CIMINELLI DEVELOPMENT COMPANY, INC.
Centerpointe Corporate Park
350 Essjay Road, Suite 101
Williamsville, NY 14221

FILE

PHASE 1 ENVIRONMENTAL SITE ASSESSMENT
960 BUSTI AVENUE AND 990 NIAGARA STREET
BUFFALO, NY 14213

NOVEMBER 1997

P12404.00

ACRES INTERNATIONAL CORPORATION
140 John James Audubon Parkway
Amherst, New York 14228-1180

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1 Summary

In accordance with authorization received from Ciminelli Development Company, Inc. (Ciminelli), Acres International Corporation (Acres) performed a Phase I Environmental Site Assessment of property located at 960 Busti Avenue and 990 Niagara Street, Buffalo, New York. The scope of services, objectives, extent, and limitations of the services and this report are described in more detail in the text that follows.

- The site consists of two parcels, SBL Nos. 99.49-6-8 and 99.57-4-4, located in the City of Buffalo, New York. The site is located on all of Lot 20 and part of Lots 12-16, 19, and 21 of the New York State Reservation, Former South Village of Black Rock, City of Buffalo, New York.

- Review of readily-available historical information and aerial photographs revealed no recognized environmental conditions in connection with the site.

- A national ASTM radius profile of the site was performed by E Data Resources, Inc. The facility is listed on two of the databases searched, the Resource Conservation and Recovery System (RCRIS) and Facility Index System (FINDS). Site listings on these databases are due to former operations by Multiform Desiccants, Inc. as a large quantity generator pursuant to 40 CFR §262. It is Acres' opinion that the profile did not indicate a recognized environmental condition at the site or reveal facilities that would create recognized environmental conditions on the site.

- A 10,000-gallon underground fuel tank was located north of the building at 990 Busti Avenue. This tank was reportedly removed in 1992. NYSDEC closure records have not yet been received.

- Two underground storage tanks are believed to exist at the 990 Niagara Street site. Based on information received from the City of Buffalo and Multisorb Technologies, Inc. (former occupant), they are believed to include a gasoline tank located in a driveway between the building and adjacent property (Niagara Mohawk terminal station), and a fuel oil tank located west of the building. These tanks are not currently used, and based on information obtained during this assessment, they have not been closed or removed.

- A site walkover inspection was performed by Acres on October 17, 1996. The following recognized environmental conditions were identified:

  1. Four energized transformers (three 50 kVA and one 100 kVA) are located in a transformer room on the first floor of 990 Niagara Street. Transformer fluid testing for PCB content has not been performed.

2. Potential ACBM was noted in both buildings.

- Complete information requested from the U.S. Environmental Protection Agency and New York State Department of Environmental Conservation through the Freedom of Information Act has not yet been received.

Based on the foregoing assessment, it is the opinion of Acres that this assessment revealed the following recognized environmental conditions in connection with the site:

1. Closure records for the 10,000-gallon tank at 960 Busti Avenue are not available.

2. Two suspected underground tanks formerly used for petroleum product storage at the 990 Niagara Street property.

3. Four transformers with unknown PCB content at the 990 Niagara Street property.

In addition, Acres performed an asbestos survey and took samples within both structures. The analysis indicated the presence of asbestos primarily in pipe insulation and in vinyl floor tile.

2 Introduction

2.1 Purpose

Acres was retained by Ciminelli to perform an environmental site assessment of 960 Busti Avenue and 990 Niagara Street (site), a commercial property located in the City of Buffalo, Erie County, New York. The objective of the assessment was to identify, to the extent feasible, recognized environmental conditions associated with the site and adjoining properties.

2.2 Scope

A Phase I Environmental Site Assessment was performed in accordance with ASTM E 1527 (94). Sources of information and methods used to compile the site assessment include:

- Federal and State lists of known contaminated sites, hazardous materials users, spills and underground tanks;
- City of Buffalo records and file information;
- Topographic maps, soil maps, geologic maps, aerial photographs and site drawings;
- Site reconnaissance to identify the likelihood of recognized environmental conditions in connection with the site;
- Evaluation of nearby operations for their potential to affect the site;
- Interviews or inquiries with Multisorb Technologies, Inc. (former occupant) and local officials; and
- ***Sampling and analysis of suspected asbestos containing materials.***

2.3 Limitations and Exceptions

Specifically excluded from the investigation were:

- Sampling of soil or water;
- Soil vapor, metal detection or geophysical surveys;
- Radon testing;
- Formal assessment of wetlands; and
- Regulatory compliance audit;

3 Site Description

3.1 Location

The site consists of two separate parcels at 960 Busti Avenue and Niagara Street located in the City of Buffalo. Section-Lot-Block (SBL) numbers are:

- 99.49-6-8 (990 Niagara Street); and
- 99.57-4-4 (960 Busti Avenue).

The general site location is shown on Figure 1 and property boundaries are shown on Figures 2 and 3.

3.2 Site and Vicinity Characteristics

The site encompasses approximately 1.4 acres (0.4 acre at 960 Busti and 1.0 acre at 990 Niagara) and contains two multi-story buildings.

The site is bounded to the north by A.N. Deringer, Inc., to the south by property owned by the City of Buffalo, (consisting of an asphalt parking lot and electrical station associated a water pump station) to the east by Busti Avenue and Niagara Street, and to the west by tracks of the New York Central Railroad followed by the New York State Thruway. A terminal station operated by Niagara Mohawk Power Corporation is situated at 992-996 Busti Avenue between the site properties at 960 Busti Avenue and 990 Niagara Street. The Niagara River and U.S./Canada international boundary are located approximately 300 and 1,400 ft west of the site, respectively. The intersection of Niagara Street and Busti Avenue occurs between the site properties. Both roads locally run north and south. East of Busti and Niagara are commercial and residential properties.

Six properties within ½ mile of the site are on the NYSDEC list of leaking underground storage tank incident reports.

The City of Buffalo is located in the Erie/Ontario lake plain physiographic provence. Topography north, south, and east of the site is flat and represents a partially-landscaped commercial district. A 20 to 30 ft drop in elevation occurs immediately west of the site. Ground surface at the site is completely covered by the buildings and asphalt or concrete (parking lot, driveways, and sidewalk). Surface water runoff from the site is collected in catch basins and roof collection systems and discharged to the municipal storm sewer. Surface water at the extreme west end of the site will flow west to the adjoining railroad tracks.

Soils on the site are mapped by the U.S. Department of Agriculture (1978) as Urban Land (Ud). This is a miscellaneous classification in which 80 percent or more of the soil surface is covered by asphalt, concrete, buildings, or other impervious structures.

Bedrock is mapped (Buehler and Tesmer, 1963) as the Onondaga Limestone. The Onondaga is a gray limestone with abundant chert. Locally, outcrops are seen along the New York State Thruway and adjoining railroad. Depth to bedrock beneath the site is unknown.

3.3 Structures, Roads, Utilities and Other Improvements on the Site

The site contains two buildings. A four-story concrete and masonry block with steel frame structure is situated at 960 Busti. This building also contains a basement and sub-basement areas. The building at 990 Niagara Street is a two-story reinforced concrete structure. An asphalt and stone parking lot adjoins this building at its north end. The building and lot at 990 Niagara are surrounded by a wire fence. Paved roadways exist between both buildings and the intervening Niagara Mohawk terminal station.

Both buildings have public gas and electric utilities. Tie-ins to the municipal sewer system are also present. Both buildings were unoccupied at the time of this assessment.

3.4 Current Uses of the Site

The site is currently vacant.

3.5 Past Uses of the Property

Information contained on Sanborn Fire Insurance Maps indicates that the buildings were built at the following dates:

- 960 Busti (1922); and
- 990 Niagara (1923).

Historical property uses reconstructed from Sanborn Maps and City of Buffalo Tax Assessor's Office follow:

960 Busti Avenue	
Date	Use
Pre-1922	Residential
Circa 1925	Service building and warehouse
Circa 1951	Warehouse and office
1978 to 1996	Manufacturing and office

990 Niagara Street	
Date	Use
Pre-1923	Residential
Circa 1925	Garage and repair shop
Circa 1951	Warehouse
1978 to 1996	Manufacturing, warehouse and office

Continuous chain-of-ownership of the site could not be reconstructed from available information. Documented owners reconstructed from City files, Sanborn Maps and interviews with representatives of Multisorb Technologies, Inc. (former occupant) follow:

Date	Owner
1925	Hewitt Rubber (990 Niagara)
1940	Buffalo Niagara Hudson Co. (990 Niagara)
1944	General Electric Supply Corp.(960 Busti)
1971	Merchandising Export and Distributors (990 Niagara)
1976	Donald Hunt, trustee (960 Busti)
1978	John S. Cullen/Cullen Realty (occupied by Multiform Dessicant Products/Multiform Dessicants) (960 Busti)
1986	Cullen Realty Corp. (960 Busti)

3.5.1 Aerial Photograph Review

Aerial photographs on file at the offices of the Erie County Department of Environment and Planning and Town of Cheektowaga Engineering Department were inspected to assess recognized environmental conditions in connection with the property. A summary of interpreted site conditions is provided below. Copies of all photos are contained in Appendix A.

1927: Both buildings and the intervening terminal station appear to be the similar to current site conditions. Property east of Niagara Street and Busti Avenue is residential. No recognized environmental conditions were observed.

1951: As above.

1960: As above, an increase in commercial development along Niagara Street is evident.

1972: As above.

1990: As above.

3.6 Uses of Adjoining Properties

3.6.1 Current

Adjacent property north of the site is occupied by A.N. Deringer, Inc. at 1010 Niagara Street. Property south of the site is property owned by the City of Buffalo and consists of an asphalt parking lot (used for the 960 Busti building) and electrical station which is part of a municipal raw water pump station. East of the property is Busti Avenue and (proceeding north) Niagara Street. Further east of these roadways are several commercial establishments:

- Muffler shop;
- Gasoline station (closed);
- Automotive collision repair shop; and
- Restaurant.

A terminal station operated by Niagara Mohawk Power Corporation is situated between the buildings at 992-996 Busti Avenue.

West of the site are railroad tracks of the New York Central Railroad. Further west is the New York State Thruway followed by the Black Rock Canal and the Niagara River.

4 Records Review

4.1 Environmental Records

Requests for information were made to the following agencies pursuant to the Freedom of Information Act:

- U.S. Environmental Protection Agency (USEPA), Region 2;
- New York State Department of Environmental Conservation (NYSDEC), Region 9;
- Erie County Department of Health; and
- City of Buffalo, Public Works Department (Building Permits), Fire Department (Fire Prevention Office and Hazmat Office), and Tax Assessor's Office.

At present, complete information has not been received from the USEPA and NYSDEC.

No records of recognized environmental conditions associated with the site were available from the Erie County Department of Health.

Files reviewed at the Erie County Department of Environment and Planning included:

- Environmental complaint listing;
- Erie County Solid Waste Sites Map; and
- Aerial Photographs for 1951, 1960, 1972, 1979 and 1990.

An aerial photograph for 1927 was inspected at the Erie County Department of Public Works.

No relevant complaint listings were found for the site or surrounding area from the county offices.

One solid waste site was identified within one mile of the site:

- Buffalo Sewer Authority Treatment Plant
  Bird Island, Buffalo, New York
  Treated Sewage Sludge in Drying Beds

It is Acres' opinion that this site does not represent a recognized environmental condition in connection with the site.

Aerial photograph interpretations were presented in preceding Section 3.5.1. No recognized environmental conditions were identified from these photos.

Environmental information was also acquired from E Data Resources, Inc. (EDR) which included searches of the following databases:

- National Priorities List (NPL), a USEPA listing of uncontrolled or abandoned hazardous waste sites (April 1, 1997);
- Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS), a USEPA compilation of known or suspected uncontrolled or abandoned hazardous waste sites (April 30, 1997);
- Record of Decision (ROD), USEPA documents that mandate a permanent remedy at an NPL site (March 31, 1995);
- No Further Remedial Action Planned Sites (NFRAP), information pertaining to sites which have been removed from the USEPA CERCLIS database (May 1, 1996);
- Federal Superfund Liens (NPL LIENS), a USEPA listing of filed notices of Superfund Liens (October 15, 1991);
- Resource Conservation and Recovery Information System (RCRIS), a USEPA database of facilities tracked by the RCRA Administrative Tracking System. Included is information on RCRA Treatment, Storage and Disposal Facilities (RCRIS TS), Large Quantity Generators (RCRIS LG) and Small Quantity Generators (RCRIS SG) (April 1, 1997);
- RCRA Administrative Action Tracking System (RAATS), USEPA records of enforcement actions issued under RCRA pertaining to major violators (April 17, 1995);
- Corrective Action Report (CORRACTS), a USEPA list of hazardous waste handlers with RCRA corrective action activity (December 1, 1996);
- Emergency Response Notification System (ERNS) (1995), a national computer database system with information on the sudden or accidental release of hazardous substances and petroleum to the environment (June 1, 1997);
- Toxic Chemical Release Inventory System (TRIS), a USEPA database of facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III, Section 313 (December 31, 1992);
- Toxic Substances Control Act (TSCA), a list of manufacturers and importers of chemical substances included on the TSCA Chemical Substances Inventory List (January 31, 1995);

- PCB Activity Database System (PADS), a USEPA database of generators, transporters, commercial storers and/or brokers and disposers of PCB's (January 27, 1995);

- Facility Index System (FINDS) a list which contains facility information and "pointers" to other sources that may contain more detail. The databases searched include the Permit Compliance System (PCS), Aeromatic Information Retrieval System (AIRS), Enforcement docket used to track civil judicial enforcement cases for environmental statutes (DOCKET), Criminal docket system used to track criminal enforcement actions for environmental statutes (C-DOCKET), Federal Facilities Information System (FFIS), State Environmental Laws and Statutes (STATE), and PCB activity data system (PCB), (September 30, 1995);

- U.S. Department of Transportation Hazardous Materials Information Reporting System (HMIRS) (December 31, 1996);

- Material Licensing Tracking System (MLTS), a Nuclear Regulatory Commission list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements (January 15, 1997);

- New York Inactive Hazardous Waste Disposal Sites (SHWS), a NYSDEC list of disposal sites that are deemed hazardous by the NYSDEC (April 30, 1996);

- Solid Waste Facilities/Landfill Sites (SWF/LF), an inventory of solid waste disposal facilities or landfills in New York State (April 21, 1997);

- Leaking Underground Storage Tank Incident Reports (LUST), a NYSDEC listing of reported leaking storage tank cases reported to the NYSDEC which have not yet been resolved (December 31, 1996);

- Registered Underground Storage Tanks (UST), Underground storage tanks registered with the New York State Department of Environmental Conservation (NYSDEC) (April 7, 1997);

- Petroleum Bulk Storage (AST), NYSDEC registered above ground storage tanks (September 30, 1996); and

- Spills Information Database (SPILLS), a database of spills reported to NYSDEC under Article 12 of the Navigation Law, and/or 6 NYCRR Section 613.8 or Section 595.2 (December 31, 1996).

EDR searches of these databases produced the following information:

The site is listed on the RCRIS and FINDS databases, due to it's registration as a RCRA Large Quantity Generator (NYD986974962) during occupancy by Multiform Desiccants/Multisorb Technologies. The following wastes were reported in the EDR report (1991):

Waste		Quantity (lbs.)
D001	Ignitable hazardous wastes	250.21
D002	Corrosive hazardous waste	1834.86
D007	Chromium	458.72
D008	Lead	400
D011	Silver	7.0
D036	Nitrobenzene	50.0

No violations were indicated in the databases.

Sites identified in the EDR report which were located within the search radii specified by ASTM include:

- Six leaking underground storage tank sites were identified within ½ mile of the site:

  1. Ultimate Auto Service, 35 Hampshire Street;
  2. Niagara-Fargo Sunoco, 1073 Niagara Street;
  3. Episcopal Church, 34 Rhode Island Street;
  4. Caruso's Service, 617 West Avenue;
  5 & 6. Curtis Screw Co., Inc., 1130 Niagara Street and 17 Gull Street.

- Three sites with registered underground storage tanks are within ¼ mile of the site:

  1. Convenient Food Mart, 959 Niagara Street;
  2. 24 Rhode Island Street Nursing Home, 850 7th Street; and
  3. School # 18, 118 Hampshire Street.

- Two RCRA Large Quantity Generators are located within ¼ mile of the site:

  1. Miken Systems, 1050 Niagara Street; and
  2. Terminal B Station, 996 Niagara Street.

  Terminal B Station is the Niagara Mohawk Power property situated between the 960 Busti Avenue and 990 Niagara Street properties. Waste codes were not listed and no in the USEPA database for Terminal B Station. No violations were identified in the database.

- One RCRA small quantity generator; Sale Niagara, Inc., 1050 Niagara Street.

No recognized environmental conditions in connection with the site were identified from this information provided by EDR.

A listing of several unplottable sites selected by zip code and county is also included in the EDR Report. These sites are from the RCRIS, SHWS, LUST and NY SPILLS databases. It is Acres' opinion that these listed unplottable sites do not represent a recognized environmental condition in connection with the site.

The complete EDR Report is presented in Appendix B.

4.2 Physical Setting

Physical setting information was obtained from the following sources:

- U.S. Geological Survey 7.5 Minute Series Topographic Map, Buffalo NW, N.Y. - ONT. 1965.
- U.S. Department of Agriculture Soil Conservation Service, Soil Survey of Erie County, New York, 1986.
- Buehler, E.J. and Tesmer, I.H., "Geology of Erie County", Buffalo Society of Natural Sciences Bulletin, Vol. 21, No. 3, Buffalo, 1963.

4.3 Historical Use

Historical use information was obtained from Sanborn Fire Insurance maps and file information available from the City of Buffalo Tax Assessor's office and Public Works Department.

4.4 Additional Records

Local sources were checked to enhance and supplement Federal, State, and historic information received. The following sources were contacted:

- City of Buffalo Public Works Department;
- City of Buffalo, Bureau of Fire Prevention;
- City of Buffalo Tax Assessor's Office; and
- Buffalo Sewer Authority.

Photocopies of information acquired from the City of Buffalo are contained in Appendix C.

4.4.1 Public Works Department

The following building permit records were obtained from the Public Works Department:

Building	Permit No.	Date	Description
960 Busti	36363	10/20/44	Building alterations
	RO 45030	10/20/47	General repairs and alterations
	53767	6/2/55	Install 7,500 gal. fuel oil tank
	02303	9/11/7?	Building alterations and repair
	B 13893	9/20/97	Install 10,000 gal. #2 fuel oil tank in location occupied by 7,500 gal. tank
	E 16278	6/22/81	Electrical work for 4th floor air conditioning
	B 6753	12/8/87	Install sign

A license was issued to Cullen Realty Corp. (building owner during occupancy by Multiform Desiccants/Multisorb Technologies) in 1993 for conversion of the 990 Niagara building from a parking ramp to use for storage and manufacturing.

4.4.2 Bureau of Fire Prevention

File information available from the Buffalo Fire Department, Bureau of Fire Prevention included volatile flammable liquid tank storage and use reports and site inspection reports. The following underground storage tanks were identified:

- A 2,100-gallon gasoline tank at the 990 Niagara building. This tank is documented as being installed in 1925 approximately 100 ft from the street line and 6 ft from the building line.

- A 10,000-gallon #3 fuel oil tank was located 2 ft north of the building at its northwest corner (immediately north of a sub-basement used to house boilers). This tank was installed in 1978 and replaced a 7,500-gallon underground tank at the same location. The 7,500-gallon tank was installed in 1955 and replaced a 20,000-gallon leaky tank at the same location.

4.4.3 Tax Assessor's Office

A computerized database maintained at the assessor's office was reviewed. The following ownership information was obtained:

990 Niagara

Cullen Realty Corp.	1978 - present
Merchandising Exporters and Distributors	1971 -1978

960 Busti

Cullen Realty Corp.	1986 - present
Donald Halt, trustee	1976 - 1986

4.4.4 Buffalo Sewer Authority

A permit application questionnaire completed during occupancy by Multiform Desiccants/ Multisorb Technologies is on file at the Buffalo Sewer Authority. No site inspection records were found and the site was not subject to an industrial discharge monitoring program during this period.

5 Site Reconnaissance and Interviews

5.1 Site Reconnaissance

A site reconnaissance was performed by Acres (Jim Stachowski) on Friday, October 17, 1997 to obtain information indicating the likelihood of recognized environmental conditions in connection with the site. A supplemental reconnaissance was performed on Wednesday, October 29, 1997 (by Tony Dell'Isola) to determine the likelihood of ACBM on site. Mr. Joe Smith, property caretaker for Multisorb Technologies, accompanied Acres during both reconnaissance events. Visual inspections were performed on commonly accessible internal and external portions of the site. Photographs were taken and are included in Appendix A. General site conditions observed from the reconnaissance are documented in Figures 2 and 3.

The site contains two buildings at 960 Busti Avenue and 990 Niagara Street separated by a terminal station operated by Niagara Mohawk Power Corporation.

5.1.1 Site Structures

960 Busti

The building at 960 Busti Avenue is a four-story brick and masonry block structure containing a basement and sub-basement. Three steam boilers are located in the sub-basement. The building contains approximately 70,080 sq ft and fronts Busti Avenue (east side). Eight overhead doors, with access from the road, are located on the east side. Exterior walls are masonry block and/or brick and the building's structural system is composed of steel columns spaced at 16 sq ft intervals and overhead beams. Ceiling heights are approximately 12 ft and the floors are reinforced concrete slabs. An elevator is located in the northeast section of the building.

The building is connected to the City Sewerage and Municipal Water Supply Systems. Radiant heat is available through a hot water system using two gas fired boilers in a sub-basement at the northwest section of the building. Public gas and electric connections are present. Air conditioning units are located on each floor. Lighting is provided by ceiling suspended dual tube florescent light fixtures.

The first floor consists largely of open space formerly used for manufacturing by Multiform Desiccants/Multisorb Technologies. The eastern section of this floor appears to have been used for shipping and receiving and is separated from the main area by wall board. Most utility lines appear to be exposed, being located along exterior walls and at the ceiling.

The second and third floors consist of former office, lab, and manufacturing spaces. Sheet rock and/or plaster wall partitions are used throughout the floors. A former lab, 16.5 ft by 11 ft, is situated in the south end of the floor adjacent to a stairwell. Two containers of reagents and/or waste are located in this room (see Section 5.1.3). Floor tiles (9 inch by 9 inch or 12 inch by 12 inch) are used throughout finished office and lab spaces. Suspended ceiling tiles (24 inch by 36 inch) and acoustical ceiling tiles (9 inch by 9 inch) are present is several areas.

The fourth floor contains several individual rooms with past use as office space. The center of the floor is open and used for storage. The main building air conditioning unit is located in this area.

The basement has concrete floors and masonry block walls. Several areas are sectioned off with drywall or chain link fence for use as office space and product storage. Office floors were covered with 9 inch by 9 inch floor tiles. Several floor drains are located throughout the basement. No evidence of chemical spills or disposal into the drains was observed. Water and fire protection water pipelines enter the building in the basement. Several pipes are located along the exterior walls and at the ceiling level. A separate electrical room is situated at the south end of the basement. Six high-voltage, step down transformers, circuit breakers, and electric panels are in this room. Information recorded from the transformers follows:

Serial No. 1735142
25 Cycle, Type H, Form K
Rating 10 kVA
Fluid capacity: 25 gal.

Serial No. 1464073
25 Cycle, Type H, Form K
Rating 10 kVA
Fluid capacity: 25 gal.

Serial No. 1191768
25 Cycle, Type H, Form K
Rating 10 kVA
Fluid capacity: 25 gal.

Serial No. 2240228
60 Cycle, Type H, Form K6
Rating 75 kVA
Fluid capacity: 62 gal. of 10C transformer oil

Serial No. 3703821
60 Cycle, Type H, Form K6
Rating 75 kVA
Fluid capacity: 62 gal. of 10C transformer oil.

Serial No. 3703820
60 Cycle, Type H, Form K6
Rating 75 kVA
Fluid capacity: 62 gal. of 10C transformer oil

A sub-basement is located in the northeast corner of the building and is accessible from the basement. Three steam boilers in various conditions are in this area.

The building's roof was in excellent condition and appeared to have been recently resurfaced.

990 Niagara

The building at 990 Niagara Street is a two-story brick and masonry block structure which encloses approximately 50,000 sq ft. It was built is 1923. Circular reinforced concrete columns are spaced at 30 ft sq intervals and the ceiling heights are approximately 17 ft with floors being reinforced concrete slabs. Three truck docks and one at grade dock are located on the north end of the building, immediately off a gravel lot. A ramped driveway extends from the first floor (east wall) to the second floor. This feature is reported to be a remnant from previous building use as a parking garage (J. Smith, Multisorb Technologies). An elevator is located in the east section of the building.

Heat is provided by ceiling mounted space heaters. All utilities are to public or municipal systems.

The first floor is currently used for product storage by Multisorb Technologies. The south wing of this floor was remodeled for manufacturing and contains tile floors, drywall partitions, and acoustical ceiling tiles. A washroom and cafeteria are also located in this area. This area was air conditioned via a central unit with ductwork at ceiling level. A transformer room is located on the south end of the first floor. Four oil-cooled units are located in this room:

Serial No. 4951221
50/60 Cycle, Type H, Form K
Rating 50 kVA
Fluid capacity: 36 gal. of 10-C transformer oil

Serial No. 4961831
50/60 Cycle, Type H, Form K
Rating 50 kVA
Fluid capacity: 36 gal. of 10-C transformer oil

Serial No. 4951289
50/60 Cycle, Type H, Form K
Rating 50 kV-A
Fluid capacity: 36 gal. of 10-C transformer oil

Serial No. 4573191
50/60 Cycle, Type H, Form KF
Rating 100 kV-A
Fluid capacity: 45 gal. of 10-C transformer oil

Electric panels and dry transformers are also located in this room.

Three overhead doors are on the north wall of this building.

The second floor is vacant and reportedly used for manufacturing during occupancy by Multiform Desiccants/Multisorb Technologies.

5.1.2 Site Exterior

A gravel parking lot is situated immediately north of the 990 Niagara building. Catch basins are located within the lot.

Two underground tanks for petroleum product storage are believed to be present at the 990 Niagara property. A pump and two pipes are located behind a stairwell at the western end of the building. They apparently relate to an underground tank in this area.

Disturbed ground is evident at the 960 Busti property, immediately north of the sub-basement. This area is believed to have contained an underground tank which was removed.

Both properties are enclosed by chain link fence along north and south boundaries. Both buildings are contiguous with a sidewalk on the east side. A 20 to 30 ft drop in elevation occurs immediately west of the properties. Both buildings are separated from the Niagara Mohawk terminal station by asphalt driveways.

5.1.3 Hazardous Substances/Identified Uses

Two small containers of reagent and/or waste were observed in a second floor laboratory in 960 Busti (see Figure 2). These include approximately 2 lbs. of lithium chloride powder in a glass container and 1 gallon of black liquid in a plastic container.

5.1.4 Tanks, Containers and Other Structures

Two underground tanks are believed be present at 990 Niagara. The locations of these tanks are believed to be beneath a driveway between the building and the adjacent Niagara Mohawk building, near the elevator and at the west side of the building, immediately off a stairwell (see Figure 3). According to correspondence provided by Multisorb Technologies, the tanks are believed to have been used for gasoline (tank beneath the driveway) and fuel oil (tank at west end of the building). No records of closure or removal have been found.

A 10,000-gallon No. 3 fuel oil tank was located north of 960 Busti. This tank was apparently installed in 1978 and replaced a 7,500-gallon No. 3 fuel oil tank at the same location. The 7,500-gallon tank was installed in 1955 and replaced a 20,000-gallon leaky tank at the same location. Based on correspondence with Multisorb Technologies, the 10,000-gallon tank was removed by a contractor in 1992. However, closure records have not been obtained.

5.1.5 PCBs

All six transformers located in 960 Busti were tested for PCB in 1985 by a contractor to Multiform Desiccants. Analytical data indicates that PCB concentrations of the oil ranged from <2 parts per million (ppm) to 14 ppm (analytical data reports are presented in Appendix D). This data indicates that the transformers located in 960 Busti are classified as "non PCB" pursuant to 40 CFR §761.

The four oil-cooled transformers located in 990 Niagara were not tested for PCBs.

5.1.6 Asbestos-Containing Building Materials (ACBMs)

Acres performed bulk sampling of suspected asbestos containing building materials (ACBMs) on November 5 and 6, 1997. The sampling on November 5 included the 990 Niagara Street site and the upper floors of the 960 Busti Avenue site. The remainder of the 960 Busti Avenue site was sampled on November 6.

It should be noted that there were no samples taken within walls. Only easily-accessible materials were sampled. Also, there were no samples taken of roofing materials at the Busti Avenue site, as we were told the roofing was recently installed.

Appendix F presents the sampling analysis results and sampling locations. All samples were analyzed by Chopra-Lee in Grand Island, New York. Each sample was analyzed by Polarized Light Microscopy (PLM), and the samples which were non-friable, organically bound (NOB) were analyzed by Transmission Electron Microscopy (TEM).

(a) Busti Avenue Site

A total of 37 samples were analyzed by PLM and 12 samples by TEM as NOB materials. The results are as follows:

- **Sub-basement Area (Sample Nos. 021-023)**

  - Thermal blanket insulation inside boiler - Positive
  - Piping insulation and elbows - Positive

  All piping and insulation materials in the sub-basement are friable. The material inside the boiler is extremely friable.

- **Basement Area (no samples taken - same material as those in the sub-basement area)**

  - Piping insulation and elbows - Positive

  The piping insulation was generally in fair condition with some damaged areas. However, the piping at floor level was in very poor condition.

- **First Floor Area (Sample Nos. 034-037)**

  - 9 inch by 9 inch green vinyl tile - Positive
  - Pipe insulation in stairwell - Positive

  The vinyl tile in the main floor area was badly damaged with large portions missing. The other tile seemed to be in good condition. Piping in the stairwell was in good condition.

- **Second Floor Area (Sample Nos. 026-033)**

  - 9 inch by 9 inch vinyl tile - All Positive
  - 9 inch by 9 inch vinyl tile mastic, main area - Positive
  - Base cove mastic, men's lavatory - Positive
  - 12 inch by 12 inch vinyl tile - Positive
  - Piping in stairwell - Positive

  In general, the vinyl tile was in good condition. Piping in the stairwell was in good condition, with need for minor repairs.

- **Third Floor Area (Sample Nos. 009-020, 024 and 025)**

  - 9 inch by 9 inch vinyl tile and black border tile - All Positive (except for orange/tan material)
  - 9 inch by 9 inch tile mastic, south stairwell and machine room - Positive

  The vinyl tile found within the above areas was generally in good condition.

- **Fourth Floor Area (Sample Nos. 001-008)**

  - Brown base cove mastic - Positive
  - Condensate pipe insulation - Positive

(b) Niagara Street Site

A total of 25 samples were analyzed by PLM and eight samples by TEM as NOB materials. The results were as follows:

- **First Floor (Sample Nos. 001-012)**

  - Hot water pipe insulation - Positive (except for roof drains)

  Piping in generally good condition, with some pipe insulation, particularly in the main warehouse area, requiring repairs.

- **Second Floor (Sample Nos. 013 to 024)**

  - Stair covering mastic - Positive
  - 9 inch by 9 inch vinyl tile, lunch room - Positive
  - Mastic - sealant between coping tiles - Positive

5.1.7 Solid Waste Disposal

The site is currently vacant and no evidence of solid waste generation or disposal were seen during the reconnaissance walkover.

5.1.8 Physical Setting Analysis

The site is located in a industrial, commercial, and residential section of the City of Buffalo. No recognized environmental conditions were identified on adjacent or nearby properties during the site reconnaissance. The reconnaissance performed for this Phase 1 Site Assessment did not directly access adjoining properties.

5.1.9 Other Conditions of Concern

No other conditions of concern were identified.

5.2 Information Provided by Multisorb Technologies

A request for information was made to Multisorb Technologies to obtain information indicating recognized environmental conditions in connection with the property. Information provided by Multisorb included:

- Analytical data of transformer fluid testing performed in 1985. This data pertains to the six units located in 960 Busti.
- Excerpts from a roof maintenance file which indicates that the roofs were resurfaced in 1992 in accordance with current code. All materials used were non-ACBM.
- Plan drawings of the buildings.
- Correspondence from a contractor for removal of two underground storage tanks at 990 Niagara.
- A contractor's asbestos assessment and recommendations for abatement of ACBM in the basement of 960 Busti.
- Mr. Steve Bryan of Multisorb indicated that the two tanks at 990 Niagara were not removed or filled. He provided information on the general location of each.

Copies of information provided by Multisorb Technologies are contained in Appendix D.

6 Identified Areas of Concern

6.1 Onsite

The following environmental concerns were identified onsite in accordance with the scope and limitations of standard method ASTM E1527-94.

1. No closure records have been obtained for the 10,000-gallon underground storage tank at 960 Busti.

2. No records of closure or removal were found for two suspected underground tanks at 990 Niagara.

3. Four oil-cooled transformers located in 990 Niagara may contain PCBs above the limits established in 40 CFR §761.

4. ACBM is present in both structures. The piping insulation materials are in fair to poor condition.

6.2 Offsite

No recognized environmental conditions in connection with the site were identified from offsite areas pursuant to the scope and limitations of ASTM E1527-94.

7 Conclusions and Recommendations

Acres has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527 (94) of 555 Commerce Drive, Amherst, New York. This assessment has revealed no evidence of recognized environmental conditions in connection with the property except for:

1. No closure records have been obtained for the 10,000-gallon underground storage tank at 960 Busti.

2. No records of closure or removal were found for two suspected underground tanks at 990 Niagara.

3. Four oil-cooled transformers located in 990 Niagara may contain PCBs above the limits established in 40 CFR §761.

Information currently outstanding includes:

- Complete USEPA file information in response to our FOIL request; and
- Complete NYSDEC file information in response to our FOIL request.

This assessment will be amended pending receipt of outstanding information. Our conclusions and recommendations will be modified, if necessary.

The recommendations for the ACBM are noted in Sections 7.1 and 7.2.

7.1 Busti Avenue Site

The following recommendations are offered:

- The sub-basement area pipe insulation has begun to deteriorate and should be removed.

- All condensate return piping insulation along outside walls and at some internal columns should be removed on all floors.

- Steam pipe insulation in the basement at floor level should be removed.

- Steam pipe insulation supported at ceiling level in the basement should be repaired in numerous places.

- Some stairwell pipe insulation should be repaired.

In general, the entire pipe insulation system should be examined in light of the possible future building use. The type of insulation currently in place will continue to deteriorate and can create an asbestos fiber release if it falls. In addition, the majority of the vinyl tile is in good condition. This material can be sealed with wax but will continue to be a potential source of asbestos fibers if cleaned routinely.

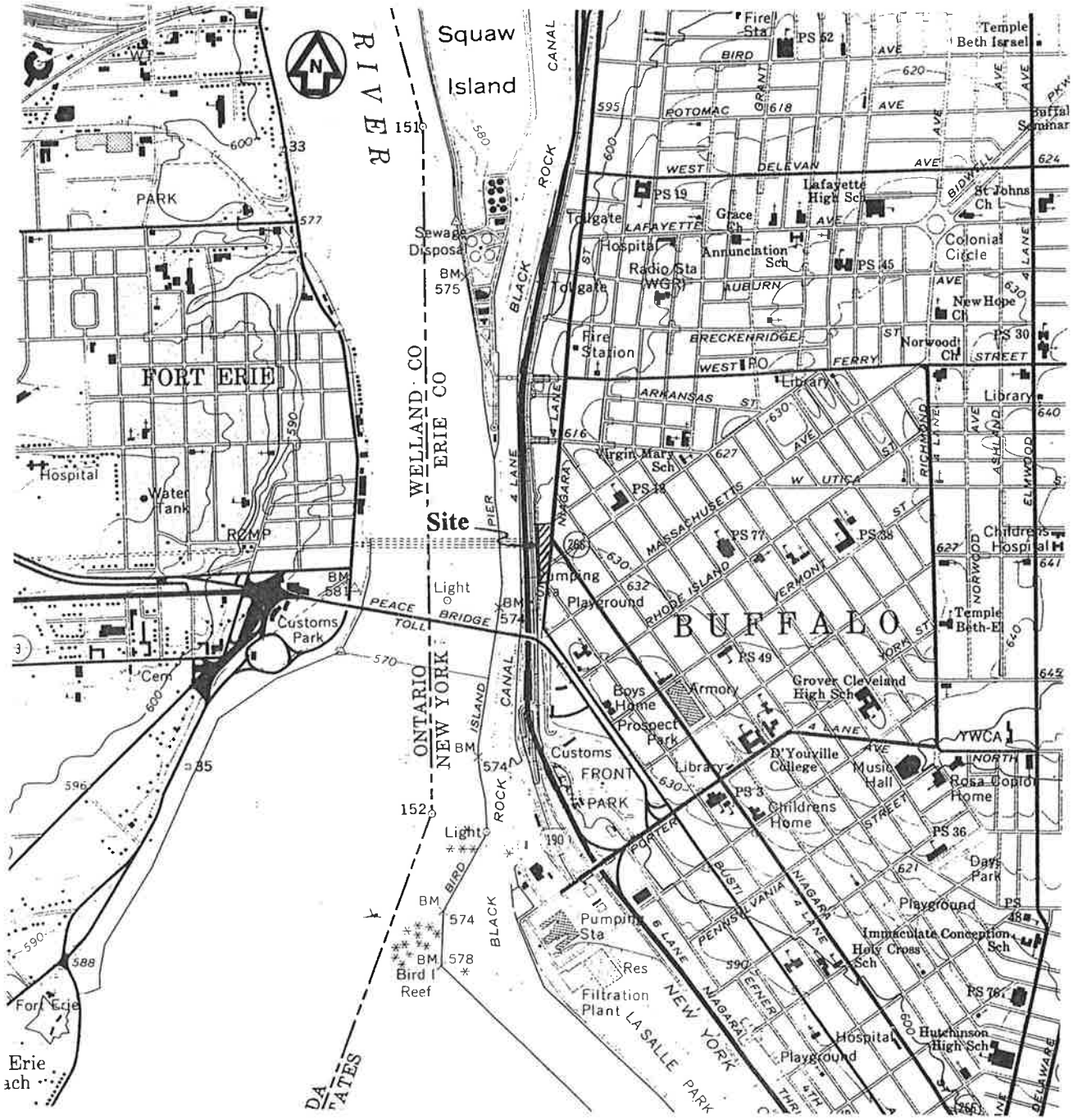
The two former coal fired, stoker boilers in the sub-basement contain very friable insulation. If the boilers were to remain, the access doors would need to be maintained in a closed position.

7.2 Niagara Street Site

The following recommendations are offered:

- The damaged areas of pipe insulation should be repaired.

In general, the entire pipe insulation system should be examined in light of the possible future building use. The type of insulation currently in place will continue to deteriorate and can create an asbestos fiber release if it falls. In addition, the majority of the vinyl tile is in good condition. This material can be sealed with wax but will continue to be a potential source of asbestos fibers if cleaned routinely.

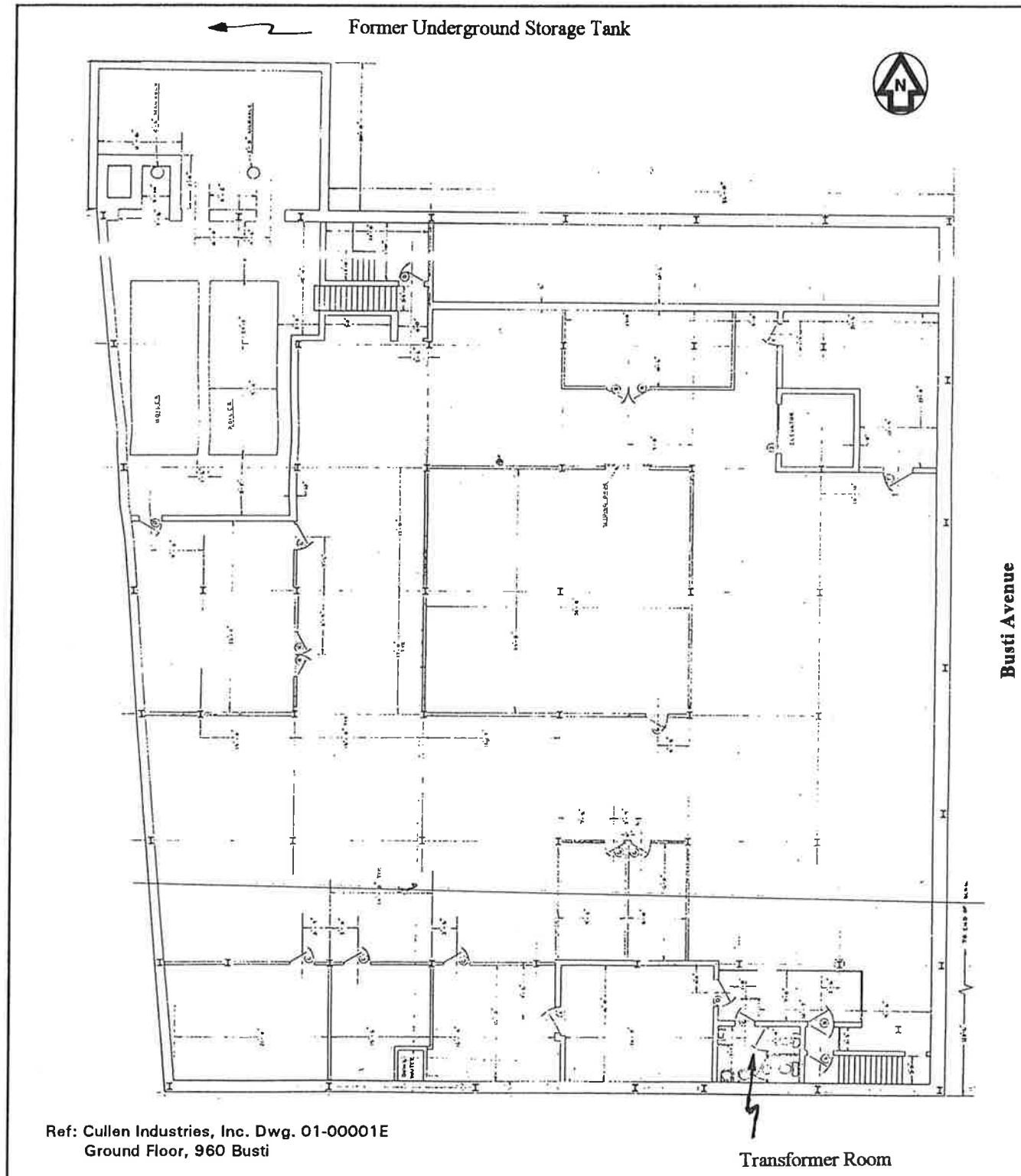


Ref: USGS 7.5 Minute Topographic Quadrangle
Buffalo NW, N.Y.-Ont. (1965)

Scale: 1:24,000

Figure 1
Site Location

ACRES

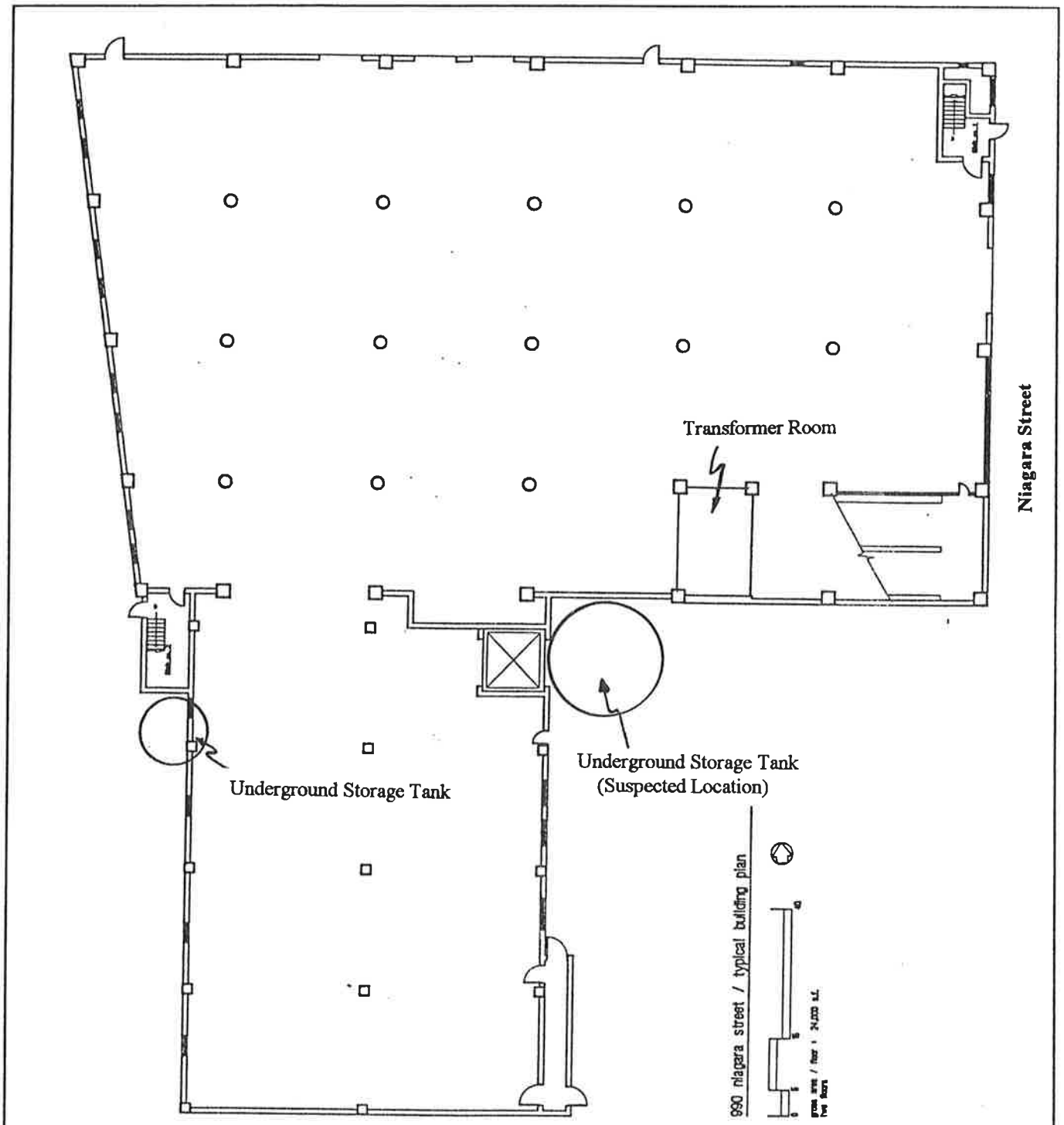


Ref: Cullen Industries, Inc. Dwg. 01-00001E
Ground Floor, 960 Busti

Scale: As Noted

Figure 2
Site Features - 960 Busti

ACRES



Ref: MultiForm Dessicants, Inc. No title

Scale: As Noted

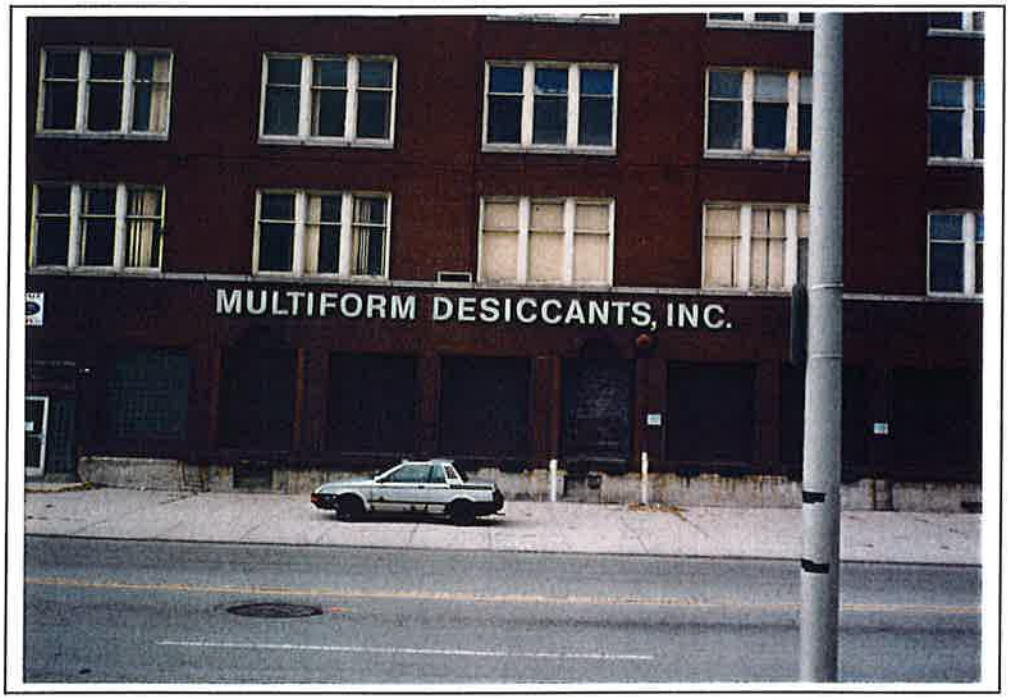
ACRES

Figure 3
Site Features - 990 Niagara

Appendix A

Site Photographs

East side of building along Busti Avenue 960 Busti Avenue



East side of building along Busti Avenue 960 Busti Avenue

View north from City of Buffalo property showing south side of bldg.
960 Busti Avenue

Busti Avenue and Niagara Street - view east from site

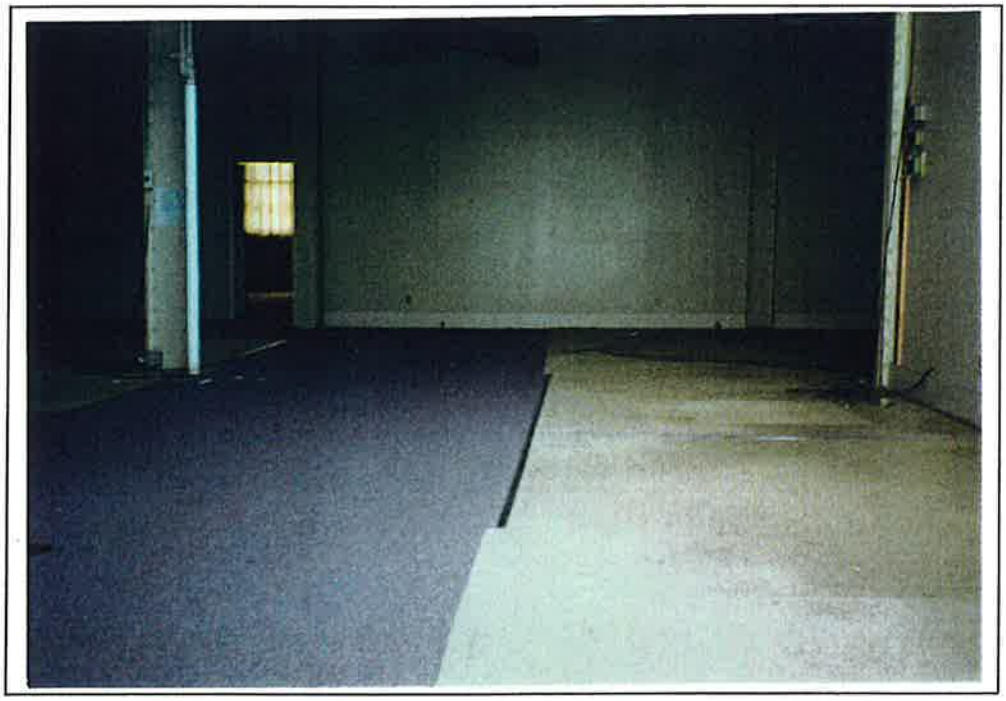
First floor, view north 960 Busti Avenue

First floor, view east along north wall 960 Busti Avenue

Second floor, view north 960 Busti Avenue

Second floor - former lab, approximately 2 lbs. lithium chloride (powder) and black liquid (plastic jug) 960 Busti Avenue

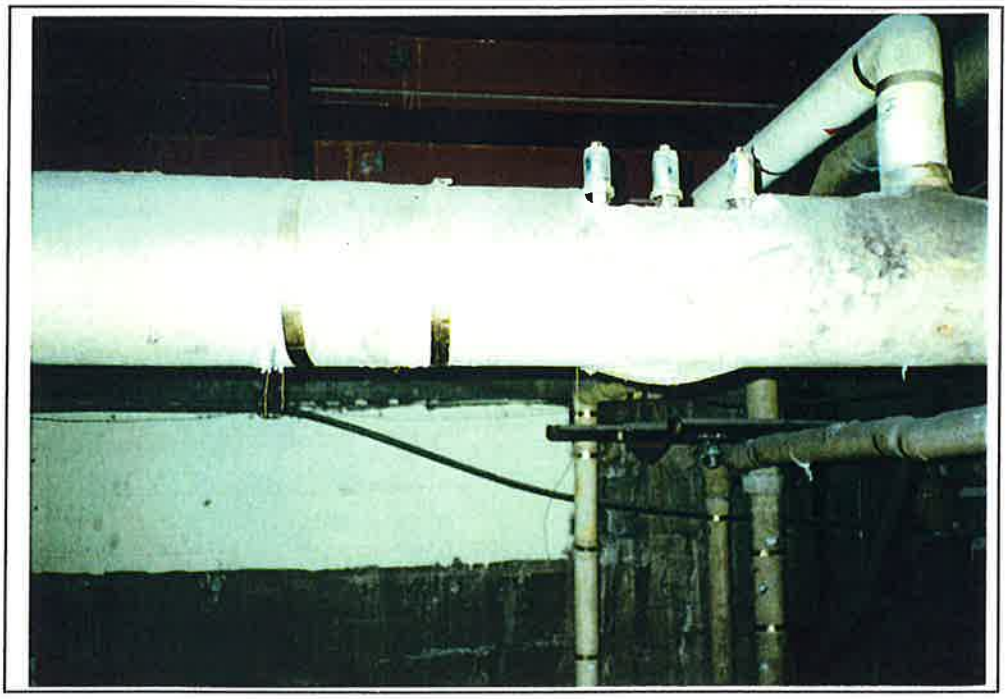
Third floor, view west 960 Busti Avenue



Fourth floor - former office 960 Busti Avenue

Fourth floor, open area west of offices, view east 960 Busti Avenue

Roof 960 Busti Avenue

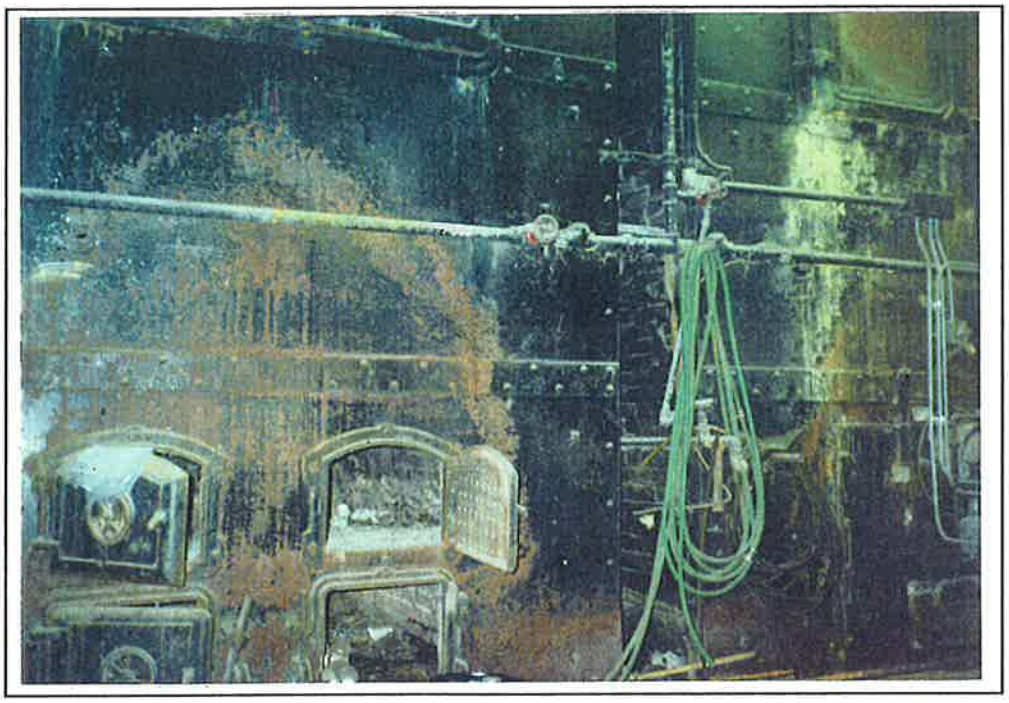


Basement, insulated pipes 960 Busti Avenue

Basement, floor drain — 960 Busti Avenue

Basement, 75 kVA transformers — 960 Busti Avenue

Basement, 10 kVA transformers 960 Busti Avenue



Sub-basement, boilers 960 Busti Avenue

Sub-basement, view east along north wall — 960 Busti Avenue

East side of building along Niagara Street — 990 Niagara Street