

From: [Nick Recchia](#)
To: [Recchia, Nick](#)
Subject: [EXT] Fwd: 1818 Mcdonald
Date: Wednesday, January 15, 2020 2:12:36 PM

Sent from my iPhone

Begin forwarded message:

From: Hiram Rothkrug <hrothkrug@environmentalstudiescorp.com>
Date: January 15, 2020 at 1:05:08 PM EST
To: Nick Recchia <nrecchia@tristatedrillingtech.com>
Subject: 1818 Mcdonald

<!--[if !supportLists]-->1. <!--[endif]-->IntroductionEPDSCO, Inc. has performed a Phase I Environmental Site Assessment (ESA) of the subject property located at 1881-1887 McDonald Avenue, in the Borough of Brooklyn, New York City, New York. This Phase I ESA was prepared in accordance with the latest ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Designation E 1527-13). The Standard Practice E 1527-13 defines good commercial and customary practice for conducting an environmental site assessment (ESA) of a parcel of commercial real estate with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and petroleum products. As such, the Practice is intended to permit a user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on CERCLA liability (referred to as landowner liability protections or LLPs); that is, the practice that constitutes all appropriate inquiries into the previous ownership and uses of the property consistent with good commercial and customary practice. The goal of an ESA is to identify, to the extent feasible in accordance with ASTM E 1527-13, recognized environmental conditions (RECs) in connection with the property. The term recognized environmental condition means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions. The term de minimis condition means a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. The presence or likely presence of

hazardous substances or petroleum products at the site includes any form, such as solid or liquid at the surface or subsurface, and vapor in the subsurface. The Practice also defines two additional RECs; controlled recognized environmental conditions and historical recognized environmental conditions. The term controlled recognized environmental conditions means a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

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221881 McDonald Avenue March 2018 The term historical recognized environmental condition means a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls). Recognized environmental conditions are identified through a review of pertinent records for the project site and nearby properties, a site reconnaissance and interviews. The records review includes a review of Standard Historical Sources of information to determine the history of the property. Such sources include historical aerial photographs, fire insurance maps such as those published by the Sanborn Map Company, reverse telephone directories, building department records such as Certificates of Occupancy, building and demolition permits, etc., property tax records, recorded land title records, previous environmental reports and others. The records review also includes regulatory agency lists and databases of documented hazardous waste sites, spill incidents, registered storage tanks and others. The non-invasive site reconnaissance is performed to identify potential sources of contamination at the project site and in the immediate vicinity of the site. Such potential sources of contamination include operations involving the storage or use of hazardous substances or petroleum products, the presence of petroleum storage tanks, drainage structures, chemical/oil staining, dead or dying vegetation and others. Interviews are conducted, whenever possible, with site owners, operators, tenants, local government officials, and others with knowledge of the site and information regarding potential RECs at a property. Finally, several ASTM "Non-Scope" items including asbestos-containing materials, lead-based paints, and radon are also discussed. A detailed scope of work is included in Section D of this report. Sanborn atlases and other pertinent

figures are included in Attachment A. Photographs are located in Attachment B. Regulatory agency database information from Environmental Data Resources, Inc. (EDR) is included in Attachment C. The City Directory Abstract report from EDR is included in Attachment D, and User provided information is included in Attachment E, including the User Questionnaire. Phase I ESA Executive Summary

The subject property at 1881-1887 McDonald Avenue, Brooklyn, N.Y. consists of two adjoining tax lots with a total combined area of approximately 11,200 square feet. Lot 48 (1881 McDonald Avenue) is approximately 4,480 square feet in area and contains a 2-story (plus basement), masonry and wood frame residential apartment building on the west side of the lot. The east side of the lot contains a 1-story (on slab), 2-car garage. Exterior portions of this lot consist of a paved driveway on the south side, and a small paved rear yard between the two buildings.

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231881 McDonald Avenue March 2018 Lot 45 (1883-1887 McDonald Avenue), is approximately 6,720 square feet in area. There is a 2-story (plus basement), masonry and wood-frame commercial building on the southwest portion of the lot and a 1-story garage building located on the northeast [portion.](#) At the time of the site visit, the first floor of the 2-story building was occupied by Der-Dau Custom Boots and Shoes (packaging and shipping), by a retail consumer electronics store (no store name), and by Top Hat Limousine, a limousine company with office and parking operations only. The second floor is occupied by Iqra Masjid & Reading Room. The 1-story building is occupied by Der-Dau Custom Boots and Shoes for custom boot and shoe manufacturing. Exterior portions of the site consist of an asphalt-paved parking lot on the southeast part of the lot, and an asphalt and concrete-paved driveway on the northwest portion. The operations of Der-Dau Custom Boots and Shoes consists of the cutting, shaping, forming and sewing of leather boots and shoes using several small, custom machines in the garage. All leather used in the operation is pre-dyed or colored and no leather dyeing or coloring operations are performed in the building. Small quantities of adhesives, leather cleaners and polish are used in the operation; however, no significant quantities of hazardous substances were noted in the building. In addition, no staining, large drums or chemical containers or other visible indications of the storage or use of significant quantities of hazardous substances were observed. There were not any other operations involving the storage or use of hazardous materials or petroleum products observed at the project site. Research into the history of the property shows that the existing 2-story apartment building at 1881 McDonald Avenue was constructed sometime between 1906 and 1930 and has been used for residential purposes since its construction. Prior to the construction of this building, the lot was occupied by a 2-story residential dwelling. There were not any past businesses or operations that typically use hazardous substances identified at 1881 McDonald Avenue in the

information reviewed for this report. The existing 2-story commercial building at 1883-1887 McDonald Avenue was constructed sometime prior to 1906, and the 1-story garage building was constructed sometime between 1930 and 1950. The identified former uses in the 2-story building include retail stores, residential apartments, a woodworking company (Dell Woodcraft, from the 1960s to the 1990s), electrical contractors and limousine companies. Identified operations in the 1-story garage include an oil truck private garage for oil utility companies from the 1940s to the early 1990s (Meisner Bros. Utilities, Inc. fuel oil and Northeast Petroleum Corp.), and Der-Dau Custom Boots and Shoes from the early 1990s to the present time. Woodworking operations typically involve the use of adhesives, stains, varnishes and other materials. The garage building was formerly used for the storage and possible repair and maintenance of oil trucks. Any past spills, leaks or discharges of hazardous substances or petroleum products from former woodworking

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241881 McDonald Avenue March 2018 operations, oil truck maintenance or repair operations, or from oil spills or leaks from oil trucks at the site would be a potential source of contamination to the subject property. Typical lavatory drainage structures such as sinks and toilets were observed in the 2-story building at 1883-1887 McDonald Avenue. In addition, two storm drains were observed in the driveway on the northwest portion of 1883-1887 McDonald Avenue. The drainage destination of these structures is not known; however, it is likely that they discharge to the municipal sewer system. No staining or other visible indications of past spills, leaks or discharges of petroleum products or hazardous substances were observed around any of the drainage structures at the site. No aboveground storage tanks (ASTs) were observed at the project site. Visible indications of the possible presence of two underground storage tanks were noted in the driveway on the northwest portion of 1883-1887 McDonald Avenue. A six-inch diameter circular steel structure, similar to a gasoline tank fillport, was observed in the driveway. This structure was filled with concrete. In addition, a two-inch diameter steel pipe, similar to a fuel oil tank fillport, was observed protruding from the driveway. This structure was also filled with concrete. No petroleum storage tank vent lines were observed in the area of the driveway. There is an oil-fired boiler located in the north basement area of the 2-story building, adjacent to the driveway. The oil supply pipe for this boiler enters the basement through the floor adjacent to the boiler, and possibly originates from an underground fuel oil tank below the driveway. In addition, a buried gasoline tank is shown in the driveway on the northwest portion of this lot on the 1950 through 1990 maps. No documentation regarding the closure or removal of underground tanks from the project site was found in the information reviewed for this report. Therefore, it is possible that there are two underground petroleum storage tanks located below the driveway of 1883-1887 McDonald Avenue. Any past spills or leaks

from underground petroleum storage tanks at the project site would be a potential source of contamination to the subject property. The portion of the project site at 1881 McDonald Avenue was not accessible for inspection at the time of the site visit, and therefore it is not known how the 2-story apartment building on this lot is heated (e.g., oil, gas, electric, etc.). However, the building contains a chimney which indicates that it at one time had a central boiler. An Oil Burner application was filed for this lot in 1966, which indicates an oil-fired heating system in the building. Therefore, it is possible that there is a fuel oil tank at 1881 McDonald Avenue. Given the age of the subject buildings (constructed prior to the 1970s), it is possible that they contain asbestos-containing building materials and lead-based paints. Potential asbestos-containing material observed in the buildings include floor tiles, ceiling tiles, surfacing materials and roofing materials. Painted surfaces in the buildings were observed to be in generally good condition, with no large areas of chipped or peeling paint noted.

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251881 McDonald Avenue March 2018 The subject site does not appear in the Federal or State environmental databases reviewed including the USEPA's Superfund, CERCLIS or ERNS databases, the RCRA Hazardous Waste Generators list or hazardous waste Treatment/Storage/Disposal Facilities list, or the NYSDEC's Spill Logs database, Solid Waste Facilities database, Petroleum Bulk Storage database or the Registry of Inactive Hazardous Waste Disposal Sites. A review of Sanborn maps shows that land uses in the immediate area of the site were predominantly residential until the 1950s. From the 1960s to the present time, land uses have included a mix of residential, commercial/retail, auto-related and light manufacturing uses. The 1969 through 1992 Sanborn maps show a gasoline filling station at 1890-1900 McDonald Avenue, located approximately 150 feet southwest of the project site. There are two NYSDEC-reported spill incidents at this location; however, both have been closed by the NYSDEC. A metal plating operation is shown at 1889-1895 McDonald Avenue on the 1969 through 1993 maps, which is located approximately 80 feet south of the project site. A business shown as "Mfg. Chemist" is shown at 1840-1848 McDonald Avenue, located approximately 200 feet northwest of the project site. There are not any NYSDEC-reported spill incidents at these nearby locations. There were not any potential off-site sources of contamination which are considered likely to have impacted the project site identified in the immediate vicinity of the project site.

Findings This assessment has revealed no evidence of Controlled Recognized Environmental Conditions or Historical Recognized Environmental Conditions in connection with the property. This assessment as revealed no evidence of Recognized Environmental Conditions in connection with the property, with the following exceptions:

- The potential for site impacts from past woodworking, fuel truck parking and/or truck maintenance or repair operations.
- The possible presence of two or more underground petroleum storage tanks at the site

that have not been properly closed or removed in accordance with NYSDEC or New York City Fire Department requirements.●The potential for site impacts from past spills or leaks from underground storage tanks at the site.●The possible presence of asbestos-containing building materials and lead-based paints in the subject building.●The possibility of a vapor encroachment condition to existing or future buildings at the site from past woodworking operations, from past fuel oil truck storage, maintenance or repair operations or from past spills or leaks from underground storage tanks at the site cannot be ruled out.

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261881 McDonald Avenue March 2018 Conclusion Based on the above conditions and findings, to avoid any potential impacts associated with hazardous materials, the Proposed Actions would include the mapping of (E) designations for hazardous materials on the projected development sites: Block 6633, Lots 45 and 45 Block 6658, Lots 1 and 86 The text of the (E) designation (E-474) is as follows: Due to the possible presence of hazardous materials on the aforementioned designated sites, there is potential for contamination of the soil and groundwater. To determine if contamination exists and perform the appropriate remediation, the following tasks must be undertaken by the fee owners of the lot restricted by this (E) designation prior to any demolition or disturbance of soil on the lot. Task 1 The fee owners of the lot restricted by this (E) designation will be required to prepare a scope of work for any soil, gas, or groundwater sampling and testing needed to determine if contamination exists, the extent of the contamination, and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to the OER for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory [analysis.No](#) sampling program may begin until written approval of a work plan and sampling protocol is received from the OER. The number and location of sample sites should be selected to adequately characterize the type and extent of the contamination, and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for choosing sampling sites and performing sampling will be provided by OER upon request. Task 2 A written report with findings and a summary of the data must be presented to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such test results, a determination will be provided by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER. If remediation is necessary according to test results, a proposed remediation plan must be submitted to OER for review and approval. The fee owners of the lot

restricted by this

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271881 McDonald Avenue March 2018 (E) designation must perform such remediation as determined necessary by OER. After completing the remediation, the fee owners of the lot restricted by this (E) designation should provide proof that the work has been satisfactorily completed. An OER-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This Plan would be submitted to OER for review and approval prior to implementation. With the implementation of the above (E) designation, no significant adverse impacts related to hazardous materials would result from the Proposed Actions.

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