

PHASE I ESA

DRAFT EXECUTIVE SUMMARY

AKRF, Inc. (AKRF) was retained by J2 147-07 94TH AVENUE LLC to perform a Phase I Environmental Site Assessment (ESA) of the property located at 147-07 94th Avenue in the Jamaica section of Queens, New York (the Property), also identified as Queens Tax Block 9998, Lot 25. At the time of the reconnaissance, the Property included three one-story buildings, an asphalt-paved parking lot and a concrete-paved loading dock in the southeastern portion of the Property, and a small asphalt-paved parking lot in the southwestern portion of the Property, on an approximately 35,000-square foot (SF) lot. The warehouse was occupied by a cold food storage and frozen food supplier. The surrounding area was predominantly commercial and industrial in use, with residential properties located further north and south. A Property location map is provided as Figure 1 and a site plan is provided as Figure 2.

Historically, the Property was developed with small, low-rise dwellings as early as 1901. By 1925, the Property was identified as Amour & Co. Beef and Provisions. The Property was also occupied by a storage yard for the N.Y. Telephone Co. until approximately 1942. Between 1951 and 2006, the Property contained a produce warehouse and meat storage facilities. A refrigeration sales and service facility was identified in the eastern portion of the Property between approximately 1967 and 2006.

This Phase I Environmental Site Assessment was performed in conformance with ASTM Standard E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice*. Any exceptions to, or deletions from, the Standard are described in Section 8.0. The term “Recognized Environmental Condition” (REC) 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. The Standard also includes definitions of Historic REC, Controlled REC and *De Minimis* Condition.

The objective of this assessment was to identify any potential environmental concerns associated with the site resulting from past or current site usage or usage of neighboring properties.

This Phase I Environmental Site Assessment was performed in conformance with ASTM Standard E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice* which satisfies USEPA’s “all appropriate inquiries” (AAI) requirement for landowner liability defenses under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Any exceptions to, or deletions from, the Standard are described in Section 8.0. The term “Recognized Environmental Condition” (REC) 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. The Standard also includes definitions of Historic REC, Controlled REC and *De Minimis* Condition.

A summary of the assessment findings is presented below:

Recognized Environmental Conditions

- Two abandoned in-place 550-gallon underground storage tanks (USTs) formerly utilized to dispense No. 2 fuel oil are located beneath the asphalt-paved parking lot in the southeastern portion of the Property. Supporting paperwork provided by the current owner, indicates that the tanks were emptied and cleaned on May 2, 2014, but that no soil sampling was conducted at the time to determine if there was impact to underlying soils.

- The Property was assigned an NYC (E) Designation for hazardous materials, noise, and air, of the Downtown Jamaica Redevelopment Plan in September 2007. The hazardous materials (E) Designation requires that a subsurface testing protocol be submitted to, approved by, and completed to the satisfaction of the NYC Mayor's Office of Environmental Remediation (OER) before the issuance of any building permits associated with subsurface disturbance. OER will require appropriate remedial measures to be conducted prior to or as part of redevelopment (or renovation) involving subsurface disturbance or change to a more sensitive use.

Historical Recognized Environmental Conditions

- The remnants of an abandoned aboveground storage tank (AST) were observed behind a partially demolished concrete block wall in the basement of 147-07 94th Avenue. The Property superintendent indicated that the AST was emptied and the interior cleaned at the time of the abandonment, but did not have any further information. This tank appears to be the closed-in place 2,000-gallon No. 2 fuel oil AST currently listed in the New York State Department of Environmental Conservation (NYSDEC) Petroleum Bulk Storage (PBS) database for the Property. During the reconnaissance, no evidence of a leak or spill was observed within the vicinity of the tank.

Off-site Environmental Concerns

- Historical Sanborn maps and the regulatory database information identified numerous industrial and automotive uses in the surrounding area between 1911 and 2006. Such uses with the potential to affect subsurface conditions beneath the Property included a saw clamps manufacturer, garages and gasoline tanks, a printing facility, filling stations and auto repair shops, Hyman's N.Y. & L.I. Express Inc. Motor Factory, and an air condition manufacturer. Several closed-status spills, some with documented subsurface contamination, were identified for the north-adjacent LIRR facility between 1984 and 2005.
- The regulatory database also identified three Resource Conservation and Recovery Act (RCRA) hazardous waste non-generator/historical generators, historic auto stations, PBS facilities, and one Brownfield Cleanup Program (BCP) site within close proximity to the Property. Potential releases from these sites may have affected subsurface conditions beneath the Property.

Other on-site Environmental Concerns

- Based on the age of the buildings, asbestos containing materials (ACM) may be present. Suspect ACM observed during the reconnaissance included: plaster, sheetrock, joint compound, pipe insulation, electrical panels, caulks, putties, vinyl flooring and mastic, brick and block mortar, and roofing materials.
- Based on the age of the buildings, electrical equipment and lighting fixtures installed prior to 1979 may include polychlorinated biphenyl (PCB)- and/or mercury-containing components.
- Based on the age buildings, lead-based paint may be present on interior and exterior surfaces. Painted surfaces were observed to be in good to poor condition.

Recommendations

- The abandoned AST located in the basement of the Property building, should be properly closed and removed in accordance with applicable local, state, and federal regulations. Any evidence of a petroleum spill should be reported to NYSDEC and addressed in accordance with applicable requirements. Following removal, the underlying basement slab should be inspected for potential staining and/or releases from the tank and soil samples from below the slab should be collected.
- A subsurface (Phase II) investigation is recommended to determine whether former on- or off-site uses (including those identified as RECs above) have affected soil, soil vapor, and/or groundwater conditions in accordance with the (E) Designation requirements managed by OER. The Phase II Investigation should also be conducted to ensure that soil excavation and groundwater dewatering activities (if required) are conducted in accordance with applicable regulations, to determine if vapor mitigation is warranted, and assess whether any other remedial or environmental provisions should be incorporated into the development plan.
- During any subsurface disturbance, surplus excavated soil and debris must be handled and disposed of in accordance with applicable regulatory requirements. If any petroleum underground storage tanks are encountered, they should be closed and removed, along with any contaminated soil, in accordance with applicable requirements. Any evidence of a petroleum spill should be reported to NYSDEC and addressed in accordance with applicable requirements.
- If dewatering is required during potential future construction activities, water must be discharged in accordance with New York City Department of Environmental Protection (NYCDEP) requirements.
- Prior to any renovation or demolition activities with the potential to disturb suspect ACM, an asbestos survey should be conducted to determine whether these materials are ACM. If these materials prove to contain asbestos, they should be properly removed and disposed of in accordance with all state and federal regulations prior to any renovations that would disturb those materials, or building demolition.
- Unless there is labeling or test data that indicates that fluorescent lights and other electrical equipment, are not mercury- and/or PCB-containing, if disposal is required, it should be performed in accordance with applicable federal, state and local regulations and guidelines.
- Any painting, renovation or demolition activities with the potential to disturb lead-based paint must be performed in accordance with applicable lead paint regulations, including: Occupational Safety and Health Administration regulation (OSHA 29 CFR 1926.62 – Lead Exposure in Construction), EPA’s Lead Renovation, Repair and Painting Rule (RRP Rule), and NYC Local Law No. 1. Additional lead-based paint requirements include occupant notification, disclosure, condition inspections, contractor licensing, and lead-safe work practices.