requestor must answer questions on the supplement at the end of this form.

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? ☐ Yes ☑ No

13. If you have answered *Yes* to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? ☐ Yes ☐ No Not Applicable

NOTE: If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, <u>except</u> for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: AS _____ _____ _____ _____ _____

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

Section V. Additional Requestor Information See Instructions for Further Guidance	DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE John Schenne		
ADDRESS Hotel LaFayette - Suite 800		
CITY/TOWN Buffalo		ZIP CODE 14203
PHONE 716-655-4991	FAX	E-MAIL john@schenne.com
NAME OF REQUESTOR'S CONSULTANT BE3 Corp./Panamerican		
ADDRESS 1270 Niagara Street		
CITY/TOWN Buffalo		ZIP CODE 14213
PHONE 716-249-6880	FAX	E-MAIL abrennen@be3corp.com
NAME OF REQUESTOR'S ATTORNEY Francis L. Gorman		
ADDRESS 99 Gamsey Road		
CITY/TOWN Pittsford		ZIP CODE 14534
PHONE 585-419-8628	FAX	E-MAIL flgorman@harrisbeach.com
Section VI. Current Property Owner/Operator Information – if not a Requestor		See Exhibit F
CURRENT OWNER'S NAME Eastman Kodak Company		OWNERSHIP START DATE: 1902
ADDRESS 343 State St		
CITY/TOWN Rochester		ZIP CODE 14650
PHONE 585-724-4000	FAX	E-MAIL bryan.gallagher@kodak.com
CURRENT OPERATOR'S NAME Same - Bryan P. Gallagher		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL

IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.
PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".

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

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

1. Are any enforcement actions pending against the requestor regarding this site? ☐ Yes ☑ No
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? ☐ Yes ☑ No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. ☐ Yes ☑ No

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☑ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. ☐ Yes ☑ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☑ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☑ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ Yes ☑ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☑ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☑ No
11. Are there any unregistered bulk storage tanks on-site which require registration? ☑ Yes ☐ No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

☐ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

☑ VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste. See **Exhibit G**

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):
☐ Previous Owner ☐ Current Owner ☑ Potential /Future Purchaser ☐ Other_____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted**. Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached?

☑ Yes ☐ No See Exhibit H

Note: a purchase contract does not suffice as proof of access.

Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
   If yes, please provide relevant information as an attachment. ☐ Yes ☑ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? ☐ Yes ☑ No
   If yes, please provide: Site #_____ Class # _____
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? ☐ Yes ☑ No
   If yes, please provide: Permit type:_____ EPA ID Number:_____
   Date permit issued:_____ Permit expiration date:_____
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. Not applicable ☐ Yes ☐ No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?
   If yes, please provide: Order #_____ ☐ Yes ☑ No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?
   If yes, please provide explanation as an attachment. ☐ Yes ☑ No

Section IX. Contact List Information See Exhibit I

To be considered complete, the application must include the Brownfield Site Contact List in accordance with *DER-23 / Citizen Participation Handbook for Remedial Programs*. Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). In addition, attach a copy of an acknowledgement from the repository indicating that it agrees to act as the document repository for the property. See Exhibit J
8. Any community board located in a city with a population of one million or more, if the proposed site is located within such community board's boundaries.

Section X. Land Use Factors

1. What is the current zoning for the site? What uses are allowed by the current zoning?
☐ Residential ☐ Commercial ☑ Industrial
If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: ☐ Residential ☐ Commercial ☐ Industrial ☑ Vacant ☐ Recreational (check all that apply) See Exhibit K, but also see information previously provided in Exhibits B, D and E.
Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: ☑ Residential ☑ Commercial ☑ Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**
See Exhibit K, but also see information previously provided in Exhibits B, D and E.
If residential, does it qualify as single family housing? ☐ Yes ☑ No

4. Do current historical and/or recent development patterns support the proposed use?	☑ Yes ☐ No
5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary. Current zoning at the property is M-1, Industrial District. The purpose of the M-1 Industrial District according to the City of Rochester Division of Zoning is to retain and grow employment opportunities through industrial uses and complimentary uses. It encourages the redevelopment of former manufacturing buildings and allows retail sales and services, offices, and eating and drinking establishments. Residential uses to support the commercial and manufacturing uses are also permitted. The anticipated use post-remediation plans to redevelop the property into a mixture of commercial, manufacturing, and flex space, which directly coincides with zoning laws.	☑ Yes ☐ No
6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary. Yes, redevelopment of the property to its anticipated use is consistent with the City of Rochester local waterfront revitalization plan and the neighborhood-managed BOA: Group 14621 Neighborhood Revitalization Plan, where the property is located. Redevelopment of the currently vacant manufacturing area will bring further draw and updates to the Genesee River Waterfront as well as provide a higher quality of life to the residential areas surrounding the property.	☑ Yes ☐ No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hererby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Authorized Representative (title) of WBS CAPITAL INC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 5/14/18 Signature: _____

Print Name: JOHN SCHENNE, PE, PG

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
  - Chief, Site Control Section
  - New York State Department of Environmental Conservation
  - Division of Environmental Remediation
  - 625 Broadway
  - Albany, NY 12233-7020

FOR DEC USE ONLY
BCP SITE T&A CODE: _____ **LEAD OFFICE:** _____

NOT APPLICABLE

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

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Property is in Bronx, Kings, New York, Queens, or Richmond counties. ☐ Yes ☐ No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. ☐ Yes ☐ No
Please answer questions below and provide documentation necessary to support answers.
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information. ☐ Yes ☐ No
2. Is the property upside down or underutilized as defined below? Upside Down? ☐ Yes ☐ No Underutilized? ☐ Yes ☐ No **From ECL 27-1405(31):** "Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated. **From 6 NYCRR 375-3.2(l) as of August 12, 2016:** (Please note: Eligibility determination for the underutilized category can only be made at the time of application) 375-3.2: (l) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and (1) the proposed use is at least 75 percent for industrial uses; or (2) at which: (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses; (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and (iii) one or more of the following conditions exists, as certified by the applicant: (a) property tax payments have been in arrears for at least five years immediately prior to the application; (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or (c) there are no structures. "Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; *the New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below**:

☐ Project is an Affordable Housing Project - Regulatory Agreement Attached;

☐ Project is Planned as Affordable Housing, But Agreement is Not Yet Available* (*Checking this box will result in a "pending" status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);

☐ This is Not an Affordable Housing Project.

From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

BCP Application Summary (for DEC use only)

Site Name: Hawkeye Trade Center and Residences - 1B **Site Address:** 1447 St Paul St
City: Rochester **County:** Monroe **Zip:** 14650

Tax Block & Lot
Section (if applicable): 090.84 **Block:** 1 **Lot:** 3.001

Requestor Name: WBS CAPITAL INC **Requestor Address:** 136-20 38TH Avenue Suite 9J
City: Flushing **Zip:** 11354 **Email:** john@schenne.com

Requestor's Representative (for billing purposes)
Name: John Schenne **Address:** Hotel LaFayette - Suite 800
City: Buffalo **Zip:** 14203 **Email:** john@schenne.com

Requestor's Attorney
Name: Francis L. Gorman **Address:** 99 Gamsey Road
City: Pittsford **Zip:** 14534 **Email:** flgorman@harrisbeach.com

Requestor's Consultant
Name: BE3 Corp./Panamerican **Address:** 1270 Niagara Street
City: Buffalo **Zip:** 14213 **Email:** abrennen@be3corp.com

Percentage claimed within an En-Zone: ☐ **0%** ☐ **<50%** ☐ **50-99%** ☑ **100%**

DER Determination: ☐ Agree ☐ Disagree

Requestor's Requested Status: ☑ **Volunteer** ☐ **Participant**

DER/OGC Determination: ☐ Agree ☐ Disagree
Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits: ☐ Yes ☐ No

Does Requestor Claim Property is Upside Down: ☐ Yes ☐ No
DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined
Notes:

Does Requestor Claim Property is Underutilized: ☐ Yes ☐ No
DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined
Notes:

Does Requestor Claim Affordable Housing Status: ☐ Yes ☐ No ☐ Planned, No Contract
DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined
Notes:

EXHIBIT A

SECTION I: REQUESTOR INFORMATION

NYSDOS CORP & BUSINESS ENTITY PRINTOUT

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through January 17, 2018.

Selected Entity Name: WBS CAPITAL INC

Selected Entity Status Information

Current Entity Name:	WBS CAPITAL INC
DOS ID #:	5161251
Initial DOS Filing Date:	JUNE 27, 2017
County:	QUEENS
Jurisdiction:	NEW YORK
Entity Type:	DOMESTIC BUSINESS CORPORATION
Current Entity Status:	ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

WBS CAPITAL INC
136-20 38TH AVENUE
SUITE 9J
FLUSHING, NEW YORK, 11354

Registered Agent

NONE

This office does not record information regarding the names and addresses of officers, shareholders or directors of nonprofessional corporations except the chief executive officer, if provided, which would be listed above. Professional corporations must include the name(s) and address(es) of the initial officers, directors, and shareholders in the initial certificate of incorporation, however this information is not recorded and only available by viewing the certificate.

*Stock Information

# of Shares	Type of Stock	$ Value per Share
200	No Par Value	

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
JUN 27, 2017	Actual	WBS CAPITAL INC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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Exhibit B

SECTION II: PROJECT DESCRIPTION

PURPOSE OF THE PROJECT

The purpose is to complete a remediation of the property for industrial, commercial, or residential reuse (or combination thereof); to reduce the potential exposure to volatile organics associated with vapor migration into the site buildings and exposure to heavy metals and volatile organics in groundwater; to enhance public and environmental health and reduce potential impacts to groundwater and nearby surface water.

Current and past use of the property and adjacent properties has been a mix of industrial/commercial which has impacted environmental media. The reuse of the property (either as industrial, commercial or residential) will require remediation of these impacts. The BCP program will help support the significant remediation costs necessary to re-develop the property for the intended re-use.

DATE REMEDIAL ACTION TO START

The anticipated date remedial activities and renovations are to start is March 2019.

DATE OF ANTICIPATED CERTIFICATE OF COMPLETION

The anticipated date of the certificate of completion is April 2020.

ANTICIPATED USE AFTER REMEDIATION

The proposed Hawkeye Trade Center and Residences project plans to use the property for a mixture of commercial/office space, flex space, residential units, and manufacturing. The site will be used to promote economic growth in the area by drawing in a variety of businesses. Further details on the post remediation use have yet to be provided by the requestor.

Exhibit D

SECTION III. PROPERTY'S ENVIRONMENTAL HISTORY

Summary

Investigation reports for the property and adjacent properties indicated that potential environmental impacts exist at the property from past activities on the property and from the adjacent/nearby properties. The past investigations on the property include:

- Phase I Environmental Site Assessment Eastman Kodak Company Hawkeye Facility 1447 St, Paul Street Rochester, New York 14617 completed in December 2003

- Phase II Environmental Site Assessment Eastman Kodak Company Hawkeye Facility 1405 & 1447 St. Paul Street and Associated Parking Lots completed in 2017

The Phase I investigation showed that manufacturing/industrial processes have occurred on the property since at least the early 1900's. The use of thorium in the production of optical lenses became popular in the 1930's to 1980's and was known to occur onsite. Three thorium glass settling pits are shown on the property; one in the southwest corner of building 12A, one on the western side of Lot #1, and one on the west side of Building 12 (**See Figure 1a**). Possible presence of thorium contamination has been noted in the buildings listed, inaccessible areas (i.e. drains) and former outfalls located to the west along the Genesee River Gorge and is identified as a REC. Thorium remediation of onsite buildings was approved by the NYSDOL and completed in the 1990's by Quadrex Recycle Center. The NYSDOL closed the site's Radioactive Materials License in 1995. According to the Phase I done by leader, Building 4 formerly acted as a power house and is associated with three former 20,000-gallon fuel oil USTs. This portion of the site is located to the north of Building 4 and is identified as a REC. A spill of photo processing liquid was reported north of Building 12 and is identified as a REC. The impact from the spill was undetermined. Building 12A sits atop the former Rochester Transit Corporation equipment repair shop. The impact of these historic uses is unknown, but is identified as a REC. The Phase I also mentions one active PBS registration for a 33,000-gallon fuel oil tank on the property north of Building 4 and one inactive CBS registration for a 475-gallon sodium hydroxide tank inside Building 12. Transformers containing PCB have been located on the north and east sides of Building 12, however it has been reported that the oil was replaced with non-PCB containing oil in the 1980's. PCB residuals were also found in a soil sample from a storm water discharge pipe along the Genesee River gorge on the western edge of the property.

The Phase II ESA on the property shows the contaminants of concern to be metals and VOCs; specifically, TCE in groundwater and soil vapor and BTEX in groundwater. Potential thorium isotope contamination was noted in Buildings 12 and 12A, but sampling was not done within these buildings. These results are presented in the 2017 Phase II; however, all the results are taken from the 2004 Phase II sampling event done on the property, whose report was not provided. One hydraulically upgradient monitoring well just east of the parcel boundary was sampled in September 2017 and showed exceedances of metals, TCE, and DCE. Three sub slab and indoor air samples were taken in the onsite buildings across the property. The May 2017 NYSDOH decision matrices results are Mitigate for two of the samples and Identify Sources and Resample or Mitigate for one sample. Thorium isotopes were analyzed for in seven other groundwater samples taken at the Hawkeye facility, but none were shown above the Radionuclide Drinking Water Maximum Contaminant Levels obtained from the USEPA's Soil Screening Guidance for Radionuclides Technical Background Document.

Exhibit E

SECTION IV. PROPERTY INFORMATION

PROPERTY DESCRIPTION NARRATIVE

Location

The property is in an urban area roughly in the center of the City of Rochester municipality, north of downtown area; approximately a half a mile south of State Route 104; along the Genesee River. The property sits approximately 300 feet west of the intersection of St. Paul Street and Avenue E, along Avenue E and runs north along the eastern side of the Genesee River Gorge. The property is located within the Group 14261 Neighborhood Revitalization Plan nominated BOA. The Group 14261 Neighborhood Revitalization Plan is in the process of becoming a designated BOA. The property is in an En-Zone.

Site Features

The main site features include three, brick/concrete, multi-story buildings (Buildings 4, 12, and 12A in previous environmental reports) which comprise most of the property. Buildings 12 and 12A are connected, in the middle of the site, while Building 4 lies in the northwest corner of property. The remaining area of the property is asphalt parking lots, with Lot #1 (previous environmental reports) at the south end and Lot #2 occupying a portion of the north end. Small grass patches are shown at the southern end of Building 12A.

Current Zoning and Land Use

Currently the property is vacant and is zoned for M-1; industrial use. The property is surrounded by additional industrial uses. Residential zones begin a few blocks to the south, east and northeast of the property. The Rochester school for the deaf exists to the immediate north of the property and Seneca park; O-S: open space zoning, exists to the west along the Genesee River.

Past Use of the Site

Since the late 1800's the site has been associated with the manufacturing of photographic products, including photo paper and lenses up to the early 2000's. A small section of the site below Building 12A may have been associated with the former Rochester Transit Corporation equipment repair shop which was located southeast of the property in the early 1900's, but this has not been confirmed. The Rochester Photographic Products Company (also reported as General Aristo Company) reportedly occupied the property in the 1880's until purchased by Eastman Kodak Company in 1902. The impact of these uses is unknown, however process wastes including metals (i.e. silver) and possible solvents from the manufacturing of photographic paper may have impacted onsite groundwater. USTs and ASTs have been reported on the property. One active PBS registration for a 33,000 gallon fuel oil tank has been noted on the property north of Building 4. One inactive CBS registration for a 475-gallon sodium hydroxide tank is noted inside Building 12. Three 20,000-gallon fuel oil tanks have been noted as closed and were formerly north of Building 4. The use of thorium in the production of optical lenses became popular in the 1930's to 1980's and was known to occur onsite. Three thorium glass settling pits are shown on the property; one in the southwest corner of building 12A, one on the western side of Lot #1, and one on the west side of Building 12 (**See Figure 1a**). Thorium remediation of onsite buildings was approved by the

NYSDOL and completed in the 1990's by Quadrex Recycle Center. According to the Phase I done by leader, the former onsite building uses include: a power house (Building 4), offices, clean room, maintenance/fabrication shops, and photo processing (Buildings 12 and 12A).

Site Geology and Hydrogeology

Based on the previous environmental reports, site soil has been generally classified as fine sand and fine to coarse gravel with some silt and clay at deeper depths of soil borings. Silt and clay have been noted at shallower depths towards western edge of the property and the Genesee River gorge. Groundwater flow direction has been determined to flow west towards the Genesee River with a depth to groundwater of approximately 8 to 10 feet bgs.

Environmental Assessment

Based on the previous environmental investigations, the primary contaminants of concern are SVOCs in soil, VOCs and metals in groundwater, and TCE in soil vapor. The 2004 soil sampling completed Leader shows SVOC exceedances of restricted residential values in soil boring B01HEB4NE04212004, north of Building 4. Benzo(a)antracene, Benzo(a)pyrene, and Benzo(a)fluoranthene were detected at values of: 3.2 ppm, 2.6 ppm, and 3.1 ppm respectively. The May 2004 sampling of monitoring wells SB4NE, IB12SW, IB5SW, and IB5SW2 show metals such as iron, magnesium, and sodium exceeding NYSDEC groundwater standards across the site. Monitoring well SB4NE at the north end of the property, north of Building 4, shows VOCs exceeding NYSDEC groundwater standards including Acetone at 120 ppb, Benzene at 3.1 ppb, Ethylbenzene at 12 ppb, Toluene at 8.5 ppb, and Xylene at 48 ppb. SVOCs were also found exceeding groundwater standards. TCE was found in monitoring well IB12SW in the middle of the property at 28 ppb. Acetone exceedances were also found in monitoring wells IB5SW (56.2 ppb) and IB5SW2 (52.7 ppb) at the southern end of the property. A hydraulically upgradient well, IB11AW was sampled in September 2017 and showed exceedances of metals; sodium and magnesium, as well as chlorinated solvents; TCE and DCE. TCE was reported in all three sub slab and indoor air samples taken within the buildings on the property. TCE in the sub slab samples ranged from 110 to 2900 ug/m^3 and in indoor samples ranged from 1.5 to 6.1 ug/m^3. The May 2017 NYSDOH Decision Matrices calls for Identify Sources and Resample or Mitigate in Building 4 and Mitigation in Buildings 12 and 12A based on these results.

Exhibit F

SECTION VI. CURRENT PROPERTY OWNER/OPERATOR INFORMATION

CURRENT OWNERS (SEE **FIGURE 3A** FOR INDIVIDUAL PARCEL OWNERSHIP):

Eastman Kodak Company
343 State St
Rochester, NY 14650
585-724-4000

RELATIONSHIP OF REQUESTOR TO CURRENT AND PREVIOUS OWNERS AND OPERATORS

NONE. The requestor has no relationship to the current or previous owners or current or past operators of the property.

PREVIOUS OWNERS AND OPERATORS

Chain of Use

2015 – Eastman Kodak Company (previous owner and operator)
1902 - Eastman Kodak Company (previous owner and operator)
1889 – Rochester Photographic Products Company (aka General Aristo Company) (previous owner and operator

It should be noted that the Phase II completed by Labella Associates mentions that a small section of the property in the southeastern half of the parcel (part of Building12A) may have formerly been associated with an equipment repair shop for Rochester Transit Authority. This information is not complete, and no further evidence is provided. Because of the unconfirmed nature, Rochester Transit Authority has been left out of the chain of use.

LAST KNOWN ADDRESS AND TELEPHONE NUMBERS OF THE PREVIOUS OWNERS/OPERATORS

Eastman Kodak Company (Current Owner)
343 State St
Rochester, NY 14650
585-724-4000

Rochester Photographic Products Company (aka General Aristo Company)
The Rochester Photographic Products Company was purchased by Eastman Kodak Company in 1902. Contact info for this owner/operator is the same as that listed for Eastman Kodak Company.

Exhibit G

SECTION VII. REQUESTOR ELIGIBILITY INFORMATION

VOLUNTEER STATEMENT

The requestor has answered no to all eligibility questions except for question 11. See Exhibits D and E, which indicate the potential for unregistered bulk storage tanks to remain on the property. Therefore, the answer to question 11 was answered "yes".

The requestor is certifying that they are volunteers – their liability arises solely because of future ownership and development of the Site after the disposal of hazardous waste or discharge of petroleum. The requestors have not yet purchased the property and certify that they have exercised appropriate care with respect to the chemical impacts found at the property by:

- Obtaining and reviewed a recently completed Phase I Environmental Site Assessment (ESA) completed on the property by others which identified potential recognized environmental conditions;
- Completed a detailed review of past investigations which identified chemical release concerns; and
- Identified the BCP program to further investigate and remediate the concerns.

The requestor has not initiated any operations or property use that would contribute to environmental impacts to the property. As a result, the requestor is a volunteer; was not the owner of the site at the time of the release of chemical impacts and is not the person responsible for the contamination.

The Requestor has no legal relationship beyond the real estate contract to purchase the property. Eastman Kodak Company will have absolutely no involvement with the development activities of the Requestor going forward. Because acceptance into the BCP is a condition precedent of the real estate contract, Eastman Kodak Company remains in title currently and the Requestor is the contract-vendee.

EXHIBIT H
SECTION VII: REQUESTOR ELIGIBILITY INFORAMTION

Proof of Site Access
CERTIFICATION

Date: January 24, 2018
Property Address: 1447 St. Paul Street, Rochester, NY
Property/Parcel Owner Name: Eastman Kodak Company
Property Owner Address: 343 State Street, Rochester, NY 14650-0208
Applicant Name: WBS Capital, Inc.
BCP Project Number: N/A

The undersigned hereby certified as follows:

1.) I am duly authorized to furnish this Certification on behalf of **Eastman Kodak Company** (the "Owner").

2.) As of the date hereof, the Owner is the fee simple owner of the property located at 1447 St. Paul Street, Rochester, NY 14261 (the "Property").

3.) The Owner is aware that (a) WBS Capital, Inc. (the "Applicant") is filing a Brownfield Cleanup Program Application ("BCPA") relating to the Property.

4.) The Owner has no objection to the Applicant filing the BCPA with the New York State Department of Environmental Conservation.

5.) This will confirm that the Applicant has been granted legal access to the Property for the purposes of the BCPA and will be granted all necessary legal access, including an easement, if required, to complete the remediation of the Property.

IN WITNESS WHEREOF, this Certification has been duly executed and delivered as of the date set forth above.

Eastman Kodak Company

By: Arline M Liberti
Name: Arline M Liberti
Title: VP Corporate Real Estate

Exhibit I

SECTION IX: CONTACT LIST INFORMATION

1. THE CHIEF EXECUTIVE OFFICER AND PLANNING BOARD/DEPT. CHAIR OF EACH COUNTY, CITY, TOWN AND VILLAGE IN WHICH THE PROPERTY IS LOCATED.

Monroe County

County Executive – Cheryl Dinolfo
110 County Office Building
39 W. Main St.
Rochester, NY 14614
Phone:(585) 753-1000
Email: countyexecutive@monroecounty.gov

Chief Economic Development Officer – Jeff Adair
City Place
50 W. Main St
Rochester, NY 14614
Phone: (585) 753-2000
Email: mcplanning@monroecounty.gov

City of Rochester

Mayor – Lovely A. Warren
City Hall, Room 307A
30 Church St
Rochester, NY 14614
Mayor's Office Telephone: (585) 428-7045

City Planning Commission Chair - David L. Watson
Division of Zoning
City Hall, Room 125B
Rochester, NY 14614
Phone: (585) 428-6914

2. RESIDENTS, OWNERS, AND OCCUPANTS OF THE PROPERTY AND PROPERTIES ADJACENT TO THE PROPERTY. REFER TO FIGURE 5.

Property Owners

Eastman Kodak Company
343 State St
Rochester, NY14650

Adjacent Property Owners

Eastman Kodak Company (090.84-1-3.001, 090.84-1-2.001, 090.84-1-68, 090.84-1-69)
343 State St
Rochester, NY14650

Rochester School for the Deaf (090.76-1-1.001)
1545 St. Paul St
Rochester, NY 14621

City of Rochester (090.68-1-3.001, 090.84-1-71.001, 090.84-1-66.002)
30 Church St Room 125B
Rochester, NY 14614

Rochester Gas & Electric Corp (105.28-2-3.001)
1 City Center, 5th Floor
Portland, ME 04101

3. LOCAL NEWS MEDIA FROM WHICH THE COMMUNITY TYPICALLY OBTAINS INFORMATION.

News Papers

CITY Newspaper
250 N. Goodman St.
Rochester, NY 14607
Phone: 585-244-3329
Fax: 585-244-1126

Rochester Democrat and Chronicle
245 E Main St.
Rochester, NY 14604
(585) 232-7100

TV

R News
YNN Rochester
71 Mt. Hope Ave.
Rochester, NY 14620
585-756-2424

WROC
201 Humboldt St.
Rochester, New York 14610
585-288-8400

4. THE PUBLIC WATER SUPPLIER WHICH SERVICES THE AREA IN WHICH THE PROPERTY IS LOCATED

Public Water Supplier:

City of Rochester Bureau of Water
10 Felix St
Rochester, NY 14608

County:

Monroe County Water Authority
475 Norris Dr
P.O. Box 10999
Rochester, NY 14610

5. ANY PERSON WHO HAS REQUESTED TO BE PLACED ON THE CONTACT LIST.

Monroe County Planning Manager
Thomas Goodwin
8100 City Place
50 W. Main St.
Rochester, NY 14614
Phone: 585 753-2000
mcplanning@monroecounty.gov

Group 14621 Community Association, Inc.
A Subsidiary of North East Area Development, Inc./NEAD
1171 North Clinton Avenue
Rochester, New York 14621
Phone 585.266.4693
group14621@group14621.com

6. THE ADMINISTRATOR OF ANY SCHOOL OR DAY CARE FACILITY LOCATED ON OR NEAR THE PROPERTY.

There are no schools/day care facilities on the property.

Rochester School for the Deaf
1545 St Paul St
Rochester, NY 14621
Phone: 585-544-1240
Administrator: Gary Meyer

7. THE LOCATION OF A DOCUMENT REPOSITORY FOR THE PROJECT (E.G., LOCAL LIBRARY).

Lincoln Branch Library
851 Joseph Ave
Rochester, NY 14261
Phone: 585-428-8210

8. COMMUNITY BOARD – NOT APPLICABLE

Exhibit J

SECTION IX: CONTACT LIST INFORMATION

LIBRARY ACKNOWLEDGEMENT LETTER

Lincoln Branch Library
Mr. Jason Gogniat
851 Joseph Ave
Rochester, NY 14621

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1270 Niagara Street
Buffalo, NY 14213
716.249.6880 be3corp.com

1/19/2018

Mr. Jason Gogniat
Lincoln Branch Library
851 Joseph Ave
Rochester, NY 14621

Re: BCP Project 1447 St Paul Street, Rochester, NY

Mr. Gogniat

WBS Capital Inc. is in the process of applying to the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) for a project at 1447 St Paul Street, Rochester, NY. On behalf of the project applicant, WBS Capital Inc. I am requesting that the Lincoln Branch Library function as the document repository for the public documents associated with this project. The project documentation may include the application, work plans, investigation reports and management plans etc. associated with the project. Currently the project is anticipating initiating activities in early 2018 with the application and ending in late 2018 – early 2019.

The process requires that we receive formal acknowledgement that your library agrees to function as a document repository for this project. Your acceptance of the use of the Lincoln Branch Library as a document repository for the project may be indicated by signing in the space provided below or by providing a letter indicating acceptance.

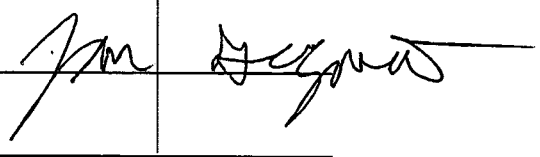
Thank you for agreeing to function in this capacity. If you have any question, please call me at 716-249-6880.

Sincerely,

Alex Brennen, EIT
BE3 Corp./Panamerican

Lincoln Branch Library accepts the role of Public Repository for 1447 St Paul Street BCP project documents.

Accepted by:
Jason Gogniat



Name
Lincoln Branch Library

Library Name
Branch Manager

Title
1/22/2018

Date

Exhibit K

SECTION X: LAND USE FACTORS

CURRENT ZONING

The property at 1447 St. Paul Street is currently zoned for M-1, Industrial District. The M-1 Industrial District in the City of Rochester allows for industrial uses and complimentary uses. Redevelopment of former industrial facilities is encouraged in the M-1, industrial district to accommodate commercial and residential needs as well.

Surrounding parcels are also within the same zoning ordinance. The primary zoning in the surrounding area is residential to the north, east, and south. The Rochester school for the deaf exists to the immediate north of the property and Seneca Park; O-S: open space zoning, exists to the west along the Genesee River.

CURRENT USE

The former Kodak offices/warehouse space and parking lot are now vacant. The former Kodak operations were halted in 2015. Original manufacturing equipment and processes have been removed and specific contaminant sources pertaining to this cannot be determined. Contaminant source areas on the property are not suspected due to current vacancy, however, sources may still exist from previous onsite uses. There is a potential for thorium contamination remaining in inaccessible areas beneath Buildings 12 and 12A. Three closed thorium glass settling pits are shown on the property; one in the southwest corner of building 12A, one on the western side of Lot #1, and one on the west side of Building 12 (**See Figure 1a**). These areas and associated outfalls along the Geneses River gorge have the potential for residual contamination, however Phase II analysis for thorium isotopes were analyzed in groundwater and soil at the Hawkeye Facility and did not exceed applicable standards. Thorium remediation of onsite buildings was approved by the NYSDOL and completed in the 1990's by Quadrex Recycle Center. The Phase II identifies TCE as a contaminant of concern in ground water and soil vapor. The potential for remaining petroleum contamination exists north of Building 4, where USTs existed. The 2004 Phase II completed by Leader shows BTEX exceedances in groundwater but does not identify sources. The sources of this contamination are unknown, and further samplings for source determination has been recommended.

REASONABLY ANTICIPATED USE POST REMEDIATION

The proposed Hawkeye Trade Center and Residences project plans to use the property for a mixture of manufacturing, commercial/office space, residential units, and flex space. The site will be used to promote economic growth in the area by drawing in a variety of businesses.

FIGURES 1A – 1D

SECTION III: PROPERTY'S ENVIRONMENTAL HISTORY

SITE DRAWINGS; CONTAMINANT INFORMATION; LABORATORY DATA TABLES

N

Former UST Area

Former Rochester Photographic Products

Metal Stamping & Plating (1911)

1976-1977 Spill of Photo-Processing Waste

BLDG 4

LOT #2

Dorbeth Rd

Machine Shop (1911)

Photo Process Waste Release Outfall

BLDG 11A

PCB Release Outfall

BLDG 11

BLDG 12

BLDG 6

LOT #9

BLDG 10

Kerosene (1950)

Settling Pit Outfall

BLDG 12A

Malling Dr

Repair Shops of NY State Railway Lines
Machine shop, repair shop (1911)

BLDG 5

R.C. Shaheen Paint Company

Gasoline Filling Station (1950)

120 gallon tank (1911)

Gasoline Filling Station

LOT #11

Automotive Operations
-Auto Washing
-Battery Service
-Battery Storage
-Paint
(1950)

Avenue F St

Gasoline Tanks (1950)

Eastman Kodak Co. Lens Manufacturing Works (1950)

Machine Sales & Service (1950)

LOT #8

LOT #5

Gasoline Filling Station (1950)

Saint Paul St

Gasoline Tanks (1950)

Nox Aly

Avenue D

LOT #6

LOT #7

Gasoline Tanks (1950)

Gasoline Filling Station (1950)

Avenue C

Tool & Dye (1997)
Automotive Repair (1975)

Source: Labella, Phase II

Legend

- Site
- Site Buildings
- Former Underground Storage Tanks (Sanborn Maps)
- Historical Features
- Former Thorium Glass Settling Pit
- Drywell
- Approximate Outfall Locations

NOTES:
1) Property boundaries obtained from Monroe County GIS 2014 and are considered approximate.
2) Aerial image obtained from City of Rochester 2015 and may not represent current conditions.
3) Historical features obtained from Sanborn Maps and previous reports by others and are considered approximate.

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Figure 1a: Site Map - Historical Use Features

1447 St. Paul Street	4/13/2018
Rochester, NY	WBS Capital, Inc.

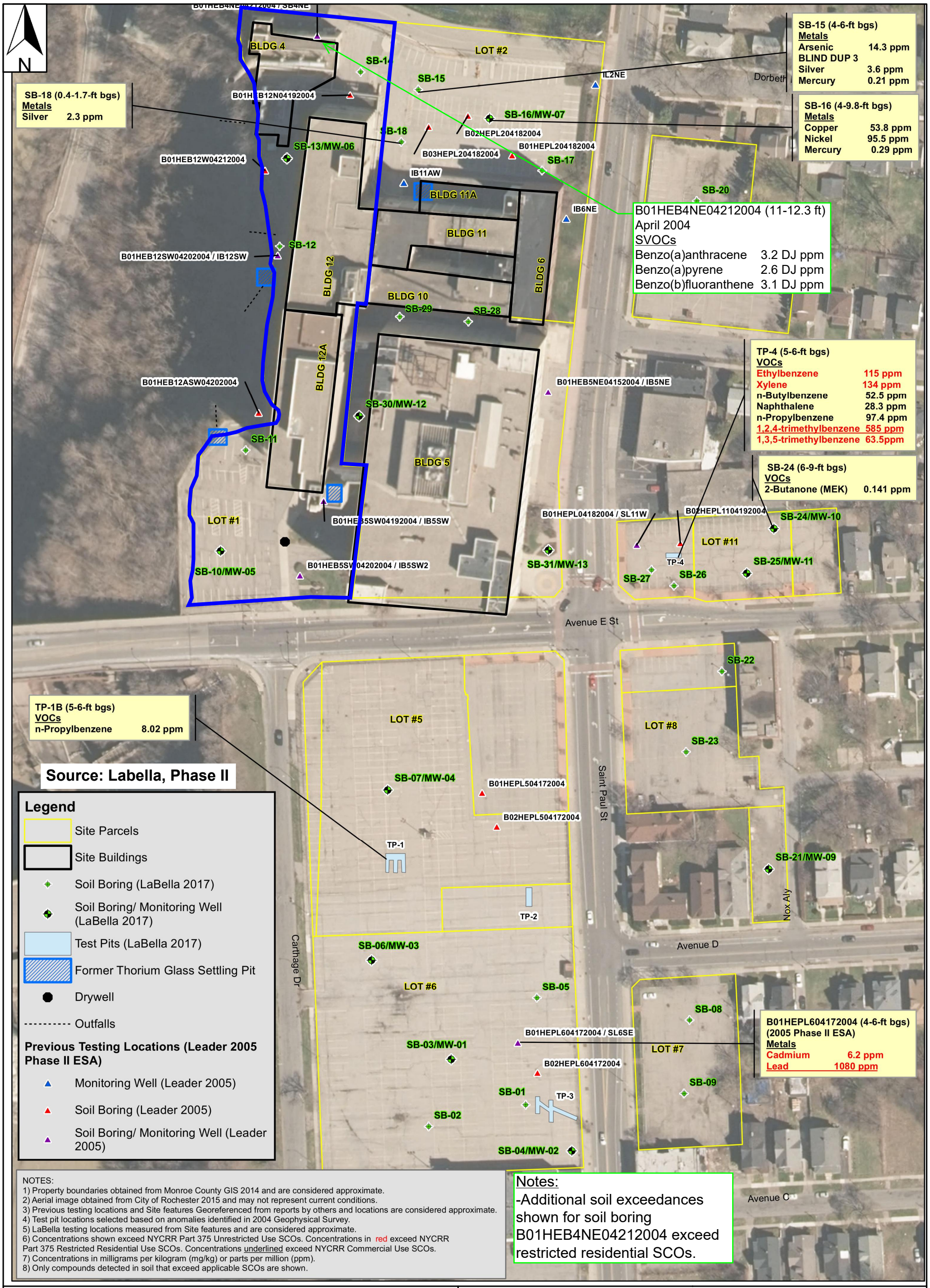

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Figure 1b: Site Map - Impacts to Soil

1447 St. Paul Street	4/13/2018
Rochester, NY	WBS Capital, Inc.

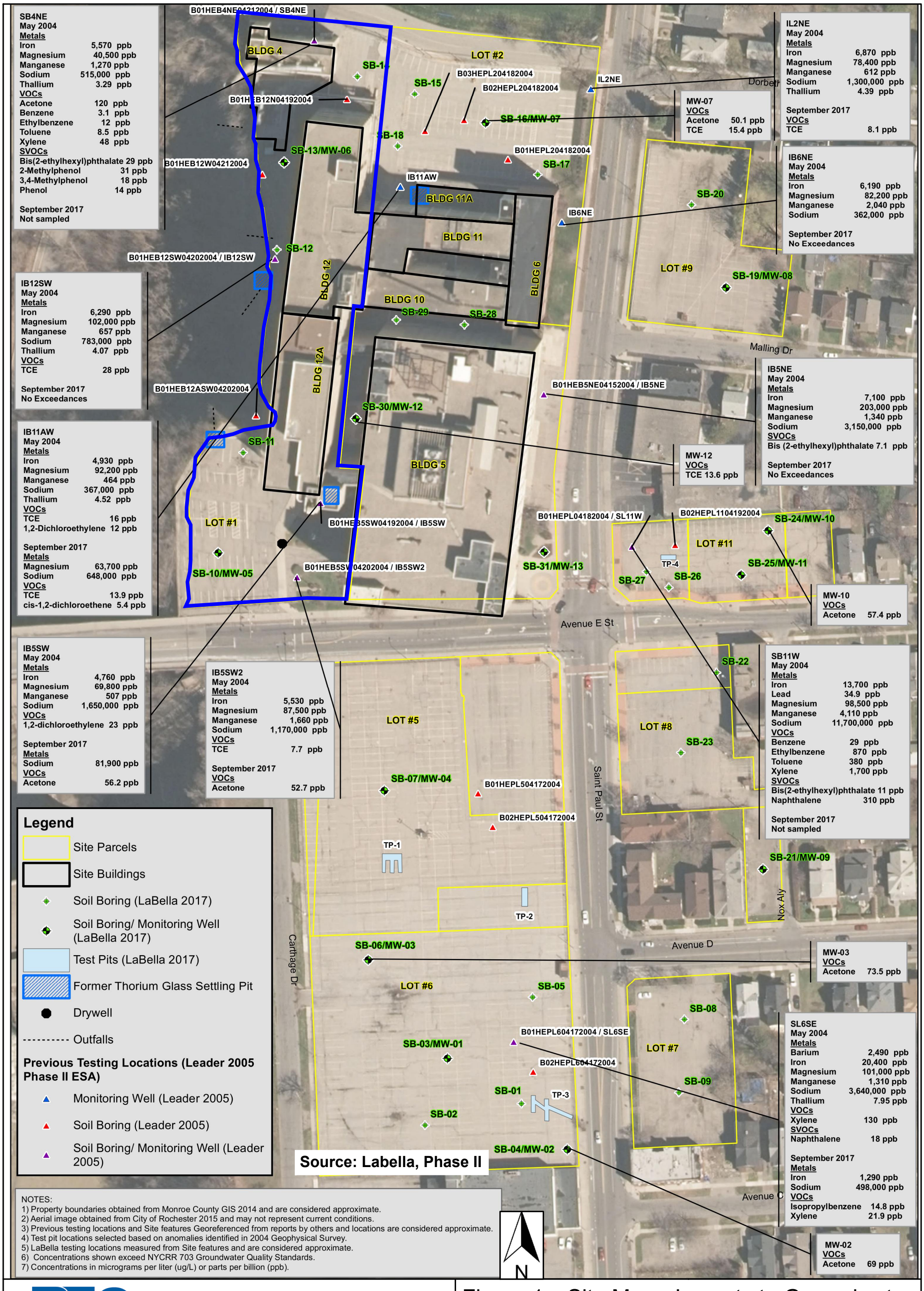
Onsite Soil Boring

TABLE 1

DETECTED SOIL ANALYTICAL RESULTS
VOLATILE ORGANIC COMPOUNDS, SEMI-VOLATILE ORGANIC COMPOUNDS AND INORGANIC COMPOUNDS
HAWKEYE FACILITY, ROCHESTER, NEW YORK

Sample Location:	*Recommended*	*B01HEB4NE04212004*	*B01HEB5NE04152004*	*B01HEB5SW04192004*	*B01HEB5SW04202004*	*B01HEB12N04192004*	*B01HEB12SW04202004*	*B01HEB12W04212004*	*B01HEB12ASW04202004*		*B01HEPL204182004*	*B02HEPL204182004*
Sample Date:	*Soil Cleanup*	*4/21/2004*	*4/15/2004*	*4/19/2004*	*4/20/2004*	*4/19/2004*	*4/20/2004*	*4/21/2004*	*4/20/2004*		*4/18/2004*	*4/18/2004*
Sample ID:	*Objectives*	*L22483-3*	*L22455-1*	*L22477-4*	*L22480-2*	*L22477-3*	*L22480-5*	*L22483-2*	*L22480-3*	*L22480-4*	*L22468-1*	*L22468-2*
Sample Depth:	*TAGM 4046*	*11-12.3 ft*	*20-25 ft*	*6-7.5 ft*	*6-8 ft*	*6-7.9 ft*	*8-10 ft*	*5-7 ft*	*4-6 ft*	*8-9.2 ft*	*8-8.5 ft*	*4-6 ft*
Sample Matrix Code:	*(Jan. 24, 1994)*	*SO*	*SO*	*SO*	*SO*	*SO*	*SO*	*SO*	*SO*	*SO*	*SO*	*SO*
Class Code:		*Boring*	*Boring*	*Boring*	*Boring*	*Boring*	*Boring*	*Boring*	*Boring*	*Boring*	*Boring*	*Boring*
Volatiles												
ACETONE	0.2	--	NA	0.013	0.0087 J	0.012	0.01 J	0.0084 J	NA	--	--	0.0098 J
BUTANONE, 2- (MEK)	0.3	--	NA	--	--	--	--	--	NA	--	--	--
ETHYLBENZENE	5.5	--	NA	--	--	0.0021 SJ	--	--	NA	0.0022 IJ	--	--
METHYLENE CHLORIDE	0.1	0.014 DJ	NA	0.011	0.036	0.024	0.017	0.012	NA	0.016	--	--
TETRACHLOROETHYLENE	1.4	--	NA	--	--	0.0023 SJ	--	--	NA	--	--	--
TOLUENE	1.5	0.024 DJ	NA	0.0056	0.024	0.025	0.015	0.0094	NA	0.0043 IJ	0.0041 J	0.0036 J
TRICHLOROETHYLENE	0.7	--	NA	--	--	0.0034 J	--	--	NA	0.093 I	0.063	--
XYLENE (TOTAL)	1.2	--	NA	--	--	0.0018 SJ	--	--	NA	0.0025 IJ	--	--
Semi-Volatiles												
ACENAPHTHENE	50	1 DJ	NA	--	--	--	--	--	NA	--	--	--
ANTHRACENE	50	1.1 DJ	NA	--	--	--	--	--	NA	--	--	--
BENZO(A)ANTHRACENE	0.224 or MDL	3.2 DJ	NA	--	--	--	--	0.083 J	NA	--	--	--
BENZO(A)PYRENE	0.061 or MDL	2.6 DJ	NA	--	--	--	--	--	NA	--	--	--
BENZO(B)FLUORANTHENE	1.1	3.1 DJ	NA	--	--	--		--	NA	--	--	--
BENZO(G,H,I)PERYLENE	50	1.4 DJ	NA	--	--	--	--	--	NA	--	--	--
BENZO(K)FLUORANTHENE	1.1	1.2 DJ	NA	--	--	--	--	--	NA	--	--	--
BIS(2-ETHYLHEXYL)PHTHALATE	50	0.48 DJ	NA	0.45 J	0.16 J	1.4	0.29 J	0.14 J	NA	1	0.095 J	--
CHRYSENE	0.4	3.7 DJ	NA	--	--	--	--	0.085 J	NA	--	--	--
DI-N-BUTYLPHTHALATE	8.1	--	NA	--	--	0.098 J	--	--	NA	--	--	--
FLUORANTHENE	50	5.1 DJ	NA	--	--	--	--	0.18 J	NA	--	--	--
FLUORENE	50	0.88 DJ	NA	--	--	--	--	--	NA	--	--	--
INDENO(1,2,3-CD)PYRENE	3.2	1.5 DJ	NA	--	--	--	--	--	NA	--	--	--
METHYLNAPHTHALENE, 2-	36.4	6.7 D	NA	--	--	--	--	--	NA	--	--	--
NAPHTHALENE	13.0	1.7 DJ	NA	--	--	--	--	--	NA	--	--	--
NITROSODIPHENYLAMINE, N-	NV	1.2 DJ	NA	--	--	--	--	--	NA	--	--	--
PHENANTHRENE	50	4.3 DJ	NA	--	--	--	--	0.11 J	NA	--	--	--
PYRENE	50	6.2 DJ	NA	--	--	--	--	0.17 J	NA	--	--	--
Metals												
ALUMINUM	SB	4980	NA	5540	3910	2890	3080	3730	NA	3030	6420	5720
ANTIMONY	SB	--	NA	--	--	1.8 NJ	--	1.84 NJ	NA	1.64 NJ	--	--
ARSENIC	7.5 or SB	3.71	NA	3.85	8.17	15.1	2.93	5.37	NA	5.77	4.76	4.65
BARIUM	300 or SB	29.4	NA	39.3	21.6 J	48.8	15.8 J	29.8	NA	14.1 J	88.5	28.8
BERYLLIUM	0.16 (HEAST) or SB	0.242 J	NA	0.261 J	0.325 J	0.374 J	0.155 J	0.231 J	NA	0.26 J	0.333 J	0.269 J
CADMIUM	1 or SB	--	NA	0.666 N*	--	--	--	--	NA	--	--	--
CALCIUM	SB	136000 D	NA	77000 D	154000 D	181000 D	9650	117000 D	NA	224000 D	180000 D	22000
CHROMIUM	10 or SB	7.91	NA	9.37	5.64	5.25	5.04	8.05	NA	4.86	9.42	15.5
COBALT	30 or SB	3.8 J	NA	3.43 J	4.77 J	9.76	3.66 J	4.5 J	NA	4.31 J	4.08 J	6.74
COPPER	25 or SB	14.5	NA	24.5	6.39	24.1	6.34	11.4	NA	8.83	14.1	38.3
IRON	2000 or SB	10100	NA	10800	11900	19900	8960	11300	NA	8910	10800	12300
LEAD	SB****	13.8 *	NA	29.8 *	15.4 *	41.3 *	5.25 *	16.1 *	NA	12.3 *	34.5 *	6.84 *
MAGNESIUM	SB	29500	NA	20700	19400	7060	6160	29000	NA	13700	21400	7700
MANGANESE	SB	363	NA	261	298	901	204	316	NA	343	367	570
MERCURY	0.1	0.046	NA	--	--	--	--	--	NA	--	--	--
NICKEL	13 or SB	11.5	NA	9.96	12.7	21.4	9.56	12.2	NA	12.3	11.9	134
POTASSIUM	SB	1840	NA	1220	3110	1780	506 J	1800	NA	2900	2370	1060
SELENIUM	2 or SB	0.23 J	NA	0.22 J	0.32 J	0.28 J	0.19 J	0.23 J	NA	0.21 J	0.25 J	0.28 J
SILVER	SB	5.64	NA	2.75	1.37	0.336 J	3.43	0.347 J	NA	0.854 J	12	0.625 J
SODIUM	SB	364 J	NA	345 J	644	1860	456 J	405 J	NA	581	905	439 J
VANADIUM	150 or SB	12.1	NA	16.1	7.09	12.7	8.02	9.27	NA	6.19	13.1	13.9
ZINC	20 or SB	44.9	NA	68.2	8.36	11.1	31.3	29.5	NA	37.7	73.8	124
Radiology												
THORIUM-228 (pCi/g)	NV	NA	0.37	0.33	NA	NA	0.29	NA	0.49	NA	NA	NA
THORIUM-230 (pCi/g)	NV	NA	0.42	0.22	NA	NA	0.29	NA	0.2	NA	NA	NA
THORIUM-232 (pCi/g)	NV	NA	0.45	0.3	NA	NA	0.26	NA	0.42	NA	NA	NA
General Chemistry												
pH (s.u.)	NV	NA	NA	NA	NA	8.7 H	NA	9.6 H	NA	NA	NA	NA
CYANIDE (TOTAL)	***	NA	NA	NA	NA	0.598	NA	0.382	NA	NA	NA	NA
NITRATE	NV	NA	NA	NA	NA	4.7 J	NA	7.7 J	NA	NA	NA	NA
SULFATE	NV	NA	NA	NA	NA	84	NA	83	NA	NA	NA	NA

Notes:
All results are reproted in milligrams per kilogram (mg/kg) unless otherwise noted.
Analytical qualifiers and other notes are presented on final page.
Highlighted cells indicate the concentration shown is above the cleanup guidance value.



SB4NE
May 2004
Metals
Iron 5,570 ppb
Magnesium 40,500 ppb
Manganese 1,270 ppb
Sodium 515,000 ppb
Thallium 3.29 ppb
VOCs
Acetone 120 ppb
Benzene 3.1 ppb
Ethylbenzene 12 ppb
Toluene 8.5 ppb
Xylene 48 ppb
SVOCs
Bis(2-ethylhexyl)phthalate 29 ppb
2-Methylphenol 31 ppb
3,4-Methylphenol 18 ppb
Phenol 14 ppb

September 2017
Not sampled

IL2NE
May 2004
Metals
Iron 6,870 ppb
Magnesium 78,400 ppb
Manganese 612 ppb
Sodium 1,300,000 ppb
Thallium 4.39 ppb

September 2017
VOCs
TCE 8.1 ppb

MW-07
VOCs
Acetone 50.1 ppb
TCE 15.4 ppb

IB6NE
May 2004
Metals
Iron 6,190 ppb
Magnesium 82,200 ppb
Manganese 2,040 ppb
Sodium 362,000 ppb

September 2017
No Exceedances

IB12SW
May 2004
Metals
Iron 6,290 ppb
Magnesium 102,000 ppb
Manganese 657 ppb
Sodium 783,000 ppb
Thallium 4.07 ppb
VOCs
TCE 28 ppb

September 2017
No Exceedances

IB5NE
May 2004
Metals
Iron 7,100 ppb
Magnesium 203,000 ppb
Manganese 1,340 ppb
Sodium 3,150,000 ppb
SVOCs
Bis (2-ethylhexyl)phthalate 7.1 ppb

September 2017
No Exceedances

IB11AW
May 2004
Metals
Iron 4,930 ppb
Magnesium 92,200 ppb
Manganese 464 ppb
Sodium 367,000 ppb
Thallium 4.52 ppb
VOCs
TCE 16 ppb
1,2-Dichloroethylene 12 ppb

September 2017
Metals
Magnesium 63,700 ppb
Sodium 648,000 ppb
VOCs
TCE 13.9 ppb
cis-1,2-dichloroethene 5.4 ppb

MW-12
VOCs
TCE 13.6 ppb

MW-10
VOCs
Acetone 57.4 ppb

IB5SW
May 2004
Metals
Iron 4,760 ppb
Magnesium 69,800 ppb
Manganese 507 ppb
Sodium 1,650,000 ppb
VOCs
1,2-dichloroethylene 23 ppb

September 2017
Metals
Sodium 81,900 ppb
VOCs
Acetone 56.2 ppb

IB5SW2
May 2004
Metals
Iron 5,530 ppb
Magnesium 87,500 ppb
Manganese 1,660 ppb
Sodium 1,170,000 ppb
VOCs
TCE 7.7 ppb

September 2017
VOCs
Acetone 52.7 ppb

SB11W
May 2004
Metals
Iron 13,700 ppb
Lead 34.9 ppb
Magnesium 98,500 ppb
Manganese 4,110 ppb
Sodium 11,700,000 ppb
VOCs
Benzene 29 ppb
Ethylbenzene 870 ppb
Toluene 380 ppb
Xylene 1,700 ppb
SVOCs
Bis(2-ethylhexyl)phthalate 11 ppb
Naphthalene 310 ppb

September 2017
Not sampled

MW-03
VOCs
Acetone 73.5 ppb

SL6SE
May 2004
Metals
Barium 2,490 ppb
Iron 20,400 ppb
Magnesium 101,000 ppb
Manganese 1,310 ppb
Sodium 3,640,000 ppb
Thallium 7.95 ppb
VOCs
Xylene 130 ppb
SVOCs
Naphthalene 18 ppb

September 2017
Metals
Iron 1,290 ppb
Sodium 498,000 ppb
VOCs
Isopropylbenzene 14.8 ppb
Xylene 21.9 ppb

MW-02
VOCs
Acetone 69 ppb

Legend

- Site Parcels
- Site Buildings
- Soil Boring (LaBella 2017)
- Soil Boring/ Monitoring Well (LaBella 2017)
- Test Pits (LaBella 2017)
- Former Thorium Glass Settling Pit
- Drywell
- Outfalls

Previous Testing Locations (Leader 2005 Phase II ESA)

- Monitoring Well (Leader 2005)
- Soil Boring (Leader 2005)
- Soil Boring/ Monitoring Well (Leader 2005)

Source: Labella, Phase II

NOTES:
1) Property boundaries obtained from Monroe County GIS 2014 and are considered approximate.
2) Aerial image obtained from City of Rochester 2015 and may not represent current conditions.
3) Previous testing locations and Site features Georeferenced from reports by others and locations are considered approximate.
4) Test pit locations selected based on anomalies identified in 2004 Geophysical Survey.
5) LaBella testing locations measured from Site features and are considered approximate.
6) Concentrations shown exceed NYCRR 703 Groundwater Quality Standards.
7) Concentrations in micrograms per liter (ug/L) or parts per billion (ppb).

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Figure 1c: Site Map - Impacts to Groundwater

1447 St. Paul Street	4/13/2018
Rochester, NY	WBS Capital, Inc.

Onsite Monitoring Wells

Onsite Monitoring Wells

Phase II ESA
Eastman Kodak Company
Hawkeye Facility
St. Paul Street
Rochester, New York

Table 2- Page 2 of 3
Summary of Detected Compounds in Groundwater

Sample ID	Units	NYSDEC Groundwater Quality Standards	IB5NE		IB5SW		IB5SW2		IB6NE		IB11AW		IB12SW		IL2NE		SL6SE		SL11W	SB4NE
Screened Interval (ft bgs)			19.8-29.8		5-15		4.5-19.5		14.5-24.5		13-23		5-15		14-24		5.5-14.5		8.5-22.5	5.6-13.6
Sample Date			5/7/2004	9/7/2017	5/6/2004	9/6-7/2017	5/6/2004	9/6-7/2017	5/7/2004	9/7/2017	5/6/2004	9/7/2017	5/6/2004	9/6-7/2017	5/6/2004	9/7/2017	5/7/2004	9/6-7/2017	5/7/2004	5/6-7/2004
Metals																				
Aluminum	ug/L	NL	2430		1710	97.0 J	499		437		2,100	<200	827		2,110		611	<200	5120	7160
Arsenic	ug/L	25	5.49 J		ND	<10.0	ND		ND		ND	<10.0	6.83 J		ND		4.7 J	<10.0	3.23 J	10.8
Barium	ug/L	1,000	173 J		343	14.2 J	135 J		296		253	122 J	107 J		127 J		2490	63.2 J	796	168 J
Cadmium	ug/L	5	ND		ND	0.19 J	ND		ND		ND	<2.5	ND		ND		ND	<2.5	ND	ND
Calcium	ug/L	NL	761,000 D		447,000	21,800	1,400,000 D		1,220,000 D		408	166,000	363,000		481,000		1,370,000 D	14,400	1,050,000 D	1,450 D
Chromium	ug/L	50	3.51 J		5.24 J	<10.0	ND		ND		3.9 J	<10.0	2.56 J		8.51 J		ND	<10.0	10.4	6.46 J
Cobalt	ug/L	NL	ND		ND	<50.0	34.1 J		ND		ND	1.1 J	13.3 J		ND		ND	<50.0	ND	ND
Copper	ug/L	200	16.5 J		7.3 J	<25.0	ND		ND		ND	<25.0	9.61 J		8.09 J		ND	<25.0	30.7	9.55 J
Iron	ug/L	300	7100		4760	131	5530		6190		4,930	<200	6290		6870		20,400	1,290	13,700	5570
Lead	ug/L	25	21.9		16.4	1.6 J	1.44 J		2.86 J		12	2.3 J	18		18.5		5.19	<5.0	34.9	9.21
Magnesium	ug/L	35,000	203,000	NA	69,800	6,800	87,500	NA	82,200	NA	92,200	63,700	102,000	NA	78,400	NA	101,000	2,210	98,500	40500
Manganese	ug/L	300	1340		507	2.3 J	1660		2040		464	44.2	657		612		1,310	6.2 J	4110	1270
Nickel	ug/L	100	10.8 J		9.31 J	<40.0	40.4		18.7 J		7.54 J	2.1 J	30.6 J		24.1 J		11.3 J	<40.0	10.1 J	29.3 J
Potassium	ug/L	NL	32,800		31,000	2,710 J	54300		15,900		16,000	9,100	44,900		20,500		17,800	2,400 J	80600 D	159,000 D
Selenium	ug/L	10	1.4 J		1.44 J	<10.0	1.57 J		1.68 J		1.44 J	<10.0	1.39 J		1.41 J		1.8 J	<10.0	1.94 J	1.79 J
Silver	ug/L	50	5.43 J		2.67 J	<10.0	7.84 J		7.57 J		ND	<10.0	ND		3.61 J		8.47 J	<10.0	5.76 J	8.65 J
Sodium	ug/L	20,000	3,150,000		1,650,000	81,900	1,170,000 D		362,000		367,000	648,000	783,000		1,300,000 D		3,640,000	498,000	11,700,000 D	515000
Thallium	ug/L	0.5	ND		ND	<10.0	ND		ND		4.52 J	<10.0	4.07 J		4.39 J		7.95 J	<10.0	ND	3.29 J
Vanadium	ug/L	NL	ND		ND	1.4 J	ND		ND		ND	1.0 J	ND		ND		ND	1.9 J	ND	ND
Zinc	ug/L	2,000	27.7 B		17.5 J	<20.0	15 JB		22.6 B		36.5 B	21.5	36.8 B		30.5 B		32.9 B	<20.0	63.2 B	37.5 B
Mercury	ug/L	0.7	ND		ND	0.066 J	ND		ND		ND	<0.20	ND		ND		ND	0.056 J	ND	ND
VOCs																				
2-Butanone (MEK)	ug/L	50	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	18 P
2-Hexanone	ug/L	50	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	ND
Acetone	ug/L	50	ND	22.8	ND	56.2	ND	52.7	ND	10.9	ND	16.2	ND	41.2	ND	19	ND	34.4	ND	120 J
Benzene	ug/L	1	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	29 DJ	3.1 JP
Carbon disulfide	ug/L	60	ND	<1.0	ND	<1.0	3.1 JP	<1.0	ND	<1.0	ND	<1.0	2.8 JP	<1.0	ND	<1.0	ND	<1.0	ND	5.5 P
Ethylbenzene	ug/L	5	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	2.0	870 D	12
Isopropylbenzene (Cumene)	ug/L	5	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	14.8	ND	ND
Methyl acetate	ug/L	NL	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	ND
Methyl-tert-butyl ether	ug/L	10	ND	<1.0	ND	<1.0	ND	<1.0	ND	3.1	ND	4.8	ND	<1.0	ND	<1.0	ND	<1.0	ND	ND
Methylcyclohexane	ug/L	NL	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	16.2	ND	ND
Tetrachloroethene	ug/L	5	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	2.2	ND	<1.0	ND	ND
Toluene	ug/L	5	ND	<1.0	ND	<1.0	ND	<1.0	ND	1.0	ND	<1.0	1.5 JP	<1.0	ND	<1.0	ND	<1.0	380 D	8.5 P
Trichloroethene	ug/L	5	ND	<1.0	4.8 J	<1.0	7.7 P	2.1	ND	<1.0	16	13.9	28 P	<1.0	3.9 J	8.1	ND	<1.0	ND	ND
Xylene (Total)	ug/L	5	ND	<2.0	ND	<2.0	ND	<2.0	ND	<2.0	ND	<2.0	ND	<2.0	ND	<2.0	130 D	21.9	1700 D	48 P
cis-1,2-Dichloroethene	ug/L	5	NA	<1.0	NA	<1.0	NA	<1.0	NA	<1.0	NA	5.4	NA	1.6	NA	<1.0	NA	<1.0	NA	NA
trans-1,2-Dichloroethene	ug/L	5	NA	<1.0	NA	<1.0	NA	<1.0	NA	<1.0	NA	<1.0	NA	1.3	NA	<1.0	NA	<1.0	NA	NA
1,2-Dichloroethylene (Total)	ug/L	5	ND	NA	23	NA	3.5 JP	NA	ND	NA	12	NA	ND	NA	ND	NA	ND	NA	ND	ND
SVOCs																				
2-Methylnaphthalene	ug/L	NL	ND		ND		ND		ND		ND		ND		ND		16	2.2 J	56 D	20 D
Acenaphthene	ug/L	20	ND		ND		ND		ND		ND		ND		ND		ND	<5.0	<5.0	5.9 DJ
Benzoic Acid	ug/L	NL	ND		ND		ND		ND		ND		ND		ND		ND	NA	ND	42 DJ
Bis(2-ethylhexyl)phthalate	ug/L	5	7.1 J		ND		ND		2.7 J		ND		3.1 J		ND		3 J	NA	11 DJ	29 D
Fluorene	ug/L	50	ND		ND		ND		ND		ND		ND		ND		ND	<5.0	ND	4.6 DJ
2-Methylphenol	ug/L	1	ND	NA	ND	NA	ND	NA	ND	NA	ND	NA	ND	NA	ND	NA	ND	NA	ND	31 D
3,4-Methylphenol	ug/L	1	ND		ND		ND		ND		ND		ND		ND		ND	NA	ND	18 D
Phenanthrene	ug/L	50	ND		ND		ND		ND		ND		ND		ND		ND	<5.0	ND	13 DJ
Phenol	ug/L	1	ND		ND		ND		ND		ND		ND		ND		ND	NA	ND	14 DJ
Pyrene	ug/L	50	ND		ND		ND		ND		ND		ND		ND		ND	<5.0	ND	5.7 DJ
Naphthalene	ug/L	10	ND		ND		ND		ND		ND		ND		ND		18	9.4	310 D	4.7 DJ
Cyanide																				
Cyanide	ug/L	200	NA	NA	NA	<10.0	NA	NA	NA	NA	NA	NA	NA	<10.0	NA	NA	NA	NA	NA	NA
Thorium																				
Thorium-228	pCi/L	15[(A)]	NA	NA	ND	0.029 (±0.141)	NA	0.117 (±0.166)	NA	0.004 (±0.401)	0.58	1.30 (±0.458)	0.53	0.185 (±0.191)	1.1	NA	NA	NA	NA	NA
Thorium-230	pCi/L	15[(A)]			ND	-0.007 (±0.110)		-0.022 (±0.108)		-0.061 (±0.115)	1.3	0.061 (±0.122)	2.1	0.061 (±0.110)	2.1					
Thorium-232	pCi/L	15[(A)]			3.7	-0.007 (±0.110)		-0.007 (±0.108)		-0.008 (±0.114)	0.54	0.522 (±0.258)	0.46	0.030 (±0.109)	1.1					

NOTES:
"<" indicates compound not detected above laboratory method detection limit (MDL) with the limit shown
Thorium data displayed as "Activity (± Uncertainty - 95% Confidence Interval)".
[(A)]NYCRR Part 703 Groundwater Quality Standard not listed. Values shown are the "Radionuclide Drinking Water Maximum Contaminant Levels" obtained from the USEPA's Soil Screening Guidance for Radionuclides Technical Background Document.
VOCs analyzed by USEPA Method 8260
SVOCs analyzed by USEPA Method 8270
Metals analyzed by USEPA Method 6010/7470
Cyanide analzyed by USEPA Method 9012
Thorium Isotopes analyzed by USEPA Method HASL 300
Yellow highlighted cells indicates value above NYSDEC NYCRR Part 703 Groundwater Quality Standards
NL indicates Not Listed
NA indicates Not Analyzed
2004 samples collected by Leader and the data was obtained from the 2005 Phase II ESA Report by Leader. ND indicates compound not detected
J indicates an estimated value
D indicates result is from a dilution
P indicates preservation
B indicates analyte detected in a blank
* indicates data not yet received from laboratory.

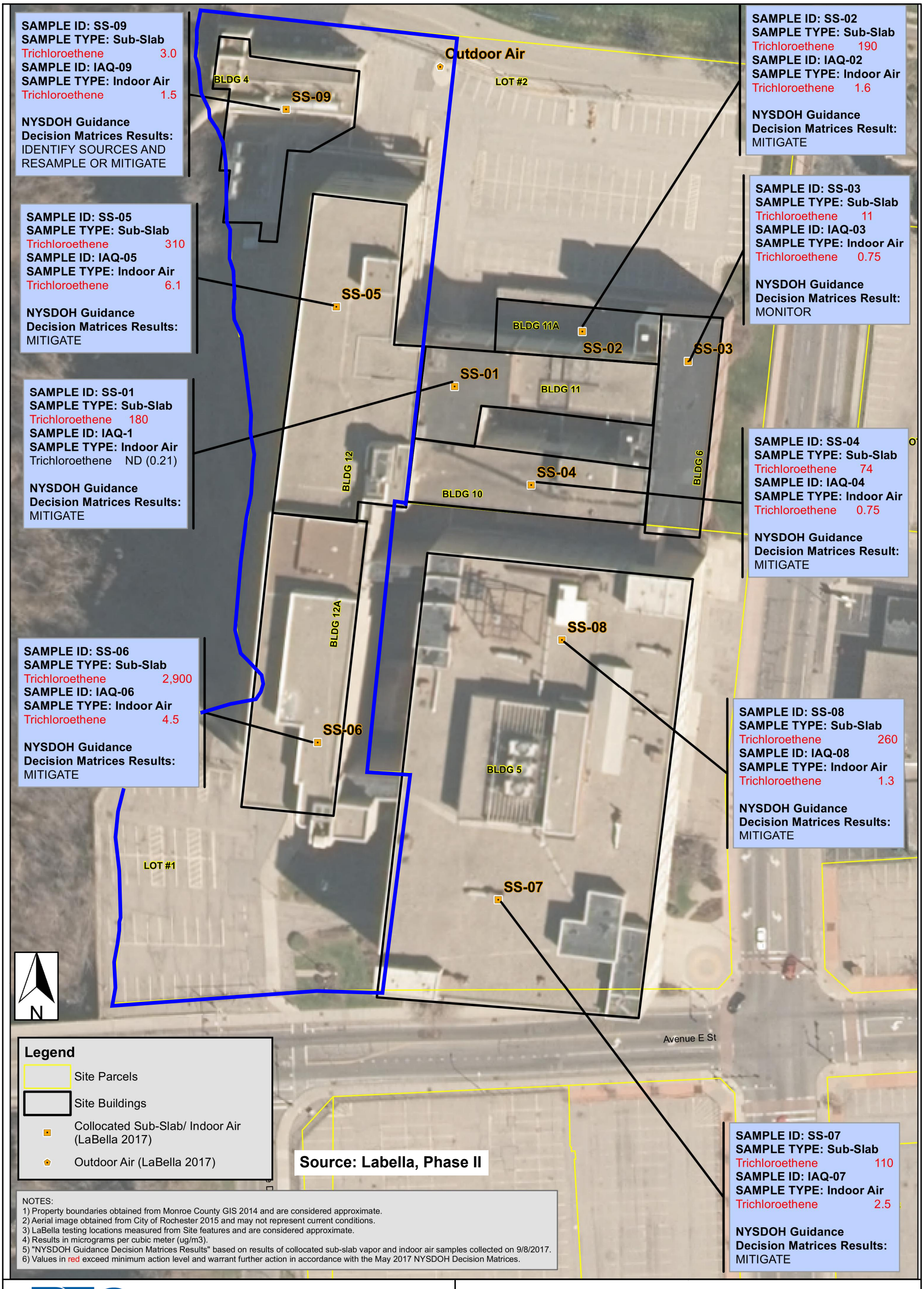

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Figure 1d: Site Map - Sub Slab Vapor Intrusion Results

1447 St. Paul Street	4/13/2018
Rochester, NY	WBS Capital, Inc.

Phase II ESA
Eastman Kodak Company
Hawkeye Facility
St. Paul Street
Rochester, New York

Table 3- Page 1 of 2
Summary of Soil Vapor Intrusion Testing

Onsite Building

Building Number	Building 11		Building 11a		Building 6		Building 10		Building 12				
Sample ID	SS-01	IAQ-01	SS-02	IAQ-02	SS-03	IAQ-03	SS-04	IAQ-04	SS-05	IAQ-05	NYSDOH Sub-Slab Vapor Concentration Decision Matrix (minimum action level) [1]	NYSDOH Indoor Air Concentration (minimum action level) [1]	NYSDOH Guidance Table C2. USEPA BASE Database - 90th Percentile [2]
Sample Type	Sub-Slab	Indoor Air	Sub-Slab	Indoor Air	Sub-Slab	Indoor Air	Sub-Slab	Indoor Air	Sub-Slab	Indoor Air			
Sample Date	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017			
1,1,1-Trichloroethane	13	<0.82	13	<0.82	2.0	<0.82	2.7	<0.82	<0.82	<0.82	100***	3***	20.6
1,2,4-Trimethylbenzene	3.4	<0.74	9.0	0.54 J	6.3	0.64 J	6.7	0.59 J	6.3	0.59 J	NL	NL	9.5
1,3,5-Trimethylbenzene	1.3	<0.74	3.5	<0.74	2.7	<0.74	2.7	<0.74	2.5	<0.74	NL	NL	3.7
4-ethyltoluene	0.98	<0.74	2.4	<0.74	2.1	<0.74	1.9	<0.74	1.9	<0.74	NL	NL	3.6
Acetone	110	7.0	250	19	68	14	1300	17	380	18	NL	NL	98.9
Benzene	3.5	0.35 J	11	0.35 J	5.7	0.45 J	23	0.48	11	0.38 J	NL	NL	9.4
Carbon Disulfide	3.4	<0.47	16	<0.47	2.7	<0.47	26	<0.47	3.5	<0.47	NL	NL	4.2
Carbon Tetrachloride	0.82 J	0.63	1.0	0.50	0.88 J	0.69	<0.94	0.63	0.69 J	0.69	6 **	0.2**	<1.3
Chloroform	1.5	<0.73	7.0	<0.73	0.93	<0.73	1.1	<0.73	10	<0.73	NL	NL	1.1
Chloromethane	1.1	1.4	4.5	0.93	1.8	1.2	1.5	1.2	<0.31	1.2	NL	NL	3.7
cis-1,2-Dichloroethene	<0.59	<0.59 [3]	0.71	<0.59 [3]	<0.59	<0.59 [3]	<0.59	<0.59 [3]	50	<0.59 [3]	6**	0.2**	NL
Cyclohexane	16	<0.52	35	<0.52	10	<0.52	42	<0.52	20	<0.52	NL	NL	NL
Ethyl acetate	<0.54	<0.54	<0.54	0.50 J	<0.54	0.61	<0.54	0.50 J	<0.54	0.47 J	NL	NL	5.4
Ethylbenzene	0.82	<0.65	1.5	<0.65	1.1	<0.65	1.3	<0.65	2.0	<0.65	NL	NL	5.7
Freon 11	6.1	1.6	4.6	3.0	3.3	2.2	12	2.1	2.5	1.5	NL	NL	18.1
Freon 113	2.3	<1.1	2.3	<1.1	1.9	<1.1	1.5	<1.1	1.1 J	<1.1	NL	NL	<5.0
Freon 12	1.8	2.7	2.9	2.9	3.6	3.0	2.9	2.9	3.1	2.8	NL	NL	16.5
Heptane	50	<0.61	96	<0.61	20	<0.61	89	0.45 J	43	0.45 J	NL	NL	NL
Hexane	49	<0.53	79	0.56	16	0.49 J	79	0.53	44	0.67	NL	NL	10.2
Isopropyl alcohol	48	2.1	53	3.0	29	1.7	47	2.5	41	1.8	NL	NL	NL
m&p-xylene	2.1	<1.3	3.9	0.48 J	3.0	0.56 J	3.0	0.52 J	4.6	0.78 J	NL	NL	22.2
Methyl Ethyl Ketone	6.0	0.47 J	5.6 J	0.91	6.0	1.3	26	0.71 J	9.4	0.59 J	NL	NL	NL
Methyl Isobutyl Ketone	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	5.7	NL	NL	NL
Methylene chloride	6.9	1.5	15	1.6	14	1.4	19	2.6	11	0.97	100***	3***/60*	NL
o-xylene	0.82	<0.65	1.6	<0.65	1.2	<0.65	1.4	<0.65	1.6	<0.65	NL	NL	7.9
Styrene	0.60 J	<0.64	0.98	<0.64	0.89	<0.64	0.94	<0.64	0.89	<0.64	NL	NL	1.9
Tetrachloroethylene	0.95 J	<1.0	2.2	<1.0	1.1	<1.0	9.9	<1.0	2.6	<1.0	100***	3***/30*	NL
Tetrahydrofuran	<0.44	<0.44	<0.44	<0.44	1.3	<0.44	<0.44	<0.44	2.1	<0.44	NL	NL	3.3
Toluene	29	0.90	26	1.6	16	1.6	27	1.1	22	1.9	NL	NL	43
trans-1,2-Dichloroethene	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	0.87	<0.59	NL	NL	NL
Trichloroethene	180	<0.21	190	1.6	11	0.75	74	0.75	310	6.1	6 **	0.2** / 2*	4.2
Vinyl chloride	0.41	<0.10	0.56	<0.10	0.97	<0.10	2.3	<0.10	1.2	<0.10	6****	0.2****	< 1.9

Notes:

Concentrations in micrograms per cubic meter (ug/m^3)

Samples analyzed by USEPA Method TO-15

< indicates the concentration was not detected above the reporting limit

(1) *New York State Department of Health (NYSDOH), Guidance for Evaluating Soil Vapor Intrusion in the State of New York* , October 2006 and subsequent updates. [Note: This Guidance uses a combination of indoor air and sub-slab soil vapor when comparing to the matrices. In addition, for compounds not listed in the matrices an overall site approach is employed which utilizes the USEPA BASE Database (see 2. below) as typical background for commercial buildings and also uses the outdoor air sample, refer to Guidance document for details.]

(2) USEPA Building Assessment and Survey Evaluation (BASE) Database (90th Percentile). As recommended in Section 3.2.4 of the NYSDOH Guidance (Refer to Footnote "1") this database is referenced for the indoor air sampling results. This database is also referenced to provide initial benchmarks for comparison to the air sampling data and does not represent regulatory standards or compliance values.

(3) The reporting limit of 0.59 ug/m3 is above the minimum action level in the decision matrix of 0.2 ug/m3, therefore although the compound was not detected it is possible for the compound to be present above 0.2 ug/m^3

* = Air Guideline Values obtained from Table 3.1, NYSDOH, Guidance for Evaluating Soil Vapor Intrusion in the State of New York and updates in September 2013 for PCE and August 2015 for TCE.

** = Guideline Value obtained from Soil Vapor/Indoor Air Matrix A (minimum action level), NYSDOH, Guidance for Evaluating Soil Vapor Intrusion in the State of New York May 2017.

*** = Guidance Value obtained from Soil Vapor/Indoor Air Matrix B (minimum action level), NYSDOH Guidance for Evaluating Soil Vapor Intrusion in the State of New York May 2017.

**** = Guidance Value obtained from Soil Vapor/Indoor Air Matrix C (minimum action level), NYSDOH Guidance for Evaluating Soil Vapor Intrusion in the State of New York May 2017.

Red values are above Air Guideline Derived by NYSDOH in Table 3.1 of NYSDOH Guidance titled "Evaluating Soil Vapor Intrusion in the State of New York", October 2006 (and subsequent updates).

J indicates an estimated value

***NYSDOH Guidance for Evaluating Soil Vapor Intrusion in the State of New York* , May 2017 Decision Matrices Notes:**

NO FURTHER ACTION:

Given that the compound was not detected in the indoor air sample and that the concentration detected in the sub -slab vapor sample is not expected to significantly affect indoor air quality, no additional actions are needed to address human exposures.

IDENTIFY SOURCE(S) AND RESAMPLE OR MITIGATE:

The concentration detected in the indoor air sample is likely due to indoor and/or outdoor sources rather than soil vapor int rusion given the concentration detected in the sub-slab vapor sample. Therefore, steps should be taken to identify potential source(s) and to reduce exposures accordingly (e.g., by keeping containers tightly capped or by storing volatile organic compound-containing products in places where people do not spend much time, such as a garage or outdoor shed). Resampling may be recommended to demonstrate the effectiveness of actions taken to reduce exposures.

MONITOR:

Monitoring, including sub-slab vapor, basement air, lowest occupied living space air, and outdoor air sampling, is needed to determine whether concen trations in the indoor air or sub-slab vapor have changed. Monitoring may also be needed to determine whether existing building conditions (e.g., positive pre ssure heating, ventilation and air-conditioning systems) are maintaining the desired mitigation endpoint and to determine whether changes are needed. The type and frequency of monitoring is determined on a site-specific and building-specific basis, taking into account applicable environmental data and building operating conditions. Monitoring is an interim measure required to evaluate exposures related to soil vapor intrusion until contaminated environmental media are remediated.

MITIGATE:

Mitigation is needed to minimize current or potential exposures associated with soil vapor intrusion. The most common mitigation methods are sealing preferential pathways in conjunction with installing a sub-slab depressurization system, and changing the pressurization of the building in conjunction with monitoring. The type, or combination of types, of mitigation is determined on a building-specific basis, taking into account building construction and operating conditions. Mitigation is considered a temporary measure implemented to address exposures related to soil vapor in trusion until contaminated environmental media are remediated.

Phase II ESA
Eastman Kodak Company
Hawkeye Facility
St. Paul Street
Rochester, New York

Onsite Buildings

Table 3- Page 2 of 2
Summary of Soil Vapor Intrusion Testing

Building Number	Building 12a		Building 5		Building 5		Building 4		N/A			
Sample ID	SS-06	IAQ-06	SS-07	IAQ-07	SS-08	IAQ-08	SS-09	IAQ-09	Outdoor Air	NYSDOH Sub-Slab Vapor Concentration Decision Matrix (minimum action level) (1)	NYSDOH Indoor Air Concentration (minimum action level) (1)	NYSDOH Guidance Table C2. USEPA BASE Database - 90th Percentile (2)
Sample Type	Sub-Slab	Indoor Air	Sub-Slab	Indoor Air	Sub-Slab	Indoor Air	Sub-Slab	Indoor Air	Outdoor Air			
Sample Date	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017			
1,1,1-Trichloroethane	0.87	<0.82	2.6	<0.82	2.4	<0.82	<0.82	<0.82	<0.82	100***	3***	20.6
1,2,4-Trimethylbenzene	9.4	<0.74	11	0.64 J	8.7	<0.74	8.5	0.84	<0.74	NL	NL	9.5
1,3,5-Trimethylbenzene	3.5	<0.74	4.2	0.74	3.4	<0.74	3.4	<0.74	<0.74	NL	NL	3.7
4-ethyltoluene	2.3	<0.74	2.9	<0.74	2.4	<0.74	2.2	<0.74	<0.74	NL	NL	3.6
Acetone	79	16	110	25	210	21	98	23	23	NL	NL	98.9
Benzene	3.7	1.1	2.4	0.54	1.3	0.42 J	1.6	0.42 J	0.35 J	NL	NL	9.4
Carbon Disulfide	<0.47	0.37 J	11	<0.47	6.8	<0.47	3.9	<0.47	0.37 J	NL	NL	4.2
Carbon Tetrachloride	<0.94	0.63	0.69 J	0.63	0.69 J	0.63	1.7	0.69	0.69	6 **	0.2**	<1.3
Chloroform	4.2	0.54 J	4.2	0.54 J	3.3	<0.73	3.6	<0.73	<0.73	NL	NL	1.1
Chloromethane	1.1	1.5	2.2	1.4	2.7	1.2	1.7	2.2	1.7	NL	NL	3.7
cis-1,2-Dichloroethene	25	<0.59 (3)	<0.59	<0.59 (3)	<0.59	<0.59 (3)	<0.59	<0.59 (3)	<0.59	6**	0.2**	NL
Cyclohexane	5.4	<0.52	5.0	<0.52	1.8	<0.52	1.9	<0.52	<0.52	NL	NL	NL
Ethyl acetate	<0.54	0.47 J	9.0	0.90	8.3	<0.54	5.6	0.65	0.47 J	NL	NL	5.4
Ethylbenzene	1.9	<0.65	1.3	<0.65	1.1	<0.65	2.0	<0.65	<0.65	NL	NL	5.7
Freon 11	1.9	1.7	2.0	2.0	2.4	2.6	21	37	1.5	NL	NL	18.1
Freon 113	3100	1.6	4.5	1.1	6.1	<1.1	5.1	<1.1	<1.1	NL	NL	<5.0
Freon 12	<0.74	2.9	34	3.4	20	3.3	2.6	3.1	2.7	NL	NL	16.5
Heptane	22	0.53 J	8.2	0.57 J	7.3	<0.61	9.0	0.45 J	<0.61	NL	NL	NL
Hexane	18	0.67	8.1	0.74	7.0	0.46 J	5.9	1.1	0.39 J	NL	NL	10.2
Isopropyl alcohol	50	2.5	42	2.9	53	3.8	29	3.0	4.5	NL	NL	NL
m&p-xylene	5.4	0.65 J	3.6	0.65 J	3.0	<1.3	3.7	0.61 J	<1.3	NL	NL	22.2
Methyl Ethyl Ketone	7.7 J	0.71 J	6.5 J	1.2	6.2	0.68 J	8.8	1.0	0.77 J	NL	NL	NL
Methyl Isobutyl Ketone	<1.2	0.98 J	1.8	0.57 J	1.0 J	<1.2	<1.2	<1.2	<1.2	NL	NL	NL
Methylene chloride	10	1.6	28	2.9	26	2.0	18	2.5	1.3	100***	3***/60*	NL
o-xylene	2.1	<0.65	1.6	<0.65	1.3	<0.65	<0.65	<0.65	<0.65	NL	NL	7.9
Styrene	1.3	<0.64	1.2	<0.64	0.89	<0.64	<0.64	<0.64	<0.64	NL	NL	1.9
Tetrachloroethylene	1.4	<1.0	0.95 J	<1.0	0.81 J	<1.0	<1.0	<1.0	<1.0	100***	3***/30*	NL
Tetrahydrofuran	<0.44	<0.44	<0.44	<0.44	1.1	<0.44	1.2	<0.44	<0.44	NL	NL	3.3
Toluene	44	1.2	29	2.8	23	1.0	15	2.7	1.4	NL	NL	43
trans-1,2-Dichloroethene	1.1	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	NL	NL	NL
Trichloroethene	2900	4.5	110	2.5	260	1.3	3.0	1.5	<0.21	6 **	0.2** / 2*	4.2
Vinyl chloride	0.49	<0.10	0.79	<0.10	0.66	<0.10	<0.38	<0.10	<0.10	6****	0.2****	< 1.9

Notes:

Concentrations in micrograms per cubic meter (ug/m^3)
Samples analyzed by USEPA Method TO-15
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(1) *New York State Department of Health (NYSDOH), Guidance for Evaluating Soil Vapor Intrusion in the State of New York* , October 2006 and subsequent updates. [Note: This Guidance uses a combination of indoor air and sub-slab soil vapor when comparing to the matrices. In addition, for compounds not listed in the matrices an overall site approach is employed which utilizes the USEPA BASE Database (see 2. below) as typical background for commercial buildings and also uses the outdoor air sample, refer to Guidance document for details.]

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J indicates an estimated value

***NYSDOH Guidance for Evaluating Soil Vapor Intrusion in the State of New York* , May 2017 Decision Matrices Notes:**

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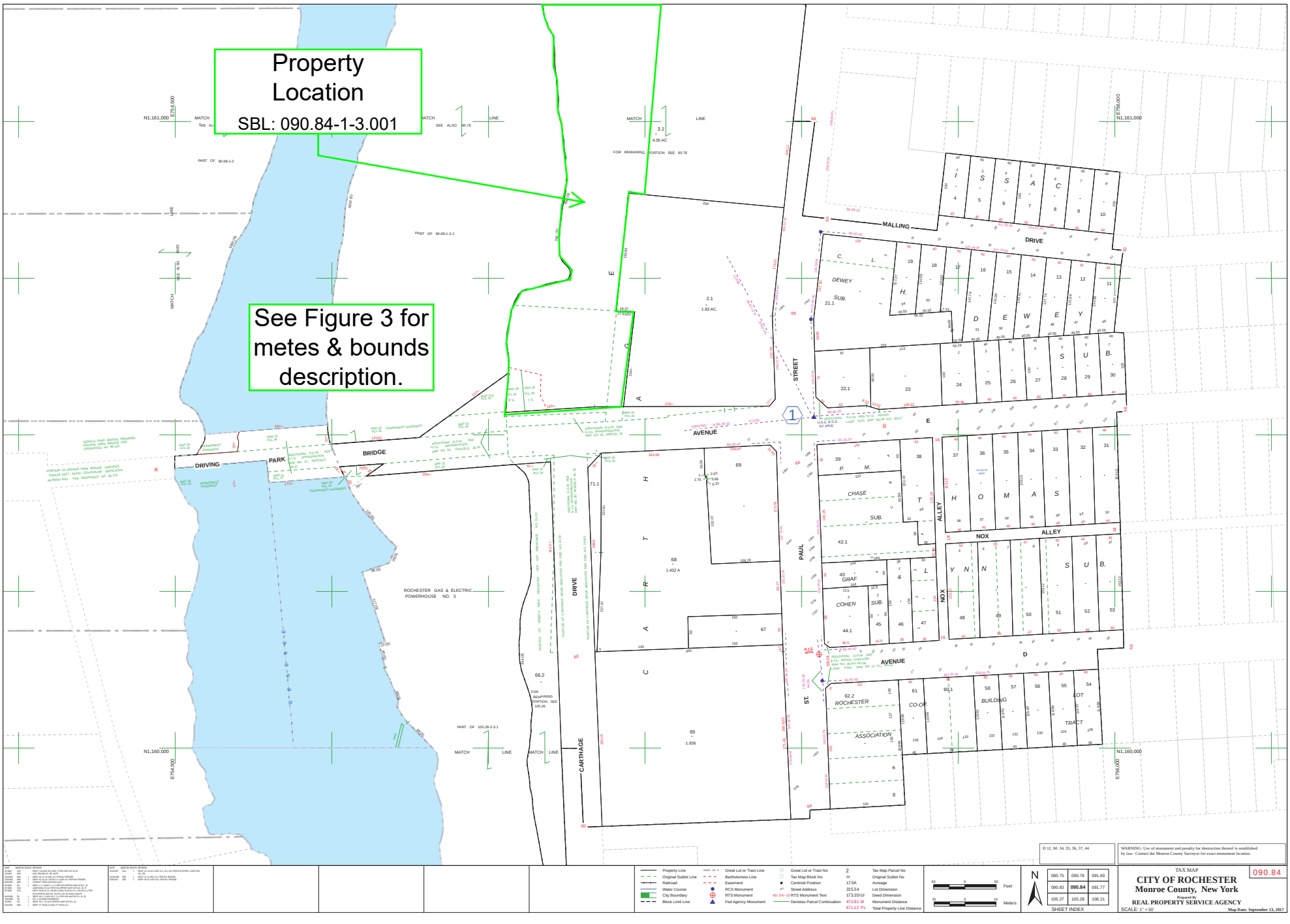
1270 Niagara Street
Buffalo, NY 14213
716.249.6880 be3corp.com

Figure 2: Tax Map



TAX MAP
CITY OF ROCHESTER
Monroe County, New York
Prepared By
REAL PROPERTY SERVICE AGENCY
SCALE: 1" = 50'
Map Date: September 13, 2017

090.84

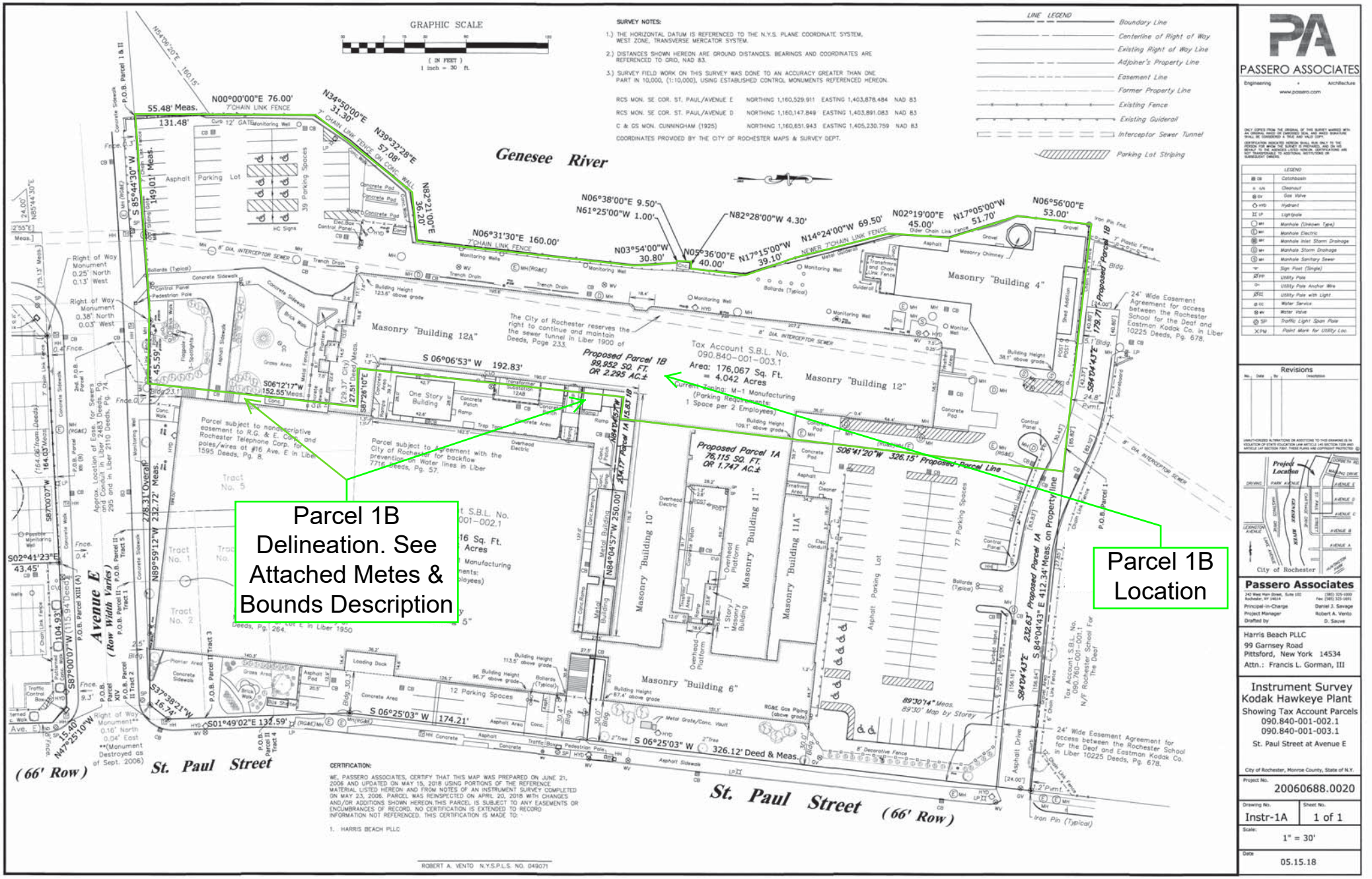
090.75	090.76	091.69
090.83	090.84	091.77
105.27	105.28	106.21

SHEET INDEX

Figure 3:

SECTION IV: PROPERTY INFORMATION

BOUNDARY SURVEY MAP, METES & BOUNDS DESCRIPTION



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LEGEND	
CB	Catchbasin
C.O.	Cleanout
GV	Gas Valve
HYD	Hydrant
LP	Lightpole
MH	Manhole (Unknown Type)
MH	Manhole Electric
MH	Manhole Inlet Storm Drainage
MH	Manhole Storm Drainage
MH	Manhole Sanitary Sewer
	Sign Post (Single)
UP	Utility Pole
UP	Utility Pole Anchor Wire
UPLT	Utility Pole with Light
WC	Water Service
WV	Water Valve
SP	Traffic Light Span Pole
X PM	Point Mark for Utility Loc.

Revisions

Project Location
City of Rochester

Passero Associates
242 West Main Street, Suite 100, Rochester, NY 14614 (585) 325-1000 Fax: (585) 325-1691
Principal-in-Charge: Daniel J. Savage
Project Manager: Robert A. Vento
Drafted by: D. Sauve

Harris Beach PLLC
99 Garnsey Road
Pittsford, New York 14534
Attn.: Francis L. Gorman, III

Instrument Survey
Kodak Hawkeye Plant
Showing Tax Account Parcels
090.840-001-002.1
090.840-001-003.1
St. Paul Street at Avenue E
City of Rochester, Monroe County, State of N.Y.

Project No. 20060688.0020
Drawing No. Instr-1A
Sheet No. 1 of 1
Scale: 1" = 30'
Date: 05.15.18

20060688.0020

04-20-18

Description of “Parcel 1B” of the Former Kodak Hawkeye Site

All the tract or parcel of land containing 2.295 acres, more or less, situate in the City of Rochester, County of Monroe, State of New York, all as shown on a map entitled; “Kodak Hawkeye Plant”, prepared by Passero Associates dated September 2006, having drawing no. 2006688.03 IS-1, and being more particularly bounded and described as follows:

Beginning at a point in the northerly right-of-way line of Avenue E, said point being a distance of 232.72 feet westerly from an angle point in the westerly right-of-way line of St. Paul Street, as measured along said northerly right-of-way line; thence the following two (2) courses along said northerly right-of-way line of Avenue E

1. N 89° 59’ 12” W, a distance of 45.59 feet to an angle point; thence,

2. S 85° 44’ 30” W, a distance of 149.01 feet to a point; thence the following fifteen (15) courses along a concrete wall located at the top of bank of the Genesee River

3. N 00° 00’ 00’ E, a distance of 131.48 feet to a point, thence;

4. N 34° 50’ 00” E, a distance of 31.30 feet to a point, thence;

5. N 39° 32’ 28” E, a distance of 57.08 feet to a point; thence,

6. N 82° 21’ 00” E, a distance of 36.20 feet to a point; thence,

7. N 06° 31’ 30” E, a distance of 160.00 feet to a point; thence,

8. N 03° 54’ 00” W, a distance of 30.80 feet to a point; thence,

9. N 61° 25’ 00” W, a distance of 1.00 feet to a point; thence,

10. N 06° 38’ 00” E, a distance of 9.50 feet to a point; thence,

11. S 82° 28’ 00” E, a distance of 4.30 feet to a point; thence,

12. N 05° 36’ 00” E, a distance of 40.00 feet to a point; thence,

13. N17° 15’ 00” W, a distance of 39.10 feet to a point; thence,

14. N 14° 24’ 00” W, a distance of 69.50 feet to a point; thence,

15. N 02° 19’ 00” E, a distance of 45.00 feet to a point; thence,

16. N 17° 05’ 00” W, a distance of 51.70 feet to a point; thence,

17. N 06° 56’ 00” E, a distance of 53.00 feet to a point; thence,

18. S 84° 04’ 43” E, a distance of 179.71 feet to a point; thence,

19. S 06° 41’ 20” W, a distance of 326.15 feet to a point; thence,

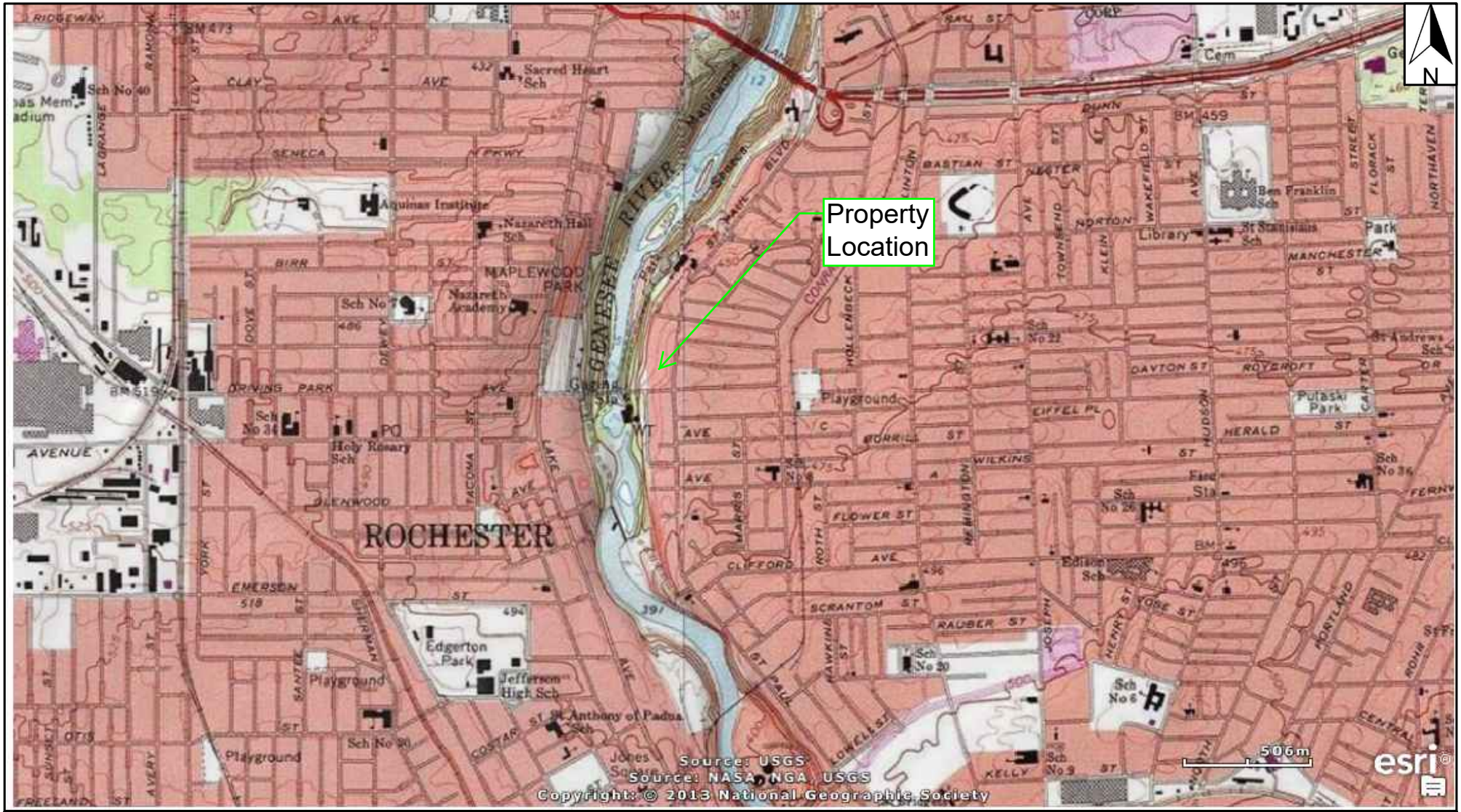
20. N 84° 04’ 57” W, a distance of 15.83 feet to point; thence,

21. S 06° 06’ 53” W, a distance of 192.83 feet to a point; thence,

22. S 87° 26’ 10” E, a distance of 27.51 feet to a point; thence,

23. S 06° 12’ 17” W, a distance of 152. 55 feet to the Point or Place of Beginning

Subject to any easements or encumbrances of record.



BE3CORP PANAMERICAN ENVIRONMENT • ENGINEERING • ENERGY 1270 Niagara Street Buffalo, NY 14213 716.249.6880 be3corp.com	Figure 4: USGS Quad Map	
	1447 St. Paul Street	1/22/2018
	Rochester, NY	WBS Capital, Inc.

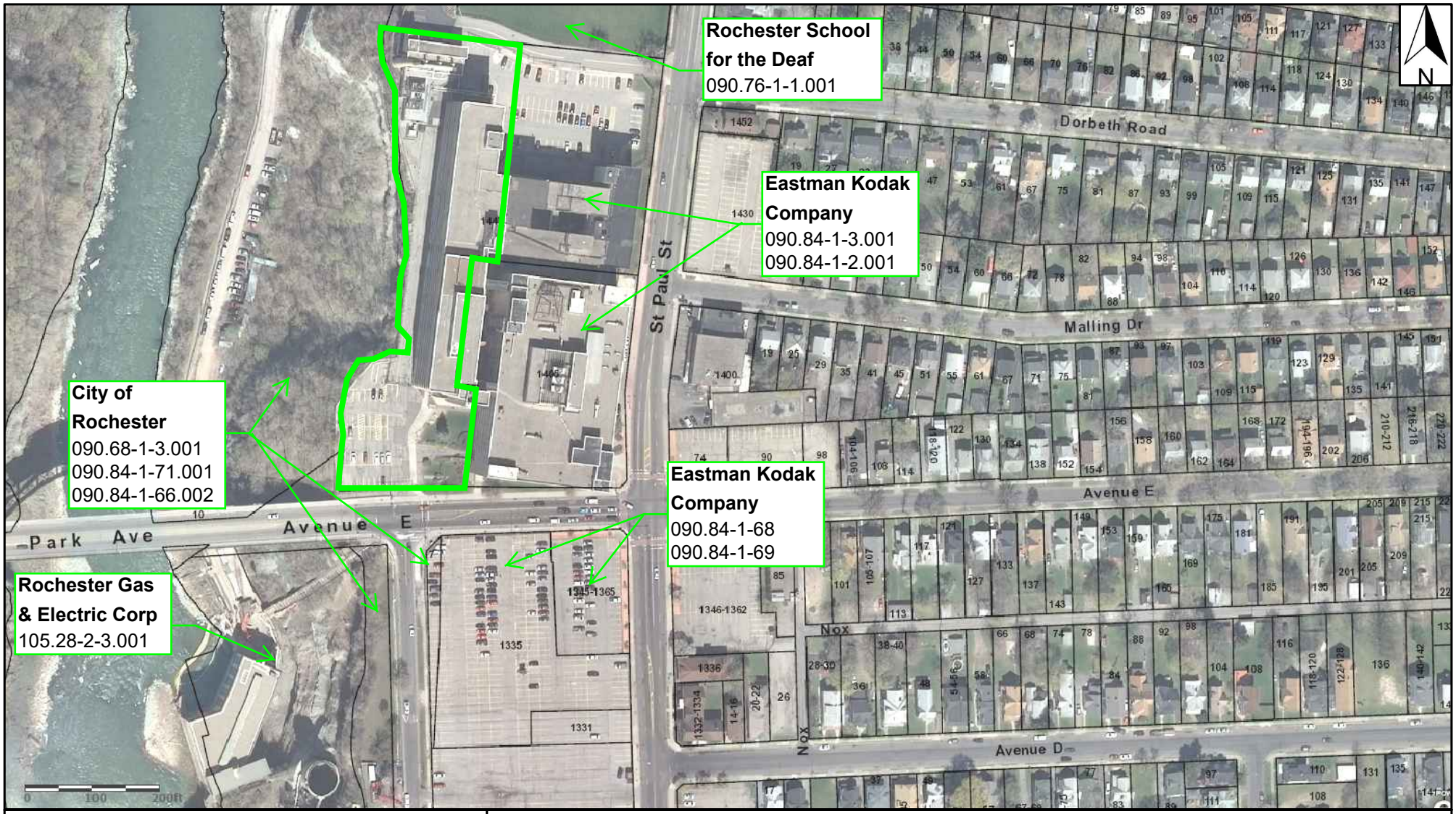


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Figure 5: Proposed Property Boundary Lines & Adjacent Property Owners

1447 St. Paul Street	4/13/2018
Rochester, NY	WBS Capital, Inc.