

MEMORANDUM

TO: Todd Caffoe, Project Manager, Region 8
Ed Belmore, NYSDEC - DER Remedial Bureau D
Gary Litwin, NYSDOH - DEHI Bureau of Environmental Exposure Investigation
Bart Putzig, NYSDEC - Region 8
Anthony Quartararo, NYSDEC - DEE Superfund and Voluntary Cleanup Bureau
Christina Dowd, NYSDEC - DFWMR Bureau of Habitat
Susanne Wither, NYSDEC - DER Bureau of Technical Support

FROM: Kelly Lewandowski, NYSDEC - DER Bureau of Technical Support *Kelly Lewandowski*

SUBJECT: Environmental Restoration Projects Application
Orchard-Whitney, E828123

DATE: APR 1 - 2005

The attached Environmental Restoration Projects (ERP) Application for remedial work at the subject site has been forwarded to you for your records and/or processing according to the established Environmental Restoration Projects procedures. If you require additional copies or the complete series of the related application's attachments, please contact the project manager, Todd Caffoe at 585-226-5350.

T&A Code for the subject site: W028

Attachments
MB/ca

Distribution

Original (with all attachments) to:

Todd Caffoe, NYSDEC - DER Project Manager

Copy (with all attachments) to:

Gary Litwin, NYSDOH - DEHI Bureau of Environmental Exposure Investigation
Ed Belmore, NYSDEC - DER Remedial Bureau D
Susanne Wither, DER Bureau of Technical Support

Copy (without attachments) to:

Anthony Quartararo, NYSDEC - DEE Superfund and Voluntary Cleanup Bureau
Christina Dowd, NYSDEC - DFWMR Bureau of Habitat
Bart Putzig, Region 8



City of Rochester



FAX (585) 428-6010
TDD/Voice 232-3260

**Department of
Environmental Services**

Office of the Commissioner
City Hall, Room 300-B
30 Church Street
Rochester, New York 14614-1290
(585) 428-6855

February 8, 2005

Chief, Site Control Section
New York State Department of
Environmental Conservation
625 Broadway
Albany, New York 12233-7020

Re: Environmental Restoration Program (ERP) Application - SI/RA Phase
354 Whitney Street & 415 Orchard Street
City of Rochester, Monroe County, New York

Dear Site Control Section Chief:

I am pleased to submit this Environmental Restoration Program grant application from the City of Rochester for your consideration. The City of Rochester's current brownfield program has been instrumental in achieving several city environmental and redevelopment objectives. We hope that with additional assistance from the ERP program we may continue to expand our efforts, particularly in distressed and under served areas of Rochester.

The two (2) parcel, Orchard-Whitney site is located in the center of a commercial/ industrial area in the City of Rochester, New York and has a combined area of approximately 3.9 acres. One (1) multiple-story brick/stone structure of approximately 371,600 square feet is located on the Orchard parcel. One (1) multiple-story wood, brick and concrete structure of approximately 128,900 square feet is located on the Whitney parcel. The building is partially demolished due to damage sustained during an arson fire in 2003. The facility is abandoned, dangerous, tax delinquent and a major impediment to the revitalization of Lyell Avenue and the continued restoration of the area west of the new Rochester Rhino's \$23 million soccer stadium.

A Phase I Environmental Site Assessments performed on the site in 2000 identified numerous environmental concerns including: asbestos containing materials; petroleum contamination of soil and groundwater; and potential contamination of the soil and groundwater with chlorinated solvents, metals and PCBs. The City is applying for grant funding totaling \$204,300.00 to perform a comprehensive Site Investigation addressing each of these environmental conditions. The goal of this investigation is to further delineate the contamination and to use the information to perform a remedial alternatives analysis for the site.

The city has also submitted an application for funding under New York's new Brownfield Opportunity Area (BOA) program, to perform a Pre-Nomination Study of the area in which the Orchard-Whitney site is

EEO/ADA Employer



centrally located. The City is confident that the designation of a BOA would create new opportunities for the development of partnerships to help address numerous brownfield properties including the Orchard-Whitney site.

Please let me know if you need additional information or have questions regarding this application. Specific questions regarding the application can be directed to Jane Forbes, Environmental Specialist of the City's Division of Environmental Quality at (585) 428-7892.

Sincerely,



Mark Gregor
Manager
Division of Environmental Quality

enclosures

c: W. Johnson, Mayor
E. Doherty, Commissioner - DES
Fashun Ku, Commissioner - EDD
Linda Stango, DCD
J. Gillis, Budget
K. Herman Sector 3
S. Conheady, NET
J. Forbes

G:\ENVQUAL\JANE\JOBS\Orchard-Whitney\Gregor'sApplicationLtr.wpd





ENVIRONMENTAL RESTORATION PROGRAM (ERP) APPLICATION
1996 CLEAN WATER/CLEAN AIR BOND ACT
ECL ARTICLE 56, TITLE 5 - 6NYCRR 375-4

9/3/04

Form with multiple sections for applicant information, site details, and questions. Includes fields for name, address, phone, fax, email, and site name. Contains three questions with checkboxes for YES/NO.

1. HAS THE APPLICANT GENERATED, TRANSPORTED OR DISPOSED OF, OR ARRANGED FOR OR CAUSED THE GENERATION, TRANSPORTATION OR DISPOSAL OF, HAZARDOUS WASTE OR PETROLEUM ON THE SITE? YES NO
2. HAS THE APPLICANT UNDERTAKEN, OR INTEND TO UNDERTAKE, ANY INDEMNIFICATION OBLIGATION RESPECTING A PARTY RESPONSIBLE UNDER LAW FOR THE REMEDIATION OF THE SITE? YES NO
3. HAS THE APPLICANT LEASED THE SITE TO ANOTHER PARTY THAT GENERATED, TRANSPORTED OR DISPOSED OF, OR THAT ARRANGED FOR OR CAUSED THE GENERATION, TRANSPORTATION OR DISPOSAL OF HAZARDOUS WASTE OR PETROLEUM ON THE SITE? IF YES, CHECK ONE OF THE FOLLOWING: YES NO
- A. THE APPLICANT DID NOT KNOW THAT SUCH OTHER PARTY GENERATED, TRANSPORTED OR DISPOSED OF, OR ARRANGED FOR OR CAUSED THE GENERATION, TRANSPORTATION OR DISPOSAL OF SUCH HAZARDOUS WASTE OR PETROLEUM.
- B. THE APPLICANT KNEW THAT SUCH OTHER PARTY GENERATED, TRANSPORTED OR DISPOSED OF, OR ARRANGED FOR OR CAUSED THE GENERATION, TRANSPORTATION OR DISPOSAL OF SUCH HAZARDOUS WASTE OR PETROLEUM AND DID NOT TAKE ACTION TO REMEDIATE OR CAUSE THE REMEDIATION OF SUCH HAZARDOUS WASTE OR PETROLEUM.
- C. THE APPLICANT KNEW THAT SUCH OTHER PARTY GENERATED, TRANSPORTED OR DISPOSED OF, OR ARRANGED FOR OR CAUSED THE GENERATION, TRANSPORTATION OR DISPOSAL OF SUCH HAZARDOUS WASTE OR PETROLEUM AND TOOK ACTION TO REMEDIATE OR CAUSE THE REMEDIATION OF SUCH HAZARDOUS WASTE OR PETROLEUM.

DOES THE APPLICANT CURRENTLY OWN THE SITE OR HAS IT OBTAINED TEMPORARY INCIDENTS OF OWNERSHIP FOR AN INVESTIGATION PURSUANT TO ECL 56-0508? YES NO (See Site Environmental History -

PLEASE ATTACH DESCRIPTION OF THE PROJECT WHICH INCLUDES THE FOLLOWING INFORMATION (REFER TO THE ENVIRONMENTAL RESTORATION PROGRAM PROCEDURES HANDBOOK FOR DETAILED INSTRUCTIONS).

- PURPOSE AND SCOPE OF THE PROJECT;
- CURRENT AND PROPOSED FUTURE USE OF THE SITE (RESIDENTIAL, COMMERCIAL, INDUSTRIAL);
- ESTIMATED PROJECT COST (INCLUDE ANY RESPONSIBLE PARTY COST RECOVERY PAYMENTS RECEIVED OR ANTICIPATED, AS WELL AS ANY OTHER ACTUAL OR POTENTIAL FUNDING SOURCES FOR THE PROJECT);
- HOW THE PROJECT WOULD SATISFY THE CRITERIA OF ECL 56-0505; AND
- ESTIMATED PROJECT SCHEDULE (FIELD WORK MUST BEGIN WITHIN 12 MONTHS OF THE APPLICATION APPROVAL DATE)

TO THE EXTENT THAT EXISTING INFORMATION/STUDIES/REPORTS ARE AVAILABLE TO THE APPLICANT, PLEASE ATTACH THE FOLLOWING:

- 1 ENVIRONMENTAL DATA
A PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT PREPARED IN ACCORDANCE WITH ASTM E 1527 (American Society for Testing and Materials: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process), AND ALL ENVIRONMENTAL REPORTS RELATED TO CONTAMINANTS ON OR EMANATING FROM THE SITE.
- 2 OWNERS
A LIST OF PREVIOUS OWNERS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS (DESCRIBE APPLICANT'S RELATIONSHIP, IF ANY, TO EACH PREVIOUS OWNER LISTED. IF NO RELATIONSHIP, PUT "NONE").
- 3 OPERATORS
A LIST OF PREVIOUS OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBER (DESCRIBE APPLICANT'S RELATIONSHIP, IF ANY, TO EACH PREVIOUS OPERATOR LISTED. IF NO RELATIONSHIP, PUT "NONE").

INDICATE KNOWN OR SUSPECTED CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN OR SUSPECTED TO HAVE BEEN AFFECTED:

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum	✓	✓		✓	✓
Chlorinated Solvents	✓	✓		✓	
Other VOCs	✓	✓		✓	✓
SVOCs	✓	✓		✓	
Metals	✓	✓		✓	
Pesticides					
PCBs	✓	✓		✓	
Other* ASBESTOS					

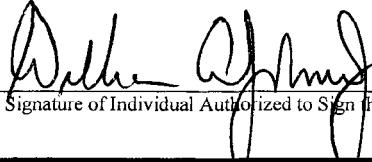
*PLEASE DESCRIBE: MULTIPLE SOURCES THROUGHOUT BOTH PARCEL STRUCTURES

1. HAS THE DEC ISSUED A RECORD OF DECISION FOR THE SITE UNDER THE ERP? YES NO
2. HAS GROUNDWATER OR A SURFACE WATER BODY BEEN CONTAMINATED ABOVE STANDARDS?
IF YES, CHECK ALL THAT APPLY: YES NO
 - A. THE INFLUENT TO A PUBLIC OR PRIVATE WATER SUPPLY HAS BEEN CONTAMINATED OR THREATENED.
 - B. A CLASS A OR AA SURFACE WATER BODY OR A PRIMARY OR PRINCIPAL AQUIFER HAS BEEN CONTAMINATED WITHOUT AFFECTING AN EXISTING WATER SUPPLY.
 - C. GROUNDWATER HAS BEEN CONTAMINATED ABOVE STANDARDS OR A SURFACE WATER HAS BEEN IMPACTED.
3. HAVE ENDANGERED, THREATENED OR RARE SPECIES, STATE PROTECTED STREAMS, OR STATE REGULATED WETLANDS BEEN IMPACTED BY RELEASES FROM THE SITE? YES NO
4. ARE CONTAMINANTS PRESENT IN SOILS/WASTE AT LEVELS THAT EXCEED DEC DIVISION OF ENVIRONMENTAL REMEDIATION GUIDANCE VALUES? YES NO
5. IS THE SITE LOCATED IN A DESIGNATED EMPIRE ZONE? YES NO
6. IS THE SITE LOCATED IN A DESIGNATED EN-ZONE PURSUANT TO TL § 21 (b)(6)? YES NO
7. HAS ALL OR PART OF THE SITE BEEN IDLE OR ABANDONED FOR MORE THAN ONE YEAR? YES NO
7. HAS THE APPLICANT SIGNED AN AGREEMENT WITH A PRIVATE PARTY TO REUSE THE SITE ONCE IT IS RESTORED? YES NO
3. HAS THE APPLICANT COMMITTED TO A NEW PUBLIC OR RECREATIONAL USE? YES NO
3. HAS THE APPLICANT COMPLIED WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) REGARDING THIS ACTION? IF YES, INCLUDE THE DETERMINATION (NEGATIVE DECLARATION OR FINDINGS STATEMENT) IN THE ATTACHED PROJECT DESCRIPTION AND IDENTIFY ALL INVOLVED AGENCIES IN THE COORDINATED REVIEW. YES NO
10. IS THE APPLICANT AWARE OF OTHER FUNDING SOURCES FOR REMEDIATING THE SITE?
IF YES, PROVIDE SOURCES(S) AND DOLLAR AMOUNT IN THE ATTACHED PROJECT DESCRIPTION YES NO

The undersigned on behalf of the applicant does hereby certify that:

- All statements made for the purpose of obtaining State assistance for the proposed project either are set out in full in this application, or are set out in full in exhibits attached to this application and incorporated by this reference; and
- The individual whose signature appears hereon is authorized to sign this application for the municipality

A FALSE STATEMENT MADE HEREIN IS PUNISHABLE AS A CLASS "A" MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.



Signature of Individual Authorized to Sign the Application

12-7-04

Date

The undersigned on behalf of the Community Based Organization acting in partnership with the municipality does hereby certify that:

- The Community Based Organization is a not-for-profit corporation, exempt from taxation under section 501(c)(3) of the internal revenue code whose stated mission is promoting reuse of brownfield sites within a specified geographic area in which the Community Based Organization is located, which has 25% or more of its board of directors residing in the community in such area;
- The Community Based Organization represents a community with a demonstrated financial need;

Not more than 25% of the members, officers or directors of the Community Based Organization are or were employed by or receiving compensation from any person responsible for a site under title 13 or title 14 of article 27 of the Environmental Conservation Law, article 12 of the navigation law or under applicable principles of statutory or common law liability; and

The individual whose signature appears hereon is authorized to sign this application for the Community Based Organization

A FALSE STATEMENT MADE HEREIN IS PUNISHABLE AS A CLASS "A" MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW

Signature of Individual Authorized to Sign for the Community Based Organization

Date

SUBMITTAL INFORMATION:

Three (3) complete copies of the application are required.

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

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020

- **One (1)** hard copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our website for the address of our regional offices: <http://www.dec.state.ny.us/website/der/index.html>

FOR DEPARTMENT USE ONLY:

ERP SITE NO: _____ ERP SITE T&A CODE: _____ PROJECT MANAGER: _____



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on April 15, 1997 and Approved by the Mayor of the City of Rochester, and was deemed duly adopted on April 17, 1997 in accordance with the applicable provisions of law.

Ordinance No. 97-113

Authorizing Grant Applications And Agreements With The
New York State Department Of Environmental
Conservation

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to submit applications to and enter into agreements with the New York State Department of Environmental Conservation for such grants that may be available under the 1996 Clem Water/Clean Air Bond Act.

Section 2. The applications and agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Giess, Councilmembers Childress Brown, Curran, Douglas, Mains, Muldoon, Norwood, Santiago, Stevenson - 9.

Nays - None - 0.

Attest Caree A. Conklin
City Clerk

**Orchard-Whitney Site
415 Orchard Street and 354 Whitney Street
Rochester, New York
Project Description**

I. Purpose and Scope of the Project

1.0 Background

The Orchard-Whitney site is located at 415 Orchard Street and 354 Whitney Street in the City of Rochester, New York (Figure 1). The site consists of two (2) parcels with a combined area of approximately 3.9 acres. The site is located in the center of a commercial/ industrial area on the south side of Lyell Avenue near the intersection of Broad Street (Figure 2). One (1) multiple-story wood, brick and concrete structure of approximately 128,900 square feet is located on the Whitney parcel. The building is partially demolished due to damage sustained during an arson fire in 2003. One (1) multiple-story brick/stone structure of approximately 371, 600 square feet is located on the Orchard parcel. The site has been used for various commercial and industrial uses since the early 1900's including tool and die shops, plastics manufacturing, printing operations, metal finishers, electric company and warehousing. Both parcels have been vacant since the mid 1990's.

1.1 Purpose

The goal of this investigation is to fully delineate the nature and extent of contamination at the site and use the information to develop appropriate remediation technologies for the site. Specific project objectives include:

- Characterize and quantify all sources of contamination which may impact on and off-site properties, including: contaminant concentrations, state (solid, liquid), current and potential extent of contamination in groundwater (horizontal and vertical), mobility and other significant characteristics;
- Identify all potential routes of exposure and the populations and environmental receptors at risk;
- Define groundwater characteristics including; soil permeability, depth to saturated zone, hydrogeologic gradients, proximity to drinking water aquifers, flood plains and wetlands, and current and potential groundwater use;
- Identify surface water classifications, existing use designations and private wells in the area, and develop an appropriate sampling plan;
- Perform an Exposure Assessment which qualitatively describes the extent to which the property's contaminants pose an unacceptable risk to the air, land, water, and/ or public health.

The City's environmental investigation will include the performance of an asbestos survey, excavation of test pits, advancement of soil borings, installation of groundwater monitoring wells, and surface and subsurface soil and groundwater sampling. Following the investigation, collected data will be used to complete a detailed evaluation of clean-up alternatives and to select the most appropriate alternative. These project activities are consistent with actions defined in 6NYCRR Part 617.5 (c)(18), and are not subject to review under the State Environmental Quality Review Act (SEQRA). A copy of the determination of compliance is included in Appendix A.

2.0 Work Plan

In order to meet the goals and objectives of this Work Plan, specific investigative tasks will be undertaken. The following work activities are largely based on the findings of the previous investigations.

2.1 Historical Data Review

Site conditions documented in previously performed investigations will be reviewed to identify past land uses and potential source areas. Reference material will include available public records such as: aerial photographs; sanborn fire insurance maps; plat maps; property deed histories; and building permit information.

The following investigations have previously been completed at the site:

- ▶ December 2000 - *Phase I Environmental Site Assessment: 354 Whitney Street and 367, 370, 406, and 415 Orchard Street.*
- ▶ August 2003 - *Pre-Demolition Asbestos Inspection of 354 Whitney Street Building 1A.*
- ▶ August 2003 - *Pre-Demolition Asbestos Inspection of 354 Whitney Street Building 2/2A/Brick Mill.*

2.2 Utility Survey

Plans and available records detailing site utilities including: storm drains; sanitary sewers; facility access tunnels; and underground electric, gas and water delivery lines will be reviewed. Corridor depths, construction details, and groundwater elevations versus invert elevations will be evaluated to determine the need for vapor and/ or groundwater sampling and analysis.

Accessible utility corridors will be screened for hazardous conditions prior to entry using field Flame Ionization Detector/Photoionization Detector (FID/PID) and 021 LEL meters. Air samples collected from suspect locations will be analyzed for total volatile organic compounds (VOCs) by modified Method TO-15 for air. Up to four (4) air samples will be collected. Water samples and sediment samples, if present, will also be analyzed for total PCB concentrations by USEPA Method 8082.

2.3 PCB Assessment

Site conditions documented in previously performed investigations, and observed during the September 2, 2004 site walk-through indicated the presence of stained surface areas where former transformers and other electrical equipment was located. In addition, rainwater and snow melt water flooded portions of the lower level of the powerhouse at 354 Whitney Street. In order to sufficiently characterize PCB contamination at the site, the following suspect locations and media will be sampled and analyzed for total PCB concentrations by USEPA Method 8082:

- One (1) sample will be collected from the gear mechanism of an overhead heavy equipment lift system located in the Engine Room of the 354 Whitney Street western building;
- One (1) sample will be collected from the gear mechanism of the overhead window control system located in the Engine Room of the 354 Whitney Street western building;
- Up to four (4) samples will be collected from areas within the Engine Room suspected of housing transformers or other engine driven or electrical equipment;
- One (1) sample will be collected from the area of the former hydraulic lift located at the northwest corner of the 354 Whitney Street western building;
- Up to six (6) samples will be collected from the electrical equipment located in the upper portion of the Engine Room of the 354 Whitney Street western building;
- Up to three (3) sample will be collected from engine driven or electrical equipment located associated with machinery located in the Boiler Room of the 354 Whitney Street western building;
- Up to four (4) samples will be collected from the melt-water flooding the lower level of the Engine Room of the 354 Whitney Street western building;
- Up to four (4) samples will be collected from oily residue and drip pans observed on the elevator mechanisms located on the sixth floor of the 415 Orchard Street building; and
- Two (2) samples will be obtained from the floor drains located on the first floor of the 415 Orchard Street building.

2.4 Asbestos Survey

A previously completed Pre-Demolition Asbestos Survey of the site conditions at 354 Whitney Street confirm the presence of numerous asbestos-containing materials (ACM), including thermal pipe insulation, tile and mastic material, window glazing, electrical panel transite board and caulk. All of the identified ACM will be removed from the structure in accordance with New York State Department of Labor (NYSDOL) Industrial Code Rule 56 (ICR 56) prior to building demolition.

As part of this Work Plan, a Pre-Demolition Asbestos Survey of the 415 Orchard Street property structure will be completed to identify and quantify materials and debris considered to be SACM. All of the identified ACM will be removed from the structure in accordance with New York State Department of Labor (NYSDOL) Industrial Code Rule 56 (ICR 56) prior to building demolition.

2.5 Building Demolition

Subsequent to the removal of ACM, all structures will be demolished in accordance with City of Rochester Municipal Code, Chapter 39 Article III and Chapter 47A, Demolition Regulations. Building demolition will include the removal of any underlying concrete slabs. Any foundation features beneath the slabs (i.e. footers) will be left undisturbed. Due to the potential for underlying soils to contain petroleum-related contaminants, all sub-slab soils will remain in place. Any evidence of floor drains, lift pits, sumps or other sub-slab features will be noted and the areas will be left undisturbed for subsurface characterization.

Any soil beneath the slab that is disturbed during building demolition work will be left in place. Characterization of any contaminated soils beneath the removed building slab will be performed via excavation and trenching using a conventional backhoe.

2.6 Subsurface Investigation and Collection of Surface Soil Samples

2.6.1 Test Trenches

To further evaluate subsurface conditions across the site a test trench investigation will be performed. The trenches will allow for evaluation of the nature and extent of contamination associated with areas of concern including the location of known former petroleum or chemical storage and handling, locations of reported surface spills or staining, floor drains, sumps or trench drains and in areas containing electrical equipment and hydraulic lifts.

The trenches will be excavated using a conventional backhoe or excavator with the capability to reach bedrock if necessary. Based on known bedrock depths in the immediate vicinity of the site, depth to bedrock is estimated to range from 10.0 to 15.0 feet below ground surface. The depths for each trench will vary, depending on the intent at the specific location. Selected trenches will be excavated to bedrock. Excavated material will be returned to the appropriate trench after field screening and sampling. Figure (3) illustrates the approximate locations of the proposed trenches. Trench locations are intended to evaluate:

- ▶ Possible impacted surface and subsurface conditions associated with one (1) former 275 gallon aboveground storage tank (AST) located on the south side of the boiler room at 354 Whitney Street (Trench #1);
- ▶ Possible impacted subsurface conditions associated with the former location of one (1) 5,000 gallon gasoline underground storage tank (UST) and one (1) dispenser located on the west side of the north courtyard of 354 Whitney Street (Trench #2);
- ▶ Possible impacted surface and subsurface conditions associated with one (1) former in-ground hydraulic lift, one (1) floor drain located in the northwest corner

of 354 Whitney Street, building 2A, and one (1) floor drain located former location of the northeast portion of 354 Whitney Street, building 1A (Trench #3 and Trench #4);

- ▶ Possible impacted subsurface conditions associated with trench drains located in the former plating room of 354 Whitney Street (Trench #5 and Trench #6);
- ▶ Possible impacted surface and subsurface conditions associated with pipes of unknown purpose located on the east side of the remaining portion of 354 Whitney Street (Trench #7);
- ▶ Possible impacted surface and subsurface conditions associated with suspected PCB containing electrical equipment located in the engine room of 354 Whitney Street (Trench #8);
- ▶ Possible impacted surface and subsurface conditions associated with unknown USTs or a possible wastewater treatment system located in the small central courtyard between 354 Whitney Street and 415 Orchard Street (Trench #9 and Trench #10);
- ▶ Possible impacted surface and subsurface conditions associated with one (1) former transformer vault located in the engine room of 354 Whitney Street (Trench #11);
- ▶ Possible impacted subsurface conditions associated with two (2) floor drains located in 415 Orchard Street (Trench #12 and Trench #13).

2.6.1.1 Field Screening of Test Trench Soil Samples

Soil samples will be collected from each trench. Field screening will include visual observations, characterization of subsurface materials, and field measurements of volatile organic compounds (VOCs) for the initial determination of the extent of contamination. Headspace screening will be performed using a portable PID meter. Based on the screening results, soil samples may be collected for submission for laboratory analysis for constituents of concern.

2.6.1.2 Selection of Soil Samples for Laboratory Analysis

One (1) discreet sample from each test trench will be submitted for laboratory analysis. A total of thirteen (13) samples will be submitted. The submitted sample from each trench will depend on the results of the soil field screening. The sample at each trench exhibiting the highest apparent evidence of contamination will be submitted for laboratory analysis. If no VOCs are detected or if no evidence of other contamination is apparent, the sample submitted for analysis will be determined by visual observations. The NYSDEC will be given

the opportunity to review and approve submitted samples.

Samples submitted for laboratory analysis will be analyzed by all or several of the following methodologies based on the known or suspected contaminants associated with activities or conditions at each test trench location:

- ▶ USEPA Method 8260 + MTBE (TCL Vols);
- ▶ USEPA Method 8270 (SVOCs);
- ▶ USEPA Method SW-846 (Metals);
- ▶ USEPA Method 8082 (PCBs);

2.7 Groundwater Quality Evaluation

2.7.1 Monitoring Wells

An estimated twelve (12) groundwater monitoring wells (MWs) will be installed to evaluate groundwater quality at the site and to evaluate potential impacts to off-site receptors. MWs will be advanced in accessible locations where activities or conditions of concern are known to be present. These areas will include: areas of known former petroleum or chemical storage and handling; locations of reported surface spills or staining; floor drains, sumps or trench drains; areas containing electrical equipment or hydraulic lifts; and areas of concern identified or incompletely characterized during test trenching.

A conventional drill rig will be used to advance a boring through overburden materials to the bedrock interface using hollow stem auger drilling methods. Based on known bedrock depths in the immediate vicinity of the site, depth to bedrock is estimated to range from 10.0 to 15.0 feet below ground surface. Upon reaching competent bedrock, the borehole will be advanced using water rotary drilling techniques. All borings will be advanced ten (10) feet into competent bedrock. An estimated four (4) bedrock cores will be collected to characterize bedrock conditions.

During overburden drilling, subsurface soil samples will be collected continuously via split- spoon in accordance with ASTM Method D-1586 and characterized according to the Unified Soil Classification System. Field headspace measurements of volatile organic compounds (VOCs) from soil split-spoon samples will be performed using a portable PID meter. Based on the screening results, One (1) soil sample from each location will be collected for submission for laboratory analysis for constituents of concern. A drilling log will be kept documenting soil characteristics, headspace concentrations, water table depth, sample recovery, blow counts and other pertinent information.

MWs will be constructed of two (2) inch diameter, schedule 40 PVC riser to an approximate depth of 25 feet below ground surface. The well screen will consist of #10 slot (0.010 inch) PVC. Ten (10) feet of well screen will be installed to a depth that will intersect the local groundwater table. Should field conditions indicate more extreme

fluctuations in the groundwater table additional well screen will be installed. All MWs will be flush to grade and will be completed with an eight (8) inch protective curb-box and concrete pad. All MWs will be developed to remove fine sediments from the water column. Development will occur no sooner than 48 hours after well installation.

An estimated three (3) additional MWs will be advanced adjacent to the site at hydraulically up and down-gradient locations to provide more complete delineation of any source contaminant plumes.

A survey will be conducted to determine the locations and elevations of the MWs. The top of casing of each well will be determined to 0.010 foot accuracy relative to mean sea level. GPS State Plane Coordinates will be collected to determine each MW location to 0.10 foot accuracy.

2.7.1.1 Groundwater Monitoring;and Sampling

Groundwater sampling will consist of field collection of static water level depths, temperature (°F), dissolved oxygen concentration, and pH and the collection of a representative groundwater sample from each MW.

The depth to groundwater will be measured to the nearest 0.01 feet from the referenced point at top of casing. All MWs will be checked for the presence of free phase light non-aqueous phase liquids (LNAPL) or dense non-aqueous phase liquids (DNAPL). If present in sufficient volume, a sample will be collected for laboratory analysis.

Based on the total well depth and the depth to the groundwater interface, the appropriate purge volume will be calculated and purged from the well using a dedicated 2 inch polyethylene bailer. Purge water will be containerized for later characterization and disposal. Subsequent to purging, appropriate laboratory supplied sampling containers will be filled, labeled, and logged on a Chain-of-Custody for transport to the laboratory.

Samples submitted for laboratory analysis will be analyzed by all or several of the following methodologies based on the known or suspected contaminants associated with activities or conditions at each MW location:

- ▶ USEPA Method 8260 + MTBE (TCL Vols);
- ▶ USEPA Method 8270 (SVOCs);
- ▶ USEPA Method SW-846 (Metals);
- ▶ USEPA Method 8082 (PCBs);

Groundwater depths, laboratory analytical data, site survey data and GPS data will be used to prepare a groundwater flow model illustrating depth to groundwater and local hydraulic gradient as well as to prepare contaminant concentration

plume maps.

A total of three (3) complete groundwater sampling events will be performed throughout the site investigation in order to determine the local groundwater hydraulic gradient, to establish baseline groundwater parameters, and to define the horizontal and vertical extent of groundwater contamination at the site.

2.7.2 Background Soil Borings

An estimated five (5) soil borings will be advanced at off-site adjacent properties in order to establish local background concentration levels of metals and PAHs. Borings will be advanced to approximately fifteen (15) feet below ground surface or until bedrock is reached. Subsurface soil samples will be collected continuously via split-spoon in accordance with ASTM Method D-1586 and characterized according to the Unified Soil Classification System. Field headspace measurements of volatile organic compounds (VOCs) from soil split-spoon samples will be performed using a portable PID meter. One (1) soil sample from each location will be collected for submission for laboratory analysis for constituents of concern. A drilling log will be kept documenting soil characteristics, headspace concentrations, water table depth, sample recovery, blow counts and other pertinent information.

2.8 Waste Characterization

Several waste media are present at the site including:

- Residual coal spoils located along the railroad bed to the south of 354 Whitney Street and 415 Orchard Street;
- Unknown liquids contained in the 275 gallon AST located on the south side of the boiler room at 354 Whitney Street;
- Unknown solids and liquids contained in the floor and trench drains of 354 Whitney Street and 415 Orchard Street;
- Unknown solids and liquids contained in the suspected wastewater treatment system located in the courtyard between 354 Whitney Street and 415 Orchard Street.

One (1) composite sample from the coal spoils will be sampled and characterized for disposal by USEPA Methods 8082 (PCBs); 8260 (TCL Vols); SW-846 (Metals); 8270 (SVOCs); pH; and Ignitability.

One (1) sample of the liquid in the 275 gallon AST will be sampled and characterized for disposal by USEPA Methods 8082 (PCBs); 8260 (TCL Vols); SW-846 (Metals); 8270 (SVOCs); pH; and Ignitability.

An estimated five (5) samples from the various floor and trench drains will be collected and characterized for disposal by USEPA Methods 8082 (PCBs); 8260 (TCL Vols); SW-846 (Metals); 8270 (SVOCs); pH; and Ignitability.

One (1) sample from the suspected wastewater treatment system will be collected and characterized for disposal by USEPA Methods 8082 (PCBs); 8260 (TCL Vols); SW-846 (Metals); 8270 (SVOCs); pH; and Ignitability.

In addition, one (1) composite soil sample from drill cuttings generated during the advancement of soil borings and installation of monitoring wells will be collected and characterized for disposal by USEPA Methods 8082 (PCBs); 8260 (TCL Vols); SW-846 (Metals); and 8270 (SVOCs). One (1) water sample from waste generated during monitoring well installation, development and sampling will also be collected and characterized for disposal by USEPA Methods 8082 (PCBs); 8260 (TCL Vols); SW-846 (Metals); and 8270 (SVOCs).

2.9 Report Preparation

Upon receipt and review of all necessary data, a Site Investigation/ Remedial Alternatives Report (SI/RA) will be prepared in accordance with the format illustrated in Appendix A of the *Municipal Assistance Environmental Restoration Projects "Brownfield Program" Procedures Handbook (June 2002)*. The Report will describe the extent and distribution of contaminants at the site, describe hydrogeologic factors and groundwater conditions and discuss the potential for contaminants to impact future tenants or off-site properties. The report will also include a detailed evaluation of possible remedial alternatives, their effectiveness, and clean-up costs.

3.0 Citizen Participation Plan

A Citizen Participation Plan (CP) will be developed in accordance with ECL 56-0505.2, and will be submitted to the NYSDEC for approval prior to the commencement of any site investigation activities.

II. Current and Proposed Future Use of the Site

The Orchard-Whitney site is located at 415 Orchard Street and 354 Whitney Street in the City of Rochester, New York. The site consists of two (2) parcels with a combined area of approximately 3.9 acres. The site is located in the center of a commercial industrial area on the south side of Lyell Avenue near the intersection of Broad Street and is the central component of a Proposed Brownfield Opportunity Area for which the City has submitted an application for funding.

The site is zoned for manufacturing (M1), and portions of the existing infrastructure at 415 Orchard Street could potentially be utilized in the redevelopment of the site. In Rochester, careful public investment in area-wide brownfield inventory, assessment and clean-up projects have created the stimuli for subsequent private sector investment. Other private sector investment at contiguous sites, such as 367 Orchard Street, is already taking place through the City's Brownfield Assistance Programs (BAP) and Brownfield Foreclosure auction process. In addition, the Orchard -Whitney facility is located less than 114 mile from the site of the new \$23 million multi-purpose PAETEC Park Soccer Stadium and revitalization of the site is needed in order for the full potential and benefits of the stadium and near-by clean-up projects to be

achieved. The acquisition of the Orchard-Whitney site by a commercial/ industrial user would put the property back on the City tax roles and could potentially create numerous employment opportunities for the area.

III. Estimated Project Budget

The City estimates the total Site Investigative costs to be approximately **\$204,310.00**. Table 1 illustrates a complete breakdown of the costs listed below:

Work Plans, Reports, and Project Management	= \$62,300.00
SACM & Decontamination Survey	= \$35,000.00
Site Investigation	= \$51,000.00
Laboratory Fees (Subsurface Investigation)	= \$37,433.00
Estimated Project Cost	= \$187,733.00
10% Contingency	= <u>\$18,573.30</u>
TOTAL COSTS	= \$204,306.30

If Bond Act funding is obtained, a formal technical proposal detailing the investigative fieldwork activities, procedures, analytical program, proposed sampling locations and a detailed breakdown of costs will be submitted to the NYSDEC as an addendum.

IV. Other Funding Sources or Potential Funding Sources for the Project

The City is not aware of any other actual or potential private funding sources for the Orchard-Whitney project. It appears that the previous owner(s) do not have the financial resources to fund an environmental investigation at the site, thus, the City is in the process of acquiring the site through tax foreclosure. The documented liabilities and potentially significant environmental remediation costs have discouraged private developers from purchasing and developing the site.

The NYSDEC has received an EPA brownfield targeted investigation grant to help study this site. Mr. Todd Caffoe of the NYSDEC Region 8 office is coordinating with the City on the EPA funded project.

V. Project Satisfaction of ECL 56-0505 Criteria

1.0 Benefit to the Environment

Demographic information from the 2000 Census and City Tax Delinquent Brownfield and vacant commercial industrial property demonstrates that the site is located in an area characterized by a high concentration of brownfields. Previous studies have already confirmed petroleum contamination of the soil and groundwater as well as the presence of several asbestos containing materials in the remaining structures. In addition, past operations at the facility including tool and die shops, plastics manufacturing, printing operations, and metal finishing may have

potentially contaminated surface and subsurface resources with various other chemicals known to have been handled on-site.

Project funding will provide needed resources for the identification of existing and potential environmental, health and safety hazards associated with former operations at the site. Further characterization of the site will facilitate the evaluation of remedial alternatives and the development of effective cleanup strategies toward the protection of the public health, and the remediation of natural resources critical to redevelopment of the area.

2.0 Economic Benefit to the State

The site is located in one of the most economically distressed areas in Rochester, characterized by high unemployment, commercial vacancy rates, depressed property values and a high concentration of brownfield properties. Investigation and cleanup of the site would create numerous temporary construction jobs, as well as new permanent employment opportunities as businesses occupy the site. The nearby Lyell Avenue Hardwood Commons is a prime example of the successful completion of a brownfield redevelopment project cleanup and reuse. The vacant factory site is currently a commercial plaza occupied by several retail businesses including an auto parts store, donut shop and discount store.

Characterization of the subject property for cleanup would also initiate steps towards redevelopment and reuse of resources that are currently underutilized. As a center City location, public infrastructure and utilities are already in place and are being upgraded to meet the anticipated demands of the area. Orchard-Whitney is located less than 114 mile from the site of PAETEK Park, a new \$23 million professional soccer stadium, scheduled for construction in the summer of 2004. The stadium, funded in large part with \$15 million in State aid, is located on a property remediated by the City in 1998, under a voluntary cleanup agreement with the NYSDEC. The City has also begun a \$3 million reconstruction project of Broad Street, located to the west of the subject site. Development of strategies to address the brownfield properties that are proximate to these key roads and sites is needed to maximize the impacts of the public funds used on these projects.

3.0 Potential Public Recreational Use

The site is located in the center of a commercial industrial area on the south side of Lyell Avenue near the intersection of Broad Street and is zoned for manufacturing (M1). It is anticipated that portions of the existing structures could potentially be utilized in the redevelopment of the site. Reconstruction of the site could create as much as 500,000 square feet of commercial, manufacturing and office space available for reuse by private investors, as public facilities or a combination of private and public uses. It is also possible that some portions of the site could become greenspace during redevelopment.

4.0 Located in a Brownfield Opportunity Area

At present, the site is not located in a designated Brownfield Opportunity Area (BOA). However, in July, 2004, the City submitted a Pre-Nomination Study grant proposal application to the State's Brownfield Opportunity Area Program, for consideration to designate the area as a BOA. The 394 acre area is characterized by one of the highest concentrations of abandoned industrial and commercial properties in the City and includes the Orchard-Whitney site. Based on a preliminary review of records and the landuses in the area, potential brownfields could number over 250 properties representing 193 acre or nearly 50% of the total land area.

The designation of a BOA would create additional opportunities for the development of partnerships to help address the significant nearby brownfield properties. In addition to facilitating projects that will improve neighborhood conditions, increasing property values and tax revenues and stimulating the creation and expansion of jobs, the City's brownfields programs support smart growth in our region. Rochester is committed to a strategy which makes sound use of existing infrastructure, rather than continuous out-migration and new development. The brownfields aspect of a smart growth strategy makes sense for the area because it focuses on reuse and restoration of existing facilities like Orchard-Whitney.

The City's brownfields experience supports the notion that a small amount of initial public funding can stimulate millions of dollars in public and private investment as evidenced by the successful revitalization of 367 Orchard Street and the soon-to-be-constructed PAETEK Park facility. The City is confident that new BOA program can become an integral part of the brownfield planning and smart growth strategy.

5.0 Other Funding Sources

The Orchard-Whitney parcels have been vacant as well as tax delinquent for greater than ten (10) years. In addition, numerous environmental and health liabilities have been identified in previous studies conducted by the City. As a result, the potentially significant environmental remediation costs have discouraged private developers from purchasing and redeveloping the site. Based on the status of the site for the last ten (10) years, it appears that the previous owner(s) do not have the financial resources to fund an environmental investigation at the site. The City is seriously considering acquiring the site through tax foreclosure, but current funding levels can not accommodate a full scale investigation and cleanup of the site by the City.

The NYSDEC has been awarded a brownfield grant from the USEPA for targeted site investigations. The Orchard-Whitney site was submitted for consideration as Rochester's highest priority site and was selected by the NYSDEC to receive funding for initiation of an environmental investigation. The NYSDEC as the grantee will use up to \$125,000 to investigate the site on behalf of the City. Given the magnitude of the site and the potential environmental and health hazards, the City anticipates additional investigation will be required to fully characterize the site for the development of effective cleanup strategies. The City is not aware of any other actual or potential funding sources for the Orchard-Whitney project.

VI. Project Schedule

The site Historical Data Review and any architectural drawings for the Utility Survey will be assembled for review by the NYSDEC within the first 30 days after the authorization to proceed is granted in order to finalize subsurface sample locations. (Previously compiled documents have already been provided to the Region 8 office). It is anticipated that the Site Investigation fieldwork will commence within two (2) months of the authorization to proceed date, providing the Site Investigation Work Plan is approved by the NYSDEC within two (2) months of submission of the application.

Fieldwork will require approximately ten (10) to twelve (12) weeks to complete including sample collection for baseline contaminant concentrations and groundwater parameters and two (2) additional rounds of groundwater sampling for constituents of concern. All field and laboratory data generated during the investigation will be compiled and reviewed. If a Supplemental Investigation is warranted to fill data gaps, a detailed Scope will be prepared and submitted for approval. Upon receipt of all field data and laboratory analysis results, a draft Site Investigation Remedial Alternatives Report (SI/RA) will be completed and submitted for review within four (4) weeks of the completion of all field investigative activities. The Final SI/RA Report will be submitted within two (2) weeks of receipt of NYSDEC comments.

In summary, the total time from authorization to proceed to Final Site Investigation Remedial Alternatives Report completion is approximated to be 31 weeks. Chart 1 illustrates the anticipated timing of each task throughout the duration of the Site Investigation.

**Orchard-Whitney Site
415 Orchard Street and 354 Whitney Street
Rochester, New York
Site Environmental History**

I. Environmental Data

1.0 Phase I Environmental Site Assessment

Site conditions for 354 Whitney Street, 415 Orchard Street and several neighboring parcels, have been documented in a Phase I Environmental Site Assessment performed by Day Environmental, Inc. (DAY) in December of 2000. The investigation was performed in accordance with ASTM 1527 standards, and relevant portions of the Report are included in Appendix B.

2.0 Asbestos Survey

A Pre-Demolition Asbestos Survey of 354 Whitney Street, Buildings 1A, 2, 2A and the Brick Mill was performed by ENSR International. Building 1 was destroyed by fire in July 2003. Multiple sources of asbestos containing materials (ACMs) were identified in the ensuing report. Relevant portions of the Report are included in Appendix C.

II. Owners

The Orchard-Whitney parcels have been vacant as well as tax delinquent for more than ten (10) years. Abstracts of title were unavailable to assist in more accurately determining prior property ownership and uses. However, the site history detailed in the DAY Phase I Site Assessment Report, and deed information was reviewed and commercial owners of at least portions of the assessed parcels were identified and are listed in the following tables:

Table 1A - 354 Whitney Street

Parcel	Owner Name	Address/ Phone	Time of Ownership	Relationship to Previous Owner
354 Whitney Street	Norry Equipment Co.	unknown	? - 1972	unknown
354 Whitney Street	351 Whitney, Inc.	unknown	1972 - 1976	unknown
354 Whitney Street	Manufacturers Hanover Trust Co.	unknown	1976 - 1978	unknown
354 Whitney Street	Whitdel Properties, Inc.	unknown	1978 - 1988	unknown
354 Whitney Street	Lewis Charles Associates	60 Broadhollow Road Melville, NY	1988 - 1999	unknown
354 Whitney Street	LC National Equities LTD	60 Broadhollow Road Melville, NY	1999 - present	unknown

Table 1B - 415 Orchard Street

Parcel	Owner Name	Address/ Phone	Time of Ownership	Relationship to Previous Owner
415 Orchard Street	AJ Bolton Co.	unknown	? - 1915	unknown
415 Orchard Street	North East Electric Co.	unknown	1915 - 1922	unknown
415 Orchard Street	General Motors Corp.	unknown	1930 - 1967	unknown
415 Orchard Street	Orchard Properties, Inc.	unknown	1967 - 1967	unknown
415 Orchard Street	Norry Equipment Co.	unknown	1967 - 1972	unknown
415 Orchard Street	Monroe Co. Industrial Development Agency	unknown	1977 - 1986	unknown
415 Orchard Street	Sykes Datatronics, Inc.	unknown	1986 - 1986	unknown
415 Orchard Street	Ray-Mar Associates	unknown	1986 - present	unknown

Copies of deed transfers that were available for review are included in Appendix D.

Prior to execution of any grant funding contracts between the City of Rochester and the State of New York, the City will **commence** proceedings to foreclose tax liens on both the **354** Whitney Street and **415** Orchard Street parcels. Subsequent to the twenty (20) day required foreclosure notification period, the City will either carry out the foreclosure action, or, pursuant to New York State Environmental Conservation Law 56-0508, the City will move for an order of temporary incidents of ownership for the purpose of conducting the environmental restoration investigation project at the parcels.

III. Operators

Information identifying previous tenants and operators at the Orchard - Whitney properties was not readily available. However, the site history detailed from Sanborn Fire Insurance Maps and City Platt Maps in the DAY Phase I Site Assessment Report, was reviewed. A summary of previous tenants or operators and their operations, where known, were identified and are listed in the following tables:

Table 2A - 354 Whitney Street

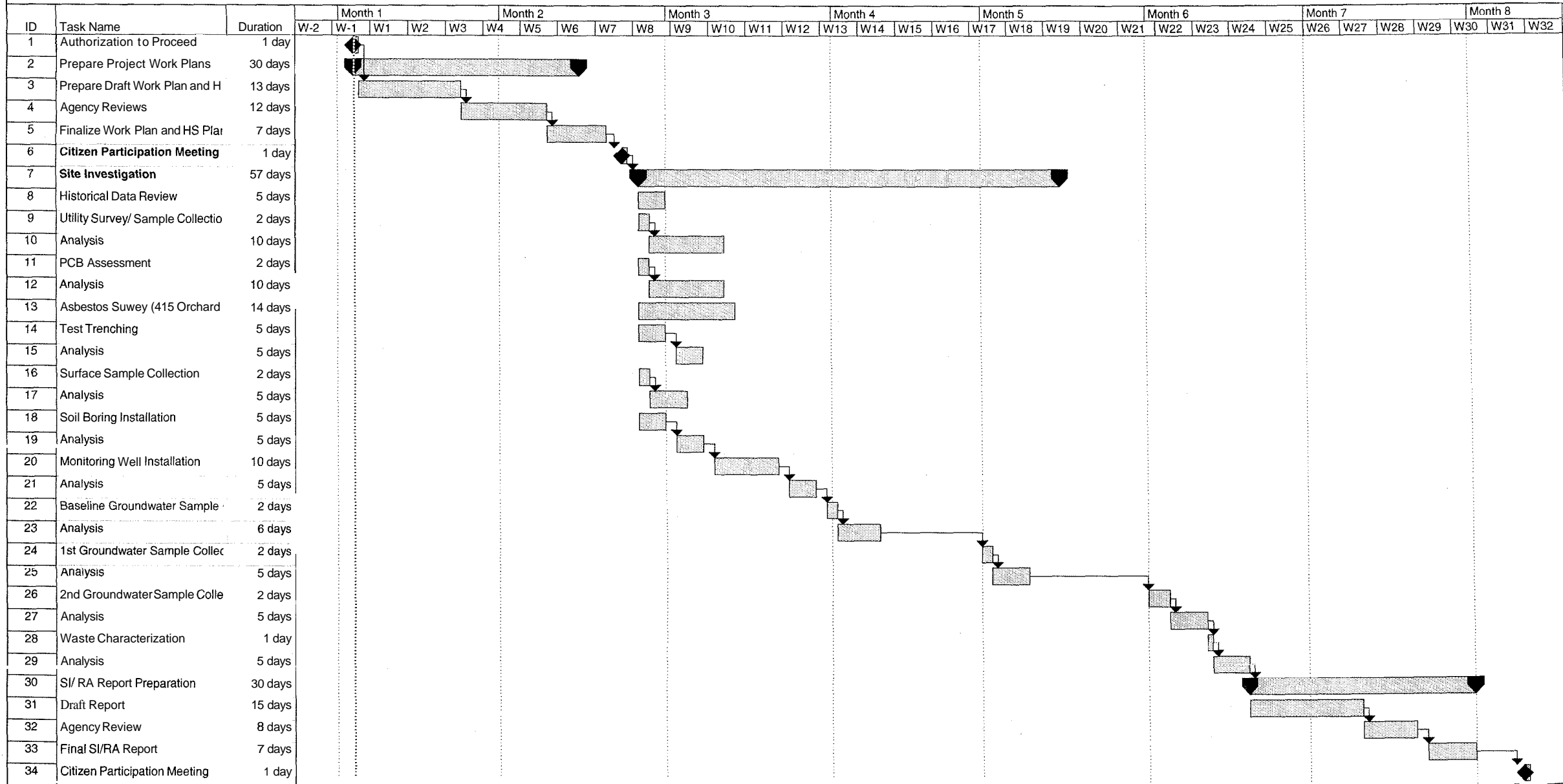
Parcel	Owner Name	Address/ Phone	Operation	Source	Date	Relationship
354 Whimey St.	Rochester Lift Co.	unknown	elevator manufacturing	Platt	1910	tenant
354 Whitney St.	AJ Bolton Co.	unknown	Shoe Factory	Sanborn	1912	tenant
354 Whitney St.	NE Electric Co.	unknown	utility	Platt	1918	tenant
354 Whitney St.	Delco (GM Corp.)	unknown	manufacturing	Sanborn	1950	tenant
354 Whitney St.	Formerly Delco	unknown	unknown	Sanborn	1971	tenant

Table 2B - 415 Orchard Street

Parcel	Owner Name	Address/ Phone	Operation	Source	Date	Relationship
415 Orchard St.	NE Electric Co.	unknown	utility	Platt	1918	tenant
415 Orchard St.	Delco (GM Corp.)	unknown	manufacturing	Sanborn	1935	tenant
415 Orchard St.	Sykes Datatronics	unknown		Rochester Directory	1971-1977	tenant
415 Orchard St.	Intertec Associates	unknown	unknown	Rochester Directory	1971-1977	tenant
415 Orchard St.	Lyell Warehouse Corp.	unknown	warehouse	Rochester Directory	197 ¹	tenant
415 Orchard St.	Lee Distributing Co.	unknown	shipping	Rochester Directory	1971	tenant
415 Orchard St.	Bruening Bearing, Inc.	unknown	tool and die	Rochester Directory	1977	tenant

Copies of the relevant tenant history information from the DAY Phase I ESA report are included in Appendix B.

Project Schedule
Orchard - Whitney SI/RA



Project Project1 Date Thu 11/4/04	Task		Progress		Summary		External Tasks		Deadline	
	Split		Milestone		Project Summary		External Milestone			

Orchard-Whitney Opinion of Probable Costs

Activity / Area of Concern	Investigatory Method				Analytical Schedule												Opinion of Probable Cost											
					Air	Soil/ Sediments/ Surface						Water						Investigation (Subcontractors)	Analysis	DEQ or Consultant	Totals							
	VOCs (T0-15)	TCL Vols + MTBE	PCBs	SVOCs	Metals	pH	Ignitability	SVOCs PAHs	TCL Vols + MTBE	PCBs	SVOCs	Metals	pH	Ignitability	SVOCs PAHs													
Project Work Plan & HS Plan																				\$6,000.00	\$6,000.00							
Historical Data Review																				\$1,000.00	\$1,000.00							
Utility Survey					4	4												4		\$1,000.00	\$2,288.00	\$1,000.00	\$4,288.00					
PCB Assessment							22											4		\$1,000.00	\$1,300.00	\$1,000.00	\$3,300.00					
Asbestos Survey (415 Orchard Street)																				\$35,000.00			\$35,000.00					
Test Trenching			13			13	13	13	13											\$6,000.00	\$5,135.00	\$1,500.00	\$12,635.00					
Soil Borings	5								5								5			\$3,000.00	\$1,175.00	\$3,000.00	\$7,175.00					
Monitoring Wells		15				15	15	15	15									15	15	15	15		\$40,000.00	\$11,850.00	\$3,000.00	\$54,850.00		
Groundwater Sampling (2)		15																30	30	30	30			\$11,850.00	\$3,600.00	\$15,450.00		
Waste Characterization						6	6	6	6	5	5							3	3	3	3	2	2		\$3,835.00	\$1,200.00	\$5,035.00	
SI/RA Report Preparation																									\$40,000.00		\$40,000.00	
Citizen Participation Meetings (2)																									\$1,000.00		\$1,000.00	
Project Totals																									\$86,000.00	\$37,433.00	\$62,300.00	\$185,733.00
Project Total + Contingency (10%)																												\$204,306.30

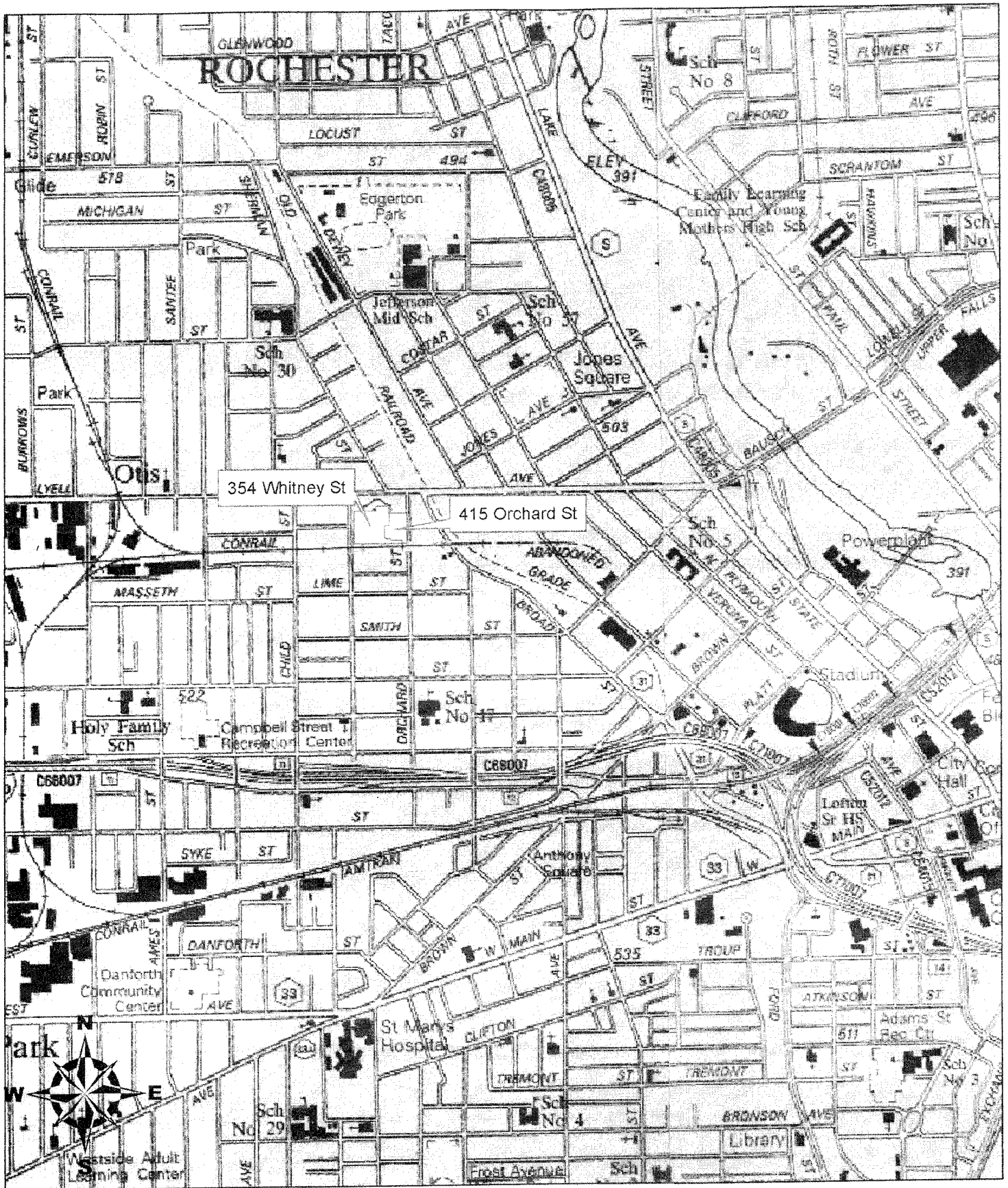


Figure 1. Site Location Map





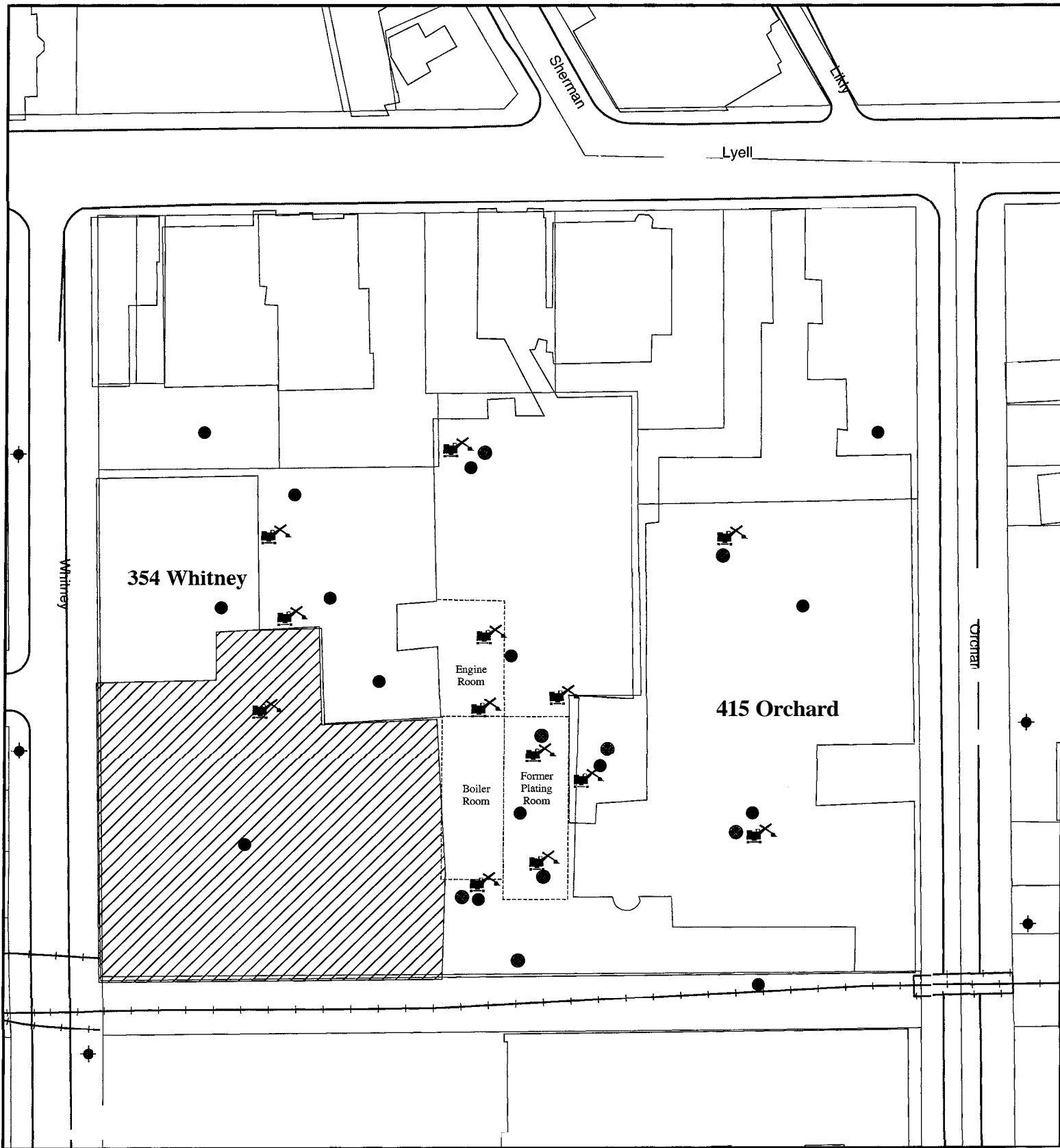
SCALE (IN MILES)

MAPS 4-31

0 1/2 1 MILE



Figure 2
 City Of Rochester - Orchard-Whitney
 Area Map
 December 1, 2004 By: Mapworks



- - Waste Characterization Sample
- - Soil Boring (Background Sample)
- X - Test Trench
- - Monitoring Well Location
- ▨ - Structure Demolished in 2003

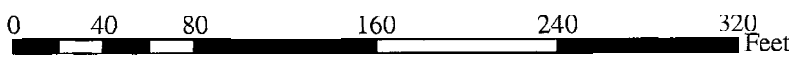


Figure 3
 City Of Rochester - Orchard-Whitney
 Proposed Test Point Location Map
 December 1, 2004 Drafted By: JMHF

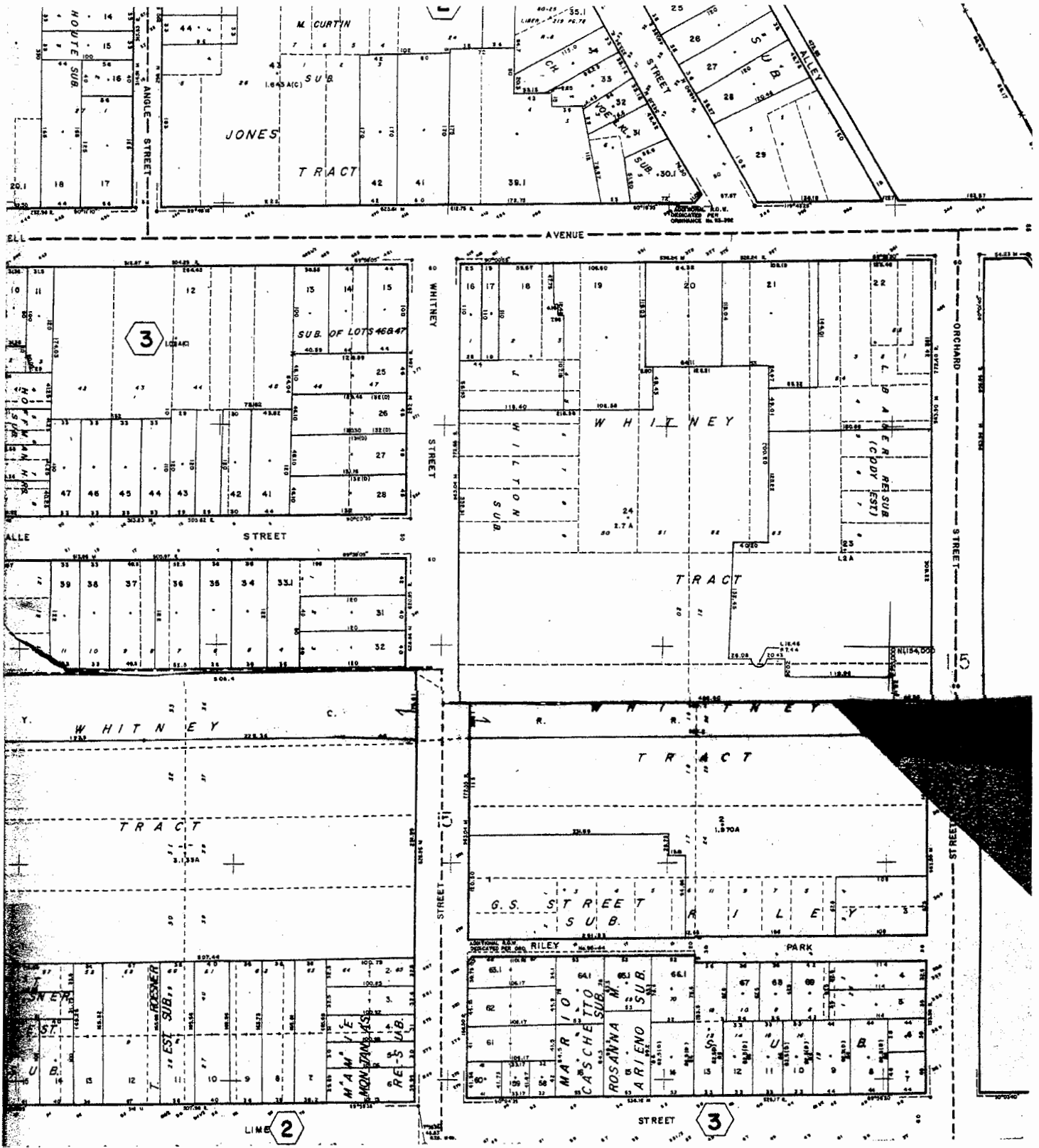


Figure 4
 City Of Rochester - Orchard-Whitney
 Monroe County Tax Map



Memo

To: file
From: Jane MH Forbes
Date: November 29, 2004
Subject: Orchard-Whitney Investigation SEQR Compliance

The City's Division of Environmental Quality is submitting an application for grant funding through the New York State Department of Environmental Conservation (NYSDEC) 1996 Clean Water/ Clean Air Bond Act to investigate and characterize contamination at 354 Whitney Street and 415 Orchard Street. The site consists of two (2) parcels with a combined area of approximately 3.9 acres located in the center of a commercial/ industrial area on the south side of Lyell Avenue near the intersection of Broad Street. The sites have been used for various commercial and industrial uses since the early 1900's including tool and die shops, plastics manufacturing, printing operations, metal finishers, electric company and warehousing. Both parcels have been vacant since the mid 1990's.

The City's environmental investigation will include the performance of an asbestos survey, excavation of test pits, advancement of soil borings, installation of groundwater monitoring wells, and surface and subsurface soil and groundwater sampling. Following the investigation, collected data will be used to complete a detailed evaluation of clean-up alternatives and to select the most appropriate alternative.

This project is consistent with actions defined in 6NYCRR Part 617.5 (c)(18):

“(c) The following actions are not subject to review under this part: ...”

...(18) information collection including basic data collection and research. Water quality and pollution studies, traffic counts, engineering surveys, subsurface investigation and soil studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action.”

“Actions or classes of actions identified in subdivision (c) of this section are not subject to review under this Part. These actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under Environmental Conservation Law, article 8.”

c: file
M. Gregor, Manager (DEQ)

G:\ENVQUAL\JANE\JOBS\Orchard-Whitney\SEQR Compliance Memo.wpd



PHASE I ENVIRONMENTAL SITE ASSESSMENT
354 WHITNEY STREET
~~367, 370, 406, 415~~ ORCHARD STREET
MONROE COUNTY, NEW YORK

Prepared for: Ms. Judy Farrell
City of Rochester
30 Church Street
Rochester, New York

Prepared by: Day Environmental, Inc.
2144 Brighton-Henrietta Town Line Road
Rochester, New York 14623

Date: December 20, 2000

Project No.: 1745E-98

PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

CLIENT

PREPARED FOR: City of Rochester
30 Church Street
Rochester, New York 14614

CLIENT CONTACT: Ms. Judy Farrell
(716) 428-6011

THIS REPORT HAS BEEN PREPARED FOR EXCLUSIVE USE BY THE CITY OF ROCHESTER, FOR USE ON ITS BEHALF. THE FINDINGS AND RECOMMENDATIONS HEREIN MAY BE RELIED UPON ONLY BY THE CITY OF ROCHESTER. USE OF OR RELIANCE UPON THIS REPORT, ITS FINDINGS AND RECOMMENDATIONS, BY ANY OTHER PERSONS OR FIRM IS PROHIBITED WITHOUT THE PRIOR WRITTEN PERMISSION OF DAY ENVIRONMENTAL, INC.

PROPERTY INFORMATION

**ADDRESSES,
TAX ACCOUNT #,
AND PARCEL SIZE:**

~~354 Whitney Street: 105.660-0003-024; 2.70 acres~~
~~367 Orchard Street: 105.740-0003-002; 1.97 acres~~
~~370 Orchard Street: 105.750-0001-001; 0.63 acres~~
~~406 Orchard Street: 105.670-0002-007; 1.09 acres~~
~~415 Orchard Street: 105.660-0003-023; 1.20 acres~~
Refer to Figure 2 included in Appendix A

MUNICIPALITY: City of Rochester

COUNTY/STATE: Monroe County, New York

IMPROVEMENTS:

~~354 Whitney Street: 371,626-square foot multiple-story brick/stone building constructed between 1900 and 1923.~~
~~367 Orchard Street: 107,796-square foot multiple-story brick building constructed in 1911.~~
~~370 Orchard Street: Paved parking lot.~~
~~406 Orchard Street: 4,008-square foot one-story concrete-block building constructed in 1930; and paved parking lot.~~
~~415 Orchard Street: 128,903-square foot multiple-story wood, brick, concrete building constructed between 1920 and 1930.~~
Refer to Figure 2 included in Appendix A

CURRENT USE: Commercial & industrial space (primarily vacant), and paved parking lots

CURRENT OWNERS: Lewis Charles Associates (354 Whitney Street);
Scientific Radio Co. (367 & 370 Orchard Street);
Ray Mar Associates (406 & 415 Orchard Street).
Refer to Figure 2 included in Appendix A

PAST USE: Multiple commercial and industrial uses

SITE CONTACTS: None available

SITE LOCATION MAP: Attached in Appendix A

SUMMARY OF ENVIRONMENTAL CONCERNS

ENVIRONMENTAL CONCERNS:

(X) Environmental Concern(s) Identified
() Environmental Concern(s) Not Identified

FURTHER INVESTIGATION(S):

(X) Further Investigation(s) Recommended
() Further Investigation(s) Not Recommended

ASSESSMENT SUMMARY (Cont.)

Notes:

1. The assessed property consists of five parcels of land that are not necessarily contiguous (refer to Figure 2 included in Appendix A). The addresses that comprise the assessed property are 354 Whitney Street, and 367, 370, 406, and 415 Orchard Street, Rochester, New York.
2. Abstracts of title were not provided to assist in determining prior property ownership and uses of the assessed parcels. However, historical deed information for the assessed parcels was reviewed (refer to Section 1.1). The conclusions in this report are subject to any state of facts which review of abstracts of title might show, directly or indirectly.
3. A review of City of Rochester Fire Department records indicated there are permits for tanks, flammable/combustible liquids and materials, etc. for a property addressed as 350 Whitney Street (refer to Section 2.3); however, based on information obtained as part of this assessment, these records appear to pertain to the 354 Whitney Street parcel.
4. Access was not gained to flooded portions of the building on the 354 Whitney Street parcel during the December 29, 1998 or September 2000 site visits. During the December 29, 1998 site visit, a water pipe on an upper floor of the west side of this building was observed to have broke open, and water from the pipe was observed to be actively flowing on this floor, on underlying floors, and in the basement. Water was not observed to be flowing from broken piping during the September 2000 site visits. Additionally, standing water was observed in the basement and boiler room on the east and west sides of this building during DAY's site visits. Thus, this assessment is subject to any state of facts that observation of the flooded portions of the 354 Whitney Street building would have revealed.
5. Lighting was not available during observation of the interior of the 354 Whitney Street building, the 406 Orchard Street Building, the 415 Orchard Street building, and portions of the 367 Orchard Street building. Lighting in these areas was limited to the use of flashlights. Thus, this assessment is subject to any state of facts that complete lighting of the interior of these assessed buildings would have revealed.
6. Owners or occupants for the assessed parcels were not available for interview. Mr. Piluso, reportedly the son of a partner in ownership of the 354 Whitney Street parcel, requested money in exchange for an interview. The City of Rochester decided not to incur cost to interview Mr. Piluso at that time. Thus, this assessment is subject to any state of facts that an interview with owners/occupants of the assessed parcels would have revealed.
7. Debris covered the floor in numerous portions of the buildings. Thus, this assessment is subject to any state of facts that a complete observation of the floor of these assessed buildings would have revealed.
8. A check of environmental records/databases for waste sites, waste generators, spills, etc. listed in Section 2.0 of this Phase I ESA report was performed between October 23,

ASSESSMENT SUMMARY (Cont.)

1998 and October 26, 1998. This assessment is subject to any state of facts that an update of this records check would have revealed.

9. The age of the buildings on the assessed property suggests that they could contain lead-based paint; however, since the assessed property is commercial and not residential, lead-based paint has not been identified as an environmental concern at this time. However, if the use of the assessed property changes in the future (i.e., is redeveloped for residential purposes, etc.), it may be necessary to address this potential environmental concern at that time.
10. Numerous drums and containers in varying degrees of condition and containing many types of chemicals were observed on the 354 Whitney Street parcel during the 12/29/98 site visit (refer to Section 3.6.2). The City of Rochester notified the New York State Department of Environmental Conservation (NYSDEC) regarding the containers/drums that were observed in the building as part of this Phase I ESA. The United States Environmental Protection Agency (USEPA) was then contacted by the NYSDEC, and these regulatory agencies characterized the contents of the containers/drums observed in this building and removed the contents, including many of the associated containers and drums themselves.

ENVIRONMENTAL STATUS OF PROPERTY:

Based on the Phase I ESA performed, further inquiry is needed to appropriately assess the environmental status of the assessed property. Listed below are the environmental concerns and recommended actions that have been identified for each of the assessed parcels:

354 WHITNEY STREET (See Summary Table in Appendix A)

5,000 gal - removed/contaminated
1500 gal - 4
2000 gal - 2

1. **Storage Tanks/Suspect Wastewater Treatment System:** Information obtained as part of this Phase I ESA indicated that one 5,000-gallon gasoline underground storage tank (UST) reportedly located on the western side of the northern courtyard area was removed from this parcel in 1984. Documentation regarding the removal of this tank and whether or not contamination was encountered was not obtained as part of this assessment (refer to Sections 2.3 and 3.6.1). Additionally, records indicated that one 1,500-gallon gasoline tank was installed in 1970 and there are no records of its removal. Records also indicated that a 2,000-gallon diesel tank may have been located on this parcel and there were no records regarding its removal. Information was not obtained as part of this assessment regarding the locations of the 1,500-gallon tank and 2,000-gallon tank, or whether they were aboveground storage tanks (ASTs) or underground storage tanks (USTs). Four existing groundwater monitoring wells (designated as wells 354-1 through 354-4) located in proximity to the former 5,000-gallon gasoline UST, were sampled by a City of Rochester representative as part of this Phase I ESA (refer to Section 5.2). The analytical laboratory test results indicated that groundwater at well 354-3 contains petroleum constituents associated with diesel fuel or #2 fuel oil above regulatory groundwater standards and/or guidance values. In addition, test results indicated well 354-1 contained 28.5 ug/l or parts

ASSESSMENT SUMMARY (Cont.)

per billion (ppb) of trichloroethylene, which exceeds its regulatory groundwater standard of 5 ug/l or ppb. The groundwater at wells 354-2 and 354-3 contained elevated concentrations of one or more metals (e.g., barium, chromium or lead) above regulatory groundwater standards.

Five or more suspected vent pipes, other piping, and manholes or fill ports were observed in the small courtyard area located on the east side of this parcel. It appears that this equipment is associated with USTs or a former wastewater treatment system (refer to Section 3.6.1).

Six round metal plates/caps were observed in three 4' x 6' rectangular concrete patches in the concrete hallway floor immediately inside the 354 Whitney Street building in proximity to the small courtyard area on the east side of this parcel (refer to Section 3.6.1). This equipment may be associated with USTs, a wastewater treatment system, or other use.

Also, a 275-gallon aboveground storage tank (AST) was observed immediately south of boilers in the boiler room. Evidence of spillage or leakage from this AST was not observed (refer to Section 3.6.1).

Outside in the main courtyard area, on either side of the building, there are pipes of unknown purpose (refer to Section 3.6.7 and Figure 2 included in Appendix A).

Recommendations: Prior to the ownership or redevelopment of the 354 Whitney Street parcel, it is recommended that a subsurface environmental study be performed to evaluate subsurface conditions at this parcel and to determine if USTs and/or a wastewater treatment system(s) are present. The pipes, manhole covers, metal plates/caps and fill-ports of unknown purpose should also be further evaluated. Any USTs that are encountered should be closed in accordance with applicable regulations. Also, the 275-gallon AST located immediately south of the boiler room should be closed/removed. If contamination is encountered, implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted.

2. Suspect and Confirmed Asbestos-Containing Material (ACM): Suspect and confirmed ACM that was observed to be in damaged and/or friable condition was identified inside the 354 Whitney Street building (refer to Sections 3.5 and 5.1). Based on assumptions that areas of the building not observed contain similar quantities of suspect or confirmed ACM as in areas that were observed, it is Day Environmental, Inc.'s opinion that at least 5,000 linear feet and/or square feet of damaged and/or friable suspect or confirmed ACM may be present inside this building. These suspected or confirmed ACM include the following:

- Thermal system insulation (TSI) pipewrap and mudpacks in numerous areas of the building with exposed ends. Pipewrap observed in the basement was water damaged and/or showed areas of localized damage.
- TSI breaching material in the basement with water damage.

ASSESSMENT SUMMARY (Cont.)

- An air-conditioning unit located on an upper floor of the west wing of the building appeared to have an exterior ACM insulating material.
- Boxes and bags labeled as containing Johns Manville-type product located in or near the boiler room. This company manufactured ACM.
TSI materials (breaching, pipewrap, etc.) on boiler equipment in the boiler room.

Additionally, a review of Sanborn maps indicated that asbestos ceiling materials may be present on the steel frame inside the 354 Whitney Street building (refer to Section 1.5).

SACM that was observed to be in non-friable and/or good condition included the following:

- Apparent transite material used for interior walls and ceiling inside a small room (building within the main building) that was observed on the second floor of the east wing of the building.
Various linoleum-type material in several locations inside the building.

Recommendations: Prior to the ownership or redevelopment of the 354 Whitney Street parcel, it is recommended that an asbestos survey be performed by a qualified firm. ACM that is identified in damaged and/or friable condition should be abated (repaired, enclosed, encapsulated, removed, etc.) by a licensed and accredited asbestos-abatement contractor in accordance with current applicable state and federal regulations. ACM not serving a purpose, such as TSI pipewrap on abandoned piping, should be abated by removal.

Also, if the building on this parcel is to be demolished or renovated, it is recommended that the asbestos survey initially completed on the building be comprehensive enough to satisfy the requirements of a pre-demolition or pre-renovation asbestos survey. Prior to demolition or renovation, the ACM identified should be abated (i.e., removed) in accordance with applicable regulations.

- 3. Historical Uses of the Property and Adjoining Properties:** Information obtained as part of this Phase I ESA suggests that past and present uses of the 354 Whitney Street parcel and adjoining properties may have impacted subsurface environmental conditions on this assessed parcel (refer to Sections I, 1.4, 1.5, 1.6, 1.8, 2.2, 2.3, 2.5, 2.7.2 and 3.9). Examples of historic uses of potential environmental concern on this assessed parcel include: DELCO Appliance, Division of General Motors factory; North East Electric Co.; tool and die shops; printers; a shoe factory; Rochester Lift Co.; and various other industrial tenants. Many of the occupants were RCRA hazardous waste generators, and many were permitted with the City of Rochester for the storage of combustible materials, flammable materials, highly toxic materials, etc. Additionally, there have been documented spills (two closed, one active) for the 354 Whitney Street parcel (refer to Sections 2.2 and 2.6). Adjoining properties have also been historically used for industrial and commercial uses (e.g., General Motors to the north and east, DELCO oil and paint warehouse to the west, DELCO foundry and machine shop to the southwest, automobile repair shop to the east, as well as the historic uses on other adjoining assessed parcels). A gas tank is shown on Sanborn maps on an adjoining parcel located north of this assessed parcel.

ASSESSMENT SUMMARY (Cont.)

Recommendations: Prior to the ownership or redevelopment of the 354 Whitney Street parcel, it is recommended that a subsurface study be performed (e.g., test borings, groundwater monitoring wells, etc.). This study should be performed in order to evaluate if historical uses on this assessed parcel or on adjoining properties have impacted environmental conditions at the assessed property. If contamination is encountered, implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted.

4. Spillage, Staining and Equipment: A wet orange leachate material was observed on the concrete floor next to an apparent coal pile located immediately south of the boiler room (refer to Section 3.3). Samples of the leachate and apparent coal were tested at an analytical laboratory as part of this Phase I ESA and were determined to be non-hazardous based on the characteristics of the parameters they were tested for (refer to section 5.3). Also, evidence of spillage/staining was observed on the floor of the building in proximity to various drums and containers in numerous areas of the building, and evidence of concrete floor corrosion (e.g., pitting, etc.) was observed on the concrete floor in the former plating room. Apparent drum marks were also observed on the concrete floor at the southern end of the former plating room. Evidence of former liquid spillage was observed on a wall on the second floor of the east wing of the building, which was indicative of a past operation or equipment process being conducted at this location. Abandoned equipment was observed in the boiler room, engine room and other areas of the building. Some of this equipment and associated improvements are suspected to contain residual contaminants and/or were observed in areas of spillage/staining.

A portion of the first floor of the west wing of the 354 Whitney Street building had a wooden or cork floor with a creosote or tar-like coating/mastic on the bottom. One area of the floor was observed to be heaved upward exposing the tar-like mastic. A creosote-like odor was detected in the ambient air in this area (refer to Section 3.8).

Recommendations: Prior to the ownership or redevelopment of the 354 Whitney Street parcel, it is recommended that equipment in the engine room, boiler room, etc. that is contaminated or contains residual industrial oils, liquids, etc. be properly handled when decommissioned. This may include evaluation of the floor/paved areas and underlying subsurface soils/groundwater in proximity to containers, drums, spillage, staining, etc. If contamination is encountered, implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted. The leachate and apparent coal should be properly handled and disposed, if disturbed. Also, based upon testing completed to date, the creosote/tar-like coating on the wooden floor does not contain asbestos; however, it should be further characterized (sampled and analyzed) and should be repaired or addressed as needed in accordance with applicable regulations.

ASSESSMENT SUMMARY (Cont.)

5. **Former In-Ground Hydraulic Lift:** Evidence of a former in-ground hydraulic lift was observed in the first floor northern portion of the east wing of the 354 Whitney Street building (refer to Section 3.6.7 and Figure 2 included in Appendix A). The in-ground portion had been previously filled-in with concrete.

Recommendations: Prior to the ownership or redevelopment of the 354 Whitney Street parcel, it is recommended that a cursory subsurface study be performed in proximity to the former in-ground hydraulic lift. If contamination is encountered, implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted.

6. **Transformers and Electrical Equipment:** A vault room on the first floor of the engine room was reported to be the location of utility-owned transformers (refer to Section 3.4.1). During the September 2000 site visits, the vault was observed to contain some electrical equipment, but no transformers. The concrete floor was observed to be stained. Additionally, various electrical equipment (e.g., apparent abandoned electric switches, capacitors, etc.) was observed in the engine room and also in other areas of the building. Evidence of oil leakage or spillage was not observed on this electrical equipment. Based on the age of the facility, the electrical equipment, including the transformers, and staining observed on the concrete floor of the vault room, may contain polychlorinated biphenyls (PCBs). If this equipment contains PCBs, decommissioning of this equipment must be performed in accordance with applicable regulations.

Recommendations: Prior to the ownership or redevelopment of the 354 Whitney Street parcel, it is recommended that the electrical equipment and building surfaces (e.g., stained concrete floor in the vault room, etc.) in the vicinity of this equipment be evaluated, and possibly sampled and analyzed, for the presence of PCBs. If PCBs are encountered, implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted.

7. **Floor Drains and Sumps:** Floor drains and sumps are present in the building on this parcel (refer to Sections 2.6 and 3.4.2). Liquids in some floor drains emanated a slight petroleum-like odor. A closed NYSDEC spill file for this assessed building indicated that chemicals had been discharged to a "well" (location not identified) that was believed to be connected to the sanitary sewer system; however, it does not appear that this "well" was confirmed to be connected to the sanitary sewer system.

Recommendations: Prior to the ownership or redevelopment of the 354 Whitney Street parcel, it is recommended that any sediments and liquids in the floor drains/sumps be removed, characterized (i.e., sampled and analyzed), and disposed of in accordance with applicable regulations. It is also recommended that these systems be observed at the time they are cleaned out to verify their integrity. Also, if documentation cannot be furnished that confirms that the floor drains/sumps are connected to the sanitary sewer, they should be dye-tested to assess their discharge location. If it is confirmed that the

ASSESSMENT SUMMARY (Cont.)

floor drains/sumps are connected to the sanitary sewer, and the systems appear to be in good condition, no further study is recommended. If connection to the sanitary sewer cannot be confirmed, or if the integrity of the systems is suspect, further study is recommended to assess the sump's/floor drain's discharge point and the presence or absence of contamination. If contamination is encountered, implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted.

367 ORCHARD STREET (See Summary Table in Appendix A)

1. **USTs:** Information obtained as part of this Phase I ESA indicated that at least one UST was removed in 1992 from the 367 Orchard Street parcel. Documentation regarding the removal of this tank and whether or not contamination was encountered was not obtained as part of this assessment (refer to Sections 2.3 and 2.5.2). Records also indicate that a 10,000-gallon underground fuel tank was installed on this parcel in 1960 and it is unknown whether this is the tank that was reportedly removed in 1992. A boiler room is located on the west side of the existing building on this Parcel (refer to Section 1.5 and Figure 2). Observations made during the site visits indicate that the fuel tank system (e.g., piping, product gauge, etc.) is likely located in proximity to the boiler room (refer to Section 3.6.1).

Recommendations: Prior to the ownership or redevelopment of the 367 Orchard Street parcel, it is recommended that a subsurface study be performed to evaluate subsurface conditions at this parcel and to determine if USTs are present. Any USTs encountered at the assessed property should be closed in accordance with applicable regulations. If contamination is encountered, implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted.

2. **Suspect Asbestos-Containing Material (SACM):** SACM that was observed to be in damaged and/or friable condition was identified inside the 367 Orchard Street building (refer to Sections 3.5). Based on the site visit through this facility, it is Day Environmental, Inc.'s opinion that at least 2,000 linear feet and/or square feet of damaged and/or friable SACM may be present inside this building. These SACM included the following:
 - TSI on two boilers located in the boiler room along the western portion of the building.
 - TSI pipewrap and mudpacks throughout the building, including the boiler room.
 - Building debris located in a pile on pavement near the loading dock on the east side of the building may contain materials that could be considered SACM (e.g., drywall, corrugated paper-like material, etc.).

Recommendations: Prior to the ownership or redevelopment of the 367 Orchard Street parcel, it is recommended that an asbestos survey be performed on the building by a qualified firm. ACM that is identified in damaged and/or friable condition should be abated

ASSESSMENT SUMMARY (Cont.)

(repaired, enclosed, encapsulated, removed, etc.) by a licensed and accredited asbestos-abatement contractor in accordance with current applicable state and federal regulations. ACM not serving a purpose, such as TSI pipewrap on abandoned piping, should be abated by removal.

Also, if the building on this parcel is to be demolished or renovated, it is recommended that the asbestos survey initially completed on the building be comprehensive enough to satisfy the requirements of a pre-demolition or pre-renovation asbestos survey. Prior to demolition or renovation, the ACM identified should be abated (i.e., removed) in accordance with applicable regulations.

- 3. Historical Uses of the Property and Adjoining Properties:** Information obtained as part of this Phase I ESA suggests that past and present uses of potential environmental concern on the 367 Orchard Street parcel and adjoining properties may have impacted subsurface environmental conditions on this assessed parcel (refer to Sections 1.1, 1.4, 1.5, 1.6, 1.8, 2.2, 2.3, 2.5.2, 2.7.2 and 3.9). Examples of historic uses on this assessed parcel include Xerox Manufacturing facility; Scientific Radio Systems; E.E. Fairchild (lithographing and manufacturer of boxes); a cabinet company (varnishing, polishing, etc.); a possible foundry in 1905, etc. Scientific Radio Systems was a RCRA hazardous waste generator. Adjoining properties have also been historically used for industrial and commercial uses (e.g., DELCO oil and paint warehouse to the northwest, DELCO foundry and machine shop to the west, welding and automobile repair/collision shop to the south, etc. as well as the historic uses on other adjoining assessed parcels).

Recommendations: Prior to the ownership or redevelopment of the 367 Orchard Street parcel, it is recommended that a subsurface study (e.g., test borings, groundwater monitoring wells, etc.) be performed on this parcel. This study should be performed in order to evaluate if historical uses on this assessed parcel or on adjoining properties have impacted environmental conditions at the assessed property. If contamination is encountered, then implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted.

- 4. Containers/Drums and Spillage/Staining:** Various containers and drums with contents were observed inside in many areas of the 367 Orchard Street building (refer to section 3.6.2). Some of the containers appeared to be labeled as containing: "hazardous waste"; hazardous substances such as perchloroethylene; oils; flammable or combustible materials; boiler water treatment chemicals, etc. A flammable storage room was observed on the second floor of this building. Evidence of spillage or leakage was observed on the concrete floor in this storage room (refer to Section 3.3).

Recommendations: It is recommended that the presence of the containers/drums in this facility be reported to the appropriate regulatory agencies (e.g., NYSDEC) so they can provide input as deemed necessary. Prior to the ownership or redevelopment of the 367 Orchard Street parcel, the containers/drums and their contents should be characterized, transported and disposed of in accordance with applicable regulations. The spillage or

ASSESSMENT SUMMARY (Cont.)

leakage of chemicals in the flammable storage room on the second floor should be characterized and remediated (cleaned) in accordance with applicable regulations.

5. **Floor Drains, Trench Drains and Pipe Chases:** One apparent capped, plugged, or clogged floor drain was observed inside a flammable storage room located on the second floor. Evidence of spillage or leakage from containers/drums was observed on the concrete floor in proximity to this drain. A floor drain containing apparent water was observed inside the boiler room. A trench drain system or pipe chase was observed inside the first floor near the boiler room. Two floor drains were observed in the floor on the third floor (refer to Section 3.4.2). An apparent sub-floor passage way (pipe chase) was observed in the first floor, but was not entered since it was considered to potentially be a confined space (refer to Section 3.6.7).

Recommendations: Prior to the ownership or redevelopment of the 367 Orchard Street parcel, it is recommended that any sediments and liquids in the floor drains/trench drains be removed, characterized (i.e., sampled and analyzed), and disposed of in accordance with applicable regulations. It is also recommended that these systems be observed at the time they are cleaned to verify their integrity. Also, if documentation cannot be furnished that confirms that the floor drains/trench drains are connected to the sanitary sewer, they should be dye-tested to evaluate their discharge location. If it is confirmed that the floor drains/trench drains are connected to the sanitary sewer, and the systems appear to be in good condition, no further study is recommended. If connection to the sanitary sewer cannot be confirmed, or if the integrity of the systems is suspect, further study is recommended to evaluate the floor drain's/trench drain's discharge point and the presence or absence of contamination. If contamination is encountered, implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted. Also, it is recommended that the sub-floor passage way (pipe chase) in the first floor be observed.

6. **Exterior Transformers:** Three exterior transformers were observed west of the southwest corner of the building (refer to Section 3.4.1). Based on the age of the facility, these transformers may contain PCBs. Access to the ground surface beneath these transformers could not be observed at the time of the site visits.

Recommendations: Prior to ownership or redevelopment of the 367 Orchard Street parcel, it is recommended that this transformer equipment and underlying ground surfaces in the vicinity of this equipment be evaluated, and possibly sampled and analyzed, for the presence of PCBs. If PCBs are encountered, implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted.

370 ORCHARD STREET (See Summary Table in Appendix A)

- **Historical Uses of Adjoining Properties:** Information obtained as part of this Phase I ESA suggests that past and present uses of potential environmental concern on adjoining properties may have impacted subsurface environmental conditions on this assessed

ASSESSMENT SUMMARY (Cont.)

parcel (refer to Sections 1.2, 1.4, 1.5, 1.6 and 3.9). Examples of historic uses on adjoining properties include: a gasoline station and/or automobile repair shop located east of this assessed parcel, a coal sales and distribution operation located north of this assessed parcel, as well as the historic uses on other adjoining assessed parcels.

Recommendations: Prior to the ownership or redevelopment of the 370 Orchard Street parcel, it is recommended that a subsurface study (e.g., test borings, groundwater monitoring wells, etc.) be performed on this parcel. This study should be performed in order to evaluate if historical uses on adjoining properties to this assessed parcel have impacted environmental conditions at the assessed property. If contamination is encountered, then implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted.

- 2. Abandoned Dry Cleaning Machine and Water Heater:** On November 2, 2000, a City of Rochester representative visited the Site and documented the presence of an abandoned dry cleaning machine and water heater on this parcel (refer to Section 3.6.7). On November 3, a DAY representative visited the Site and confirmed the presence of this equipment. The dry cleaning machine was labeled as using perchloroethylene as a dry cleaning solvent, and possible liquid leakage was observed on the ground at one end of this dry cleaning machine.

Recommendations: Prior to the ownership or redevelopment of the 370 Orchard Street parcel, it is recommended that the abandoned dry cleaning machine and water heater, including any contents or spillage, be removed and disposed of in accordance with applicable regulations. It is also recommended that a subsurface study be performed in proximity to the abandoned dry cleaning machine to evaluate whether subsurface conditions have been impacted by dry cleaning solvents that may have leaked from this equipment.

406 ORCHARD STREET (See Summary Table in Appendix A)

- 1. UST:** Information obtained as part of this Phase I ESA indicates that one 550-gallon UST was removed from the 406 Orchard Street parcel. Documentation regarding the removal of this tank and whether or not contamination was encountered was not obtained as part of this assessment (refer to Sections 2.3 and 2.5.2). Observations made during the September 2000 site visit suggest the UST and a pump dispenser were located west of the northwest corner of the existing building on this parcel (refer to Section 3.6.1).

Recommendations: Prior to the ownership or redevelopment of the 406 Orchard Street parcel, it is recommended that a subsurface study (e.g., test borings, groundwater monitoring wells, etc.) be performed to evaluate subsurface conditions in regard to this former UST. Any USTs encountered at this parcel should be closed in accordance with applicable regulations. If contamination is encountered, then implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted.

ASSESSMENT SUMMARY (Cont.)

- 2. Suspect and Confirmed Asbestos-Containing Material (ACM):** Suspect and confirmed ACM that was observed to be in damaged and/or friable condition at the time of the Phase I ESA was identified inside the 406 Orchard Street building (refer to Sections 3.5 and 5.1). Based on the observations made during the site visits, it is Day Environmental, Inc.'s opinion that approximately 120 linear feet of damaged and/or friable suspect or confirmed ACM may be present inside this building. These ACM include TSI pipewrap and mudpacks on ceiling-mounted piping.

Recommendations: Prior to the ownership or redevelopment of the 406 Orchard Street parcel, it is recommended that an asbestos survey be performed on the building by a qualified firm. ACM that is identified in damaged and/or friable condition should be abated (repaired, enclosed, encapsulated, removed, etc.) by a licensed and accredited asbestos-abatement contractor in accordance with current applicable state and federal regulations. ACM not serving a purpose, such as TSI pipewrap on abandoned piping, should be abated by removal.

Also, if the building on this parcel is to be demolished or renovated, it is recommended that the asbestos survey initially completed on the building be comprehensive enough to satisfy the requirements of a pre-demolition or pre-renovation asbestos survey. Prior to demolition or renovation, the ACM identified should be abated (i.e., removed) in accordance with applicable regulations.

- 3. Historical Uses of the Property and Adjoining Properties:** Information obtained as part of this Phase I ESA suggests that past and present uses of potential environmental concern on the 406 Orchard Street parcel and adjoining properties may have impacted subsurface environmental conditions on this assessed parcel (refer to Sections 1.1, 1.4, 1.5, 1.6 and 3.9). Examples of historic uses on this assessed parcel include: a cabinet company, an apparent chromium plating company, a basket company, an automobile rust control company, and a welding company. Adjoining properties have also been historically used for industrial and commercial uses (e.g., coal sales and storage facility located south of the assessed parcel, automobile repair shop located south of the assessed parcel as well as the historic uses on other adjoining assessed parcels).

Recommendations: Prior to the ownership or redevelopment of the 406 Orchard Street parcel, it is recommended that a subsurface study (e.g., test borings, groundwater monitoring wells, etc.) be performed on this parcel. This study should be performed in order to evaluate if historical uses on this assessed parcel or on adjoining properties have impacted environmental conditions at the assessed property. If contamination is encountered, then implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted.

- 4. Floor Drains and Trench Drains:** Floor drains and trench drains were observed inside the 406 Orchard Street building. During this Phase I ESA, one of the metal plates covering the trench drain was removed and this portion of the trench drain was observed

ASSESSMENT SUMMARY (Cont.)

to have a solid concrete bottom. Some of the floor drains were capped (refer to Section 3.4.2).

Recommendations: Prior to the ownership or redevelopment of the 406 Orchard Street parcel, it is recommended that any sediments and liquids in the floor drains/trench drains be removed, characterized (i.e., sampled and analyzed), and disposed of in accordance with applicable regulations. It is also recommended that these systems be observed at the time they are cleaned out to verify their integrity. Also, if documentation cannot be furnished that confirms that the floor drains/trench drains are connected to the sanitary sewer, they should be dye-tested to determine their discharge location. If it is confirmed that the floor drains/trench drains are connected to the sanitary sewer, and the systems appear to be in good condition, no further investigation is needed. If connection to the sanitary sewer cannot be confirmed, if the integrity of the systems is suspect, or if the systems have been filled with concrete, further investigation is recommended to determine the floor drain's/trench drain's discharge point and the presence or absence of contamination. If contamination is encountered, implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted.

415 ORCHARD STREET (See Summary Table in Appendix A)

1. **Suspect Asbestos-Containing Material (SACM):** SACM that was observed to be in damaged and/or friable condition was identified inside the 415 Orchard Street building (refer to Sections 3.5). Based on the site visit through this facility, it is Day Environmental, Inc.'s opinion that at least 2,500 linear feet and/or square feet of damaged and/or friable SACM may be present inside this building. This SACM includes the following:

- TSI pipewrap and mudpacks throughout the building.
- Drywall located in the one-story portion of the building.
- Roofing material located in the one-story portion of the building where the ceiling/roof was observed to have been collapsed and/or significantly water-damaged.
- Water-damaged suspended acoustical ceiling tiles.
- Exposed black floor carpet mastic on the third floor

Exposed black mastic material on one-foot square fiber acoustical glue-on ceiling tiles.

Recommendations: Prior to the ownership or redevelopment of the 415 Orchard Street parcel, it is recommended that an asbestos survey be performed on the building. ACM that is identified in damaged and/or friable condition should be abated (repaired, enclosed, encapsulated, removed, etc.) by a licensed and accredited asbestos-abatement contractor

ASSESSMENT SUMMARY (Cont.)

in accordance with current applicable state and federal regulations. ACM not serving a purpose, such as TSI pipewrap on abandoned piping, should be abated by removal.

Also, if the building on this parcel is to be demolished or renovated, it is recommended that the asbestos survey initially completed on the building be comprehensive enough to satisfy the requirements of a pre-demolition or pre-renovation asbestos survey. Prior to demolition or renovation, the ACM identified should be abated (i.e., removed) in accordance with applicable regulations.

2. **Historical Uses of the Property and Adjoining Properties:** Information obtained as part of this Phase I ESA suggests that past and present uses of potential environmental concern on the 415 Orchard Street parcel and adjoining properties may have impacted subsurface environmental conditions on this assessed parcel (refer to Sections 1.1, 1.4, 1.5, 1.6, 2.7.2, and 3.9). Examples of historic uses on this assessed parcel include: North East Electric Co.; DELCO Appliance, Division of General Motors factory; Sykes Datatronics, Inc.; Intertec Associates, Inc.; Lyell Warehouse Corp.; Lee Distributing Co.; and Bruening Bearing, Inc. Sykes Datatronics was a RCRA hazardous waste generator. Adjoining properties have also been historically used for industrial and commercial uses (e.g., DELCO Appliance, Division of General Motors factory to the north, automobile repair to the north, as well as the historic uses on other adjoining assessed parcels).

Recommendations: Prior to the ownership or redevelopment of the 415 Orchard Street parcel, it is recommended that a subsurface study (e.g., test borings, groundwater monitoring wells, etc.) be performed on this parcel. This study should be performed in order to evaluate if historical uses on this assessed parcel or on adjoining properties have impacted environmental conditions at the assessed property. If contamination is encountered, implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted.

3. **Floor Drains and Trench Drains/Pipe Chases:** A trench drain/pipe chase was observed in the one-story portion of this building. At the time of this Phase I ESA, the trench drain/pipe chase contained gray/black sediments that did not emanate a chemical or petroleum-type odor. This trench drain/pipe chase was probed with a crow bar and had a hard bottom. Two floor drains were also observed in this general area of the building. A trench drain/pipe chase was also observed on the first floor of the five-story portion of this building. (refer to Section 3.4.2). The condition of these drains could not be evaluated at the time of the Phase I ESA.

Recommendations: Prior to the ownership or redevelopment of the 415 Orchard Street parcel, it is recommended that any sediments and liquids in the floor drains/trench drains be removed, characterized (i.e., sampled and analyzed), and disposed of in accordance with applicable regulations. It is also recommended that these systems be observed at the time they are cleaned out to verify their integrity. Also, if documentation cannot be furnished that confirms that the floor drains/trench drains are connected to the sanitary sewer, they should be dye-tested to assess their discharge location. If it is confirmed that

ASSESSMENT SUMMARY (Cont.)

the floor drains/trench drains are connected to the sanitary sewer, and the systems appear to be in good condition, no further study is needed. If connection to the sanitary sewer cannot be confirmed, or if the integrity of the systems is suspect, further study is recommended to assess the floor drain's/trench drain's discharge point and the presence or absence of contamination. If contamination is encountered, implementation of regulatory notifications, remedial measures, environmental engineering controls, construction restrictions, monitoring programs, etc. may be warranted.

No other environmental concerns have been identified.

OPERATIONAL CONCERNS AND RECOMMENDATIONS:

Although beyond the scope of the routine environmental site assessment, the operational concerns listed below have been identified. These operational concerns are not considered to be a liability, which should normally impact real estate or mortgage loan transactions. Rather, these concerns are listed for informational purposes, and it is recommended that they be addressed for compliance with existing regulations and/or to minimize the potential for future environmental liabilities. Since identification of operational concerns is incidental to the purpose of this assessment, correction of this item may not necessarily result in full compliance with all applicable environmental regulations.

1. **Debris and Abandoned Equipment:** Debris, including dilapidated building materials, abandoned equipment, abandoned automobiles, office furniture, paperwork, solid wastes, tires, etc. were observed inside many areas of the buildings that were observed or on the grounds of the five parcels that were assessed. In addition, hundreds of computer monitors were observed inside the 367 Orchard Street and 415 Orchard Street buildings [Note: computer monitors may contain hazardous concentrations of lead]. Various industrial equipment (hoppers, rolling presses, etc.) and building material debris were observed on the exterior paved portions of the 367 Orchard Street parcel (refer to Section 3.2).

Recommendations: It is recommended that any unusable debris, abandoned equipment, etc. be removed from the assessed parcel and be used, recycled or disposed of in accordance with applicable regulations.

2. **Containers/Drums and Spillage/Staining on Equipment (415 Orchard Street):** Approximately four empty 30-gallon plastic containers labeled as polymeric-isocyanate instapack and component-b-urethane foam resin were observed inside the one-story portion of the 415 Orchard Street building. One approximately 20-gallon drum containing used shop rags was observed on the sixth floor. Evidence of spillage or leakage from these containers/drum was not observed on the surrounding floor surfaces (refer to section 3.6.2). Oily residue was observed on roof-mounted Otis Elevator

ASSESSMENT SUMMARY (Cont.)

equipment on this building. Apparent oil was also observed in an apparent drip pan placed next to this elevator equipment (refer to Section 3.3).

Recommendations: It is recommended that the presence of the containers/drums in this facility be reported to the appropriate regulatory agencies (e.g., NYSDEC) so they can provide input as deemed necessary. Prior to the ownership or redevelopment of the 415 Orchard Street parcel, the containers/drums and their contents should be characterized, transported and disposed of in accordance with applicable regulations. The oily residue in proximity to the elevator equipment should be characterized and remediated (cleaned) in accordance with applicable regulations.

1.0 TITLE AND HISTORICAL DATA

- 1.1 ABSTRACT OF TITLE:** See Footnote (1.1)
- 1.2 AERIAL PHOTOGRAPHS:** Monroe County Environmental Management Council
Photograph Dates: 1930, 1951, 1961, 1970, 1975, 1988, 1993, and 1996
See Footnote (1.2)
- 1.3 TOPOGRAPHIC MAP:** Rochester West Quadrangle (map date 1971, photorevised 1978)
- 1.4 PLAT BOOKS:** City of Rochester
Map Dates: 1875, 1888, 1900, 1910, 1918, 1926, and 1935
Portions Included in Appendix B
See Footnote (1.4)
- 1.5 SANBORN MAP:** City of Rochester through ERIIS
Map Dates: 1892, 1912, 1950, 1965 and 1971
Portions Included in Appendix C
See Footnote (1.5)
- 1.6 DIRECTORIES:** City of Rochester Rundel Library
Directory Dates: 1922/1923, 1928/1929, 1931/1932, 1935, 1941, 1946, 1952, 1958, 1964, 1967, 1971, 1977, 1981/1982, 1989, and 1994
See Footnote (1.6)
- 1.7 TAX MAPS:** City of Rochester
Map Dates: 10180
- 1.8 APPRAISALS:** City of Rochester
Assessor's Office
Map Dates: 1980 (354 Whitney Street); 1981 (367 Orchard Street); and 1982 (415 Orchard Street)
See Footnote (1.9)
-

PERTINENT INFORMATION, REFERENCED TO ITS SOURCE, IS SUMMARIZED BELOW:

- (1.1) Abstracts of title were not provided to assist in determining prior property ownership and uses. However, deed information dating back as far as 1889 for the assessed parcels was reviewed. Corporate/commercial owners of at least portions of the assessed parcels that were identified during the review of the deeds are as follows:

1.0 TITLE AND HISTORICAL DATA (Cont.)

- 354 Whitney Street: Norry Equipment Co. (? - 1972); 351 Whitney, Inc. (1972 - 1976); Manufacturers Hanover Trust Co. (1976 - 1978); Whitdel Properties, Inc. (1978 - 1988); and Lewis Charles Associates (1988 - ?).
- 367 Orchard Street: Miller Cabinet Co. (1906 - 1932); Northwest foundries (? - 1920); MC Savings Bank (1932 - ?); Orchard Building Co. (? - 1920); Alderman Fairchild Corp. (1920 - ?); EE Fairchild Corp. (1936 - 1959); Orchard Properties, Inc. (1959 - 1966); United Jewish Welfare Fund of Rochester, New York (1964 - 1966); and Scientific Radio Co. (1977 - ?).
- 370 Orchard Street: Scientific.Radio Co. (1977 - ?).
- 406 Orchard Street: Rochester Basket Co. (1889 - ?); Flour City National Bank Co. (? - 1905); Balm Cabinet Co. (1920 - 1930); 560 Monroe Ave. Co. (1930 - 1936); Lincoln Alliance Bank & Trust Co. (1936 - 1941); General Motors Corp. (1941 - 1967); Orchard Properties (1967 - 1967); Norry Equipment Co. (1967 - 1967); United Jewish Appeal, Inc. (1972 - 1973); Sykes Datatronics, Inc. (1978 - ?).
- 415 Orchard Street: A.J. Bolton Co. (owned portion of parcel between ? - 1915); North East Electric Co. [NEEC] (portions of parcel acquired between 1915 and 1922; parcel conveyed in 1930); General Motors Corp. (1930 - 1967); Orchard Properties, Inc. (1967 - 1967); Norry Equipment Co. (1967 - 1972); Orchard Properties, Inc. (1972 - 1972); Norry Equipment Co. (1972 - 1977); Monroe County Industrial Development Agency (portions acquired between 1977 and 1986); Ray Mar Assoc. (? - 1986); and Sykes Datatronics, Inc. (1986 - ?).

Information was not available in the deeds regarding the use of the assessed parcels by these owners. The conclusions in this report are subject to any state of facts, which review of abstracts of title for the assessed parcels might show, directly or indirectly.

(1.2) In the aerial photographs, shadows cast by assessed buildings obscured observation of other portions of the assessed parcels and/or adjoining properties. A review of the aerial photographs resulted in the following observations regarding the assessed parcels:

- 354 Whitney Street: In the 1930 through 1996 aerial photographs, this parcel appeared to generally be improved as observed during the 12/29/98 site visit (multi-story building). The assessed building on this parcel was observed to be connected (apparent elevated walkways, bridges, conveyors, etc.) to one or more buildings on adjoining properties to the north along Lyell Avenue. In the 1975 aerial photographs, light-toned apparent concrete pads were observed in the northern courtyard area. (Note, information was not obtained as part of this Phase I ESA that identified the purpose of these apparent concrete pads).
- 367 Orchard Street: In the 1988 through 1996 aerial photographs, this parcel appeared to generally be improved as observed during the 12/29/98 site visit (multi-story building and parking lot). In 1975, the main building on this assessed parcel

1.0 TITLE AND HISTORICAL DATA (Cont.)

was observed to be connected (apparent elevated walkway, bridge, conveyor, etc.) to a building on an adjoining property to the southwest. The existing main building on this parcel was observed on this parcel in the 1930 through 1996 aerial photographs. In the 1930 through 1975 aerial photographs, a smaller one-story building, not observed in later photograph years, was observed along Orchard Street. In the 1930 and 1951 aerial photographs, two additional buildings not observed in later photograph years, were observed on the western portion of this parcel.

- 370 Orchard Street: In the 1951 through 1996 aerial photographs, this parcel appeared to generally be improved as observed during the 12/29/98 site visit (parking lot). In the 1930 aerial photographs, this parcel appeared to be vacant land, and part of an apparent dirt trail was observed to cut across the eastern portion of the parcel.
- 406 Orchard Street: In the 1951 through 1996 aerial photographs, this parcel appeared to generally be improved as observed during the 12/29/98 site visit (one-story building and parking lot). In the 1930 aerial photographs, additional or different buildings, not present in later photograph years, were observed on this parcel.
- 415 Orchard Street: In the 1930 through 1996 aerial photographs, this parcel appeared to generally be improved as observed during the 12/29/98 site visit (multi-story building).

A review of the aerial photographs resulted in the following observations regarding adjoining and/or nearby properties:

- A review of the 1930 through 1996 aerial photographs indicated that an apparent gasoline/service station was observed east of the 370 Orchard Street parcel. Three apparent aboveground storage tanks were observed immediately east of the 370 Orchard Street parcel between 1930 and 1970.
- A review of the 1930 through 1996 aerial photographs indicated that an apparent gasoline/service station was observed on a nearby property located on the north side of Lyell Avenue (approximately 100 to 200 feet north of the 354 Whitney Street parcel).
- A nearby railroad bed/dry canal were visible on the east side of Broad Street (i.e., east of the 370 and 406 Orchard Street parcels) in the 1930 through 1970 aerial photographs. In the 1975 aerial photograph, this feature was not observed; thus, it appeared it was filled between 1970 and 1975. Information was not obtained as part of this assessment regarding the apparent filling of this nearby former railroad bed/canal.

1.0 TITLE AND HISTORICAL DATA (Cont.)

(1.4) A review of the Plat Books resulted in the following observations regarding the assessed property:

- 367 Orchard Street: In the 1875 through 1900 Plat Books, this parcel appeared to be improved with apparent residential dwellings. In the 1910 Plat Book, the western portion of this parcel was improved with buildings listed as the Miller Cabinet Company, and the western portion was improved with unlabeled residential and/or commercial buildings. In the 1918 and 1926 Plat Books, the western portion of this parcel remained listed as the Miller Cabinet Co. and the eastern portion was improved with buildings listed as Alderman Fairchild Co. Paper Boxes. In the 1935 Plat Book, buildings on the western portion of this parcel were listed as the Miller Cabinet Co. Furniture and Monroe County Savings Bank and the eastern portion was improved with buildings listed as Alderman Fairchild Co. Paper Boxes.
- 370 Orchard Street: In the 1875 through 1918 Plat Books, this parcel appeared to be improved with apparent residential dwellings. In the 1926 Plat Book, this parcel was improved with two residential buildings, and an apparent parking lot listed as Alderman Fairchild Co. In the 1935 Plat Book, this parcel appeared to be a parking lot listed as General Motors Corporation.
- 406 Orchard Street: In the 1875 Plat Book, this parcel appeared to be improved with apparent residential dwellings. In the 1888 Plat Book, this parcel was improved with three apparent commercial buildings listed as F.M. Lass and J. Campbell. In the 1900 and 1910 Plat Books, this parcel was improved with similar buildings as observed in the 1888 Plat Book; however, they were not labeled. In the 1918 Plat Book, the buildings on this parcel were listed as the Empire Blower & Pipe Co. and the Bohm Cabinet Co. In the 1926 Plat Book, the buildings on this parcel were listed as the Bohm Cabinet Co. In the 1935 Plat Book, this parcel appeared to be a parking lot listed as General Motors Corporation.
- 415 Orchard Street: In the 1875 through 1910 Plat Books, this parcel was improved primarily with apparent residential dwellings. In the 1918 Plat Book, the northern portion of this parcel remained improved with apparent residential buildings, and the southern portion was improved with apparent commercial/industrial buildings listed as North East Electric Co. In the 1926 Plat Book, this parcel was improved with apparent commercial/industrial buildings listed as North East Electric Co. In the 1935 Plat Book, this parcel was improved with the same apparent commercial/industrial buildings; however they were listed as General Motors Corporation (Delco Appliance Corporation - electrical equipment).
- 354 Whitney Street: In the 1875 through 1900 Plat Books, this parcel appeared to be improved with apparent residential dwellings. In the 1910 Plat Book, the southern portion of this parcel was improved with apparent commercial/industrial buildings listed as A.J. Bolton Co. and Rochester Lift Co.; and the northern portion appeared to remain residential. In the 1918 Plat Book, the southern portion of this parcel was improved with apparent commercial/industrial buildings listed as North East Electric

1.0 TITLE AND HISTORICAL DATA (Cont.)

Co.; and the northern portion appeared to remain residential. In the 1926 Plat Book, the entire parcel was improved with apparent commercial/industrial buildings listed as North East Electric Co. In the 1935 Plat Book, this parcel was improved with the same apparent commercial/industrial buildings; however they were listed as General Motors Corporation (Delco Appliance Corporation - electrical equipment).

A review of the Plat Books resulted in the following observations regarding adjoining properties:

- In the 1875 through 1935 Plat Books, a railroad track with associated spurs was located along the southern property boundaries of the 354 Whitney Street and 415 Orchard Street parcels and along the northern boundaries of the 367 and 370 Orchard Street parcels.
- In the 1875 through 1900 Plat Books, adjoining parcels were primarily improved with apparent residential dwellings.
- In the 1910 Plat Book, adjoining properties were improved with a mix of apparent residential and commercial/industrial buildings, and the owners/occupants of the commercial/industrial buildings were not listed.
- In the 1918 Plat Book, the 406 Orchard Street parcel was bounded to the south by G.G. West Coal Co., Inc. and by LeHigh Valley Coal Sales Co. Portions of the 367 Orchard Street parcel were bounded to the south by Rochester Welding Works and North West Aluminum and Brass Fury. Co., Inc. Apparent residential properties and unidentified commercial/industrial properties bounded other portions of the five assessed parcels.
- In the 1926 Plat Book, the 406 Orchard Street parcel was bounded to the south by G.G. West Coal Co., Inc. and by LeHigh Valley Coal Sales Co. The southeast portion of the 367 Orchard Street parcel was bounded to the south by Rochester Welding Works. North East Electric Co. occupied properties adjoining the north sides of the 354 Whitney Street and 415 Orchard Street parcels. Apparent residential properties and unidentified commercial/industrial properties bounded other portions of the five assessed parcels.
- In the 1935 Plat Book, the 370 Orchard Street parcel was bounded to the south by an apparent parking lot listed as General Motors Corporation; and to the east by a gasoline station with three apparent aboveground tanks listed as the H.H. Morse Company. The 406 Orchard Street parcel was bounded to the south by Rochester Anthracite Sales, Inc. Portions of the 367 Orchard Street parcel were bounded to the south by Rochester Welding Works (southeast) and Monroe County Savings Bank (southwest). General Motors Corporation (Delco Appliance Corporation) occupied properties adjoining the north sides of the 354 Whitney Street and 415 Orchard Street parcels. Apparent residential properties and unidentified commercial/industrial properties bounded other portions of the five assessed parcels.

1.0 TITLE AND HISTORICAL DATA (Cont.)

(1.5) Copies of Sanborn maps received from the City of Rochester through ERIIS are included in Appendix C. A review of the Sanborn maps resulted in the following observations regarding the assessed property:

- 367 Orchard Street: A review of the 1892 Sanborn map indicated that this parcel was improved with multiple residential dwellings. A review of the 1912 Sanborn map indicated that the east side of this parcel was improved with multiple residential dwellings and a shed listed as vacant, and the west side of this parcel was improved with manufacturing, office, and storage facilities (Miller Cabinet Co.). A review of the 1950 Sanborn map indicated that this parcel was improved with manufacturing, storage and warehouse facilities for a paper box manufacturing and lithographing business (E.E. Fairchild Corporation). One of the buildings was labeled as being used as an auto truck house. A review of the 1965 Sanborn map provided by the City with complete coverage of this parcel only indicated that this parcel was occupied by Haloid Xerox, Inc. and was used for a Lithographing mach. factory with a paint shop on a portion of the second floor. A review of the 1971 Sanborn map indicated that this parcel was improved with a factory for Xerox Corporation (actual type of manufacturing not listed) and an open parking lot, and a "boiler room" is located on the west end of the building.
- 370 Orchard Street: A review of the 1892 and 1912 Sanborn maps indicated that this parcel was improved with multiple residential dwellings. A review of the 1950 and 1971 Sanborn maps indicated that this parcel was improved as an open parking lot.
- 406 Orchard Street: A review of the 1892 Sanborn map indicated that this parcel was improved with buildings listed as being the Rochester Basket Co. The property was listed as being fueled with wood waste and coal. A review of the 1912 Sanborn map indicated that this parcel was improved with a commercial/industrial building labeled as being occupied/owned by Rochester Welding Co. A review of the 1950 Sanborn map indicated that this parcel was apparently improved with the same building as observed on the 1912 Sanborn map. However, the property was now owned/operated by Delco Appliance Division of General Motors Corp. and the building was labeled as being used for a private garage. A review of the 1971 Sanborn map indicated that this parcel was being used for parking by Delco Appliance Division of General Motors Corp and the building's use was not listed on the map.
- 415 Orchard Street: A review of the 1892 and 1912 Sanborn maps indicated that this parcel was improved with multiple residential dwellings and sheds. A review of the 1950 and 1971 Sanborn maps indicated that this parcel was improved with a building used as a factory, maintenance space, office space, and storage space by Delco Appliance Division of General Motors Corp. The 1950 and 1971 Sanborn maps indicated that asbestos ceiling material was listed for portions of the building.

1.0 TITLE AND HISTORICAL DATA (Cont.)

354 Whitney Street: A review of the 1892 Sanborn map indicated that this parcel was improved with multiple residential dwellings and sheds. A review of the 1912 Sanborn map indicated that this parcel was improved with a building used as a shoe factory by various shoe-related companies and also a couple residential dwellings. A review of the 1950 and 1971 Sanborn maps indicated that this parcel was improved with a building used as a factory, maintenance space, office space, and storage space by Delco Appliance Division of General Motors Corp. Types of industrial processes listed for the factory included heat-treating, sand blasting, plating, baking, machine shop, and armature winding. The building had an engine room and boiler room and the building was listed as being heated using coal, fuel oil, and butane gas. The 1950 and 1971 Sanborn maps indicated that asbestos ceiling material was listed for portions of the building.

A review of the Sanborn maps resulted in the following observations regarding adjoining and/or nearby properties:

- A review of the 1892 Sanborn map indicated that properties adjoining the assessed property were primarily residential, with some commercial stores along Lyell Avenue and a coal shed located between the 370 Orchard Street parcel and the 406 Orchard Street parcel.
- A review of the 1912 Sanborn map indicated that properties adjoining the assessed property were primarily residential, with some commercial stores along Lyell Avenue and a coal shed located between the 370 Orchard Street parcel and the 406 Orchard Street parcel. Additionally, Bohm Cabinet Company adjoined a portion of the 406 Orchard Street property to the east, and a storage area for staves owned/occupied by Rochester Cooperage Co., Inc. adjoined a portion of the 367 Orchard Street parcel to the west.
- A review of the 1950 Sanborn map indicated that properties adjoining the assessed property included residential properties and also commercial properties. Rochester Anthracite Sales, Inc. was located between the 370 Orchard Street parcel and the 406 Orchard Street parcel. A gasoline filling station with an oiling and greasing building and three apparent aboveground gasoline storage tanks was located on the adjoining property east of the 370 Orchard Street parcel. Acetylene Electric Welding was located on an adjoining property south of the southeast corner of the 367 Orchard Street parcel. A Delco Appliance Division of General Motors machine shop and foundry building was located on adjoining property west of the 367 Orchard Street parcel and part of the 354 Whitney Street parcel. Some of the adjoining buildings north of the 354 Whitney Street parcel were connected to the building on this assessed parcel, which was occupied/owned by Delco Appliance Division of General Motors at that time.
- A review of the 1971 Sanborn map indicated that properties adjoining the assessed property included residential properties and also commercial properties. A parking lot was located between the 370 Orchard Street parcel and the 406 Orchard Street

I.0 TITLE AND HISTORICAL DATA (Cont.)

parcel. A gasoline filling station with an oiling and greasing building and three apparent aboveground gasoline storage tanks was located on the adjoining property east of the 370 Orchard Street parcel. A machine shop was located on an adjoining property south of the southeast corner of the 367 Orchard Street parcel. The large building located on an adjoining property west of the 367 Orchard Street parcel and part of the 354 Whitney Street parcel was listed as being occupied by numerous tenants. Some of the adjoining buildings north of the 354 Whitney Street parcel were connected to the building on this assessed parcel, which was occupied/owned by Delco Appliance Division of General Motors at that time.

- (1.6) A review of select years of City of Rochester Directories indicated that commercial and/or industrial businesses have owned and/or occupied portions of the assessed property, adjoining properties, and neighboring properties between at least 1921 and 1994. Some adjoining and nearby properties also appear to have been used for residential purposes.

Based on a review of the City of Rochester directories, the following information is summarized for the assessed property:

- 354 Whitney Street: Owners/occupants of this parcel appear to have included the following: North East Electric Company (1922 - 1929); Delco Appliance Corp., later a division of General Motors Corp. (1931 - 1967). Numerous tenants included tool and die shops, plastic manufacturers or mold makers, printing operations, synthetic foam manufacturer, elevator company, warehousing, metal finishers, etc. (1971 - 1994).
- 367 Orchard Street Owners/occupants of this parcel appear to have included the following: Alderman-Fairchild Paper Co. (1922 - 1923), Miller Cabinet Co. (1922 - 1935); E.E. Fairchild Corp. - paper boxes (1928 - 1958); Simmons Co. - bed manufacturer (1941); "Storage" (1946 - 1958); Delco warehouse (1964 - 1967); Xerox Corp. (1971); Ratnik Industries - irrigation methods, Albert Acan - x-ray, X-Ray Systems, Inc., Scientific Radio Systems, and Quality Tool and Die (1977); Scientific Radio Systems, Inc. (1989 - 1994); Allied Rochester Warehouse and Steel and Construction Products - plant (1977); and Peerless Mill Supply (1989).
- 370 Orchard Street: Owners/occupants of this parcel appear to have included the following: Residential (1922 - 1935); Not Listed (1941 - 1994).
- 406 Orchard Street: Owners/occupants of this parcel appear to have included the following: Bohm Cabinet Co. (1922 - 1929); Blower System Corp - sheet metal work (1922/1923); Rochester Chromium Plate Corp. (1928/1929); not listed (1931 - 1967), Sykes Datatronics parking lot (1971), Vacant (1977 and 1994), Rust Control Center of America - auto rust control (1981/1982), and Foresite Properties - real estate (1989).
- 415 Orchard Street: Owners/occupants of this parcel appear to have included the following: North East Electric Co. (1922/1923); not listed (1928 - 1967); Sykes

I.0 TITLE AND HISTORICAL DATA (Cont.)

Datatronics, Inc. (1971 - 1977); Intertec Associates, Inc. (1971 - 1977); Lyell Warehouse Corp (1971); Lee Distributing Co. (1971); Bruening Bearing, Inc. (1977); and vacant (1982/1982 and 1994).

Based on a review of the City of Rochester directories, a mixture of commercial, industrial, and residential owners and occupants have been located at adjoining and/or nearby properties. Over the years of directories reviewed, these owners/occupants of adjoining/nearby properties have included:

- coal storage facilities located between the 370 and 406 Orchard Street parcels;
- a gasoline/service station located east of the 370 Orchard Street parcel;
- a gasoline service station located approximately 100 to 200 feet north of the 354 Whitney Street and/or 415 Orchard Street parcels;
- a printing company adjoining the southwest portion of the 367 Orchard Street parcel;
- a welding company adjoining the southeast portion of the 367 Orchard Street parcel;
- a clothing manufacturer, and a portion of Delco Appliance Corp. located west of the 367 Orchard Street parcel;
- cigar manufacturer north of the 354 Whitney Street parcel;
- Delco Appliance, Division of General Motors facilities located north of the 354 Whitney Street and 415 Orchard Street parcels;
- Other miscellaneous commercial properties located north, east, and west of the assessed parcels; and
- residential properties located north, south, east, and west of the assessed parcels.

(1.8) DAY reviewed copies of available City of Rochester Appraisals for the assessed property. Specific appraisals reviewed included #107 (367 Orchard Street) dated 1981, #423 (415 Orchard Street) dated 1982, and #424 (354 Whitney Street) dated 1980. Information provided on the appraisals is summarized below:

- Appraisal #107 (367 Orchard Street) indicated that this parcel was owned or occupied by E.E. Fairchild Corporation, Alderman Fairchild Co., and Scientific Radio Systems, Inc. The building on this parcel was constructed in phases between the years of 1913 and 1978. A foundry (Northwest Foundries) may have been located on this parcel in 1905. Miller Cabinet Works was also listed as an occupant on this parcel.
- Appraisal #423 (415 Orchard Street) indicated that this parcel was owned or occupied by General Motors, Norry Equipment Co., COMIDA, and Sykes Datatronics. The building on this parcel was constructed in phases between the years of 1919 and 1926.
- Appraisal #424 (354 Whitney Street) indicated that this parcel was owned or occupied by Whitdel Properties, LTD and General Motors. The building on this parcel was constructed in phases between the years of 1900 and 1942.

2.0 PUBLIC INFORMATION/AGENCIES

- 2.1 NYSDEC FOIL:** See attached FOIL requests and responses included in Appendix D
Date of Requests: 6/11/99 & 7/1/99
Date of Responses: 7/15/99 & 7/23/99
See Footnote (2.1)
- 2.2 MONROE COUNTY:** Department of Health
Mr. Edward Yurkstas
(716) 274-6053
Date of Contact: 9/30/98
See Footnote (2.2)
- 2.3 CITY OF ROCHESTER:** Fire Department Records
See Footnote (2.3)
- Building Department Records
See Footnote (2.3)
- Assessor's Records
Date of Review: 3/6/98
See Footnote (2.3)
- 2.4 SOLID AND/OR INACTIVE HAZARDOUS WASTE SITE DATABASES:**
- 2.4.1 NYSDEC:** Records Date: 1/98
- Assessed Property:** Not Listed.
1-Mile Radius: Listed. See Footnote (2.4.1)
- 2.4.2 NPL:** Records Date: 1/98
- Assessed Property:** Not Listed.
1-Mile Radius: None Listed.
- 2.4.3 CERCLIS:** Records Date: 1/98
- Assessed Property:** Not Listed.
0.5-Mile Radius: Listed. See Footnote (2.4.3)
- 2.4.4 NYS FACILITY REGISTER:** Records Date: 6/97
- Assessed Property:** Not Listed.
0.5-Mile Radius: None Listed.

2.0 PUBLIC INFORMATION/AGENCIES (Cont.)

2.4.5 NYSDEC HAZARDOUS SUBSTANCE WASTE DISPOSAL SITES: Records Date: 6/95

Assessed Property: Not Listed.
■-Mile Radius: Listed. See Footnote (2.4.5)

2.4.6 LOCAL: Records Date: 9/28/98

Assessed Property: Not Listed.
0.5-Mile Radius: Listed. See Footnote (2.4.6)

2.5 TANK REGISTRATION RECORDS:

2.5.1 NYSDEC PBS: Records Date: 9/97

Assessed Property: Not Listed.
Adjoining Property: Listed. See Footnote (2.5.1)

2.5.2 LOCAL: Records Date: 3/25/98

Assessed Property: Listed. See Footnote (2.5.2)
Adjoining Property: See Footnote (2.5.2)

2.6 NYSDEC SPILLSILUST: Records Date: 3/31/98

Assessed Property: Listed.
0.5-Mile Radius: Listed. See Footnote (2.6)

2.7 OTHER GOVERNMENTAL RECORDS:

2.7.1 RCRA TSD FACILITIES: Records Date: 4/97

Assessed Property: Not Listed.
■-Mile Radius: None Listed.

2.7.2 RCRA GENERATORS: Records Date: 4/97

Assessed Property: Listed. See Footnote (2.7.2)
Adjoining Property: Listed. See Footnote (2.7.2)

2.7.3 ERNS List: Records Date: 2/98

Assessed Property: Not Listed.

2.0 PUBLIC INFORMATION/AGENCIES (Cont.)

PERTINENT INFORMATION, REFERENCED TO ITS SOURCE, IS SUMMARIZED BELOW.

- (2.1) A response to the New York State Department of Environmental Conservation (NYSDEC) Freedom of Information Law (FOIL) request has been received. A copy of the NYSDEC's response is included in Appendix D. The NYSDEC did not identify any records concerning the assessed property.
- (2.2) Mr. Edward Yurkstas, Monroe County Department of Health (MCDOH), indicated that in 1993, eight large bags of asbestos-containing material (ACM) were reported to be abandoned at 406 Lyell Avenue, which is approximately 200 feet north of the 354 Whitney Street parcel. Mr. Yurkstas indicated that the city cleaned up the ACM.

A leaking underground gasoline storage tank was reported on November 16, 1984 for 382 Lyell Avenue (Russo's Service Station), which is located approximately 150 feet north of the 354 Whitney Street parcel. Under NYSDEC guidance, the tank was removed, free petroleum product was not encountered, and petroleum-impacted soils were remediated and re-used on this nearby property.

On October 3, 1997, the NYSDEC was contacted regarding dumping of automobile antifreeze at 349 Lyell Avenue, which is located approximately 200 feet north of the 415 Orchard Street parcel. The NYSDEC generated a spill file (NYSDEC Spill #9707867) for this incident. The MCDOH has no further information regarding this incident.

On 5/11/83, a 55-gallon drum of sulfural chloride was reported to be leaking at Specialized Warehouse at 350 Whitney Street (part of the assessed property). The leaking drum was in close proximity to a truck that was carrying a shipment of 35 drums of sulfural chloride. Mr. Yurkstas indicated that the contents of the leaking drum were transferred to another drum. Whitdel Business and Storage Center, also located at this assessed parcel, was involved with this spill incident. The NYSDEC was also involved (refer to Section 2.6). Mr. Yurkstas had no further information regarding this incident on this assessed parcel.

On 6/18/98, garbage and one 5-gallon container of waste oil were reported at 350-354 Whitney Street (part of the assessed property). Rain water was reportedly displacing the waste oil in the 5-gallon container, and the waste oil was running into a storm sewer. The NYSDEC was involved with this spill (Spill #9803721). Mr. Yurkstas indicated that the MCDOH had no further information regarding this incident.

Mr. Yurkstas indicated that he has observed some of the past operations inside some of the assessed buildings. Mr. Yurkstas indicated that the former Sykes Datatronics occupant conducted a lot of soldering operations and had very little solvent use. Another former tenant/owner (i.e., Scientific Radio) also conducted a lot of soldering operations. A former tenant, PKG Equipment, conducted painting and stripping

2.0 PUBLIC INFORMATION/AGENCIES (Cont.)

operations in part of the assessed building and may have used methylene chloride in their operations.

(2.3) A review of City of Rochester Fire Department records indicated the following:

- 354 Whitney Street parcel: Numerous tenants at this assessed parcel had permits for the storage of flammable liquids and gases, combustible liquids and materials, compressed gases, toxic materials, highly toxic materials, hazardous chemicals and corrosive liquids, and also for dust producing operations and spraying or dipping operations. Tenants listed on the permits include Meagher Machine Industries; Hy-Tech Mold, Inc.; Blue Chip Mold; A A Tool; Accu Storage; Bloomfield Industrial Tool Co., Inc.; Furniture Works; Citibank; Northern Solar, Inc.; K-N Mold, Inc.; Antex of Rochester; Chem-Mark of Rochester; Pet World, Inc.; Whitdel Industrial Park; McCrory Contracting; Landmark Industries; Touraine Paints, Inc.; Bloomfield Tool Co.; Mold Precision Tech; Westco MFG, Inc.; Chemical Resources, LTD; Present Company; Martha's Enterprises; Life Safety, Inc.; and Adam Tool Corp.

Various correspondences between the City of Rochester Fire Department and Whitdel Properties, LTD (dated 7/16/79, 7/23/79, 10/27/81, 11/5/81, 6/1/83, 8/10/83, 10/31/83, 1/23/84, 1/26/84, 2/3/84, 3/22/84, 4/13/84) indicated that one 5,000-gallon flammable liquid (gasoline) underground storage tank was removed on 6/19/84 from the 354 Whitney Street parcel. A site sketch shows the location of a 5,000-gallon gasoline tank and pump dispenser on this parcel (copy included in Appendix E). A note on the sketch indicated that this tank was removed on 6/19/84.

A site sketch for Specialized Warehouse on the 354 Whitney Street parcel (copy included in Appendix E) showed the location of a 500-gallon LPG tank and transfer station. No further information regarding this tank and whether it was removed was available.

A 1/11/80 correspondence letter from the City of Rochester Fire Department to Whitdel Properties regarding notice of violations identified at the 354 Whitney Street parcel indicated that the Fire Department requested that "Storage of highly toxic, corrosive and flammable liquids in tunnel area shall be removed, so that adequate ventilation can be provided if needed. (53-122-E)". A re-inspection report appeared to indicate that this violation was satisfactorily addressed by 2/11/80.

Information obtained indicated that there are records of a 2,000-gallon diesel tank on the 354 Whitney Street parcel. However, the Fire Department records also suggest this tank system information may be incorrect and may actually pertain to the 5,000-gallon underground gasoline tank that was removed on 6/19/84. Copies of the Fire Department's information pertaining to this tank are included in Appendix E.

- 367, 370, 406 and 415 Orchard Street parcels: The City of Rochester Fire Department provided no records pertaining to these parcels.

2.0 PUBLIC INFORMATION/AGENCIES (Cont.)

A review of City of Rochester Building Department records/permits indicated the following:

- 367 Orchard Street parcel: A 2/13/92 permit indicated that one tank was to be removed from this parcel (refer to Appendix E). Information on the size, location and contents of this tank and whether contamination was encountered or remediated was not available.
- 406 Orchard Street parcel: Records indicated that one 550-gallon underground storage tank was removed from this parcel on either 9/13/83 or 9/20/93 (refer to Appendix E). Information regarding whether contamination was encountered or remediated was not available.
- 354 Whitney Street parcel: Records indicated that one 5,000-gallon underground storage tank and pump were removed from this parcel on 6/19/84 (refer to Appendix E). Information regarding whether contamination was encountered or remediated was not available.

Records indicated that one 1,500-gallon gasoline tank was installed on the 354 Whitney Street parcel on 9/9/70 (refer to Appendix E). Further information regarding whether this tank was removed, filled in-place or whether contamination was encountered or remediated was not available.

- 370 and 415 Orchard Street parcels: The City of Rochester Building Department provided no records pertaining to these parcels.

A review of City of Rochester Assessor's records indicated the following information regarding the assessed parcels:

- Lewis Charles Associates is listed as the owner of the 354 Whitney Street parcel. The 371,626 square foot multi-story building on this parcel is listed as being constructed between 1900 and 1923.
- Scientific Radio Systems, Inc is listed as the owner of the 367 Orchard Street parcel. The 107,976 square foot multi-story building on this parcel is listed as being constructed in 1910. Records indicated that a 10,000-gallon underground fuel tank was installed on this parcel in 1960.
- Scientific Radio Systems, Inc is listed as the owner of the 370 Orchard Street parcel. This parcel is listed as being a parking lot.
- Ray Mar Associates is listed as the owner of the 406 Orchard Street parcel. The 4,000 square foot one-story building on this parcel is listed as being constructed in 1930.

2.0 PUBLIC INFORMATION/AGENCIES (Cont.)

- Ray Mar Associates is listed as the owner of the 415 Orchard Street parcel. The 128,903 square foot multi-story building on this parcel is listed as being constructed between 1920 and 1930.
- (2.4.1) One NYSDEC Inactive Hazardous Waste Site (Code #828028A) is located approximately 0.95 miles southwest of the assessed property. A review of 1980 Generalized Groundwater Contour map (Rochester West Quadrangle) indicated that groundwater in the vicinity of the assessed property flows northerly. As such, the distance, and possibly the location, of this waste site from the assessed property suggest no environmental impact upon the assessed property.
- (2.4.3) A CERCLIS site (#NYD000692368) is located approximately 0.5 miles east/northeast (cross-gradient) of the assessed property. As such, the distance and location of this waste site from the assessed property suggest no environmental impact upon the assessed property.
- (2.4.5) Four Hazardous Substance Waste Disposal Sites (HSWDS) are identified within a 1.0-mile radius of the assessed property. HSWDS #HS8012 (i.e., Local Confirmed Waste Site Rochester #184 - refer to Section 2.4.6)) is located approximately 0.3 miles east (cross-gradient) of the assessed property. HSWDS #HS8045 is located approximately 0.6 miles east/northeast (cross-gradient) of the assessed property. HSWDS #HS8047 is located approximately 0.75 miles northeast (cross-gradient) of the assessed property. HSWDS #HS8049 is located approximately 0.6 miles east (cross-gradient) of the assessed property. The distance and/or location of these four HSWDS from the assessed property suggest no environmental impact upon the assessed property.
- (2.4.6) The Monroe County Environmental Management Council (MCEMC) identified the following Local Confirmed Waste Sites within a 0.5-mile radius of the assessed property:
- Local Confirmed Waste Site RO177A is located approximately 0.15 miles northeast (downgradient) of the assessed property. Information obtained from the MCEMC indicated that this local confirmed waste site contains construction and demolition (C&D) debris.
 - Local Confirmed Waste Site RO184 is located approximately 0.3 miles east (cross-gradient) of the assessed property. Information obtained from the MCEMC indicated that this local confirmed waste site contains industrial waste, and it is also NYSDEC HSWDS #HS8012 (refer to Section 2.4.5).
 - Local Confirmed Waste Site RO177B is located approximately 0.5 miles north (downgradient) of the assessed property. Information obtained from the MCEMC indicated that this local confirmed waste site contains C&D debris.

2.0 PUBLIC INFORMATION/AGENCIES (Cont.)

The distance and/or location of these three Local Confirmed Waste Sites from the assessed property, or the type of material/waste listed, suggest no environmental impact upon the assessed property. The MCEMC identified that there are no Local Suspect Waste Sites within a 0.5-mile radius of the assessed property.

- (2.5.1) A review of the NYSDEC database indicated that an adjoining property is a registered petroleum bulk storage (PBS) facility. The property is Caribbean Service Center addressed as 935 Broad Street. This property adjoins the east side of the 370 Orchard Street parcel and its location is illustrated on Figure 2 included in Appendix A. This adjoining PBS facility (PBS #8-503630) is listed as having three tanks with a total holding capacity of 30,000 gallons. These tanks are listed as underground storage tanks (USTs). A review of the NYSDEC Spills database did not identify any spills reported to the NYSDEC for this adjoining PBS facility (refer to Section 2.6).

Also, a nearby property located approximately 100 to 200 feet north of the 354 Whitney Street parcel (i.e., Russo's Friendly Service at 386 Lyell Avenue) is a registered PBS facility (PBS #8-393568). This nearby PBS facility is listed as having three tanks with a total capacity of 10,000 gallons. The tanks are listed as USTs. A review of the NYSDEC Spills database indicated that two spills were reported to the NYSDEC for this nearby PBS facility (refer to Section 2.6); however, the NYSDEC database identified that these spills are closed.

- (2.5.2) Information provided by the City of Rochester Fire Department and Building Department indicated that there are storage tanks on the assessed property (refer to Section 2.3). A local database is not readily available to check for storage tanks at adjoining properties.
- (2.6) A review of the NYSDEC spills database identified up to 136 closed spills within a 0.5-mile radius of the assessed property. A spill listed as closed normally indicates that investigations and/or remediation at the spill site have been completed.

One active spill (Spill #9803721) and two closed spills (Spill #8702129 and another spill with no number dated 5/11/83) were identified for the 354 Whitney Street parcel. A copy of the NYSDEC Spill Fact Sheets for the two spills with spill numbers are included in Appendix H.

- Closed spill #8702129 involved the dumping of chemicals into some type of well inside the building by Chem-Mark (a tenant). The NYSDEC information suggested that the "well" may be connected to the sewer. The NYSDEC information indicated that no further action was required in regard to this spill at that time.
- The NYSDEC could find no information regarding the closed spill dated 5/11/83. However, it appears the MCDOH has information regarding this spill (refer to Section 2.2). The MCDOH information indicated that a 55-gallon drum of sulfural chloride was reported to be leaking at Specialized Warehouse at 350 Whitney Street and was transferred to another drum on 5/11/83.

2.0 PUBLIC INFORMATION/AGENCIES (Cont.)

- Lekem, Inc. (NYD982528689), which is designated as a small quantity generator.
- Meagher Machine Industries in Suite #1087 (NYD986995272), which is designated as a conditional small quantity generator.

Scientific Radio Systems is listed as a RCRA hazardous waste generator (NYD045609799) for the 367 Orchard Street assessed parcel. The quantity designation for this RCRA generator is not listed on the database.

Sykes Datatronics is listed as a RCRA large quantity hazardous waste generator (NYD0980651319) for the 415 Orchard Street assessed parcel (listed under 375 Orchard Street).

The listings for hazardous waste generators on the assessed parcels do not necessarily indicate that environmental concerns exist at each of the listed facility on the assessed parcels. However, information obtained as part of this Phase I ESA suggested that there have been problems at the 354 Whitney Street parcel that involved hazardous materials, hazardous substances or hazardous wastes (refer to Section 3.6.2).

Adjoining properties are identified on the RCRA Generator List, which include H & S Motors (377 Whitney Street ([NYD0000575274]) and Microera Printers at 304 Whitney Street (NYD000035233). These listings do not necessarily indicate that environmental concerns exist at these adjoining properties. Information was not obtained to suggest there have been environmental problems associated with these listed RCRA generators on adjoining properties.

3.0	SITE OBSERVATIONS	See Footnote (3.0)
	Date Of Site Visit:	12/29/98, 9/26/00, 9/27/00, 11/2/00, 11/3/00
	Assessor(s):	Jeffrey A. Danzinger
3.1	FILL:	No Observations of Concern.
3.2	DEBRISIDUMPING:	No Observations of Concern. See Footnote (3.2)
3.3	SPILLAGEISTAINING:	Observations of Concern. See Footnote (3.3)
3.4	UTILITIES:	
	3.4.1 TRANSFORMERS:	Observations of Concern. See Footnote (3.4.1)
	3.4.2 FLOOR DRAINS/SUMPS:	Observations of Concern. See Footnote (3.4.2)
	3.4.3 SERVICES:	No Observations of Concern. See Footnote (3.4.3)
3.5	ASBESTOS:	Observations of Concern. See Footnote (3.5)
3.6	OPERATIONS/EQUIPMENT:	
	3.6.1 STORAGE TANKS:	Observations of Concern. See Footnote (3.6.1)
	3.6.2 MATERIALS STORAGE:	Observations of Concern. See Footnote (3.6.2)
	3.6.3 MATERIALS USE:	No Observations of Concern.
	3.6.4 SOLID WASTE:	No Observations of Concern. See Footnote (3.6.4)
	3.6.5 WASTEWATER:	Observations of Concern. See Footnote (3.6.5)
	3.6.6 AIR EMISSIONS:	No Observations of Concern.
	3.6.7 EQUIPMENT:	Observations of Concern. See Footnote (3.6.7)
3.7	TOPOGRAPHIC CONDITIONS:	No Observations of Concern. See Footnote (3.7)
3.8	OTHER:	Observations of Concern. See Footnote (3.8)
3.9	ADJOINING PROPERTIES:	Observations of Concern. See Footnote (3.9)
	North:	Mixed Use. See Footnote (3.9)
	East:	Mixed Use. See Footnote (3.9)
	South:	Mixed Use. See Footnote (3.9)
	West:	Mixed Use. See Footnote (3.9)

3.0 SITE OBSERVATIONS (Cont.)

PERTINENT INFORMATION, REFERENCED TO ITS SOURCE, IS SUMMARIZED BELOW

- (3.0) Select color copies of photographs of the assessed property are included in Appendix F of this Phase I ESA report.

During the December 1998 site visit, access was only gained to unlocked portions of the 354 Whitney Street parcel. During the September 2000 site visits, access was gained to the 354 Whitney Street and 367, 370, 406 and 415 Orchard Street parcels. Access was not gained to flooded portions of the building on the 354 Whitney Street parcel. Thus, this assessment is subject to any state of facts that observation of locked or flooded portions of the building on the 354 Whitney Street parcel would have revealed.

- (3.2) Debris, including dilapidated building materials, abandoned equipment, abandoned automobiles, office furniture, paperwork, solid wastes, tires, etc. were observed inside many areas of the buildings that were observed or on the grounds of the five parcels that were assessed. In addition, hundreds of computer monitors were observed inside the 367 Orchard Street and 415 Orchard Street buildings [Note: computer monitors may contain hazardous concentrations of lead].

Various industrial equipment (hoppers, rolling presses, etc.) and building material debris were observed on the exterior paved portions of the 367 Orchard Street parcel.

- (3.3) Evidence of chemical or petroleum spillage/leakage was observed on building surfaces on the 354 Whitney Street and 367 Orchard Street parcels.

354 Whitney Street

A wet orange leachate material was observed on the concrete floor next to an apparent coal pile located immediately south of the boiler room (refer to Figure 2 included in Appendix A). Samples of the leachate and apparent coal were collected and tested at an analytical laboratory (refer to Section 5.3).

Evidence of spillage/staining was observed on the floor of the building in proximity to various drums and containers in numerous areas of the building (refer to Section 3.6.2 and Figure 2 included in Appendix A for approximate locations of containers/drums).

Evidence of concrete floor corrosion (e.g., pitting, etc.) was observed on the concrete floor in the former plating room (refer to Figure 2 included in Appendix A). Apparent drum marks were also observed on the concrete floor at the southern end of the former plating room.

Evidence of former liquid spillage was observed on a wall on the second floor of the east wing of the building, which was indicative of a past operation or equipment process being conducted at this location.

3.0 SITE OBSERVATIONS (Cont.)

Staining was observed on the concrete floor inside an apparent former transformer vault located in the first floor electrical room. Based on the age of the facility, if the staining is associated with electrical equipment such as transformers, it may contain polychlorinated biphenyls (PCBs).

367 Orchard Street

Evidence of chemical spillage or leakage was observed on the concrete floor inside the flammable storage room located on the second floor of the building.

415 Orchard Street

Oily residue was observed on roof-mounted Otis Elevator equipment on this building. Apparent oil was also observed in an apparent drip pan placed next to this elevator equipment.

(3.4.1) A vault room inside the first floor of the engine room was reported to be the location of utility-owned transformers. Access was gained to this vault during the September 2000 site visits. The vault room was observed to contain some electrical wiring and associated electrical equipment and transformers were not observed. However, the concrete floor in this vault room was stained (refer to Section 3.3). Additionally, various electrical equipment (i.e., apparent electric switches, capacitors, etc.) were observed in the engine room and its mezzanine. Other electrical equipment, including transformers, were observed inside the buildings on the 354 Whitney Street and 367, 406 and 415 Orchard Street parcels. Evidence of oil leakage or spillage was not observed on this electrical equipment. Based on the age of the facilities, the electrical equipment, including the transformers, may contain polychlorinated biphenyls (PCBs). In addition, three old electrical transformers were observed west of the southwest corner of the 367 Orchard Street building. Observation of the ground surface beneath these transformers was not possible during the site visits.

(3.4.2) Various drains, etc. were observed inside the buildings on the 354 Whitney Street and 367, 406 and 415 Orchard Street parcels.

354 Whitney Street

Floor drains were observed in a storage area addition on the west side of the main courtyard area.

Liquid was observed in a sump in a concrete floor in a room identified as "Sanitizer 8000". Roof drains appeared to also tie into this sump.

A sump was observed in the basement beneath the engine room (refer to Figure 2 included in Appendix A). No unusual odors were observed in its proximity.

3.0 SITE OBSERVATIONS (Cont.)

Floor drains were observed in the first floor northern end of the eastern wing of the building (refer to Figure 2 included in Appendix A). The floor drains contained liquids that emanated a slight petroleum odor.

An apparent former trench drain that was filled in with concrete was observed in the former plating room (refer to Figure 2 included in Appendix A).

Other floor drains were observed throughout the 354 Whitney Street building. These floor drains were typically observed to be dry or contain apparent water, and foul or chemical odors were not detected emanating from these drains.

367 Orchard Street

One apparent capped, plugged, or clogged floor drain was observed inside a flammable storage room located on the second floor. Evidence of spillage or leakage from containers/drums was observed on the concrete floor in proximity to this drain.

A floor drain containing apparent water was observed inside the boiler room.

A trench drain system or pipe chase was observed inside the first floor near the boiler room. The metal plates covering this structure were observed to be welded shut so that tow motors could be driven over them.

Two floor drains were observed in the floor on the third floor. The interior of these drains appeared dry.

406 Orchard Street

Floor drains and trench drains were observed inside the 406 Orchard Street building. One of the metal plates covering the trench drain was removed and this portion of the trench drain was observed to have a solid concrete bottom. Some of the floor drains were capped.

415 Orchard Street

A trench drain/pipe chase was observed in the one-story portion of this building. The trench drain/pipe chase contained gray/black sediments that did not emanate a chemical or petroleum-type odor. This trench drain/pipe chase was probed with a crow bar and had a hard bottom. Two floor drains were also observed in this general area of the building.

A trench drain/pipe chase was also observed on the first floor of the five-story portion of this building.

(3.4.3) The assessed parcels are serviced by public water systems and public sewer systems. Based on the information obtained as part of this assessment, the assessed buildings

3.0 SITE OBSERVATIONS (Cont.)

are heated with boiler systems and/or forced-air furnace systems, which are fueled with natural gas and/or fuel oil. These systems were historically heated with fuel oil, coal and waste wood products.

- (3.5) Suspect or confirmed asbestos-containing material (ACM) was observed inside the assessed buildings as described below:

354 Whitney Street

Suspect or confirmed ACM that was observed in damaged and/or friable condition inside the 354 Whitney Street building included:

- An exterior thermal system insulation (TSI) material on an air-conditioning unit located on an upper floor of the west wing of the building. The TSI material on some of the associated duct work was observed to be grossly damaged, and the TSI material was observed on the floor beneath this part of the system. As part of this Phase I ESA, a sample of this material (designated as Sample 354-A.3) was collected and tested for asbestos at Paradigm Environmental Services, Inc. (Paradigm) (refer to Section 5.1). As shown in Section 5.1, the test results indicated that the sample of this TSI material is ACM.
- TSI pipewrap and mudpacks in numerous areas of the building with exposed ends. Pipewrap observed in the basement was water damaged and/or showed areas of localized damage. As part of this Phase I ESA, samples of this material (designated as Samples 354-A.1, 354-A.4 and 354-A.6) were collected and tested for asbestos at Paradigm (refer to Section 5.1). As shown in Section 5.1, the test results indicated the samples of TSI pipewrap are ACM.

12" x 12" floor tiles and associated black mastic material located on the fourth floor. As part of this Phase I ESA, a sample of the floor tile (designated as Sample 354-A.2a) and a sample of the associated mastic (designated as Sample 354-A.2b) were collected and tested for asbestos at Paradigm (refer to Section 5.1). As shown in Section 5.1, the test results indicated the 12" x 12" floor tiles and associated black mastic are ACM.
- TSI blanket insulation on boiler equipment. As part of this Phase I ESA, a sample of this material (designated as Sample 354-A.5) was collected and tested for asbestos at Paradigm (refer to Section 5.1). As shown in Section 5.1, the test results indicated that the sample of this TSI boiler insulation ACM.
- TSI breaching material in the basement with water damage.
- Boxes labeled as containing Johns Manville-type product located in the boiler room and paper bags (suspected mudpack material) labeled as containing Johns Manville-type product located south of the boiler room. This company manufactured ACM.

3.0 SITE OBSERVATIONS (Cont.)

Note, other damaged suspect ACM could be present in the building in basement areas that were not accessed.

Suspect ACM that was observed to be in non-friable and/or good condition inside the 354 Whitney Street building included the following:

- Apparent transite material used for interior walls and ceiling inside a small enclosed room within the building that was observed on the second floor of the east wing of the building.
Various linoleum-type material and associated mastic in several locations inside the building.
Various floor tiles and associated mastic in several locations inside the building.

367 Orchard Street

Suspect or confirmed ACM that was observed in damaged and/or friable condition inside the 367 Orchard Street building included:

- TSI on two boilers located in the boiler room along the western portion of the building.
- TSI pipewrap and mudpacks throughout the building, including the boiler room.
- Building debris located in a pile on pavement near the loading dock on the east side of the building may contain materials that could be considered SACM (e.g., drywall, corrugated paper-like material, etc.).

Suspect ACM that was observed to be in non-friable and/or good condition inside the 367 Orchard Street building included the following:

- Nine-inch square vinyl floor tiles.
- One-foot square vinyl floor tiles.
- Vinyl baseboard molding.
- Two-foot square suspended acoustical ceiling tiles.

406 Orchard Street

Suspect or confirmed ACM that was observed in damaged and/or friable condition inside the 406 Orchard Street building included.

Approximately 120 linear feet of TSI pipewrap and mudpacks on ceiling-mounted piping. As part of this Phase I ESA, a sample of the pipewrap (designated as Sample 406-A.I) was collected and tested for asbestos at Paradigm (refer to section

3.0 SITE OBSERVATIONS (Cont.)

5.1). As shown in Section 5.1, the test results indicated that the sample of this TSI pipewrap is ACM.

415 Orchard Street

Suspect ACM that was observed in damaged and/or friable condition inside the 415 Orchard Street building included:

TSI pipewrap and mudpacks throughout the building.

- Drywall located in the one-story portion of the building.
- Roofing material located in the one-story portion of the building where the ceiling/roof was observed to have been collapsed and/or significantly water-damaged.
- Water-damaged suspended acoustical ceiling tiles.

Exposed black floor carpet mastic on the third floor.

- Exposed black mastic material on one-foot square fiber acoustical glue-on ceiling tiles.

Suspect ACM that was observed to be in non-friable and/or good condition inside the 415 Orchard Street building included the following:

Vinyl baseboard molding.

- One-foot square vinyl floor tiles.

(3.6.1) Evidence of storage tank use was observed on the 367 Orchard Street, 406 Orchard Street and 354 Whitney Street parcels.

354 Whitney Street

An asphalt patch with evidence of subsidence was observed in the main courtyard in an area where an underground storage tank (UST) may have been located (refer to Figure 2 included in Appendix A and Section 2.3 of this report). Also, four groundwater monitoring wells were observed in various locations in this main courtyard area. The approximate locations of these wells (designated as 354-1 through 354-4) are illustrated on Figure 2 included in Appendix A. Groundwater samples from these wells were tested at an analytical laboratory (refer to Section 5.2).

A 275-gallon aboveground storage tank (AST) was observed immediately south of the boiler room (refer to Figure 2 included in Appendix A). Evidence of spillage or leakage from this AST was not observed.

3.0 SITE OBSERVATIONS (Cont.)

Five or more vent pipes, other piping, and manholes or fill ports were observed in the small courtyard area located between the 415 Orchard Street parcel and the 354 Whitney Street parcel (refer to Figure 2 included in Appendix A). Access could not be gained to the manhole/fill port covers as part of this assessment. It appears that this equipment is associated with either underground storage tanks (USTs) or a former wastewater treatment system.

Six round metal plates/caps were observed in three approximately 4' x 6' rectangular concrete patches in the concrete hallway floor immediately inside the 354 Whitney Street building in proximity to the small courtyard area between the 354 Whitney Street parcel and the 415 Orchard Street parcel (refer to Figure 2 included in Appendix A). These metal plates/caps could not be accessed as part of this assessment.

367 Orchard Street

Evidence of a tank system was observed in proximity to the boiler room of the 367 Orchard Street building. Pipes were observed to be protruding through the west wall inside the boiler room. This piping appeared to be associated with two Cleaver Brooks water boiler systems. A "level-o-meter" with an 11,000 gallon capacity gauge was observed on the west wall of the boiler room and the "level-o-meter" appeared to be measuring approximately 1,400 gallons.

406 Orchard Street

A gravel-filled area was observed west of the northwest corner of the building on this parcel. Information obtained as part of this assessment indicated that a 550-gallon UST was removed from this parcel. This gravel-filled area may be the former location of this UST. In addition, site observations indicated that a former pump dispenser for this former UST system may have been located immediately west and abutting the northwest corner of this building.

(3.6.2) Materials storage was observed at the 354 Whitney Street and 367, 406 and 415 Orchard Street parcels.

354 Whitney Street

Numerous containers/drums with contents were observed on the 354 Whitney Street parcel during the December 29, 1998 site visit. The City of Rochester notified the New York State Department of Environmental Conservation (NYSDEC) regarding the containers/drums that were observed in the building during the December 29, 1998 site visit. The United States Environmental Protection Agency (USEPA) was then contacted by the NYSDEC, and these regulatory agencies characterized the contents of the containers/drums observed in this building. The contents of the containers/drums, and most of the containers/drums themselves, were later removed and properly disposed by the USEPA and were not observed during the September 2000 site visits. A list of the containers/drums is provided below:

3.0 SITE OBSERVATIONS (Cont.)

- Approximately 50 containers which were primarily open and filled with liquids and solids of various colors were observed on the second floor of the west wing during the December 29, 1998 site visit (refer to Figure 2 included in Appendix A). Some liquid contents appeared bubbly and some liquid contents appeared oil-like. During the September 2000 site visits, these containers were observed to have been emptied, presumably by the USEPA.
- One crushed 55-gallon drum was observed in the basement area below the engine room during the December 29, 1998 site visit (refer to Figure 2 included in Appendix A). The drum was observed on its side on top of the concrete floor, and it appeared to contain a gray-black sludge. This area of the building could not be re-observed during the September 2000 site visits because it was flooded.

A couple drums, one with a gray powdery material, another unopened potentially upside down, were observed in an open metal storage addition located along the southwest portion of the main courtyard area during the December 29, 1998 site visit (refer to Figure 2 included in Appendix A). Gray powdery material was observed on the concrete floor. During the September 2000 site visits, these containers were observed to have been removed and/or emptied, presumably by the USEPA

- Approximately 20 cans of paint and four drums were observed on the first floor in the west wing of the building during the December 29, 1998 site visit (refer to Figure 2 included in Appendix A). One drum was labeled as containing hazardous components and was also labeled as containing an EDM fluid. Propane canisters were observed in the area. One of the drums was also observed to be leaking an apparent waste oil-type material on the floor. During the September 2000 site visits, these containers were observed to have been removed and/or emptied, presumably by the USEPA.

Numerous drums and containers were observed in a tunnel/ramp area located in the south-central portion of this building during the December 29, 1998 site visit (refer to Figure 2 included in Appendix A). Leakage or spillage from some of these containers/drums was observed on the concrete floor. During the September 2000 site visits, these containers were observed to have been removed, presumably by the USEPA. The drums/containers during the December 29, 1998 site visit are further described below:

Ten drums, some designated as hazardous, and others labeled as "causes severe irritation".

- Drums of "solvent degreaser" on a pallet.
- Twelve drums of "R1 Shield Tight roof preserver".

Four red drums.

Four drums of "metal working fluid concentrate for grinding and light-duty".

Drums of sodium phosphate.

One drum of "weed-RHAP LV-40 herbicide, 2,4-D low volatile".

3.0 SITE OBSERVATIONS (Cont.)

- One 55-gallon drum of "Dursban 6 .
 - One drum labeled "Danger".
 - One drum labeled "Fume".
 - Other drums labeled "Calgon".
 - Some drums appeared to contain paint-related waste.
 - One drum labeled "heavy-duty polyurethane sealer".
 - Many drums unlabeled or corroded and no longer legible.
 - Three cardboard boxes/crates (4'x5'x4' in size) observed to contain numerous one quart to five-gallon containers of paint-related materials (e.g., paint, thinners, etc.).
 - Approximately 5 or 6 pallets were observed to each store approximately 48 five-gallon containers of apparent paint-related waste.
 - Two pallets were each observed to store approximately 27 boxes of unused "plate developer".
-
- Approximately nine drums and approximately 30 five-gallon containers were observed on the north end of the second floor in the east wing of the building during the December 29, 1998 site visit (refer to Figure 2 included in Appendix A). Some 5-gallon containers were labeled as methylene chloride, Chase Pitkin semi-gloss paint, David Howard Oil Corp. soluble cutting oil, and drywall primer/sealers. Evidence of spillage or leakage was not apparent in this area. During the September 2000 site visits, these containers were observed to have been removed and/or emptied, presumably by the USEPA.
 - Approximately 30 one-quart to five-gallon containers of paint strippers, lacquer thinners, etc. were observed in a first floor area of the east wing of the building that apparently was leased by Furniture Works during the December 29, 1998 site visit (refer to Figure 2 included in Appendix A). During the September 2000 site visits, these containers were observed to have been removed and/or emptied, presumably by the USEPA.
 - Open containers that appeared to store oil-like substance, paints, and denatured alcohol were observed on the first floor of the west wing of the building during the December 29, 1998 site visit. Some plastic bins, and "MBP 19 vacuum pump fluids" were also observed. During the September 2000 site visits, these containers were observed to have been removed and/or emptied, presumably by the USEPA.
 - Some plastic drums, one about 20 gallons in size labeled "corrosive" and full of contents, another approximately 20-gallon blue drum containing "a dipping concentration", and an empty green drum, were observed on the fifth floor of the west wing of the building during the December 29, 1998 site visit. During the September 2000 site visits, these containers were observed to have been removed and/or emptied, presumably by the USEPA.
 - Two drums, one labeled "Sealcrete resin solution", the other drum unlabeled but appearing to contain some type of a liquid, were observed on the fifth floor in the

3.0 SITE OBSERVATIONS (Cont.)

west wing of the building during the December 29, 1998 site visit. Evidence of spillage or leakage was not observed near these drums. During the September 2000 site visits, these containers were observed to have been removed and/or emptied, presumably by the USEPA.

- A couple of apparently empty drums were observed in the small enclosed unpaved courtyard area located immediately west of the boiler room. One of the drums was labeled as containing "T11 roof coating material" during the December 29, 1998 site visit. During the September 2000 site visits, these containers were observed to have been removed and/or emptied, presumably by the USEPA.

Numerous one-gallon to five-gallon containers were observed in the boiler room during the December 29, 1998 site visit. Many of the containers showed evidence of corrosion. During the September 2000 site visits, these containers were observed to have been removed and/or emptied, presumably by the USEPA.

- Up to fifteen containers, some labeled as containing "oil", and one drum labeled "Hitachi Saki USA 250", were observed on the second floor in the central/southern portion of the building during the December 29, 1998 site visit. During the September 2000 site visits, these containers were observed to have been removed and/or emptied, presumably by the USEPA.
- Three five-gallon containers of apparent dried paint were observed on the second floor in the southern portion of the building during the December 29, 1998 site visit. Also, a couple drums and some more five-gallon containers apparently containing oils, and a spilled powdery gray material on the floor were observed in the same general area of the building during the December 29, 1998 site visit. During the September 2000 site visits, these containers were observed to have been removed and/or emptied, presumably by the USEPA.
- Three five-gallon containers, at least one labeled as containing "kerosene", were observed on the third floor of the building during the December 29, 1998 site visit. Also, other oils mixed in with other debris, refrigerators, furniture, etc. were observed on the third floor during the December 29, 1998 site visit. During the September 2000 site visits, these containers were observed to have been removed and/or emptied, presumably by the USEPA.
- Numerous miscellaneous automotive glues, resins, reducers, enamel paints, etc. were observed on the first floor of the east wing of the building during the December 29, 1998 site visit. During the September 2000 site visits, these containers were observed to have been removed and/or emptied, presumably by the USEPA.
- Four bags labeled as containing light soda ash were observed south of the boiler room. The condition of the bags was poor, and the soda ash was visible.

3.0 SITE OBSERVATIONS (Cont.)

367 Orchard Street

Approximately 10 to 20 containers and drums were observed in a flammable storage room equipped with a fire door that is located on the second floor in the western portion of the building. Some containers/drums were observed to be labeled as flammable, corrosive, solder oil, alcohol, and freon. Evidence of spillage or leakage was observed on the concrete floor in this storage room. One apparent capped, plugged, or clogged floor drain was observed in this storage room.

One 55-gallon drum labeled "Hazardous waste, corrosive, #D002" with contents, one 5-gallon container of resist stripper RS-265 labeled "corrosive" with contents, one 5-gallon container labeled "Haz etch solution" with contents, two 1-gallon containers of electrolysis 10-ME-1010 with contents, one 5-gallon container of Reston developer 200 concentrate with contents and approximately 5 to 10 one gallon or less unlabeled containers were observed on the first floor of the building in a room labeled as "photographic process". Evidence of spillage or leakage was not observed on the floor in this room.

One 55-gallon drum labeled "waste" sterling lubricant was observed on the first floor. Evidence of spillage or leakage from this drum was not observed on the floor; however, the integrity of this drum was suspect since the seam for the bottom of this drum was observed to be corroded (i.e., rusty).

Containers of "fixer" and "developer" were observed in a room formerly used for photo-developing. Evidence of spillage or leakage from these containers was not observed on the floor or other surfaces in this room.

About twelve 5-gallon containers of boiler water treatment chemicals (e.g., scale inhibitor, electrosolve, oxygen scavenger) were observed in the boiler room of the 367 Orchard Street building. An open top 15-gallon container containing oil-like liquid was also observed in the boiler room. Evidence of spillage or leakage from these containers was not observed on the floor or other surfaces in the boiler room.

Three 5-gallon containers with contents and labeled as containing isopropyl alcohol and/or flammable, one 5-gallon container filled with used shop rags, and one 1-gallon container labeled as neutro-stad-a-static concentrate were observed on the fourth floor of the 367 Orchard Street building. Evidence of spillage or leakage from these containers was not observed on the floor or other surfaces in the boiler room.

Two 55-gallon drums labeled perchloroethylene and two 55-gallon drums apparently containing an oil material were observed on the fourth floor of the 367 Orchard Street building. Also, one small 2-gallon container labeled gasoline and two 1-gallon containers labeled lube oil were observed in the elevator access shaft/crawl space above the fourth floor. Evidence of spillage or leakage from the drums/containers was not observed on the surrounding floor surfaces.

3.0 SITE OBSERVATIONS (Cont.)

415 Orchard Street

Approximately four empty 30-gallon plastic containers labeled as polymeric-isocyanate instapack and component-b-urethane foam resin were observed inside the one-story portion of this building. Evidence of spillage or leakage from these containers was not observed on the concrete floor in this area of the building.

One approximately 20-gallon drum containing used shop rags was observed on the sixth floor. Evidence of spillage or leakage from this drum was not observed on the surrounding floor surface.

(3.6.5) Evidence of a possible sub-grade wastewater treatment system or USTs (manhole covers, piping, and apparent vent piping) was observed in the asphalt paved courtyard located on the east side of the 354 Whitney Street parcel (refer to Figure 2 included in Appendix A).

(3.6.7) Equipment or other site structures noted during DAY's site visits are discussed herein.

354 Whitnev Street

Evidence of a former in-ground hydraulic lift was observed in the first floor northern portion of the east wing of the building (refer to Figure 2 included in Appendix A). The in-ground portion was observed to be filled in with concrete.

Outside in the main courtyard area, on either side of the building, there are pipes of unknown purpose (refer to Figure 2 included in Appendix A). The pipe on the east side was an approximate 3" vertical pipe protruding from the ground and extending approximately 7 feet up the exterior wall. The two pipes protruding from the ground on the west side were approximately 1" in diameter and extended approximately two feet up the exterior wall. A hole observed in the wall at this elevation and 90° elbows on the ends of the two pipes suggest that these pipes used to enter the building through the hole.

An apparent 7' x 7' x 3' deep equipment pit filled with wood braces and covered with wood sheeting was observed on the first floor of this building. The equipment pit had concrete walls and concrete bottom, and appeared dry. Evidence of petroleum or chemical spillage or leakage in the accessible portion of this pit was not observed.

Apparent coal processing equipment was observed south of the boiler room. Finely ground coal was observed on the floor and on this equipment.

367 Orchard Street

An approximate 3' x 3' metal plate was observed in the concrete floor on the first floor of the 367 Orchard Street building. The metal plate was removed to reveal a sub-floor passageway (apparent chase) that is aligned east-west beneath the building. The chase

3.0 SITE OBSERVATIONS (Cont.)

appeared dry and unusual odors were not noted to emanate from this structure when the metal plate was removed. [Note: At the time of the site visits, the interior of this sub-grade structure was considered a confined space; thus, it was not entered].

370 Orchard Street

On November 2, 2000, a City of Rochester representative visited the Site and documented the presence of an abandoned dry cleaning machine and water heater on this parcel. On November 3, a DAY representative visited the Site and confirmed the presence of this equipment. The dry cleaning machine was labeled as using perchloroethylene as a dry cleaning solvent, and possible liquid leakage was observed on the ground at one end of this dry cleaning machine

415 Orchard Street

Two approximate 3'x4'x3' deep brick-lined rectangular pits with metal plate covers were observed in the one-story portion of the 415 Orchard Street building. Each pit contained a cast iron pipe, and the pits appeared to be used as access points to cleanouts on the piping. One of the pits was probed and determined to have a hard bottom beneath approximately four inches of sand.

- (3.7) The assessed property and surrounding area are generally level. There are surface water bodies in proximity to the assessed property.
- (3.8) A portion of the first floor of the west wing of the 354 Whitney Street building had a wood brick floor with a creosote or tar-like coating/mastic on the bottom. One area of the floor was observed to be heaved upward exposing the tar-like mastic. A creosote-like odor was detected in the ambient air in this area.

Paint in numerous areas of the building was observed to be peeling or flaking. Based on the age of the building, the paint has the potential to be lead-based paint (LBP).

- (3.9) The 354 Whitney Street parcel is bounded to the north by commercial properties; to the south by railroad tracks with the 367 Orchard Street assessed parcel beyond; to the east by the 415 Orchard Street assessed parcel and an automobile repair shop; and to the west by Whitney Street with commercial and residential properties beyond.

The 367 Orchard Street parcel is bounded to the north by railroad tracks with the 354 Whitney Street assessed parcel beyond; to the south by a collision shop, a printing business, Riley Place and residential properties; to the east by Orchard Street with the 370 Orchard Street assessed parcel and a paved parking lot beyond; and to the west by Whitney Street and industrial/commercial properties beyond.

The 370 Orchard Street parcel is bounded to the north by a railroad track with an automobile repair shop and/or commercial property beyond; to the south by a paved

3.0 SITE OBSERVATIONS (Cont.)

parking lot; to the east by an abandoned gasoline station and automobile repair shop; and to the west by Orchard Street with the 367 Orchard Street assessed parcel beyond.

The 406 Orchard Street parcel is bounded to the north by commercial and residential properties; to the south by an automobile repair shop and commercial properties; to the east by Broad Street with commercial properties beyond; and to the west by Orchard Street with the 415 Orchard Street assessed parcel beyond.

The 415 Orchard Street parcel is bounded to the north by an automobile repair shop; to the south and west by the 354 Whitney Street assessed parcel; and to the east by Orchard Street with the 406 Orchard Street assessed parcel beyond.

4.0 INTERVIEWS

Owners or occupants for the assessed parcels were not available for interview. Mr. Piluso, reportedly the son of a partner in ownership of the 354 Whitney Street parcel, requested money in exchange for an interview. The City of Rochester decided not to incur cost to interview Mr. Piluso at that time. Thus, this assessment is subject to any state of facts that an interview with owners/occupants of the assessed parcels would have revealed.

5.0 ENVIRONMENTAL TESTING	See Footnote (5.0)
5.1 ASBESTOS:	Observations of Concern. See Footnote (5.1)
5.2 WATER:	Observations of Concern. See Footnote (5.2)
5.3 LEACHATE AND COAL:	Observations of Concern. See Footnote (5.3)

PERTINENT INFORMATION, REFERENCED TO ITS SOURCE, IS SUMMARIZED BELOW

(5.0) During the September 2000 site visits, samples of various site media were collected and submitted to Paradigm Environmental Services, Inc. (Paradigm) for analytical laboratory testing. Paradigm is a New York State Department of Health (NYSDOH) approved analytical laboratory. The types of samples collected, the test parameters, and the analytical laboratory test results are presented in Sections 5.1 through 5.3 below.

(5.1) As part of this Phase I ESA, the following samples of suspect asbestos-containing material (ACM) were collected (designated as Samples 354-A.1 through 354-A.7 and 406-A.1) and tested for asbestos by Paradigm:

- Sample 354-A.1 consists of TSI pipewrap located on the floor on the second floor of the 354 Whitney Street building.
- Sample 354-A.2a consists of gray 12"x12" floor tile collected from the fourth floor of the 354 Whitney Street building.
- Sample 354-A.2b consists of black mastic beneath the gray 12"x12" floor tile collected from the fourth floor of the 354 Whitney Street building.
- Sample 354-A.3 consists of TSI blanketing material on an air handler unit on the fifth floor of the 354 Whitney Street building.
- Sample 354-A.4 consists of TSI pipewrap located on the second floor of the 354 Whitney Street building.
- Sample 354-A.5 consists of TSI boiler blanketing material located in the first floor boiler room of the 354 Whitney Street building.
- Sample 354-A.6 consists of TSI pipewrap located in the boiler room on the first floor of the 354 Whitney Street building.
- Sample 354-A.7 consists of black mastic beneath wood bricks located on the first floor of the 354 Whitney Street building.
- Sample 406-A.1 consists of TSI pipewrap located inside the one-story 406 Orchard Street building.

These samples were tested for asbestos using polarized light microscopy (PLM) analysis and/or transmission electron microscopy (TEM) analysis. A copy of Paradigm's test results are included in Appendix I. As shown, the test results confirmed that Samples 354-A.1 through 354-A.6 and 406-A.1 are ACM. Sample 354-A.7 (black mastic beneath wood bricks) was determined not to be ACM.

(5.2) Groundwater samples (designated as Samples 354-1 through 354-4) were collected from four existing groundwater monitoring wells located on the 354 Whitney Street

5.0 ENVIRONMENTAL TESTING (Cont.)

parcel (refer to Figure 2 included in Appendix A). A City of Rochester representative purged the wells and collected the groundwater samples and a copy of the City of Rochester's field notes regarding this work is included in Appendix I. In addition, a sample of standing water (designated as sample 354-BRwater) was collected in the boiler room of the 354 Whitney Street building. A sample log describing these samples and the test parameters is included as Table 1 in Appendix I. These samples were delivered under chain-of-custody control to Paradigm for testing. As shown, these samples were analyzed for the following parameters:

Target compound list (TCL) and NYSDEC STARS-list volatile organic compounds (VOCs) using United States Environmental Protection Agency (USEPA) Method 8260.

- Total petroleum hydrocarbons (TPH) using NYSDOH Method 310.13.
Total RCRA Metals.

A copy of Paradigm's test results is included in Appendix I. The test results are summarized on Table 2 (TPH), Table 3 (VOCs) and Table 4 (RCRA Metals) that are also included in Appendix I. Table 3 and Table 4 also include a comparison of VOC and RCRA metal test results to respective groundwater standards and/or guidance values as referenced in the June 1998 NYSDEC Division of Water Technical and Operational Guidance Series 1.1.1 (TOGS 1.1.1), Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations. There are no NYSDEC groundwater criteria for TPH. The data are further discussed below:

As shown on Table 2, TPH was only detected in the water sample from well 354-3. The TPH in this sample was identified as medium weight diesel or #2 fuel oil and was detected at a concentration of 160,000 ug/l or parts per billion (ppb).

- As shown in Table 3, VOCs were detected in water samples 354-1, 354-3 and 354-BRwater. 28.5 ug/l or ppb of trichloroethylene was detected in sample 354-1, which exceeds its TOGS 1.1.1 groundwater standard of 5 ug/l or ppb. Eight VOCs (i.e., benzene, ethylbenzene, etc.) were detected at concentrations ranging between 1.01 ug/l or ppb and 51.3 ug/l or ppb in sample 354-3. The concentrations of benzene, total xylenes, and 1,2,4-trimethylbenzene detected in sample 354-3 exceeded their respective TOGS 1.1.1 groundwater standards. 6.52 ug/l or ppb of chloroform was detected in sample 354-BRwater, which did not exceed its TOGS 1.1.1 groundwater standard of 7 ug/l or ppb. VOCs were not detected above reported analytical laboratory detection limits in samples 354-2 and 354-4.
- As shown in Table 4, metals were detected in the four groundwater samples and the water sample from the boiler room. The metals arsenic, barium, chromium, and lead were detected in two or more of the samples. The concentration of barium detected in sample 354-3 (i.e., 1,250 ug/l or ppb) exceeded its respective TOGS 1.1.1 groundwater standard of 1,000 ug/l or ppb. The concentration of chromium (i.e., 61 ug/l or ppb) and lead (i.e., 92 ug/l or ppb) detected in sample 354-2 exceeded their respective TOGS 1.1.1 groundwater standard of 50 and 25 ug/l or ppb, respectively.

5.0 ENVIRONMENTAL TESTING (Cont.)

(5.3) A sample of apparent coal (designated as Sample 354-Coal) and a sample of orange leachate (designated as Sample 354-Leach) were collected south of the boiler room inside the 354 Whitney Street building (refer to Figure 2 included in Appendix A). A City of Rochester representative collected the samples. A sample log included as Table 1 in Appendix I summarizes information regarding these two samples. These samples were delivered under chain-of-custody control to Paradigm for testing. As shown, these samples were analyzed for the following parameters:

- Total base-neutral (BN) semi-volatile organic compounds (SVOCs) using USEPA Method 8270.
- Toxicity Characteristic Leaching Procedure (TCLP) Metals.
- pH.

A copy of Paradigm's test results and Table 5 summarizing the test results are included in Appendix I. Table 5 also includes a comparison of the test results to characteristic hazardous waste criteria. The data are further discussed below:

- As shown on Table 5, pH was detected in sample 354-Leach and 354-Coal at concentrations of 4.78 and 2.08, respectively. As such, the coal and leachate are not considered to be hazardous waste based on corrosivity since their detected pH's were not ≤ 2 or ≥ 12.5 . However, the acidic nature of these materials may suggest an environmental concern.

As shown in Table 5, the concentration of the metal barium was detected on the TCLP extraction from Sample 354-Leach at a concentration below its hazardous waste criteria. The concentration of the metals arsenic, barium and chromium were detected on the TCLP extraction from Sample 354-Coal at concentrations below their hazardous waste criteria. The other TCLP metals tested for were not detected above reported analytical laboratory detection limits in these samples. As such, the leachate and coal are not considered to be hazardous waste based on their detected TCLP metals.

As shown in Table 5, Sample 354-Leach contained the SVOCs fluoranthene, phenanthrene and pyrene at total concentrations ranging between 1,121 and 1,392 ug/kg or ppb. Sample 354-Coal contained the SVOCs phenanthrene, 2-methylnaphthalene, naphthalene and dibenzofuran at total concentrations ranging between 542 and 2,013 ug/kg or ppb. The specific SVOCs that were detected are not included on the USEPA's list of characteristic hazardous wastes. As such, the coal and leachate are not considered to be hazardous waste based on the SVOC content. Comparison of the SVOC test results for the coal and leachate samples to soil or groundwater criteria is not applicable.

8.0 HOMOGENEOUS MATERIAL SUMMARY FORM

The quantities of all homogeneous materials identified within the facility are summarized on Table 1. The information is listed by homogeneous material code and presents the location, class, description and quantity of each material as it occurs. The total quantity of each material found in the facility has been calculated and is presented at the end of the list. All information presented on the form is derived from information on the Survey Form (Appendix A), the sample results and the floor plans.

**Table 1
Homogeneous Material Summary Form
City of Rochester
354 Whitney Street
Building 1A
Rochester, NY
July 21 through 23, 2003**

Material Code	Material Location	Material Class	Material Description	Sample ID	Quantity	ACM?
WGOI	100	M	Window Glaze	WG01A	816	Y
	101	M			192	Y
	103	M			54	Y
	105A	M			432	Y
	108	M			1,172	Y
	109	M			192	Y
	200	M			72	Y
	202	M			3,024	Y
	203	M			108	Y
	204	M			144	Y
	205	M			192	Y
	300	M			144	Y
	301	M			3,024	Y
	303	M			240	Y
	304	M			48	Y
	400	M		72	Y	
	401	M		3,024	Y	
	404	M		240	Y	
	405	M		96	Y	
	500	M		72	Y	
	501	M		2,600	Y	
	502	M		288	Y	
	505	M		320	Y	
	506	M		96	Y	
	508	M		144	Y	
	509	M		144	Y	
	510	M		144	Y	
	511	M		144	Y	
	600	M		144	Y	
	601	M		3,024	Y	
	603	M		48	Y	
	605	M		96	Y	
	606	M		96	Y	
700	M	72	Y			
701	M	120	Y			
				TOTAL	20,838 LF	
FT02	106	M	12"x12" White and Brown Floor Tile	FT02A-C TOTAL	40 40 SF	Y
FT02	106	M	FT02 Mastic	FT02A-C TOTAL	40 40 SF	N

Table 1
Homogeneous Material Summary Form
City of Rochester
354 Whitney Street
Building 1A
Rochester, NY
July 21 through 23, 2003

Material Code	Material Location	Material Class	Material Description	Sample ID	Quantity	ACM?
FT03	401 401B	M M	12"x12" Tan with Gray Floor Tile and Mastic	FT03A-C	2,475	Y
					25	Y
				TOTAL	2,500 SF	
VS01	105	M	Brown Sheeting and Mastic	VS05A-C TOTAL	110 110 SF	Y
PI01	100 104 104B 108 109 202 202A 301 301A 401 401A 405 501 501A	T T T T T T T T T T T T T T T	Mag Block Pipe insulation	PI01A	100	Y
					50	Y
					18	Y
					140	Y
					110	Y
				PI01B	34	Y
					2	Y
					130	Y
				PI01C	6	Y
					120	Y
					12	Y
					6	Y
					50	Y
					4	Y
				TOTAL	782 LF	
PI02	100 104B 105 108 201 202 202A 301 301A 401 401A 501 501A	T T T T T T T T T T T T T T	Air Cell Pipe Insulation		100	Y
					16	Y
					9	Y
					180	Y
					9	Y
					12	Y
					24	Y
				PI02A	130	Y
					24	Y
					140	Y
				PI02B	9	Y
					120	Y
					22	Y
				TOTAL	795 LF	
				PI03	301 401	T T	Tar Wrap Pipe Insulation	PI03A	2	Y
	4	Y				
TOTAL	6 LF					
PI04	401 501	T T	Wool Felt Pipe Insulation	PI04A,B	150	Y
				PI01C	175	Y
				TOTAL	325 LF	

**Table 1
Homogeneous Material Summary Form
City of Rochester
354 Whitney Street
Building 1A
Rochester, NY
July 21 through 23, 2003**

Material	Material	Material Class	Material Description	Sample ID	Quantity	ACM?	
PJOI	100	T	Pipe Fitting Insulation	PJ01A	8	Y	
	104	T				1	Y
	108	T			PJ01B	4	Y
	109	T				3	Y
	202	T				1	Y
	301	T			PJ01C	30	Y
	401	T				9	Y
	502	T				1	Y
	606	T				2	Y
					TOTAL		59 EA
TPOI	202	M	Transite Electrical Panel		10	Y	
	301	M		TP01A	10	Y	
	401	M		TP01B	10	Y	
	501	M			10	Y	
	701	M			10	Y	
	Exterior	M			TP01C	6	Y
					TOTAL		56 SF
MM03	Exterior	M	Gray Electrrcal Caulk	MM03A	<1 SF	Y	
				TOTAL	<1 SF		
PC01	Exterior	M	Panel Covering	PC01A-C	800	Y	
				TOTAL	800 SF		
RM02	R 100	M	Black Tar Material	RM02A-C	510	Y	
	R101	M			84	Y	
	R102	M			84	Y	
	Exterior	M			7	Y	
						TOTAL	685 LF
TM01	202	S	Floor Leveling Compound		13,804	N	
	301	S		TM01A,B	13,804	N	
	401	S		TM01C,D	13,804	N	
	501	S		TM01E,F	13,804	N	
	601	S		TM01G	13,804	N	
					TOTAL	69,020 SF	
TM02	R100	S	Cap insulation	TM02A-C	510	N	
	R101	S			84	N	
	R102	S			84	N	
						TOTAL	678 LF
****	103	M	Typical Sheetrock	WB01A	120	N	
	108	M			30	N	

**Table 1
Homogeneous Material Summary Form
City of Rochester
354 Whitney Street
Building 1A
Rochester, NY
July 21 through 23, 2003**

Material Code	Material Location	Material Class	Material Description	Sample ID	Quantity	ACM?
WBOI	201	M	Typical Sheetrock	WBOIB	25	N
	202	M			100	N
	204	M			175	N
	205	M			20	N
	301	M			4,715	N
	302	M		140	N	
	304	M		WB01C	140	N
	401	M			600	N
	401B	M		360	N	
	402	M		WBOID	108	N
	403	M			140	N
	405	M			190	N
	501	M		WBOIE	2,100	N
	502	M			40	N
	503	M			400	N
	506	M			140	N
	507	M			180	N
	508	M		WBOIF	384	N
	509	M			360	N
	510	M			510	N
511	M	WBOIG	462	N		
TOTAL					11,439 SF	
FT01	105A	M	9"x9" Brown Floor Tile and Vapor Barrier	FT01A-C	42	N
TOTAL					42 SF	
VS02	301	M	Brown Geometric Sheeting	VS02A-C	180	N
TOTAL					180 SF	
CTOI	601	M	1'x1' White Ceiling Tile and Mastic	CT01A-C	13,804	N
TOTAL					13,804 SF	
CP01	100	M	Ceiling Panel	CP01C	400	N
	101	M		CP01A,B	270	N
	104	M		<1	N	
TOTAL					671 SF	
CP02	401	M	2'x4' Natural Fissure Ceiling Panel	CP02A-C	500	N
TOTAL					500 SF	
CP03	503	M	2'x4' White with Ridges Ceiling Panel	CP03A-C	170	N
TOTAL					170 SF	

9.0 **BULK SAMPLING SUMMARY FORM**

This form presents a summary of the bulk sampling performed at the facility. It lists the material code, sample ID, material description, sample location and the analytical results. Results for PLM and TEM analyses are presented as appropriate.

**Table 2
Bulk Sampling Summary Form
City of Rochester
354 Whitney Street
Building 1A
Rochester, NY
July 21 through 23, 2003**

Material Code	Material Description	Sample Location	Sample ID	Analytical Results	
				PLM	TEM
WGO1	Window Glaze	101	WG01A	2.2% CH	-
	Window Glaze	301	WG01B	NA	-
	Window Glaze	510	WG01C	-	NA
FT02	12"x12" White with Brown Floor Tile Mastic	106	FT02A	2.2%CH	NA Trace CH
	12"x12" White with Brown Floor Tile Mastic	106	FT02A	Trace CH	
	12"x12" White with Brown Floor Tile Mastic	106	FT02B	NA	
	12"x12" White with Brown Floor Tile Mastic	106	FT02B	NAD	
	12"x12" White with Brown Floor Tile Mastic	106	FT02C	-	
FT03	12"x12" Tan with Gray Floor Tile Mastic	401	FT03A	Trace CH	55.6% CH 32.9% CH
	12"x12" Tan with Gray Floor Tile Mastic	401	FT03A	Trace CH	
	12"x12" Tan with Gray Floor Tile Mastic	401	FT03B	Trace CH	
	12"x12" Tan with Gray Floor Tile Mastic	401	FT03B	-	
	12"x12" Tan with Gray Floor Tile Mastic	401	FT03C	-	
VS01	Brown Sheeting Mastic	105	VS01A	2.5%CH	3.3% CH NA
	Brown Sheeting Mastic	105	VS01A	Trace CH	
	Brown Sheeting Mastic	105	VS01B	-	
	Brown Sheeting Mastic	105	VS01B	-	
	Brown Sheeting Mastic	105	VS01C	-	
PI01	Mag Block Pipe Insulation	100	PI01A	33.3% CH	-
	Mag Block Pipe Insulation	202	PI01B	NA	-
	Mag Block Pipe Insulation	301A	PI01C	NA	-
PI02	Air Cell Pipe Insulation	301	PI02A	25% CH	-
	Air Cell Pipe Insulation	401	PI02B	NA	-
	Air Cell Pipe Insulation	501	PI02C	NA	-
PI03	Tar Wrap Pipe Insulation	301	PI03A	4.6% CH	-
PI04	Wool Felt Pipe Insulation	401	PI04A	28.6% CH	-
	Wool Felt Pipe Insulation	401	PI04B	NA	-
	Wool Felt Pipe Insulation	501	PI04C	NA	-
PJ01	Pipe Fitting Insulation	100	PJ01A	9.1% CH	-
	Pipe Fitting Insulation	108	PJ01B	NA	-
	Pipe Fitting Insulation	301	PJ01C	NA	-

Table 2
Bulk Sampling Summary Form
City of Rochester
354 Whitney Street
Building 1A
Rochester, NY
July 21 through 23, 2003

Material Code	Material Description	Sample Location	Sample ID	Analytical Results	
				PLM	TEM
TPO1	Transite Electrical Panel	301	TP01A	NAD	-
	Transite Electrical Panel	401	TP01B	25% CH	-
	Transite Electrical Panel	Exterior	TP01C	NA	-
MM03	Gray Electrical Caulk	Exterior	MM03A	19.3% CH	-
PC01	Panel Covering	Exterior	PC01A	28.1% CH	-
	Panel Covering	Exterior	PC01B	NA	-
	Panel Covering	Exterior	PC01C	-	NA
RM02	Black Tar Material	R100	RM02A	3.6% CH	-
	Black Tar Material	R100	RM02B	NA	-
	Black Tar Material	R100	RM02C	-	NA
TMO1	Floor Leveling Compound	301	TMO1A	NAD	NAD
	Floor Leveling Compound	301	TMO1B	NAD	NAD
	Floor Leveling Compound	401	TMO1C	NAD	NAD
	Floor Leveling Compound	401	TMO1D	NAD	NAD
	Floor Leveling Compound	501	TMO1E	NAD	NAD
	Floor Leveling Compound	501	TMO1F	NAD	NAD
	Floor Leveling Compound	601	TM01G	NAD	NAD
TM02	Cap Insulation	R100	TM02A	NAD	-
	Cap Insulation	R100	TM02B	NAD	-
	Cap Insulation	R100	TM02C	NAD	-
WBO1	Typical Sheetrock	103	WB01A	NAD	-
	Typical Sheetrock	204	WB01B	NAD	-
	Typical Sheetrock	304	WB01C	NAD	-
	Typical Sheetrock	402	WB01D	NAD	-
	Typical Sheetrock (Drywall)	502	WB01E	NAD	-
	Typical Sheetrock (Joint Compound)	502	WB01E	NAD	-
	Typical Sheetrock	509	WB01F	NAD	-
	Typical Sheetrock (Drywall)	511	WB01G	NAD	-
	Typical Sheetrock (Joint Compound)	511	WB01G	NAD	-
FTO1	9"x9" Brown Floor Tile and Vapor Barrier	105A	FT01A	NAD	-
	Mastic	105A	FTO1A	NAD	-
	9"x9" Brown Floor Tile and Vapor Barrier	105A	FTO1B	NAD	-
	Mastic	105A	FTO1B	NAD	-
	9"x9" Brown Floor Tile and Vapor Barrier	105A	FTO1C	-	NAD
	Mastic	105A	FTO1C	-	NAD

**Table 2
Bulk Sampling Summary Form
City of Rochester
354 Whitney Street
Building 1A
Rochester, NY
July 21 through 23, 2003**

Material Code	Material Description	Sample Location	Sample ID	Analytical Results	
				PLM	TEM
VS02	Brown Geometric Sheeting	301	VS02A	NAD	NAD
	Brown Geometric Sheeting	301	VS02B	NAD	
	Brown Geometric Sheeting	301	VS02C		
CTOI	1'x1' White Ceiling Tile	601	CT01A	NAD	NAD
	Mastic	601	CT01A	NAD	
	1'x1' White Ceiling Tile	601	CT01B	NAD	
	Mastic	601	CT01B	NAD	
	1'x1' White Ceiling Tile	601	CT01C	NAD	
	Mastic	601	CT01C		
CP01	Ceiling Panel	101	CP01A	NAD	
	Ceiling Panel	101	CP01B	NAD	
	Ceiling Panel	100	CP01C	NAD	
CP02	2'x4' Natural Fissure Ceiling Panel	401	CP02A	NAD	
	2'x4' Natural Fissure Ceiling Panel	401	CP02B	NAD	
	2'x4' Natural Fissure Ceiling Panel	401	CP02C	NAD	
CP03	2'x4' White with Ridges Ceiling Panel	503	CP03B	NAD	
	2'x4' White with Ridges Ceiling Panel	503	CP03C	NAD	
BMOI	Black Baseboard Molding	105	BM01A	NAD	NAD
	Black Baseboard Molding	105	BM01B	NAD	
	Black Baseboard Molding	106	BM01C		
GAOI	Furnace Gasket Material	301	GA01A	NAD	
	Furnace Gasket Material	401B	GA01B	NAD	
	Furnace Gasket Material	401B	GA01C	NAD	
MMOI	Black Mastic Material	100	MM01A	NAD	NAD
	Black Mastic Material	104A	MM01B	NAD	
	Black Mastic Material	510	MM01C		
MM02	White Caulk Material	401B	MM02A	NAD	NAD
MM04	Black Electrical Caulk	Exterior	MM04A	NAD	NAD
DCOI	Door Caulk	106	DC01A	NAD	NAD
	Door Caulk	106	DC01B	NAD	
	Door Caulk	106	DC01C		

**Table 2
Bulk Sampling Summary Form
City of Rochester
354 Whitney Street
Building 1A
Rochester, NY
July 21 through 23, 2003**

Material Code	Material Description	Sample Location	Sample ID	Analytical Results	
				PLM	TEM
RMOI	Built-up Roofing Material Built-up Roofing Material Built-up Roofing Material	R100 R100 R100	RM01A RM01B RM01C	NAD NAD	NAD
< = Less Than % = Percent PLM = Polarized Light Microscopy TEM = Transmission Electron Microscopy NAD = No Asbestos Detected ND = None Detected NA = Not Analyzed Non-ACM = Indicates a final residue weight of <1% of sub-sample original weight		CH = Chrysotile Asbestos A = Amosite Asbestos CR = Crocidolite Asbestos	AN = Anthophyllite Asbestos TR = Tremolite Asbestos AC = Actinolite Asbestos		

Table 1
Homogeneous Material Summary Form
City of Rochester
354 Whitney Street
Building 2/2A/Brick Mill
Rochester, NY
July 23 through 25, 2003

Material Code	Material Location	Material Class	Material Description	Sample ID	Quantity	ACM?
WGOI	A101	M	Window Glaze	WG01A	936	Y
	A102	M			72	Y
	A105	M			1,100	Y
	A107	M			60	Y
	A109	M			60	Y
	A110	M			288	Y
	A111	M			60	Y
	A112	M			100	Y
	A113	M			48	Y
	A114	M			138	Y
	A115	M			90	Y
	A116	M			216	Y
	A118	M			785	Y
	A121A	M			90	Y
	A122	M			96	Y
	A123	M			118	Y
	A124	M			144	Y
	A125	M			3,540	Y
	A200	M			96	Y
	A201	M		6,700	Y	
	A202	M		40	Y	
	A203	M		48	Y	
	A204	M		48	Y	
	A206	M		318	Y	
	A210	M		172	Y	
	A211	M		24	Y	
	A212	M		48	Y	
	A213	M		48	Y	
	A300	M		48	Y	
	A301	M		88	Y	
					TOTAL		15,618 SF
FTOI	A105	M	12"x12" Tan with White Streaks Floor Tile	FTOI A-C TOTAL	3,000 3,000 SF	Y
FTOI	A105	M	FT01 Mastic	FTOI A-C TOTAL	3,000 3,000 SF	N
FT02	A111	M	9"x9" White with Green Streaks Floor Tile	FT02 A,B FT02C TOTAL	140	Y
	A112	M			160	Y
					300 SF	

Table 1
Homogeneous Material Summary Form
City of Rochester
354 Whitney Street
Building 2/2A/Brick Mill
Rochester, NY
July 23 through 25, 2003

Material	Material	Material	Material Description	Sample ID	Quantity	ACM?
PI03	A105	T	Air Cell Pipe Insulation	PI03C	140	Y
	A107	T			10	Y
	A108	T			290	Y
	A118	T			90	Y
	A121	T			40	Y
	A201	T			82	Y
	TOTAL				PI03A,B	652 LF
PJOI	A118	T	Pipe Fitting Insulation on Fiber Glass	PJ01A,B	2	Y
	A201	T			22	Y
	A207	T			1	Y
	A208	T		PJOIC	7	Y
					TOTAL	32 EA
BB01	A125	T	Boiler Breeching Material	BB01A-C	150	Y
	A130	T			1,000	Y
TOTAL				1,150 SF		
DI01	A101	T	Paper Duct Insulation	DI01A	6	Y
TOTAL					6 SF	
MM04	Exterior	M	White Mastic Material	MM04A	2	Y
TOTAL					2 LF	
TP01	A105	M	Transite Electrical Panel	TPOIA	6	Y
	A108	M			8	Y
	A125	M		20	Y	
	A127	M		74	Y	
	A128	M		270	Y	
	A129	M		110	Y	
	A201	M		3	Y	
	TOTAL					491 SF
TP02	A206	M	White Transite Panel	TP02A-C	56	Y
TOTAL					56 SF	
TP03	A125	M	Gray Transite Panel	TP03C	1	Y
	A128	M			80	Y
	A129	M			70	Y
	A207	M		1,840	Y	
	A208	M		TP03A	1,120	Y
					TOTAL	3,111 SF

Table I
Homogeneous Material Summary Form
City of Rochester
354 Whitney Street
Building 2/2A/Brick Mill
Rochester, NY
July 23 through 25, 2003

Material Code	Material Location	Material Class	Material Description	Sample ID	Quantity	ACM?
TP04	A130	M	Transite Pipe	TP04A-C TOTAL	50 50 LF	Y
GAOI	A125	M	Pipe Gasket Material	GAOIA	See Report Notes	Y
PC02	Exterior	M	Panel Covering (Material Sampled with Building 1A)	Presumed TOTAL	1,000 1,000 SF	Y
RMOI	R 100	M	Built-up Roofing Material	RM01A-C TOTAL	1,129 1,129 SF	Y
RM02	R100 R101 R102 R103	M M M M	Black Tar Material	RM02A RM02B RM02C TOTAL	230 26,100 600 120 27,050 SF	Y Y Y Y
RM03	R102 R103 R105	M M M	Built-up Roofing Material	RM03A-C TOTAL	5,670 164 520 6,354 SF	Y Y Y
RM05	R103	M	Gray Rolled Roofing	RM05A-C TOTAL	276 276 SF	Y
RM07	R104 R105	M M	Black tar Material	RM07A,B RM07C TOTAL	40 30 70 LF	Y Y
TMOI	A111 A112	S S	Typical Stucco	TM01A,B TM01C TOTAL	140 160 300 SF	N N
TM02	R 100 R104	S S	Cap insulation	TM02C TM02A,B TOTAL	126 241 367 LF	N N
WBOI	A109 A111 A112 A113 A115 A116 A119	M M M M M M M	Typical Sheetrock	WB01A WB01B WB01C WB01D WB01E	200 330 320 210 339 339 352	N N N N N N

Table 1
Homogeneous Material Summary Form
City of Rochester
354 Whitney Street
Building 2/2A/Brick Mill
Rochester, NY
July 23 and 25, 2003

Material Code	Material Location	Material Class	Material Description	Sample ID	Quantity	ACM?
WB01	A120 A122	M M	Typical Sheetrock		279 225 TOTAL 2,594 SF	N N
FT03	A120	M	12"x12" Tan Egg Shell Floor Tile and Mastic	FT03A-C TOTAL	112 112 SF	N
VS01	A122	M	Tan Brick Sheeting	VS01A-C TOTAL	90 90 SF	N
CP01	A109 A113 A120	M M M	2'x4' Natural Fissure Ceiling Panel	CP01A CP01B CP01C TOTAL	450 6 112 568 SF	N N N
MM01	A109 A110 A111 A112 A113	M M M M M	Black Mastic Material	MM01A MM01B MM01C TOTAL	450 192 140 160 225 1,167 SF	N N N N N
MM02	A207 A208	M M	Black Mastic Material with Tar Paper	MM02C MM02A,B TOTAL	1,840 1,120 2,960 SF	N N
MM03	Exterior	M	Black Gasket Material	MM03A-C TOTAL	30 30 LF	N
BM01	A122	M	Brown Baseboard Molding	BM01A-C TOTAL	40 40 LF	N
PC01	Exterior	M	Panel Covering	PC01A-C TOTAL	40 40 SF	N
RM04	R103 A211	M M	Black Shingle Material	RM04A,B RM04C TOTAL	580 30 610 SF	N N
RM06	R104	M	Silver Built-up Roofing	RM06A-C TOTAL	4,480 4,480 SF	N
RM08	R103	M	Black Vapor Barrier	RM08A-C TOTAL	580 580 SF	N

9.0 BULK SAMPLING SUMMARY FORM

This form presents a summary of the bulk sampling performed at the facility. It lists the material code, sample ID, material description, sample location and the analytical results. Results for PLM and TEM analyses are presented as appropriate.

Table 2
Bulk Sampling Summary Form
City of Rochester
354 Whitney Street
Building 2/2A/Brick Mill
Rochester, NY
July 23 through 25, 2003

Material Code	Material Description	Sample Location	Sample ID	Analytical Results	
				PLM	TEM
WGOI	Window Glaze	A118	WG01A	NAD	-
	Window Glaze	A201	WGOIB	Trace CH	-
	Window Glaze	A201	WGOIC	-	3.1% CH
FTOI	12"x12" Tan with White Streaks Floor Tile	A105	FTOIA	Trace CH	6% CH Trace CH
	Mastic	A105	FTOIA	NAD	
	12"x12" Tan with White Streaks Floor Tile	A105	FTOIB	Trace CH	
	Mastic	A105	FTOIB	NAD	
	12"x12" Tan with White Streaks Floor Tile	A105	FTOIC		
	Mastic	A105	FTOIC		
FT02	9x9" White with Green Streaks Floor Tile	A111	FT02A	Trace CH	16.8% CH Trace CH
	Mastic	A111	FT02A	NAD	
	9"x9" White with Green Streaks Floor Tile	A111	FT02B	Trace CH	
	Mastic	A111	FT02B	NAD	
	9"x9" White with Green Streaks Floor Tile	A112	FT02C		
	Mastic	A112	FT02C		
VS02	Brown Geometric Sheeting	A122	VS02A	15.6% CH	-
PI01	Mag Block Pipe Insulation	A100A	PI01A	15.4% CH 4.3% AM	-
	Mag Block Pipe Insulation	A108	PI01B	NA	-
	Mag Block Pipe Insulation	A201	PI01C	NA	-
PI02	Wool Felt Pipe Insulation	A108	PI02A	8.9% CH	-
	Wool Felt Pipe Insulation	A115	PI02B	NA	-
	Wool Felt Pipe Insulation	A201	PI02C	NA	-
PI03	Air Cell Pipe Insulation	A201	PI03A	21.2% CH	-
	Air Cell Pipe Insulation	A201	PI03B	NA	-
	Air Cell Pipe Insulation	A105	PI03C	NA	-
PJ01	Pipe Fitting Insulation	A201	PJ01A	19.1% CH	-
	Pipe Fitting Insulation	A201	PJOIB	NA	-
	Pipe Fitting Insulation	A208	PJOIC	NA	-
BB01	Boiler Breeching Material	A125	BBOIA	25% CH	-
	Boiler Breeching Material	A125	BBOIB	NA	-
	Boiler Breeching Material	A125	BBOIC	NA	-
DI01	Paper Duct Insulation	A101	DI01A	44.4% CH	-

**Table 2
Bulk Sampling Summary Form
City of Rochester
354 Whitney Street
Building 2/2A/Brick Mill
Rochester, NY
July 23 through 25, 2003**

Material Code	Material Description	Sample Location	Sample ID	Analytical Results	
				PLM	TEM
MM04	White Mastic Material	Exterior	MM04A	20.2% CH	
TP01	Transite Electrical Panel Transite Electrical Panel Transite Electrical Panel	A125 A127 A129	TP01A TP01B TP01C	30.7% CH NA	NA
TP02	White Transite Panel White Transite Panel White Transite Panel	A206 A206 A206	TP02A TP02B TP02C	37.4% AM NA	NA
TP03	Gray Transite Panel Gray Transite Panel Gray Transite Panel	A207 A208 A128	TP03A TP03B TP03C	34.3% CH NA	NA
TP04	Transite Pipe Transite Pipe Transite Pipe	A130 A130 A130	TP04A TP04B TP04C	14.4% CH 2.1% CR NA -	NA
GA01	Pipe Gasket Material	A125	GA01A	26.7% CH	
PC02	Panel Covering (Sampled Ext of BLDG 1A)	Exterior	PC02	Presumed	
RM01	Built-up Roofing Material Built-up Roofing Material Built-up Roofing Material	R100 R100 R100	RM01A RM01B RM01C	1.1% CH NA	NA
RM02	Black Tar Material Black Tar Material Black Tar Material	R100 R102 R103	RM02A RM02B RM02C	6.8% CH NA	NA
RM03	Built-up Roofing Material Built-up Roofing Material Built-up Roofing Material	R102 R102 R102	RM03A RM03B RM03C	25.2% CH NA	NA
RM05	Gray Rolled Roofing Gray Rolled Roofing Gray Rolled Roofing	R103 R103 R103	RM05A RM05B RM05C	NAD 4.3% CH	NA
RM07	Black Tar Material Black Tar Material Black Tar Material	R104 R104 R105	RM07A RM07B RM07C	9.6% CH NA	NA

**Table 2
Bulk Sampling Summary Form
City of Rochester
354 Whitney Street
Building 2/2A/Brick Mill
Rochester, NY
July 23 through 25, 2003**

Material Code	Material Description	Sample Location	Sample ID	Analytical Results	
				PLM	TEM
TMOI	Typical Stucco	A111	TM01A	NAD	
	Typical Stucco	A111	TMOIB	NAD	
	Typical Stucco	A112	TMOIC	NAD	
TM02	Cap Insulation	R100	TM02A	NAD	
	Cap Insulation	R100	TM02B	NAD	
	Cap Insulation	R104	TM02C	NAD	
WBOI	Typical Sheetrock (Drywall)	A109	WBOIA	NAD	
	Typical Sheetrock (Joint Compound)	A109	WB01A	NAD	
	Typical Sheetrock (Drywall)	A111	WBOIB	NAD	
	Typical Sheetrock (Joint Compound)	A111	WBOIB	NAD	
	Typical Sheetrock (Drywall)	A113	WBOIC	NAD	
	Typical Sheetrock (Joint Compound)	A113	WBOIC	NAD	
	Typical Sheetrock (Drywall)	A115	WBOID	NAD	
	Typical Sheetrock (Joint Compound)	A115	WBOID	NAD	
	Typical Sheetrock (Drywall)	A119	WBOIE	NAD	
	Typical Sheetrock (Joint Compound)	A119	WBOIE	NAD	
FT03	12"x12" Tan Egg Shell Floor Tile	A120	FT03A	NAD	
	Mastic	A120	FT03A	NAD	
	12"x12" Tan Egg Shell Floor Tile	A120	FT03B	NAD	
	Mastic	A120	FT03B	NAD	
	12"x12" Tan Egg Shell Floor Tile	A120	FT03C	NAD	NAD
	Mastic	A120	FT03C	NAD	NAD
VSOI	Tan Brick Sheeting	A122	VSOIA	NAD	
	Tan Brick Sheeting	A122	VS01B	NAD	
	Tan Brick Sheeting	A122	VS01C	-	NAD
CPOI	2'x4' Natural Fissure Ceiling Tile	A109	CP01A	NAD	
	2'x4' Natural Fissure Ceiling Tile	A113	CPOIB	NAD	
	2'x4' Natural Fissure Ceiling Tile	A120	CPOIC	NAD	
MMOI	Black Mastic Material	A110	MMOIA	NAD	
	Black Mastic Material	A111	MMOIB	NAD	
	Black Mastic Material	A113	MM01C	-	NAD
MM02	Black Mastic Material with Tar Paper	A208	MM02A	Trace CH	
	Black Mastic Material with Tar Paper	A208	MM02B	NAD	
	Black Mastic Material with Tar Paper	A207	MM02C	-	NAD

**Table 2
Bulk Sampling Summary Form
City of Rochester
354 Whitney Street
Building 2/2A/Brick Mill
Rochester, NY
July 23 through 25, 2003**

Material Code	Material Description	Sample Location	Sample ID	Analytical Results	
				PLM	TEM
MM03	Black Gasket Material	Exterior	MM03A	NAD	NAD
	Black Gasket Material	Exterior	MM03B	NAD	
	Black Gasket Material	Exterior	MM03C		
BMO1	Brown Baseboard Molding	A122	BM01A	NAD	NAD
	Brown Baseboard Molding	A122	BM01B	NAD	
	Brown Baseboard Molding	A122	BM01C		
RM04	Black Shingle Material	R103	RM04A	NAD	NAD
	Black Shingle Material	R103	RM04B	NAD	
	Black Shingle Material	A211	RM04C		
RM06	Silver Built-up Roofing	R104	RM06A	NAD	NAD
	Silver Built-up Roofing	R104	RM06B	NAD	
	Silver Built-up Roofing	R104	RM06C		
RM08	Black Vapor Barrier	R103	RM08A	Trace CH	NAD
	Black Vapor Barrier	R103	RM08B	NAD	
	Black Vapor Barrier	R103	RM08C		
PC01	Panel Covering	Exterior	PC01A	Trace CH	- Trace CH Trace
	Panel Covering	Exterior	PC01B	NAD	
	Panel Covering	Exterior	PC01C		
< = Less Than % = Percent PLM = Polarized Light Microscopy TEM = Transmission Electron Microscopy NAD = No Asbestos Detected ND = None Detected NA = Not Analyzed Non-ACM = Indicates a final residue weight of <1% of sub-sample original weight		CH = Chrysotile Asbestos A = Amosite Asbestos CR = Crocidolite Asbestos		AN = Anthophyllite Asbestos TR = Tremolite Asbestos AC = Actinolite Asbestos	

Space ID

The floor and space numbers together make up the space identification. The first room on the first level of a facility would be designated as **001**.

Space Description

This describes in common terms the use of the functional area, such as closet, office or boiler room.

Material Code

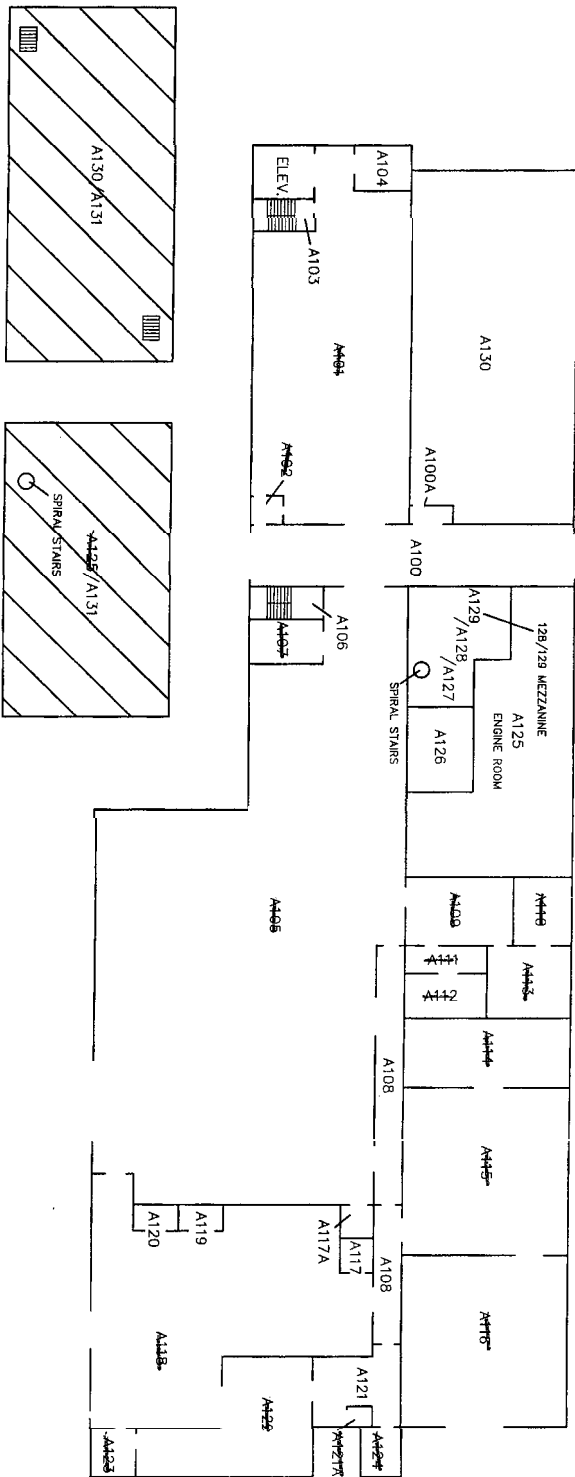
The Material Code is a system by which materials are identified using a simple short hand code. Codes for common building materials are listed in the following table:

THERMAL SYSTEM INSULATION (TSI)	MISCELLANEOUS MATERIAL (M)	
(PJ) Pipe Joint	(CA) Carpeting	(MA or MM) Mastic Materials
(PI) Pipe Insulation	(CB) Chalk Board	(PB) Peg Board
(BI) Boiler Insulation	(CP) Ceiling Panels (2' x 2' ¹ / ₂ ' x 4')	(RD) Room Divider
(DI) Duct Insulation	(CT) Ceiling Tile (1' x 1')	(RM) Roofing Material (field and flashing)
(TI) Tank Insulation	(DM) Debris Material	(SH) Sheeting in Fume Hoods
(RB) Radiator Backing Material	(EI) Electric Insulation	(ST) Slate Lab Tables
(BR) Breach Insulation	(FB) Fire Bricks	(TB) Transite Board
(TP) Transite Pipe	(FC) Fire Curtains	(TS) Transite Shingles
SURFACING MATERIAL (S)	(FD) Fire Doors	(TZ) Terrazzo
(SM) Sprayed-on Material	(FT) Floor Tile	(VS) Vinyl Sheeting (linoleum)
(TM) Trowelled-on Material	(GA) Gaskets	(WC) Window Caulking
	(HV) HVAC Fabric	(WG) Window Glaze
	(KB) Kiln Brick or Cement	(WB) Wallboard
* Other designations may be created as needed in the field as long as they are defined in the report.		

The material code further divides similar materials into different homogeneous areas. Each time a new material is encountered where the material codes have already occurred, it is assigned the next consecutive item number (i.e., FT01, FT02, FT03...for different types of floor tiles).

**BUILDING #2/2A/BRICKMILL
1ST FLOOR**

ALL SUBFLOOR SPACES FLOODED



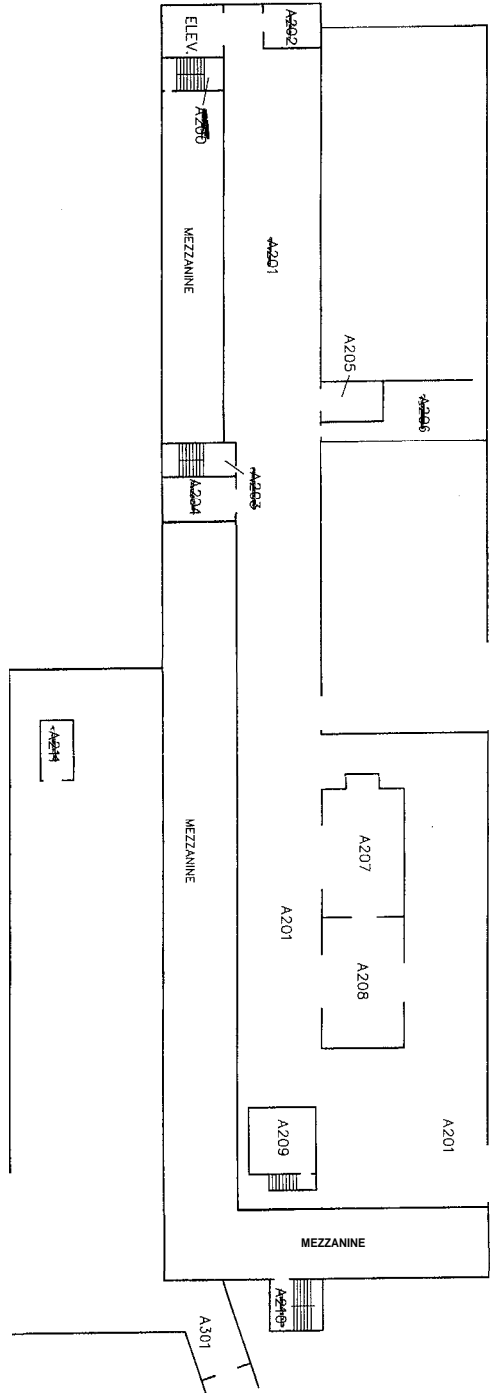
FIRST FLOOR - BUILDING #2/2A ASBESTOS INSPECTION CITY OF ROCHESTER 354 WHITNEY STREET ROCHESTER, NEW YORK		
SCALE:	DATE:	PROJECT NUMBER:
1" = 30'	7/23-25/03	01203-011

ENSR © 2001
INTERNATIONAL
360 LINDEN OAKS
ROCHESTER, NEW YORK 14625-2814
PHONE: (716) 381-2210
FAX: (716) 381-5382
WEB: HTTP://WWW.ENSR.COM

DESIGNED BY:	REVISIONS			
	NO.:	DESCRIPTION:	DATE:	BY:
TS				
DRAWN BY:				
DSS				
CHECKED BY:				
TCT				
APPROVED BY:				
TCT				

PROJECT NUMBER:	A
SHEET NUMBER:	
FILE: F:\proj\01203.dwg	

BUILDING #2/2A/BRICKMILL
2ND FLOOR



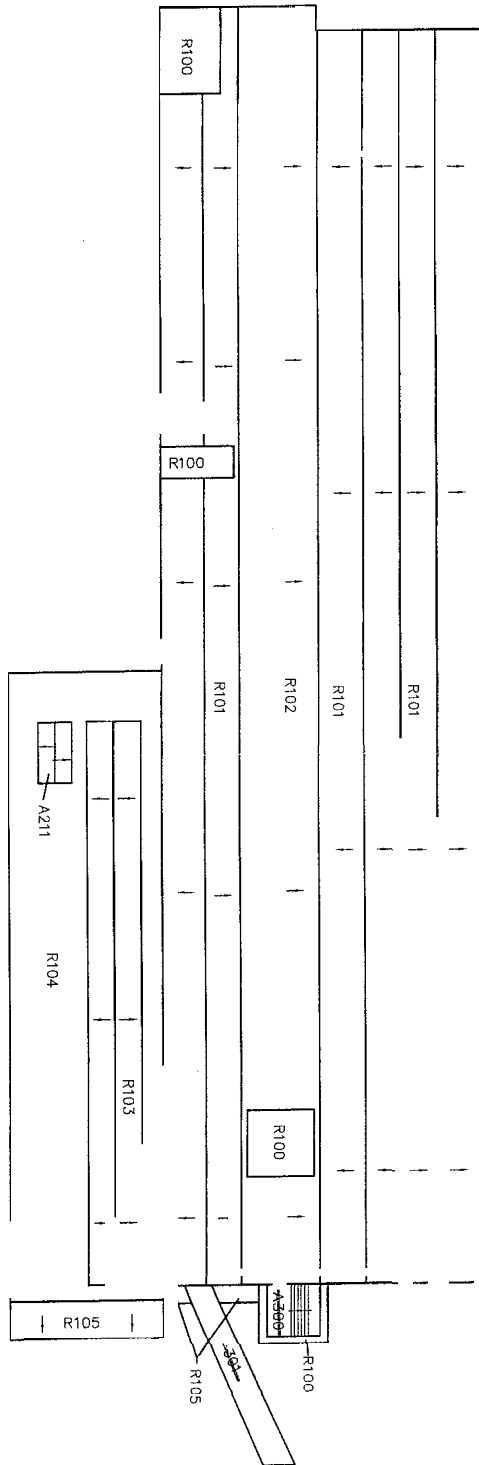
B	SHEET NUMBER	
	Flrplan.dwg	

SECOND FLOOR—BUILDING #2/2A ASBESTOS INSPECTION CITY OF ROCHESTER 354 WHITNEY STREET ROCHESTER, NEW YORK		
SCALE:	DATE:	PROJECT NUMBER:
1" = 30'	7/23-25/03	01203-011

ENSR © 2001
INTERNATIONAL
380 LINDEN OAKS
ROCHESTER, NEW YORK 14625-2814
PHONE: (716) 381-2210
FAX: (716) 381-3392
WEB: [HTTP://WWW.ENSR.COM](http://www.ensr.com)

DESIGNED BY:	REVISIONS			
TS	NO.:	DESCRIPTION:	DATE:	BY:
DRAWN BY:				
DSS				
CHECKED BY:				
TCT				
APPROVED BY:				
TCT				

BUILDING #2/2A/BRICKMILL
 ROOF PLAN



ROOF PLAN-BUILDING #2/2A
 ASBESTOS INSPECTION
 CITY OF ROCHESTER
 354 WHITNEY STREET
 ROCHESTER, NEW YORK

SCALE:	DATE:	PROJECT NUMBER:
1" = 30'	7/23-25/03	01203-011

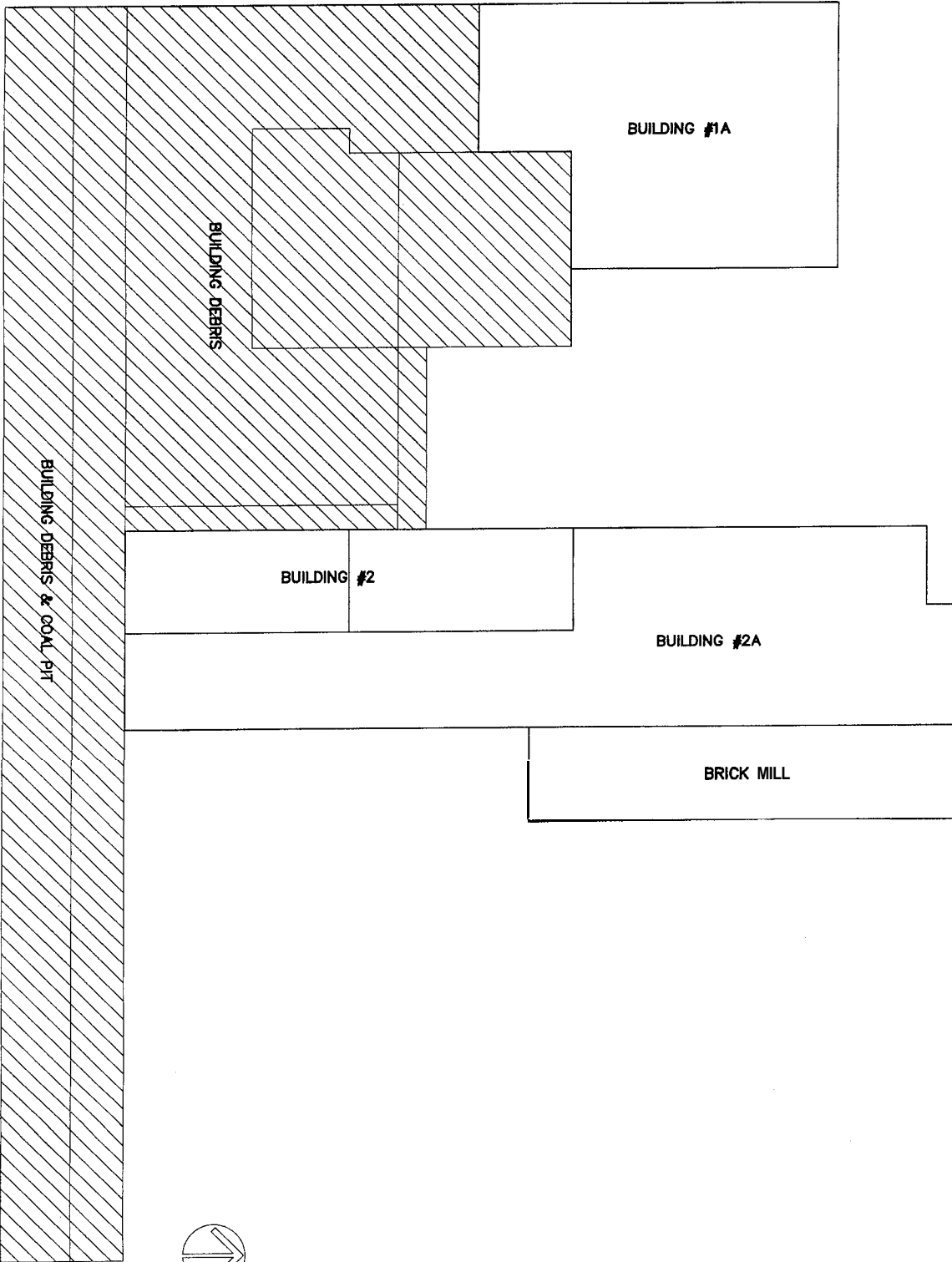
ENSR © 2001
 INTERNATIONAL
 360 LINDEN OAKS
 ROCHESTER, NEW YORK 14625-2814
 PHONE: (716) 381-2210
 FAX: (716) 381-6382
 WEB: HTTP://WWW.ENSUR.COM

DESIGNED BY:	REVISIONS			
TS	NO.:	DESCRIPTION:	DATE:	BY:
DRAWN BY:				
DSS				
CHECKED BY:				
TCT				
APPROVED BY:				
TCT				

FIGURE NUMBER:
C

SHEET NUMBER:
 Firplan.dwg

WHITNEY STREET



OVERALL PLAN

FIGURE NUMBER: 1	SHEET NUMBER: F:\p101\dwg
---------------------	------------------------------

OVERALL PLAN ASBESTOS INSPECTION CITY OF ROCHESTER 354 WHITNEY STREET ROCHESTER, NEW YORK		
SCALE: 1" = 40'	DATE: 7/21-25/03	PROJECT NUMBER: 01203-011

ENSR INTERNATIONAL © 2001
 380 LINDEN OMS
 ROCHESTER, NEW YORK 14625-2814
 PHONE: (716) 381-2210
 FAX: (716) 381-5392
 WEB: HTTP://WWW.ENSR.COM

DESIGNED BY:	REVISIONS			
TS	NO.:	DESCRIPTION:	DATE:	BY:
DRAWN BY:				
DSS				
CHECKED BY:				
TCT				
APPROVED BY:				
TCT				

CITY OF ROCHESTER, NEW YORK
DEPARTMENT OF COMMUNITY DEVELOPMENT

Office of the Commissioner
Rochester, New York 14614

Date Issued: October 19, 2004

HEARING FINDINGS

Owner of Record:
Ray Mar Associates
8 Butler Avenue
Wakefield, MA 01880

Property Address:
RE: 415 Orchard Street
SBL: 105.660-0003-023/0

A hearing was held on October 8, 2004, in Room 124B, City Hall with K. McManus as Hearing Officer. The following persons were sworn and present:

John Rizzo, Municipal Attorney, Law Department
Larry Fedick, Property Rehabilitation Specialist, Department of Community Development
Laura Nobles, Sr. Administrative Assistant, Department of Community Development
Sharon Conheady, Administrator, Peter Cimino, NCO NET B, Mark Gregor, Jane Forbes,
Department of Environmental Services, Division of Environmental Quality, Joel Smith, Manager of
Plan Review and Inspection.

This hearing was held to determine if the subject structures are a public nuisance and/or unsafe as defined in Section 90-27 and 47A-16 of the Code of the City of Rochester.

At this hearing, evidence of the condition of the structures and other matters relating to the property were presented, and after due consideration, this Hearing Officer makes the following findings of fact:

1. The structures have been vacant for more than one (1) year and have been subject to illegal entry by vandals and squatters.
2. The interior/exterior of the premises are in a neglected condition and have suffered substantial fire damage.
3. The interior contained large amounts of discarded items and combustible debris throughout, presenting further potential hazard of fire.
4. There is evidence of concrete slabs weighing in excess of 150 pounds falling from upper stories of the structure posing an imminent danger to the safety of the public.
5. All electrical, plumbing, and heating systems are inoperable and in need of repair
6. There is no present evidence of repair, permits or maintenance.

By reason of said findings of fact, this Hearing Officer confirms the determination that: The structure represents a hazard to Public Health and Safety due to its unoccupied and neglected condition. The findings of fact list numerous violations of the Property Code of the City of Rochester, as well as apparent neglect on the part of the owner to correct said violations.

THEREFORE, THE OWNER IS ORDERED TO:

1. Secure all first floor and ground level openings within two (2) days of the date of issuance of these findings.
2. Remove all high grass and weeds, trash and debris within two (2) days of the date of issuance of these findings.

3. Submit to Joseph Strocko, Manager of Technical Services, Room 028B, City Hall, within ten (10) days of the date of issuance of these findings, an exact schedule of plans for the rehabilitation or demolition of the structure. That schedule must provide for work to commence at once and proceed uninterrupted until the building is demolished or in compliance with all appropriate codes and ordinances.
4. Provide along with the rehabilitation/demolition schedule, contractor's estimates and sources of funding required for the renovation/demolition work. In the event that the owner intends to perform all work associated with renovation/demolition, a list of materials to be used and the costs of all such materials must be submitted. In addition, the owner must supply a list of previously related work, which would indicate the ability to perform the required rehabilitation/demolition.
5. If rehabilitation is to occur:
 - a. Apply for all applicable building, plumbing and electrical permits within ten (10) days of issuance of these findings.
 - b. Apply for a Certificate of Occupancy as required by Section 90-27 of the Municipal Code of the City of Rochester within ten (10) days of the date of issuance of these findings. Section 90-27 states that all properties that have been vacant for more than two months must obtain a Certificate of Occupancy prior to reoccupancy of the structure. A copy of the Certificate of Occupancy application must be submitted to Joseph Strocko within five (5) days of application.
 - c. All rehabilitation work will need to be completed within sixty (60) days of the date of issuance of these findings unless otherwise specified elsewhere
6. If rehabilitation is not to occur you obtain all necessary permits and demolish the structure within thirty (30) days of the date of the issuance of these findings.

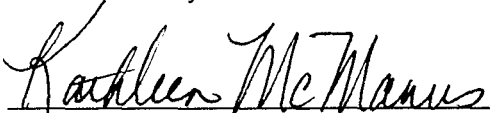
THE OWNER IS ALSO HEREBY NOTIFIED of his/her responsibility for keeping the structures free from unauthorized entry and for keeping the yard free of rubbish, debris and overgrown weeds. Should such a condition exist, the City will assign a work crew to abate the violations. The cost will be billed to the owner of record and to the property tax bill, if not paid.

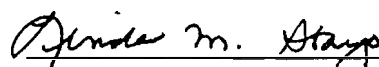
THE OWNER IS ALSO HEREBY NOTIFIED that if the above described structure is not repaired or demolished by the owner, as ordered above, the City of Rochester may proceed to inspect the stated property, for the limited purpose of preparing for the demolition of the above described structure, with or without the permission and/or notification of said owner.

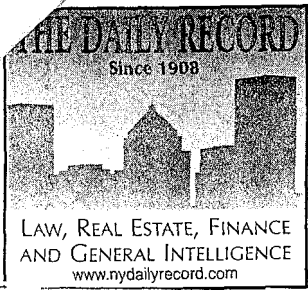
Should the condition of the structure change, presenting an emergency or imminent danger as defined in Chapters 90-27 and 47A-16 of the City Code, these Hearing Findings will become null and void and any action deemed appropriate under law by the Commissioner of Community Development will be undertaken.

If the above described structure is not repaired or demolished, as ordered above, the City of Rochester may proceed to demolish such structure. All costs and expenses incurred by the City of Rochester in the demolition of such structure, including, but not limited to, the cost of ascertaining the identity of the owner and other interested parties, and of actually demolishing the structure, will be billed to the owner of the property. If demolition costs are not paid in full within sixty (60) days of the due date, with property owner shall be personally liable for all demolition costs, as well as for interest and other charges permitted by law.

Unpaid demolition charges and related charges may also be added to the property tax bill, at the option of the City, pursuant to Sections 6-92 and 6-94 of the Rochester City Charter, and Section 14-10 of the Rochester City Code.


Kathleen McManus
Hearing Officer


Dennis M. Stays
Commissioner, Department of Community
Development



NOTICE OF HEARING

Notice is hereby given to all interested Persons, corporations, and agents that the Commissioner of the Department of Community Development has determined that the structure(s) at:

415 Orchard Street, Ray Mar Associates, 8 Butler Avenue, Wakefield, MA 01880;

293 Hamilton Street, Kae Consultant Engineering, 1344 Pinnacle Road, Henrietta, NY 14467;

228 Parsells Avenue, Nadia & Sumaiya Malik, 8 Leeward Lane, Rochester, NY 14618;

134 Sixth Street, Corbin Cuyler, 20 Town Pump Circle, Spencerport, NY 14559;

296 Durnan Street, James L. Henning & Anthony Ferreri, PMB 306 3177 Latta Road, Rochester, NY 14612;

12 Lampson Street, Marck & Irene Schmitt, 15 Queensboro Road, Rochester, NY 14609;

117 North Street, Edward Ammann Jr., 586 Seneca Road, Rochester, NY

14622;

are a public nuisance pursuant to Section 47-A-16 of the City of Rochester Municipal Code. A statement describing the reasons for this determination is on file in the Office of the Commissioner.

A Hearing to review this determination has been scheduled on Friday, October 1, 2004 in 124-B, City Hall before a Hearing Officer appointed by the Commissioner.

Anyone wishing to contest the determinations should appear at the hearing, and will have the right to be represented by counsel, offer evidence and call witnesses on their behalf.

In the event that an order to demolish results from this Hearing, the City may demolish the structure(s). All costs and expenses incurred by the City of Rochester in the demolition of such structure(s), including, but not limited to the cost of ascertaining the identity of the owner and other interested parties, and or actually demolish the structure(s), will be billed to the record owner of the property. If not paid within sixty (60) days of the due date, all such demolition costs, plus a ten percent (10%) interest charge, will be added to the tax bill of the property, as prescribed by Section 6-91 of the Charter and Section 14-10 of the Code of the City of Rochester. In addition, the owner of the property may be held personally liable for all such demolition costs.

Linda Luxenberg, Director
Bureau of Housing and
Project Development

AFFIDAVIT OF PUBLICATION

STATE OF NEW
YORK
County of Monroe
City of Rochester

Daniel Whaley, being duly sworn, says that he is the General Manager of **The Daily Record**, a daily newspaper published in the City of Rochester, County of Monroe and State of New York, and says that the notice hereto attached was published in said paper once on: Tuesday, October 5, 2004
Wednesday, October 6, 2004
Thursday, October 7, 2004

Daniel Whaley

Sworn to before me on this day: October 7, 2004

KATHLEEN CHAMBERLAIN
COMMISSIONER OF DEEDS
City of Rochester, NY
Commission Expires June 8, 2006

Centre Park • Rochester • New York 14603-3006 • (585) 232-6920 • Fax (585) 232-2740
Statler Towers • Suite 81 • Buffalo • New York 14202 • (716) 847-2984 • Fax (716) 847-2986

CITY OF ROCHESTER, NEW YORK
DEPARTMENT OF COMMUNITY DEVELOPMENT

1-10-04
Growth

Office of the Commissioner
Rochester, New York 14614

Date Issued: January 16, 2004

HEARING FINDINGS

Owner of Record:

LEMBO
6567 Ives LN N
Maple Grove, MN 55369

Property Address:

RE: 354 Whitney Street
SBL: 105.660-0003-024/0

A hearing was held on January 9, 2004, in Room 124B, City Hall with K. McManus as Hearing Officer
The following persons were sworn and present:

John Rizzo, Municipal Attorney, Law Department
Steve Young, Property Rehabilitation Specialist, Department of Community Development
Laura Nobles, Sr. Administrative Assistant, Department of Community Development
Joel Smith, Mgr. Plan Review and Inspection, DCD, Peter Cimino, Neighborhood Conservation
Officer, Sharon Conheady, Administrator, NET B

This hearing was held to determine if the subject structures are a public nuisance and/or unsafe as defined in Section 90-27 and 47A-16 of the Code of the City of Rochester.

At this hearing, evidence of the condition of the structures and other matters relating to the property were presented, and after due consideration, this Hearing Officer makes the following findings of fact:

1. The structures have been vacant for more than one (1) year and are in close proximity to occupied structures.
2. The interior/exterior of the premises are in a neglected condition and have suffered extensive fire damage.
3. The interior of the premises contain large amounts of discarded items and combustible debris throughout, presenting further potential hazard of fire.
4. There is evidence of unauthorized entry, vandalism, drug use, gun shots fired and other illegal activity that pose an immediate hazard and danger to the surrounding neighborhood and its residents.
5. All electrical, plumbing, and heating systems are inoperable and in need of repair.
6. There is no present evidence of repair, permits or maintenance.

By reason of said findings of fact, this Hearing Officer confirms the determination that: The structure represents a hazard to Public Health and Safety due to its unoccupied and neglected condition. The findings of fact list numerous violations of the Property Code of the City of Rochester, as well as apparent neglect on the part of the owner to correct said violations.

THEREFORE, THE OWNER IS ORDERED TO:

1. Secure all first floor and ground level openings within two (2) days of the date of issuance of these findings.
2. Remove all high grass and weeds, trash and debris within two (2) days of the date of issuance of these findings.

3. Submit to Joseph Strocko, Manager of Technical Services, Room 028B, City Hall, within ten (10) days of the date of issuance of these findings, an exact schedule of plans for the rehabilitation or demolition of the structure. That schedule must provide for work to commence at once and proceed uninterrupted until the building is demolished or in compliance with all appropriate codes and ordinances.
4. Provide along with the rehabilitation/demolition schedule, contractor's estimates and sources of funding required for the renovation/demolition work. In the event that the owner intends to perform all work associated with renovation/demolition, a list of materials to be used and the costs of all such materials must be submitted. In addition, the owner must supply a list of previously related work, which would indicate the ability to perform the required rehabilitation/demolition.
5. If rehabilitation is to occur:
 - a. Apply for all applicable building, plumbing and electrical permits within ten (10) days of issuance of these findings.
 - b. Apply for a Certificate of Occupancy as required by Section 90-27 of the Municipal Code of the City of Rochester within ten (10) days of the date of issuance of these findings. Section 90-27 states that all properties that have been vacant for more than two months must obtain a Certificate of Occupancy prior to reoccupancy of the structure. A copy of the Certificate of Occupancy application must be submitted to Joseph Strocko within five (5) days of application.
6. If rehabilitation is not to occur you submit a plan to Joseph Strocko to obtain all necessary permits and demolish the structure within ten (10) days of the date of the issuance of these findings.

THE OWNER IS ALSO HEREBY NOTIFIED of his/her responsibility for keeping the structures free from unauthorized entry and for keeping the yard free of rubbish, debris and overgrown weeds. Should such a condition exist, the City will assign a work crew to abate the violations. The cost will be billed to the owner of record and to the property tax bill, if not paid.

THE OWNER IS ALSO HEREBY NOTIFIED that if the above described structure is not repaired or demolished by the owner, as ordered above, the City of Rochester may proceed to inspect the stated property, for the limited purpose of preparing for the demolition of the above described structure, with or without the permission and/or notification of said owner.

Should the condition of the structure change, presenting an emergency or imminent danger as defined in Chapters 90-27 and 47A-16 of the City Code, these Hearing Findings will become null and void and any action deemed appropriate under law by the Commissioner of Community Development will be undertaken.

If the above described structure is not repaired or demolished, as ordered above, the City of Rochester may proceed to demolish such structure. All costs and expenses incurred by the City of Rochester in the demolition of such structure, including, but not limited to, the cost of ascertaining the identity of the owner and other interested parties, and of actually demolishing the structure, will be billed to the owner of the property. If demolition costs are not paid in full within sixty (60) days of the due date, with property owner shall be personally liable for all demolition costs, as well as for interest and other charges permitted by law.

Unpaid demolition charges and related charges may also be added to the property tax bill, at the option of the City, pursuant to Sections 6-92 and 6-94 of the Rochester City Charter, and Section 14-10 of the Rochester City Code.


Kathleen McManus
Hearing Officer

Commissioner, Department of Community
Development

7295-34

76
B-43
WST
0-

3/29/1988

This Indenture

Made the 29th day of

March Nineteen Hundred and Eighty-Eight

Between **LEWIS CHARLES ASSOCIATES**, a New York partnership with a mailing address of 60 Broadhollow Road, Melville, New York

party of the first part, and

LEWIS CHARLES ASSOCIATES OF ROCHESTER, a New York partnership, with a mailing address of 60 Broadhollow Road, Melville, New York

Witnesseth that the party of the first part, in consideration of ONE & NO/100 Dollar (\$1.00) lawful money of the United States, and other good and valuable consideration paid by the party of the second part, do hereby remise, release and quitclaim unto the party of the second part, and assigns forever, all

THAT TRACT OR PARCEL OF LAND, described in Schedule "A" attached hereto and made a part hereof.

This conveyance is made and accepted subject to public utility easements, easements, covenants and restrictions of record affecting said premises.

Being and hereby intending to convey the same premises conveyed to the party of the first part by deed recorded in the Monroe County Clerk's Office on March , 1988, in Liber of Deeds, at page .

The consideration for this transfer is less than \$100.00.

Tax Account No.

105.660-03-024

Tax Billing Address:

60 Broadhollow Road
Melville, NY 11747

RECORDED
MAY 11 1988
CLERK
11:36

354 WHITNEY ST

7295-35

SCHEDULE "A"

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe and State of New York, being a part of Town Lot 62, 20,000 Acre Tract, Township 1, Short Range more particularly described as follows:

Commencing at an iron pin in the easterly line of Whitney Street which iron pin is located 499.44 feet south of the intersection of the easterly line of Whitney Street with the southerly line of Lyell Avenue; thence (1) northerly along the easterly line of Whitney Street a distance of 332.31 feet to a point; thence (2) easterly and making an interior angle with the last described course of 89 degrees 55' 40" a distance of 218.98 feet to a point; thence (3) northerly and making an interior angle with the last described course of 270 degrees 04' 00" a distance 48.43 feet to a point thence (4) easterly and making an interior angle with the last described course of 90 degrees 01' 10" a distance of 128.51 feet to a point; thence (5) southerly and making an interior angle with the last described course of 90 degrees distance of 200.20 feet to a point; thence (6) westerly and making an interior angle with the last described course of 90 degrees 00' 20" a distance of 40.20 feet to a point; thence (7) southerly in making an interior angle with the last described course of 270 degrees 00' 40" a distance of 132.45 feet to a point; thence (8) easterly and making an interior angle with the last described course of 269 degrees 57' 00" along the southerly edge of an interior wall a distance of 26.08 feet to a point; thence (9) southeasterly on a curve to the left, having a radius of 7.44 feet, a distance of 18.46 feet to a point, said point being 14 feet from the end of course #8 extended; thence (10) easterly on the line of course #8 extended, a distance of 20.43 feet to a point; thence (11) southerly and making an interior angle with the last described course of 90 degrees 00' 00" a

7295-36

distance of 20.58 feet to a point; thence (12) easterly and making an interior angle with the last described course of 270 degrees 00' 00" a distance of 118.06 feet; thence (13) southerly and making an interior angle with the last described course of 89 degrees 43' 50" a distance of 28.18 feet to a point; thence (14) westerly and making an interior angle with the last described course of 90 degrees 10' 25" a distance of 485.84 feet to the point and place of beginning.

MONROE COUNTY CLERK'S OFFICE
County Clerk's Recording ;



Return To:

IRA BEZACK
999 WALT WHITMAN ROAD
MELVILLE NY 11747

Index DEEDS ✓
Book 09126 Page 0096
No. Pages 0003
Instrument DEED
Date : 2/19/1999
Time : 2:23:00
Control # 195902190666

LEWIS CHARLES ASSOCIATES
LC NATIONAL EQUITIES LTD

TT# TT 0000 013294
Employee ID DB

MORTGAGE TAX

FILE PEE-s	\$	25.75	MORTGAGE AMOUNT	\$	.00
FILE PEE-C	\$	8.25	BASIC MORTGAGE TAX	\$	.00
REC FEE	\$	9.00	SPEC ADDIT MTG TAX	\$	.00
	\$	.00	ADDITIONAL MTG TAX	\$	.00
TRANS TAX	\$	.00	Total	\$	.00
MISC PEE-C	\$	5.00			
	\$	.00			
	\$	.00			
	\$	.00			
Total:	\$	49.00			

STATE OF NEW YORK
MONROE COUNTY CLERK'S OFFICE

TRANSFER AMT

WARNING - THIS SHEET CONSTITUTES THE CLERKS
ENDORSEMENT, REQUIRED BY SECTION 317-a(5) &
SECTION 319 OF THE REAL PROPERTY LAW OF THE
STATE OF NEW YORK. DO NOT DETACH.

TRANSFER AMT \$.00
TRANSFER TAX \$.00

Maggie Brooks, County Clerk



091260096

[105.66.03.24]

354 WHITNEY STREET

CT 80268
blank

Quitclaim Deed

THIS INDENTURE, made as of November 17, 1998. **BETWEEN LEWIS CHARLES ASSOCIATES**, having an address at 24 Spruce Street, Garden City, N Y. 11530 ("Grantor"), and **L. C. NATIONAL EQUITIES. LTD.** having an address at 24 Spruce Street, Garden City, N Y 11530 (hereinafter referred to as "Grantee").

11/17/1998

WITNESSETH, that Grantor, in consideration of Ten Dollars and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby remise, release and forever quitclaim unto Grantee and the heirs or successors and assigns of Grantee forever,

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, and State of New York, being a par. of Town Lot 62, 20,000 Acre Tract, Township 1, 3rd Range more particularly described as follows:

Commencing at an iron pin in the easterly line of Whitney Street which iron pin is located 499.44 feet south of the intersection of the easterly line of Whitney Street with the southerly line of Lyell Avenue; thence (1) northerly along the easterly line of Whitney Street a distance of 332.31 feet to a point; thence (2) easterly and inaking an interior angle with the last described course of 89 degrees 55' 40" a distance of 218.98 feet to a point; thence (3) northerly and making an interior angle with the last described course of 270 degrees 04' 00" a distance of 48.43 feet to a point; thence (4) easterly and making an interior angle with the last described course of 90 degrees 01' 10" a distance of 128.51 feet to a point, thence (5) southerly and making an interior angle with the last described course of 90 degrees a distance of 200.20 feet to a point; thence (6) westerly and making an interior angle with the last described course of 90 degrees 00' 20" a distance of 40.20 feet to a point; thence (7) southerly in making an interior angle with the last described course of 270 degrees 00' 40" a distance of 13245 feet to a point; thence (8) easterly and making an interior angle with the last described course of 269 degrees 57' 00" along the southerly edge of an interior wall a distance of 26.08 feet to a point; thence (9) southeasterly on a curve to the left, having a radius of 7.44 feet, a distance of 18.46 feet to a point, said point being 14 feet from the end of course #8 extended; thence (10) easterly on the line of course 18 extended, a distance of 20.43 feet to a point; thence (11) southerly and making an interior angle with the last described course of 90 degrees 00' 00" a distance of 20.58 feet to a point; thence (12) easterly and making an interior angle with the last described course of 270 degrees 00' 00" a distance of 118.06 feet; thence (13) southerly and making an interior angle with the last described course of 89 degrees 43' 50" a distance of 28.18 feet to a point, thence (14) westerly and making an interior angle with the last described course of 90 degrees 10' 25" a distance of 485.84 feet to the point and place of beginning.

Together with a permanent easement of access and egress during all reasonable hours to and from the central electricity control station situate on the premises deeded to Manufacturers Hanover Trust Company/Central New York by Trustee's Deed dated July 19, 1976 given by George H. Brown, as Trustee in Bankruptcy of 351 Whitney, Inc and recorded on July 26, 1976 in Liber 5065 of Deeds, at page 194.

Together with a permanent easement to use, enjoy and maintain the existing open floor space of the ground level as more fully described in the conveyance of said easement, recorded June 9, 1978 from County of Monroe Industrial Development Agency, grantor, to Manufacturers Hanover Trust Company/Central New York grantee, which easement was recorded in the Monroe County Clerk's Office on said date.

Being the same premises acquired by the City of Rochester by Deed recorded in the Monroe County Clerk's Office on March 30, 1988 in Liber 7295, page 223

Excepting and reserving all the right, title and interest of the Grantor in and all streets upon which the premises abut.

MONROE COUNTY CLERK
RFR FEB 9 1998 2:23

RECORDED

BEING AND INTENDED TO BE the same premises conveyed to the party of the first part by deed dated March 21, 1988 and recorded in the Office of the Clerk of the County of Monroe on March 30, 1988 in Liber 7295 at page 27.

TOGETHER with the appurtenances and all the estate and rights of Grantor in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto Grantee and the heirs, executors, administrators, legal representatives, successors and assigns of Grantee forever.

AND Grantor, in compliance with Section 13 of the Lien Law, covenants that Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, Grantor has duly executed this deed as of the date first above written.

IN PRESENCE OF:

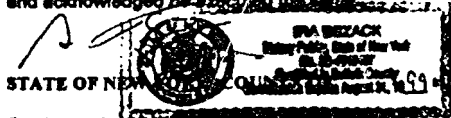
LEWIS CHARLES ASSOCIATES

By: Lewis Lembo L.S.
LEWIS LEMBO, Partner

Partner of Lewis Charles Associates

STATE OF NEW YORK, COUNTY OF NASSAU, ss.

On the 17 day of November 1998, before me personally came Lewis Lembo to me known to be the individual described in and who executed the foregoing instrument, and acknowledged he executed the same.



On the day of 1998, before me personally came

to me known, who, being my me duly sworn, did depose and say that he resides at No.

that he is the of the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed hereunto by like order.

Quitclaim Deed

TITLE NO.:

LEWIS CHARLES ASSOCIATES OF ROCHESTER

TO

L.C. NATIONAL EQUITIES, LTO.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 1998, before me personally came to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 1998, before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being my me duly sworn, did depose and say that he resides at No.

that he knows to be the individual described in and who executed the foregoing instrument; that he, the said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

DISTRICT:
SECTION:
BLOCK:
LOT:

property Street Address: 354 Whitney Street
Rochester, New York

Tax acct. #: 105.66-3-24

RECORD & RETURN TO:

IRA BEZACK, ESQ.
999 Walt Whitman Road
Melville, New York 11747

This Indenture,

Made the 10th day of September

Nineteen Hundred and Eighty-Six

Between THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY

a public benefit corporation organized under the laws of the State of New York, having its principal office at Suite 929, 183 East Main Street, Rochester, New York

1012 party of the first part, and

SYKES DATATRONICS, INC., a New York corporation having an office at 375 Orchard Street, Rochester, New York 14606

Witnesseth that the party of the first part, in consideration of

ONE AND NO/100THS-----Dollars (\$1.00) lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors and assigns forever.

ALL THAT TRACT OR PARCEL OF LAND (herein referred to as EAST ORCHARD PARCEL) situate in the City of Rochester, County of Monroe and State of New York known and distinguished as part of Lot 4 and a part of Lot 5 in Section "E" of the Whitney Tract, a subdivision of Town Lot 62, 20,000 Acre Tract, a map of which is filed in Monroe County Clerk's Office in Liber 2 of Maps, page 8 bounded and described as follows:

Commencing at a point in the east line of Orchard Street 168.05 feet north of the north line of Lime Street; thence (1) north along the east line of Orchard Street a distance of 124.96 feet to a point; thence (2) easterly making an interior angle 69° 34' 45" with course (1) a distance of 264.00 feet to a point; thence (3) southerly and making an interior angle of 90° 25' 15" with course (2) a distance of 124.76 feet to a point; thence (4) westerly making an interior angle of 89° 37' 20" with course (3) a distance of 264.00 feet to the point of beginning.

ALSO, ALL THAT TRACT OR PARCEL OF LAND (herein referred to as WEST ORCHARD PARCEL) situate in the City of Rochester, County of Monroe and State of New York being a part of Town Lot 62, 20,000 Acre Tract, Township 1, Short Range, more particularly described as follows:

Beginning at a point in the west line of Orchard Street 192.42 feet distant south of the intersection of the south line of Lyell Avenue with the west line of Orchard Street; running thence the following bearings and distances:

- 1) South along the west line of Orchard Street a distance of 308.22 feet to its intersection with the north line of lands now or formerly of New York Central Railroad;
- 2) West at an interior angle with Course No. 1 of 89° 53' 40" and along the north line of said New York Central Railroad lands a distance of 23.5 feet to a point; thence for the next seven courses along the boundaries of lands conveyed by Norry Equipment Company to 351 Whitney, Inc., by Deed recorded in Monroe County Clerk's Office on April 28, 1972 in Liber 4245 of Deeds, page 108;
- 3) North at an interior angle with Course No. 2 of 89° 49' 35" a distance of 29.59 feet;

RECEIVED
 REAL ESTATE
 SEP 16 1986
 TRANSFER TAX

(23)-397 ORCHARD ST
 (54)-350 ORCHARD ST

105.66-03-23
 105.75-01-54

NO PAGES A
 09/16/86 12:23:0
 AT
 MONROE COUNTY CLERK

10
 10

BOX 80
 J B

Act No. 19
 Chap No. 46
 Sec No. 212-2

Industrial

105.66-03-23
 105.75-01-54

00006975-209

- 4) West at an interior angle with Course No. 3 of $270^{\circ} 10'$ a distance of 26.35 feet;
- 5) North at an interior angle with Course No. 4 of $90^{\circ} 13' 10''$ a distance of 19.15 feet;
- 6) West at an interior angle with Course No. 5 of $269^{\circ} 53'$ a distance of 170.99 feet;
- 7) North at an interior angle with Course No. 6 of $90^{\circ} 03' 00''$ a distance of 132.45 feet;
- 8) East at an interior angle with Course No. 7 of $89^{\circ} 59' 20''$ a distance of 40.20 feet;
- 9) North at an interior angle with Course No. 8 of $269^{\circ} 59' 40''$ a distance of 126.16 feet;
- 10) East at an interior angle with Course No. 9 of $90^{\circ} 12' 24''$ a distance of 180.69 feet to the place of beginning, the last course making an interior angle with the first course of $89^{\circ} 46' 01''$.

+ legal description continued on attached page
The consideration for this transfer is less than \$100.00.

TAX ACCOUNT NUMBERS: 105.66-03-023
105.750-01-054

distance
13' 10"
distance
03' 00*
9' 20" a
59' 40"
2' 24" a
the last
of 89°

PARCEL I-A

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe and State of New York being a part of Town Lot 62, 20,000 Acre Tract, Township 1, Short Range, more particularly described as follows:

Beginning at a point in the west line of Orchard Street 192.42 feet distant south of the intersection of the south line of Lyell Avenue with the west line of Orchard Street; running thence the following bearings and distances:

- 1) South along the west line of Orchard Street a distance of 308.22 feet to its intersection with the north line of lands now or formerly of New York Central Railroad;
- 2) West at an interior angle with Course No. 1 of 89° 53' 50" and along the north line of said New York Central Railroad lands a distance of 23.5 feet to the point and place of beginning of the parcel hereinafter described; thence running
- 3) Westerly along the last described course extended westerly along the north line of lands now or formerly of New York Central Railroad a distance of 18.80 feet to a point; thence
- 4) Northerly at an exterior angle of 90° 10' 25" with Course No. 3, a distance of 28.18 feet to a point; thence
- 5) Westerly at an exterior angle of 89° 43' 50" with Course No. 4 a distance of 118.06 feet to a point; thence
- 6) Northerly at an exterior angle of 270° with Course No. 5 a distance of 20.58 feet to a point; thence the following four courses along lands now or formerly owned by Norry Equipment Company;
- 7) Easterly at an interior angle of 90° with Course No. 6 a distance of 110.48 feet to a point; thence
- 8) Southerly at an exterior angle of 269° 53' with Course No. 7 a distance of 19.15 feet to a point; thence
- 9) Easterly at an exterior angle of 90° 13' 10" with Course No. 8 a distance of 26.35 feet to a point; thence
- 10) Southerly at an exterior angle of 270° 10' with Course No. 9 a distance of 29.59 feet to the point and place of beginning.

PARCEL I-B

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Rochester, County of Monroe and State of New York being a part of Town Lot 62, 20,090 Acre Tract, Township 1, Short Range, more particularly described as follows: Commencing at the point of termination of Course No. 6 of Parcel I-A immediately above described; thence westerly at an angle of 90° with said Course No. 6 a distance of 20.43 feet to the point and place of beginning of the parcel hereinafter described; thence continuing westerly on the same course a distance of 14 feet to a point; thence southeasterly on a curve to the left a distance of 18.46 feet on a curve having a radius of 7.44 feet to the point and place of beginning.

TITLEBLANK REGISTERED U.S. PAT. OFFICE
TITLE LAW PRINT PUBLISHERS SINCE 1898
TR NO 86259122600
BOOK 6975 PAGE 22B
PREP 5th PM day of
EIGHTY-SIX
NO PAGES 6
69/16/86 12:26:00
AT
MONROE COUNTY CLERK

TG ④
\$3,000
B

This Indenture

6975-228

Made the
September
Nineteen Hundred and
Between SYKES DATATRONICS, INC.

the
EIGHTY-SIX

a corporation organized under the laws of New York State, with an office at 375 Orchard Street, Rochester, New York 14606

party of the first part, and
RAY MAR ASSOCIATES, a New York limited partnership with an office and place of business at 1077 Main Street, Suite 206, Wakefield, Massachusetts

X

Witnesseth that the party of the first part, in consideration of

ONE AND NO/100THS Dollars (\$ 1.00)
lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors and assigns forever, all

that tract and parcel of land as described in Schedule A attached hereof and made a part hereof.

86 SEP 16 PM

~~9/5/1986~~

BOX 112 1/2

RECEIVED
\$ 3,000.00
REAL ESTATE
SEP 16 1986
TRANSFER TAX
MONROE
COUNTY

- 105.66-03-23 ✓ (2.12)
- 105.67-02-05 ✓
- 105.67-02-06 ✓
- 105.67-02-07 ✓
- 105.75-01-03 ✓
- 105.75-01-54 ✓ (2.12)

- (23) - 357 ORCHARD ST
- (54) - 350 ORCHARD ST
- 5) - 392 ORCHARD ST
- 1) - 388 ORCHARD ST
- 7) - 406 ORCHARD ST
- 3) - 399 SARTON ST

00006975-230

SCHEDULE A

PARCEL I

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Rochester, County of Monroe and State of New York being a part of Town Lot 62, 20,000 Acre Tract, Township 1, Short Range, more particularly described as follows:

Beginning at a point in the west line of Orchard Street 192.42 feet distant south of the intersection of the south line of Lyell Avenue with the west line of Orchard Street; running thence the following bearings and distances:

- 1) South along the west line of Orchard Street a distance of 308.22 feet to its intersection with the north line of lands now or formerly of New York Central Railroad;
- 2) West at an interior angle with Course No. 1 of 89° 53' 40" and along the north line of said New York Central Railroad lands a distance of 23.5 feet to a point; thence for the next seven courses along the boundaries of lands conveyed by Norry Equipment Company to 351 Whitney, Inc., by Deed recorded in Monroe County Clerk's Office on April 28, 1972 in Liber 4245 of Deeds, page 108;
- 3) North at an interior angle with Course No. 2 of 89° 49' 35" a distance of 29.59 feet;
- 4) West at an interior angle with Course No. 3 of 270° 10' a distance of 26.35 feet;
- 5) North at an interior angle with Course No. 4 of 90° 13' 10" a distance of 19.15 feet;
- 6) West at an interior angle with Course No. 5 of 269° 53' a distance of 170.99 feet;
- 7) North at an interior angle with Course No. 6 of 90° 03' 00" a distance of 132.45 feet;
- 8) East at an interior angle with Course No. 7 of 89° 59' 20" a distance of 40.20 feet;
- 9) North at an interior angle with Course No. 8 of 269° 59' 40" a distance of 126.16 feet;
- 10) East at an interior angle with Course No. 9 of 90° 12' 24" a distance of 180.69 feet to the place of beginning, the last course making an interior angle with the first course of 89° 46' 01".

PARCEL I-A

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe and State of New York being a part of Town Lot 62, 20,000 Acre Tract, Township 1, Short Range, more particularly described as follows:

Beginning at a point in the west line of Orchard Street 192.42 feet distant south of the intersection of the south line of Lyell Avenue with the west line of Orchard Street; running thence the following bearings and distances:

- 1) South along the west line of Orchard Street a distance of 308.22 feet to its intersection with the north line of lands now or formerly of New York Central Railroad;
- 2) West at an interior angle with Course No. 1 of 89° 53' 50" and along the north line of said New York Central Railroad lands a distance of 23.5 feet to the point and place of beginning of the parcel hereinafter described; thence running

3
weste
York
thenc

4
Cours

Cours

6
NO. 4
four
Equip

a di

No.

Cour

NO.
begi

PARC

Rocl
of
mor
poi
abc
Cou
beg
con

0:
poi

PAR

Roc
of
the
Si:
de:

20'
ea:
50'
Co
ea
CO
St
Br
Co
we

(4
ma
40
an
ar
Ra
e2
ir

3000(6975-231)

3) Westerly along the last described course extended westerly along the north line of lands now or formerly of New York Central Railroad a distance of 18.80 feet to a point; thence

4) Northerly at an exterior angle of $90^{\circ} 10' 25''$ with Course No. 3, a distance of 28.18 feet to a point; thence

5) Westerly at an exterior angle of $89^{\circ} 43' 50''$ with Course No. 4 a distance of 118.06 feet to a point; thence

6) Northerly at an exterior angle of 270° with Course No. 5 a distance of 20.58 feet to a point; thence the following four courses along lands now or formerly owned by Norry Equipment Company:

7) Easterly at an interior angle of 90° with Course No. 6 a distance of 110.48 feet to a point; thence

8) Southerly at an exterior angle of $269^{\circ} 53'$ with Course No. 7 a distance of 19.15 feet to a point; thence

9) Easterly at an exterior angle of $90^{\circ} 13' 10''$ with Course No. 8 a distance of 26.35 feet to a point; thence

10) Southerly at an exterior angle of $270^{\circ} 10'$ with Course No. 9 a distance of 29.59 feet to the point and place of beginning.

PARCEL I-B

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Rochester, County of Monroe and State of New York being a part of Town Lot 62, 20,000 Acre Tract, Township 1, Short Range, more particularly described as follows: Commencing at the point of termination of Course No. 6 of Parcel I-A immediately above described; thence westerly at an angle of 90° with said Course No. 6 a distance of 20.43 feet to the point and place of beginning of the parcel hereinafter described; thence continuing westerly on the same course a distance of 14 feet to a point; thence southeasterly on a curve to the left a distance of 18.46 feet on a curve having a radius of 7.4 feet to the point and place of beginning.

PARCEL II

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Rochester, County of Monroe and State of New York, being part of Lots 8 and 9, Section "E" of a subdivision of Town Lot 62 in the 20,000 Acre Tract, reference being made to a map made by Silas Cornell for the Trustees of Warham Whitney, bounded and described as follows:

Commencing at a point in the east line of Orchard Street, 209.5 feet south of the south line of Lyell Avenue; thence (1) easterly a distance of 80 feet to a point; thence (2) southeasterly making an interior angle of $108^{\circ} 50' 28''$ with course (1) a distance of 42 feet to a point; thence (3) easterly and making an exterior angle of $109^{\circ} 23' 46''$ with course (2) a distance of 93 feet to the west line of Broad Street; thence (4) southeasterly along the west line of said Broad Street, making an interior angle of $119^{\circ} 37' 28''$ with course (3) a distance of 132.36 feet to a point; thence (5) westerly making an interior angle of $60^{\circ} 56' 40''$ with course (4) a distance of 102.78 feet to a point; thence (6) southerly making an interior angle of 270° with course (5) a distance of 40 feet to a point; thence (7) westerly making an interior angle of 90° with course (6) and along a line 72 feet north of and parallel with the north line of the New York Central Railroad property, a distance of 147.68 feet to a point in the east line of Orchard Street; thence (8) northerly making an interior angle of $90^{\circ} 06' 30''$ with course (7) and along the

0000 6975-232

east line of Orchard Street, a distance of 196.40 feet to the point of beginning. Course (1) makes an interior angle of $89^{\circ} 52' 40''$ with course (8).

wi
al
in
56

PARCEL III

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, known and described as parts of Lots 7 and 8 in Section E of a subdivision of Town Lot 62 of the 20,000 Acre Tract bounded and described as follows: Beginning at a point in the west line of Magne Street, now called Broad Street, at the northeast corner of lands heretofore conveyed by Warranty Deed from Robert Murray and wife to the Rochester, Lockport and Niagara Falls Railroad Co.; thence westerly along the north line of lands so conveyed to Orchard Street; thence northerly along the east line of Orchard Street 72 feet to a point; thence easterly on a line parallel to the Railroad property about 148 feet to a point 125 feet distant from the west line of Broad Street; thence northerly at right angles 40 feet to an iron pipe; thence easterly on a line parallel with the north line of said Railroad property to the west line of Broad Street; thence southerly along the west line of Broad Street to the place of beginning.

in
De
(3
re
su
dn
at

tr
ir

PARCEL IV

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Rochester, County of Monroe and State of New York known and distinguished as part of Lot 4 and a part of Lot 5 in Section "E" of the Whitney Tract, a subdivision of Town Lot 62, 20,000 Acre Tract, a map of which is filed in Monroe County Clerk's Office in Liber 2 of Maps, page 8, bounded and described as follows:

re

Commencing at a point on the east line of Orchard Street 168.05 feet north of the north line of Line Street; thence (1) north along the east line of Orchard Street a distance of 124.96 feet to a point; thence (2) easterly making an interior angle of $89^{\circ} 34' 45''$ with course (1) a distance of 264.00 feet to a point; thence (3) southerly and making an interior angle of $80^{\circ} 25' 15''$ with course (2) a distance of 124.76 feet to a point; thence (4) westerly making an interior angle of $89^{\circ} 37' 20''$ with course (3) a distance of 264.00 feet to the point of beginning.

PARCEL V

ALL THAT TRACT OR PARCEL OF LAND, being Lot 11 and a portion of Lot 10 of the Whitney Tract, as filed in Monroe County Clerk's Office in Liber 2 of Maps, page 8, City of Rochester, County of Monroe, State of New York and being more particularly described as follows:

Beginning at a point on the westerly street line of Saxton Street (60.00' wide). a distance of 165.00 feet northerly from its intersection with the northerly right-of-way line of Lime Street; thence (1) westerly, along a line forming an interior angle of $89^{\circ} 43' 42''$ in the northwest quadrant, a distance of 265.44 feet; thence (2) northerly, along a line forming an included angle of $90^{\circ} 23' 16''$ with course (1), a distance of 113.71 feet; thence, (3) easterly, along a line forming an included angle of $96^{\circ} 40' 32''$ with Course (2), a distance of 172.26 feet; thence, (4) easterly, along a line forming an included angle of $172^{\circ} 56' 12''$ with Course (3), a distance of 18.88 feet to the southwesterly street line of Broad Street (60.00' wide); thence, (5) southeasterly, along the southwesterly line of Broad Street and forming an included angle of $133^{\circ} 34' 05''$ with Course (4), a distance of 42.42 feet to a point of angle; thence (6) southeasterly, along the southwesterly line of Broad Street and forming an included angle of $180^{\circ} 45' 43''$ with Course (5), a distance of 67.09 feet to the intersection of the southwesterly line of Broad Street

TO: JANE FORBES, DES
FROM: JOHN RIZZO, LAW DEPARTMENT - Per research done by
GAIL Pylipas of our office.
Chain of title for 354 Whitney Street

- 6-1-67 Orchard Properties, Inc. to Norry Equipment Company
only a portion of the large parcel was sold, becoming 354 Whitney street
Liber 3816 of Deeds, page 468
- 4-28-72 Norry Equipment Company to 351 Whitney, Inc.
Liber 4245 of Deeds, page 108
- 7-19-76 Deed given by George H. Brown, as Trustee in Bankruptcy of 351
Whitney, Inc. to Manufacturer's Hanover Trust Company/ Central New
York
Liber 5065 of Deeds, page 194
- 6-9-78 Manufacturer's Hanover Trust Company/Central New York to Whitdel
Properties, Ltd.
Liber 5445 of Deeds, page 184
- 3-28-88 Whitdel Properties, Ltd., by City Tax Foreclosure Deed to City of
Rochester
Liber 7297 of Deeds, page 77
- 3-30-88 City of Rochester to Lewis Charles Associates
Liber 7295 of Deeds, page 27
- 3-30-88 Lewis Charles Associates to Lewis Charles Associates of Rochester
Liber 7295 of Deeds, page 34
- 2-19-99 Lewis Charles Associates of Rochester to LC National Equities, Ltd.
Liber 9126 of Deeds, page 96

LC National Equities, Ltd. is current owenr