

PHASE I ENVIRONMENTAL SITE ASSESSMENT

**UNDEVELOPED LAND
350 & 370 ORCHARD STREET AND
399 SAXTON STREET
ROCHESTER, NEW YORK**

Prepared for: Westside Health Services
175 Lyell Avenue
Rochester, New York

Prepared by: Day Environmental, Inc.
40 Commercial Street
Rochester, New York 14614-1008

Date: April 25, 2003

Project No.: 3201S-03



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PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

CLIENT

PREPARED FOR: Westside Health Services
175 Lyell Avenue
Rochester, New York 14608

CLIENT CONTACT: Ms. Ellen Nolan
(585) 254-6480

THIS REPORT HAS BEEN PREPARED FOR EXCLUSIVE USE BY WESTSIDE HEALTH SERVICES, FOR USE ON ITS BEHALF. THE FINDINGS AND RECOMMENDATIONS HEREIN MAY BE RELIED UPON ONLY BY WESTSIDE HEALTH SERVICES. 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

ADDRESS: 350 Orchard Street, 370 Orchard Street, and
399 Saxton Street

MUNICIPALITY: City of Rochester

COUNTY/STATE: Monroe County, New York

TAX ACCOUNT #s: 105.75-1-54, 105.75-1-1, and 105.75-1-3, respectively

PARCEL SIZE: Approximately 0.76, 0.8, and 0.72 acres, respectively

IMPROVEMENTS: None

CURRENT USE: Vacant parking lots and temporary construction staging
area

CURRENT OWNER: City of Rochester

PAST USE: Residential, parking lots, and used car lot

SITE CONTACT: Mr. Russ Guelli
(585) 370-6180

**SITE LOCATION MAP/
SITE SKETCH:** Appendix A

PHOTOGRAPHS: Appendix B

SUMMARY OF RECOGNIZED ENVIRONMENTAL CONDITIONS

**RECOGNIZED ENVIRONMENTAL
CONDITIONS:** (X) Recognized Environmental Condition(s) Identified
() Recognized Environmental Condition(s) Not Identified

**FURTHER
WORK:** (X) Further Work Recommended
() Further Work Not Recommended

ASSESSMENT SUMMARY

ENVIRONMENTAL STATUS OF PROPERTY:

Day Environmental, Inc. (DAY) performed this Phase I Environmental Site Assessment (Phase I ESA) of 350 & 370 Orchard Street and 399 Saxton Street, Rochester, New York in general conformance with the scope and limitations of ASTM Practice E 1527-00. Any additional services provided as part of this Phase I ESA are described in Section 5.0 of this report. Any exceptions to, or deletions from, this practice are described in Section 8.0 of this report. This assessment has revealed no evidence of recognized environmental conditions in connection with the assessed property, except for the following:

1. **Historical Uses of Adjoining Properties:** Information obtained as part of this Phase I ESA suggests that past and present uses of adjoining properties may have impacted subsurface environmental conditions on the assessed property (refer to Sections 1.1, 1.3, 1.4, 3.8, 6.1, and 6.2). Examples of historic uses on adjoining properties include: a gasoline station located east/north of the assessed property, an automobile repair shop located north of the assessed property, a coal sales and distribution operation located north of the assessed property, and industrial uses located west and northwest of the assessed property. Also, there is an active spill (#0270244) identified on an adjoining property located to the east and north of the assessed property (i.e., 935 West Broad Street). The New York State Department of Environmental Conservation (NYSDEC) Spill Report Form indicates that groundwater at this site was impacted by gasoline from a tank failure (refer to Section 2.4.11).

Recommendations: It is recommended that a subsurface study be conducted on the assessed property in order to evaluate whether the above recognized environmental conditions have resulted in an environmental impact to the assessed property. If evidence of contamination is identified in the soil and/or groundwater during the subsurface study, further actions may be warranted (i.e., further investigation, implementation of environmental engineering controls during development of the assessed property, etc.).

Notes:

1. The assessed property consists of three parcels of land that are addressed as 350 Orchard Street, 370 Orchard Street, and 399 Saxton Street Rochester, New York.
2. Approximately two inches of snow and ice, as well as construction materials, obscured a complete view of the ground surface of the assessed property at the time of the site visit. Thus, this assessment is subject to any state of facts that complete observation of the ground surface would have revealed.
3. The 350 Orchard Street and 399 Saxton Street parcels were being used at the time of the site visit by Sealand Construction (Sealand) for the temporary storage of materials and equipment for a nearby bridge reconstruction project. The materials included seven approximate 25-gallon drums of steel bolts, one empty 55-gallon drum, an approximate 250-gallon skid-mounted diesel aboveground storage tank (AST), a pile of concrete rubble, a pile of run-of-bank gravel, rebar, traffic control signage and cones, and lighting trailers. It was reported that Sealand will remove these materials and equipment from

ASSESSMENT SUMMARY (Cont.)

the assessed property when Sealand vacates the assessed property (refer to section 4.2). Based on this information, the presence of these materials and equipment on the assessed property is not being identified as a recognized environmental condition in relation to the assessed property at this time.

4. Review of historical information indicates that the assessed property was developed with several apparent residential structures prior to approximately 1935 (refer to Sections 1.1, 1.3, 1.4, and 1.5). Information was not obtained regarding the demolition of these structures, the disposal of the debris, or the backfilling of the basements. The apparent demolition of the former buildings is not being identified as a recognized environmental condition at this time. However, if the assessed property is redeveloped in the future and if demolition debris and/or fill material is encountered, the handling and disposal of the demolition debris and/or fill material will need to be done at that time in accordance with applicable regulations.

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- 1.0 HISTORICAL DATA**
- 1.1 AERIAL PHOTOGRAPHS:** Monroe County Environmental Management Council
Photograph Dates: 1930, 1951, 1961, 1970, 1975, 1988, 1993, 1996, and 1999
See Footnote (1.1)
- 1.2 TOPOGRAPHIC MAP:** Rochester West and Rochester East Quadrangles (map dates 1995)
Attached in Appendix A
- 1.3 HISTORICAL MAPS:** Plat Book of the City of Rochester
Provided by the City of Rochester DES
Map Dates: 1875, 1888, 1900, 1910, 1918, 1926, and 1935
See Footnote (1.3)
- 1.4 SANBORN MAPS:** Environmental Risk Information and Imaging Services (ERIIS) – provided by the City of Rochester Department of Environmental Services (DES)
Map Dates: 1892, 1912, 1950, and 1971
Attached in Appendix C
See Footnote (1.4)
- 1.5 DIRECTORIES:** City of Rochester Polk Directories
Directory Dates: 1922/1923, 1928/1929, 1931/1932, 1935, 1941, 1946, 1952, 1958, 1964, 1967, 1971, 1977, 1981/1982, 1989, 1994, 1997, and 2001
See Footnote (1.5)
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PERTINENT INFORMATION, REFERENCED TO ITS SOURCE, IS SUMMARIZED BELOW:

- (1.1) In the 1930 aerial photograph, the assessed property appears to be developed with two houses each on the 350 and 370 Orchard Street parcels, and one house on the 399 Saxton Street parcel. The area to the north of the assessed property is developed with railroad tracks and apparent industrial property. The area to the east/north of the assessed property appears to be developed with the gas station building observed at the time of the site visit. The area to the south of the assessed property is developed with residential properties, and the area to the north and west of the assessed property appears to be developed with industrial properties.

In the 1951 through 1999 aerial photographs, the assessed property appears to be used as parking lots. The structures observed on the assessed property on the 1930 photograph are not visible on the later photographs. The area surrounding the assessed property is generally similar to that observed on the 1930 photograph.

Copies of the aerial photographs reviewed are included in Appendix C.

1.0 HISTORICAL DATA (Cont.)

- (1.3) In the 1875 through 1926 plat maps, the assessed property appears to be developed with residential structures. [Note, the eastern portion of the assessed property is not covered on the 1900 through 1926 plat maps.] Railroad tracks are identified adjacent to the north of the assessed property on each of these maps. Apparent industrial properties (i.e., Northeast Electric Company, Alderman Fairchild Paper Boxes, Miller Cabinet Company, C.C. West Coal Co., Lehigh Valley Coal Sales Co., etc.) are located north and west of the assessed property on the 1910 through 1926 plat maps.

In the 1935 plat map, the 350 and 370 Orchard Street parcels (i.e., the western portion of the assessed property) are reportedly owned by the General Motors Corporation, and the 399 Saxton Street parcel (i.e., the eastern portion of the assessed property) is reportedly owned by Herbert M. Morse. No structures are identified on the assessed property (the apparent residential structures identified on earlier maps were apparently demolished prior to 1935). A gas station identified as HH Morse Company is located adjoining to the east/north of the assessed property on this map. Railroad tracks are identified adjacent to the north of the assessed property on this map. Apparent industrial properties (i.e., Delco Appliance Corporation, E.E. Fairchild Corporation, Miller Cabinet Company, Rochester Anthracite Sales, Inc., etc.) are located north and west of the assessed property on the 1935 plat map.

- (1.4) In the 1982 and 1912 Sanborn maps, the assessed property appears to be developed with five residential structures and one apparent garage. Railroad tracks and a coal shed are identified on an adjoining property to the north of the assessed property on each of these maps.

In the 1950 Sanborn map, the 350 and 370 Orchard Street parcels (i.e., the western portion of the assessed property) are reportedly owned by the "Delco Appliance Div'n of General Motors Corp'n", and the 399 Saxton Street parcel (i.e., the eastern portion of the assessed property) is labeled "Used auto sales", however, the owner is not identified. No structures are identified on the western portion of the assessed property (the apparent residential structures identified on earlier maps were apparently demolished), and this portion of the assessed property is identified as being used for "auto parking". Two rectangular structures (i.e., different than the house identified on earlier maps) are identified on the 399 Saxton Street parcel. A gasoline filling station with an "oiling and greasing" building, and three apparent aboveground gasoline storage tanks is identified on the adjoining property east of the 370 Orchard Street parcel and north of the 399 Saxton Street parcel. Apparent industrial properties (i.e., Delco Appliance Corporation, E.E. Fairchild Corporation, Rochester Anthracite Sales, Inc., etc.) are located north and west of the assessed property on this map.

In the 1971 Sanborn map, the assessed property is reportedly owned by Xerox Corp. and used for auto parking. No structures are identified on the assessed property on this map (the rectangular structures at the used auto sales area identified on the 1950 map were apparently demolished or removed). A gasoline filling station with an "oiling and greasing" building, and three apparent aboveground gasoline storage tanks is identified on the adjoining property east of the 370 Orchard Street parcel and north of the 399

1.0 HISTORICAL DATA (Cont.)

Saxton Street parcel. Apparent industrial properties (i.e., Delco Appliance Corporation, Xerox Corporation, a machine shop, etc.) are located north and west of the assessed property on this map.

- (1.5) In the 1922 through 1935 directories, the assessed property is reportedly occupied by several residences. The assessed property is not listed in the 1941 and later directories.

2.0 PUBLIC INFORMATION/AGENCIES

2.1 NYSDEC FOIL: Refer to a copy of the FOIL request included in Appendix D
Date of FOIL Request: 4/9/03
See Footnote (2.1)

2.2 MONROE COUNTY: Department of Health
Mr. Richard Elliot
Date of FOIL Request: 3/27/03
Date of FOIL Response: 4/1/03
See Footnote (2.2)

2.3 CITY OF ROCHESTER: Building and Fire Departments
Date of FOIL Request: 3/27/03
Date of partial FOIL Response: 4/16/03
See Footnote (2.3)

Assessor's Office
(585) 428-7221
Date of Contact: 4/9/03
See Footnote (2.3)

2.4 RECORDS REVIEW:

2.4.1 NPL: Records Date: 12/13/02
Date of Last Agency Contact
for Records Update: 12/24/02

**Assessed Property:
1-Mile Radius:** Not Listed.
None Listed.

2.4.2 CERCLIS: Records Date: 12/13/02
Date of Last Agency Contact
for Records Update: 12/24/02

**Assessed Property:
0.5-Mile Radius:** Not Listed.
Listed. See Footnote (2.4.2)

2.4.3 CERCLIS NFRAP: Records Date: 12/13/02
Date of Last Agency Contact
for Records Update: 1/2/03

**Assessed Property:
Adjoining Properties:** Not Listed.
None Listed.

2.0 PUBLIC INFORMATION/AGENCIES (Cont.)

2.4.4 RCRA TSD: Records Date: 12/13/02
Date of Last Agency Contact
for Records Update: 12/31/02

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

**2.4.5 RCRA GENERATORS
(ACTIVE):** Records Date: 12/24/02
Date of Last Agency Contact
for Records Update: 1/3/03

Assessed Property: Not Listed.
Adjoining Properties: None Listed.

**RCRA GENERATORS
(INACTIVE):** Records Date: 12/24/02
Date of Last Agency Contact
for Records Update: 1/3/03

Assessed Property: Not Listed.
Adjoining Properties: Listed. See Footnote (2.4.5)

2.4.6 CORRACTS: Records Date: 12/13/02
Date of Last Agency Contact
for Records Update: 12/31/02

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

2.4.7 ERNS: Records Date: 12/29/02
Date of Last Agency Contact
for Records Update: 1/8/03

Assessed Property: Not Listed.

2.4.8 NYSDEC IHWDS: Records Date: 10/31/02
Date of Last Agency Contact
for Records Update: 11/25/02

Assessed Property: Not Listed.
1-Mile Radius: Listed. See Footnote (2.4.8)

2.4.9 NYSDEC HSWDS: Records Date: 2/15/02
Date of Last Agency Contact
for Records Update: 1/7/03

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

2.0 PUBLIC INFORMATION/AGENCIES (Cont.)

2.4.10 NYSDEC SWF: Records Date: 12/31/01
Date of Last Agency Contact
for Records Update: 1/3/03

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

2.4.11 NYSDEC SPILLS/LST: Records Date: 2/28/03
Date of Last Agency Contact
for Records Update: 3/7/03

Assessed Property: Not Listed.
0.5-Mile Radius: Listed. See Footnote (2.4.11)

2.4.12 NYSDEC MOSF: Records Date: 12/31/01
Date of Last Agency Contact
for Records Update: 1/6/03

Assessed Property: Not Listed.
Adjoining Properties: None Listed.

2.4.13 NYSDEC CBS: Records Date: 12/31/01
Date of Last Agency Contact
for Records Update: 1/6/03

Assessed Property: Not Listed.
Adjoining Properties: None Listed.

2.4.14 NYSDEC PBS: Records Date: 12/31/01
Date of Last Agency Contact
for Records Update: 1/6/03

Assessed Property: Not Listed.
Adjoining Properties: Listed. See Footnote (2.4.14)

2.4.15 LOCAL WASTE SITES: Records Date: 4/9/03

Assessed Property: Not Listed.
0.5-Mile Radius: Listed. See Footnote (2.4.15)

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

- (2.1) As of the date of this report, no response to the New York State Department of Environmental Conservation (NYSDEC) Freedom of Information Law (FOIL) request has been received. If the FOIL response indicates the existence of files concerning the requested property, client authorization will be requested to review these files at NYSDEC offices. The results of this review would be provided as a supplement to this report. A copy of the FOIL request is included in Appendix D.

2.0 PUBLIC INFORMATION/AGENCIES (Cont.)

- (2.2) A FOIL request was submitted to the Monroe County Department of Health (MCDOH) for information regarding the assessed property. The response received by DAY from the MCDOH indicates that the MCDOH "searched the files and were unable to locate information regarding the above referenced request". Copies of the FOIL request and MCDOH response are included in Appendix D.
- (2.3) A FOIL request was submitted to the City of Rochester Building and Fire Departments for information regarding the assessed property. A partial response to this request was received on 4/16/03. (Note, Fire Safety has not yet responded to this request.) The files for the assessed property contained two environmental reports for portions of the assessed property as well as general assessment and permit information. The environmental reports are discussed in Sections 6.1 and 6.2. If additional pertinent information is obtained from the City of Rochester, it will be forwarded as a supplement to this report. A copy of the FOIL request is included in Appendix D.
- The Assessor's records reviewed confirmed the owner, size, and tax map number of the assessed property, and indicated that the assessed property is serviced by the municipal sewer system, the municipal water system, as well as natural gas and electric. The Assessor's records did not provide information regarding the environmental status of the assessed property. No additional information regarding the assessed property was available for review.
- (2.4.2) A CERCLIS site is located approximately 0.5 miles east/northeast (i.e., assumed downgradient direction) of the assessed property (refer to Appendix D). This site is also listed as a NYSDEC IHWDS site (refer to Section 2.4.8). The location of this CERCLIS site in relation to the assessed property suggests no apparent environmental impact on the assessed property.
- (2.4.5) The adjoining property to the west of the assessed property (i.e., Scientific Radio Systems, Inc., 367 Orchard Street) is identified as an inactive RCRA Generator (refer to Appendix D). This facility is also listed as a NYSDEC active spill site (refer to Section 2.4.11). Information has not been obtained as part of this assessment that specifically indicates that the generation of hazardous waste on this adjoining property has had an environmental impact on the assessed property.
- (2.4.8) Two NYSDEC Inactive Hazardous Waste Disposal Sites (IHWDSs) are located approximately 0.5 miles east/northeast (i.e., assumed downgradient direction), and 0.6 miles northeast (i.e., assumed downgradient direction) of the assessed property respectively (refer to Appendix D). One of these sites is also identified as a CERCLIS site (refer to Sections 2.3.2). The location of these IHWDS sites in relation to the assessed property suggests no apparent environmental impact on the assessed property.
- (2.4.11) A review of the NYSDEC Spills/Leaking Storage Tank (LST) database identified 84 closed/inactive spills within a 0.5-mile radius of the assessed property. In addition, 37 closed/inactive unmappable spill sites are potentially located within a 0.5-mile radius of the assessed property. [Note: An unmappable spill site is defined as a spill with

2.0 PUBLIC INFORMATION/AGENCIES (Cont.)

incomplete or inaccurate address information provided on the NYSDEC Spill Report Form; therefore, the specific location of the spill site could not be determined.] A spill listed as closed normally indicates that studies and/or remediation at the spill site have been completed, and a spill listed as inactive indicates that although some contamination may remain on the property, the NYSDEC does not require further action at this time. Thus, further investigation regarding the potential impact on the assessed property of these 121 closed/inactive spills does not appear warranted at this time.

Twenty-eight active mappable spills were also identified within a 0.5-mile radius of the assessed property. Based on a preliminary review of the topographic map, regional groundwater in the area of the assessed property appears to flow to the east/northeast toward the Genesee River. In addition, one active unmappable spill site is potentially located within a 0.5-mile radius of the assessed property. [Note: An unmappable spill site is defined as a spill with incomplete or inaccurate address information provided on the NYSDEC Spill Report Form; therefore, the specific location of the spill site could not be determined.]

Of the 28 active mappable spills, 17 are located between 0.1 to 0.5 miles north or northeast, (i.e., assumed downgradient directions) of the assessed property, and four are located between 0.1 to 0.4 miles east, south, or southeast (i.e., assumed downgradient/crossgradient directions) of the assessed property. The distance and location of these 21 active mappable spill incidents from the assessed property suggests no apparent environmental impact on the assessed property. Therefore, these 21 active mappable spills are not being identified as a recognized environmental condition in relation to the assessed property at this time.

Of the seven remaining active mappable spills, one is located approximately 0.4 miles southwest (i.e., assumed upgradient direction) of the assessed property, four are located between 0.2 to 0.4 miles west (i.e., assumed upgradient/crossgradient direction) of the assessed property, and two are located on adjoining properties to the north and west of the assessed property. These seven active mappable spills are discussed below:

- Spill #9706070 occurred at 728 Jay Street (i.e., approximately 0.4 miles southwest of the assessed property), and was reported on 8/18/97. According to the NYSDEC Spill Report Form, a fuel oil line from a home heating oil tank to a furnace leaked and fuel was spilled on the concrete floor. The Rochester Fire Department responded and cleaned up the fuel with absorbents. Based on the nature of this spill incident (i.e., spill of fuel oil to a concrete floor of a home with cleanup conducted), this active spill is not being identified as a recognized environmental condition in relation to the assessed property at this time.
- Spill #9803721 occurred at 350-354 Whitney Street (i.e., approximately 0.2 miles west of the assessed property), and was reported on 6/23/98. According to the NYSDEC Spill Report Form, deliberate dumping of a 5-gallon container of waste oil

2.0 PUBLIC INFORMATION/AGENCIES (Cont.)

caused oil to flow into the storm sewer. The NYSDEC notified the City of Rochester to perform cleanup. Since information was not provided in the Spill Report Form that specifically indicates that this spill incident has had an environmental impact on the assessed property, this spill is not being identified as a recognized environmental condition in relation to the assessed property at this time.

- Spill #9870461 occurred at 354 Whitney Street (i.e., approximately 0.2 miles west of the assessed property), and was reported on 1/21/99. According to the NYSDEC Spill Report Form, 100 leaking 55-gallon drums were discovered in a large abandoned building. The NYSDEC remarks section indicates that the United States Environmental Protection Agency "plans to enter site to overpack, characterize, classify, and dispose of hazardous materials". Since information was not provided in the Spill Report Form that specifically indicates that this spill incident has had an environmental impact on the assessed property, this spill is not being identified as a recognized environmental condition in relation to the assessed property at this time.
- Spill #0203654 occurred at 25 Texas Street (i.e., approximately 0.25 miles west of the assessed property), and was reported on 7/7/02. According to the NYSDEC Spill Report Form, an abandoned drum on railroad tracks was leaking oil. The NYSDEC remarks section indicates that CSX Railroad hired a contractor to complete the cleanup. Based on the nature of this spill incident (i.e., a spill of 10 gallons of oil with cleanup conducted), this active spill is not being identified as a recognized environmental condition in relation to the assessed property at this time.
- Spill #0270030 occurred at 135 Murray Street (i.e., approximately 0.4 miles west/southwest of the assessed property), and was reported on 4/10/02. According to the NYSDEC Spill Report Form, old transmissions are stored on the property and the ground is saturated with oil. Since information was not provided in the Spill Report Form that specifically indicates that this spill incident has had an environmental impact on the assessed property, this spill is not being identified as a recognized environmental condition in relation to the assessed property at this time.
- Spill #0270071 occurred at 367 Orchard Street (i.e., an adjoining property located to the west of the assessed property), and was reported on 4/25/02. According to the NYSDEC Spill Report Form, "many drums were noted in a vacant four-story building. The contents and origin of the drums is unknown at this time". The NYSDEC remarks section indicates that several of the drums were labeled "hazardous waste". Since information was not provided in the Spill Report Form that specifically indicates that this spill site has had an environmental impact on the assessed property, this spill is not being identified as a recognized environmental condition in relation to the assessed property at this time.
- Spill #0270244 occurred at 935 West Broad Street (i.e., an adjoining property located to the east and north of the assessed property), and was reported on 7/19/02. According to the NYSDEC Spill Report Form, groundwater was impacted by gasoline due to tank failure at a gas station. Since this spill site adjoins the assessed

2.0 PUBLIC INFORMATION/AGENCIES (Cont.)

property, and it was reported that groundwater had been impacted at this site, this active spill is being identified as a recognized environmental condition in relation to the assessed property.

The active unmappable spill is discussed below:

- Active spill #9607851 is unmappable and was reported on 9/23/96. The spill site is listed as Child Street (i.e., no address provided), a portion of which is located approximately 0.2 miles west of the assessed property. According to the NYSDEC Spill Report Form, vehicles were being spray painted without a spray booth and the overspray was going out of the garage. The NYSDEC remarks section indicates that the NYSDEC air unit would follow-up and that "no further action required". Based on the nature of this spill incident (i.e., overspray of paint with "no further action required" by NYSDEC), this active unmappable spill is not being identified as a recognized environmental condition in relation to the assessed property at this time.

Copies of the NYSDEC Spill Report Forms for the seven active mappable spills and the active unmappable spill that are discussed above are provided in Appendix D.

- (2.4.14) A NYSDEC Petroleum Bulk Storage (PBS) facility adjoins the assessed property to the north of the 399 Saxton Street parcel, and east of the 370 Orchard Street parcel (refer to Appendix D). According to the NYSDEC PBS facility report, this facility has three active tanks with a total capacity of 30,000 gallons. There is also one NYSDEC active spill file for this facility (refer to Section 2.4.11). Also, review of historical information indicates that this facility has been used as a gas station since at least 1935 (refer to Sections 1.3 and 1.4). [Note: At the time of the site visit, this facility appeared to be vacant.] The use of this adjoining property as a PBS is being identified as a recognized environmental condition.
- (2.4.15) The Monroe County Environmental Management Council (MCEMC) has identified two confirmed local waste sites within 0.5 miles of the assessed property. Waste Site RO-#177A is located approximately 0.3 miles north of the assessed property, and is listed as containing construction and demolition waste. Waste Site #RO-184 is located approximately 0.25 miles southeast of the assessed property, and is listed as containing industrial waste. Information has not been obtained as part of this assessment that indicates that these waste sites have had an environmental impact on the assessed property.

3.0 SITE RECONNAISSANCE	See Footnote (3.0)
Date of Site Visit:	4/9/03
Assessor(s):	Dennis Peck
3.1 FILL:	No Observations of Concern.
3.2 DEBRIS/DUMPING:	No Observations of Concern. See Footnote (3.2)
3.3 SPILLAGE/STAINING:	No Observations of Concern.
3.3.1 STRESSED VEGETATION:	No Observations of Concern.
3.3.2 ODORS:	No Observations of Concern.
3.3.3 POOLS OF LIQUIDS:	No Observations of Concern.
3.4 UTILITIES:	
3.4.1 PCBs/TRANSFORMERS:	No Observations of Concern.
3.4.2 FLOOR DRAINS/SUMPS:	No Observations of Concern.
3.4.3 POTABLE WATER & SEWAGE DISPOSAL:	No Observations of Concern. See Footnote (3.4.3)
3.4.4 HEATING & COOLING:	No Observations of Concern.
3.5 PITS/PONDS/LAGOONS:	No Observations of Concern.
3.6 OPERATIONS/EQUIPMENT:	
3.6.1 STORAGE TANKS:	No Observations of Concern. See Footnote (3.6.1)
3.6.2 DRUMS/CONTAINERS:	No Observations of Concern. See Footnote (3.6.2)
3.6.3 HAZARDOUS SUBSTANCES/ PETROLEUM PRODUCTS:	No Observations of Concern.
3.6.4 SOLID WASTE:	No Observations of Concern. See Footnote (3.6.4)
3.6.5 WASTEWATER:	No Observations of Concern.
3.6.6 WELLS:	No Observations of Concern.
3.6.7 AIR EMISSIONS:	No Observations of Concern.
3.6.8 EQUIPMENT:	No Observations of Concern.

3.0 SITE RECONNAISSANCE (Cont.)

3.6.9 MATERIAL STORAGE: No Observations of Concern. See Footnote (3.6.9)

3.7 TOPOGRAPHIC CONDITIONS: No Observations of Concern. See Footnote (3.7)

3.8 ADJOINING PROPERTIES: Observations of Concern. See Footnote (3.8)

North: Railroad tracks with industrial property beyond.
East: Vacant gas station, Broad Street, undeveloped land.
South: Residential properties.
West: Orchard Street with industrial property beyond

PERTINENT INFORMATION, REFERENCED TO ITS SOURCE, IS SUMMARIZED BELOW

(3.0) At the time of the site visit, the assessed property (i.e., consisting of three parcels) was undeveloped vacant land. The parcels were fenced and improved with asphalt paving for use as parking lots. The 350 Orchard Street and 399 Saxton Street parcels were being used at the time of the site visit by Sealand Construction (Sealand) for the temporary storage of materials and equipment for a nearby bridge reconstruction project.

Approximately two inches of snow and ice, as well as construction materials, obscured a complete view of the ground surface of the assessed property at the time of the site visit. Thus, this assessment is subject to any state of facts that complete observation of the ground surface would have revealed.

(3.2) A pile of concrete rubble, and a pile of run-of-bank gravel were observed on the ground surface on the 350 Orchard Street parcel. The concrete is reportedly being staged temporarily by Sealand and will be removed from the assessed property. The rubble is from the bridge reconstruction project being performed by Sealand. The gravel is being used on construction projects on an as needed basis (refer to Section 4.2). Based on this information, the presence of the concrete rubble and the gravel on the assessed property is not being identified as a recognized environmental condition in relation to the assessed property at this time.

(3.4.3) The assessed property is currently undeveloped and, as such, is not currently serviced by public water or sewer systems.

(3.6.1) An approximate 250-gallon skid-mounted aboveground storage tank (AST) was observed on the 399 Saxton Street parcel. This tank reportedly contains diesel fuel and will be removed from the assessed property by Sealand when Sealand vacates the assessed property (refer to Section 4.2). No stains, spills, or odors were observed in the area of the AST, and it is not being identified as a recognized environmental condition in relation to the assessed property at this time.

3.0 SITE RECONNAISSANCE (Cont.)

- (3.6.2) Seven approximate 25-gallon drums and one 55-gallon drum were observed on the 399 Saxton Street parcel. No stains, spills, or odors were observed in the area of the drums. The approximate 25-gallon drums reportedly contain bolts for the bridge reconstruction project and do not contain liquid. The 55-gallon drum was empty at the time of the site visit. The drums will reportedly be removed from the assessed property by Sealand when Sealand vacates the assessed property (refer to Section 4.2). Based on the information presented above, the presence of the drums on the assessed property is not being identified as a recognized environmental condition in relation to the assessed property at this time.
- (3.6.4) Solid waste and scrap metal generated on the assessed property is stored in dumpsters located on the 350 Orchard Street parcel. It was reported that solid waste is picked up for disposal off the assessed property by Compass Environmental Hauling, and that scrap metal is picked up for recycling off the assessed property by Krieger Recycling.
- (3.6.9) Various construction material and equipment (i.e., gravel, rebar, traffic control signage and cones, light trailers, etc.) were observed on the 350 Orchard Street and 399 Saxton Street parcels. This material will reportedly be removed from the assessed property by Sealand when Sealand vacates the assessed property (refer to Section 4.2).
- (3.7) According to the USGS map, the assessed property is located approximately 520 feet above sea level. The assessed property and surrounding area are relatively level. There are no surface water bodies on the assessed property. Storm water on the assessed property appears to drain off the assessed property via overland flow to the surrounding streets. Based on a preliminary review of the topographic map, regional groundwater in the area of the assessed property appears to flow to the east/northeast toward the Genesee River, which is located approximately 0.6 miles from the assessed property. This flow direction may be modified locally due to buried utilities, nearby pumping, seasonal conditions, or other factors.
- (3.8) A vacant gas station with an active NYSDEC spill is located on an adjoining property to the east and north of the assessed property. Also, review of historical information indicates that a gas station has been present at this location since at least 1935, and that the area to the north and west of the assessed property has been used for industrial purposes since at least 1910 (refer to Sections 1.3 and 1.4). The historical uses of these adjoining and nearby properties are being identified as a recognized environmental condition in relation to the assessed property.

4.0 INTERVIEWS

- 4.1 Mr. Robert Zimmer No Concern Identified. See Footnote (4.1)
Senior Real Estate Specialist
City of Rochester
Date of Interview: 4/14/03
- 4.2 Mr. Russ Guelli No Concern Identified. See Footnote (4.2)
Project Manager
Sealand Construction
Date of Interview: 4/14/03
-

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

- (4.1) Mr. Zimmer indicated that the City of Rochester has owned the assessed property for approximately four years. Mr. Zimmer also indicated that he has no knowledge of any pending, threatened, or past litigation relevant to hazardous substances or petroleum products in, on, or from the assessed property; any pending, threatened, or past administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the assessed property; or any notices from any governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products in, on, or from the assessed property.

The following is a summary of information provided by Mr. Zimmer:

- The assessed property has been undeveloped parking lots and has not been used by the City during the time it has owned the assessed property.
- The City leases the 350 Orchard Street and 3999 Saxton Street parcels to Sealand Construction for the temporary storage of construction materials and equipment. He is not familiar with Sealand's day to day operations or what types of materials are stored on the assessed property.
- Environmental studies were performed on portions of the assessed property in the past, but he is not familiar with the findings of these studies (refer to Sections 6.1 and 6.2 for additional information).
- A gas station was formerly located to the east/north of the assessed property, and manufacturing facilities were formerly located north/west of the assessed property.

Documentation of the interview conducted with Mr. Zimmer is included in Appendix E.

- (4.2) The following is a summary of information provided by Mr. Guelli:

- Sealand Construction has occupied the 350 Orchard Street and 399 Saxton Street portions of the assessed property for approximately five months, and is using the site for the temporary staging of construction materials and equipment. When Sealand is finished using the site, Sealand will remove the materials and equipment.

4.0 INTERVIEWS (Cont.)

- The AST on the assessed property is approximately 250-gallons in size and contains diesel fuel.
- The seven red drums observed on the assessed property contain bolts for the construction projects and do not contain liquid.
- Piles of run-of-bank gravel (i.e., a construction material) are staged along the south fence line. This material is removed from the assessed property and used on construction projects on an as needed basis.
- The concrete rubble piles are from bridge reconstruction projects and are temporarily staged on the assessed property. The rubble is removed from the assessed property on a regular basis.
- Scrap metal is placed in a dumpster and taken off-site to Krieger Recycling.
- Construction waste is placed in a dumpster and taken off-site for disposal by Compass Environmental Haulers.

Documentation of the interview conducted with Mr. Guelli is included in Appendix E.

5.0 ADDITIONAL ISSUES/SERVICES

5.1	Asbestos-Containing Materials	Not Assessed.
5.2	Radon	Not assessed.
5.3	Lead-Based Paint	Not assessed.
5.4	Lead-in-Drinking Water	Not assessed.
5.5	Wetlands	Not assessed.
5.6	Regulatory Compliance	Not assessed.
5.7	Cultural and Historic Resources	Not assessed.
5.8	Industrial Hygiene	Not assessed.
5.9	Health and Safety	Not assessed.
5.10	Ecological Resources	Not assessed.
5.11	Endangered Species	Not assessed.
5.12	Indoor Air Quality	Not assessed.
5.13	High Voltage Powerlines	Not assessed.
5.14	Mold	Not assessed.

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

6.0 REVIEW OF PRIOR ENVIRONMENTAL REPORTS/DOCUMENTS

- 6.1 Phase I Environmental Site Assessment See Footnote (6.1)
354 Whitney Street,
367, 370, 406, 415 Orchard Street
Rochester, New York
Day Environmental Inc.
December 20, 2000
- 6.2 Phase II Environmental Study See Footnote (6.2)
370 and 406 Orchard Street
Rochester, New York
Day Environmental Inc.
March, 2001

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

- (6.1) The Phase I ESA report dated December 20, 2000 prepared by DAY for the City of Rochester was reviewed. [Note: The DAY 2000 Phase I ESA was performed on five parcels of land which included the 370 Orchard Street portion of the assessed property (i.e., one of the three parcels that comprise the property being assessed as part of this current Phase I ESA), but did not include the 350 Orchard Street and 399 Saxton Street portions of the current assessed property. The majority of the area assessed during the 2000 Phase I ESA is located north and west of the property being assessed as part of the current Phase I ESA.] The environmental concerns relating to the 370 Orchard Street parcel that were identified in the 2000 Phase I ESA report are discussed below:
- Historical Uses of Adjoining Properties: Information obtained as part of the 2000 Phase I ESA suggested that past and present uses of potential environmental concern on adjoining properties may have impacted subsurface environmental conditions at 370 Orchard Street. Examples of historic uses on adjoining properties included: a gasoline station and/or automobile repair shop located east of 370 Orchard Street, a coal sales and distribution operation located north of 370 Orchard Street, as well as industrial uses on other adjoining properties. It was recommended that a subsurface study (e.g., test borings, groundwater monitoring wells, etc.) be performed at 370 Orchard Street in order to determine if historical uses on adjoining properties had impacted environmental conditions at 370 Orchard Street.
 - Abandoned Dry Cleaning Machine and Water Heater: An abandoned dry cleaning machine and hot water heater were observed at 370 Orchard Street in November 2000. 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 the dry cleaning machine. It was recommended that the abandoned equipment, and any contents or spillage be removed and disposed of in accordance with applicable regulations. It was also recommended that a subsurface study be performed in proximity to the abandoned dry cleaning machine to evaluate whether subsurface conditions had been impacted by dry cleaning solvents that may have leaked from this equipment.

A copy of the text of the DAY 2000 Phase I ESA report is included in Appendix G.

6.0 REVIEW OF PRIOR ENVIRONMENTAL REPORTS/DOCUMENTS (Cont.)

(6.2) The Phase II Environmental Study report dated March 2001 prepared by DAY for the City of Rochester was reviewed. [Note: The DAY Phase II Environmental Study was performed on 370 Orchard Street (i.e., a portion of the assessed property for this current Phase I ESA) and 406 Orchard Street (i.e., not part of the assessed property for this current Phase I ESA), but did not include 350 Orchard Street or 399 Saxton Street.] The conclusions and recommendations of the Phase II Environmental Study relating to the 370 Orchard Street parcel are discussed below:

- Intrusive work was performed as part of the Phase II Environmental Study in an effort to evaluate environmental concerns identified in the Phase I ESA report for 370 Orchard Street (i.e., historical uses of adjoining properties; and abandoned dry cleaning machine and water heater).
- Evidence of petroleum contamination that exceeded NYSDEC clean-up criteria was detected in soil and groundwater at one location at 370 Orchard Street. The contamination was encountered in saturated soils immediately above the inferred top of bedrock. As such, it is possible that the contamination may also be present in the bedrock at this location; however, the scope-of-work for the Phase II Environmental Study was generally limited to an assessment of overburden conditions.
- A moderate concentration of light-weight total petroleum hydrocarbon (TPH) designated as mineral spirits/gasoline was detected in a groundwater sample from well MW-1 located at 370 Orchard Street in proximity to an apparent off-site source to the east (i.e., the former gasoline station at 935 West Broad Street). Since petroleum contamination was not encountered in unsaturated soils above the water table at 370 Orchard Street, the contamination encountered at MW-1 likely migrated on-site via groundwater from the adjoining off-site property (i.e., 935 West Broad Street) located east of 370 Orchard Street. Note, a review of historic Sanborn maps shows that the off-site building located at 935 West Broad Street that was closest to well MW-1 was labeled as "oiling and greasing". Also, three approximately 30-foot long aboveground storage tanks were also located on this adjoining property near the property line with 370 Orchard Street.
- Fill material generally consisting of mixtures of silt, sand and gravel with lesser amounts of clay, coal, ash, organics, brick, and slag was encountered beginning at the ground surface in each of the test borings advanced at 370 Orchard Street to depths up to 8.0 feet. Total RCRA metals such as arsenic, cadmium and mercury were detected in one or more samples of fill material at concentrations exceeding typical background ranges and/or above recommended soil cleanup objectives as referenced in the NYSDEC's TAGM 4046. The elevated concentrations of detected metals appear attributable to the fill material. Currently, this fill material is generally covered with paved surfaces. This type of fill material containing elevated concentrations of metals and SVOCs is typical for older industrial and commercial sites in the City of Rochester, New York area.



DAY ENVIRONMENTAL, INC.

LETTER OF TRANSMITTAL

TO: Mr. Allen Fitzpatrick
City of Rochester
City Hall
30 Church Street
Rochester, New York 14614

RE: Phase I Environmental Site Assessment
Undeveloped Land
350 & 370 Orchard Street and 399 Saxton Street
Rochester, New York
Day Environmental, Inc. Job No. 3201S-03

WE ARE SENDING YOU: X ATTACHED UNDER SEPARATE COVER
THE FOLLOWING ITEMS:

One copy of the above-referenced report.

REMARKS:

Dear Mr. Fitzpatrick:

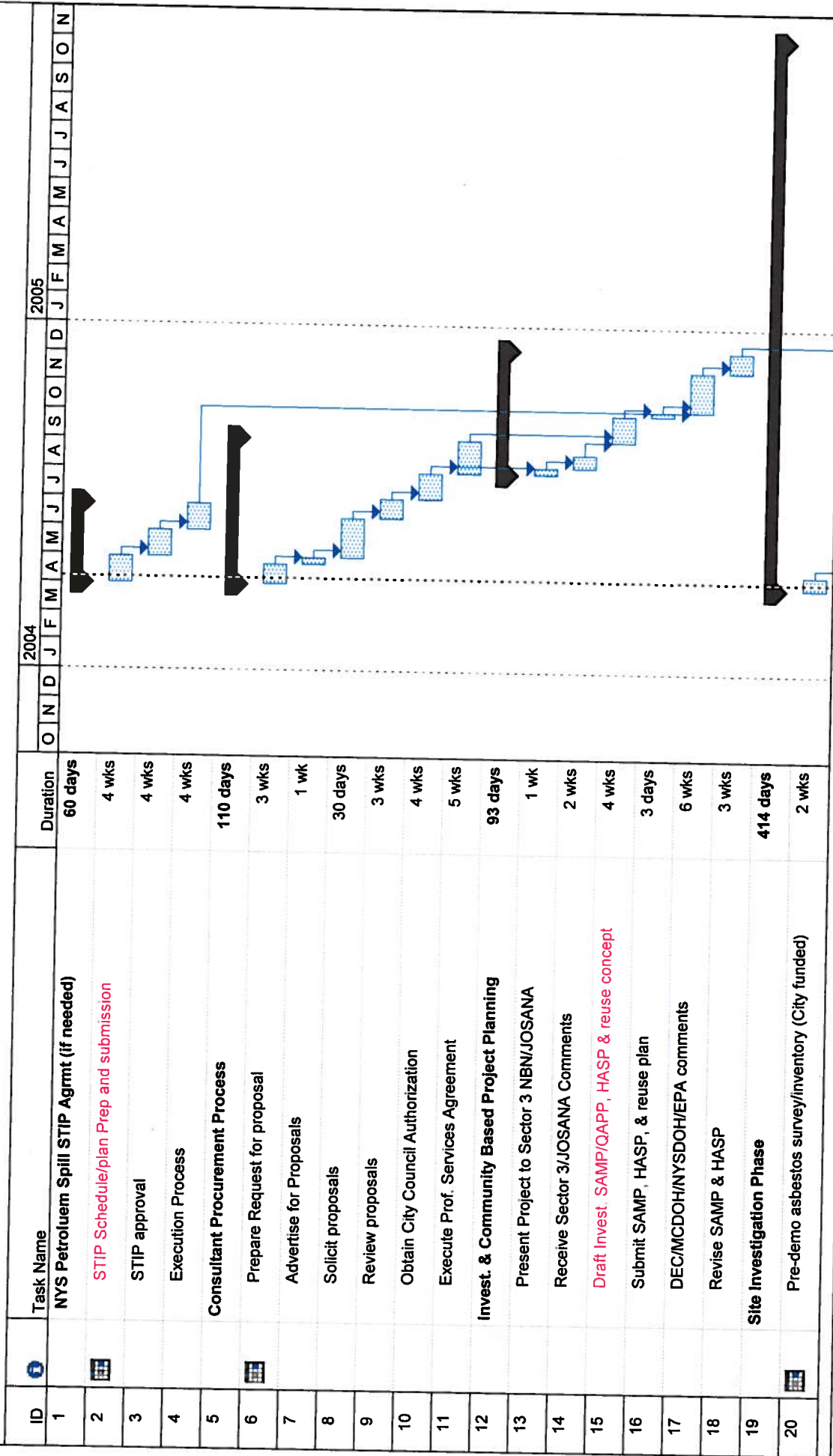
As requested by Mr. Daniel Day of Westside Health Services, DAY is providing a copy of the above-referenced report to the City of Rochester, for informational purposes only.

If there are any questions, please do not hesitate to call. Thank you.

DATED April 5, 2004 **SIGNED** Sandi M. Miller

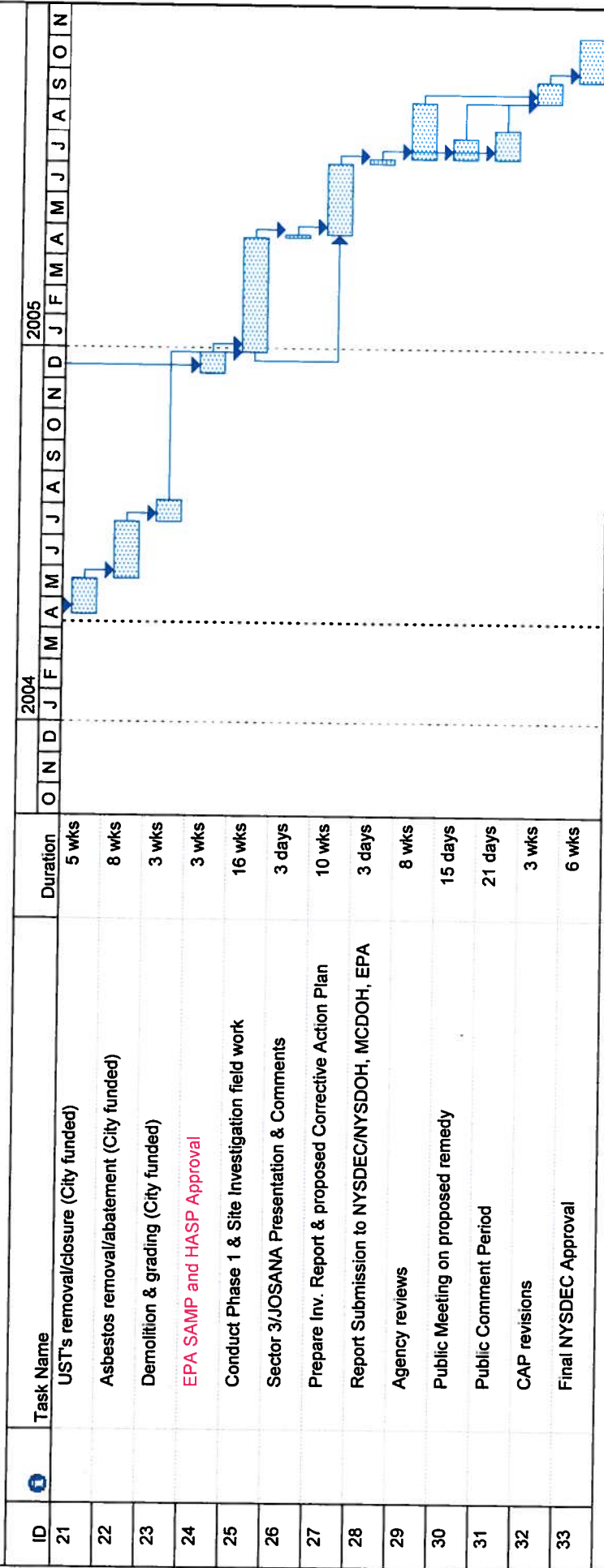
cc: Mr. Daniel Day, Westside Health Services (w/out enclosure)

Figure 1. EPA Brownfield assessment grant
935 West Broad Street Site Investigation
Petroleum Corrective Action Plan Schedule



Project: 935 West Broad Street Site In Date: Wed 4/7/04 g/envqual/bf/newlaw/assmt	<p>Task</p> <p>Split: [Dotted line]</p> <p>Progress: [Solid black bar]</p> <p>Milestone: [Diamond symbol]</p>	<p>Summary</p> <p>Rolled Up Task: [Blue hatched bar]</p> <p>Rolled Up Split: [Dotted line]</p> <p>Rolled Up Milestone: [Diamond symbol]</p>	<p>Summary</p> <p>Rolled Up Progress: [Solid black bar]</p> <p>External Tasks: [Grey hatched bar]</p> <p>Project Summary: [Arrow symbol]</p>
-----------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------

Figure 1. EPA Brownfield assessment grant
935 West Broad Street Site Investigation
Petroleum Corrective Action Plan Schedule



Project: 935 West Broad Street Site In
Date: Wed 4/7/04
g/fenvqual/bf/newlaw/assmt

Task	Summary	Summary	Rolled Up Progress
Split	Rolled Up Task	Rolled Up Task	External Tasks
Progress	Rolled Up Split	Rolled Up Split	Project Summary
Milestone	Rolled Up Milestone	Rolled Up Milestone	

6.0 REVIEW OF PRIOR ENVIRONMENTAL REPORTS/DOCUMENTS (Cont.)

- Although the petroleum contamination encountered at 370 Orchard Street appears limited in extent and possibly attributable to off-site sources, remediation, use or redevelopment restrictions, or implementation of environmental engineering controls may be warranted if redevelopment is proposed for these areas of 370 Orchard Street.
- Based on the work conducted as part of the Phase II Environmental Study, the abandoned dry cleaning machine and water heater identified at 370 Orchard Street in the 2000 Phase I ESA report do not appear to have resulted in environmental impacts at 370 Orchard Street. Therefore, the abandoned dry cleaning machine and water heater are no longer considered to represent an environmental concern.
- Based on the current use of 370 Orchard Street (i.e., parking lots) and the fact that on-site sources for the petroleum contamination were not identified during the study, further evaluation or remediation of subsurface environmental conditions was not recommended. It was recommended that the findings of the study be presented to the NYSDEC so that the NYSDEC could pursue evaluating the potential off-site sources of petroleum contamination that were identified as part of the study.
- It was recommended that that an environmental management plan (EMP) be developed and implemented if the 370 Orchard Street property is to be redeveloped, or if subsurface media are to be disturbed. The EMP should include a site-specific health and safety plan (HASP). The EMP and HASP would be used to assist in the proper handling, disposal or re-use of contaminated media; assist in protecting construction workers and nearby residents/occupants of adjoining properties against exposures to site contaminants; and specify environmental engineering controls (e.g., vapor barriers, passive vent systems, etc.) for planned structures. Appropriate regulatory agencies (e.g., Monroe County Department of Health, etc.) should be offered the opportunity to review and comment on the EMP and HASP and to evaluate whether remediation activities would be required.
- Further subsurface studies may be warranted in the future depending upon redevelopment plans. For example, an evaluation of environmental conditions in bedrock may be warranted if construction of basements, sub-grade parking garages, etc. is planned that would require disturbance of the bedrock. In addition, given the former or current industrial and commercial uses of adjoining properties, future owners, developers, lending institutions, etc. may require evaluation of environmental conditions to further assess the potential risks (monetary, exposure, etc.) that could arise if contamination in the bedrock and underlying groundwater is significant.
- It was also recommended that the abandoned dry cleaning machine and apparent water heater at 370 Orchard Street be removed and disposed of off-site in accordance with applicable regulations.

A copy of the text of the DAY 2000 Phase II Environmental Study is included in Appendix G.

7.0 USER PROVIDED INFORMATION

- | | | |
|-----|--------------------------------------------------------|--------------------|
| 7.1 | Reason for Performing Phase I ESA | See Footnote (7.1) |
| 7.2 | Deed History
Provided by The City of Rochester | See Footnote (7.2) |
| 7.3 | Environmental Liens or Activity and Use
Limitations | See Footnote (7.3) |
| 7.4 | Specialized Knowledge | See Footnote (7.4) |
| 7.5 | Valuation Reduction for Environmental
Issues | See Footnote (7.5) |
-

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

- (7.1) Ms. Ellen Nolan of Westside Health Services, indicated that this Phase I ESA is being performed as due diligence prior to a potential real estate purchase.
- (7.2) Corporate/commercial owners identified during the review of the deed history include the following:
- Sykes Data Tronics;
 - H.H. Morse Oil Co., Inc.;
 - Scientific Radio Systems;
 - Alderman Fairchild Co.;
 - E.E. Fairchild Corp.;
 - General Motors Corp.; and
 - County of Monroe

Information was not available in the deed history regarding the use of the property by these owners.

An abstract of title was not provided to assist in determining prior property ownership and uses. Evaluation of property history, and requesting environmental agency information concerning prior owners, are important elements of a Phase I ESA. The conclusions in this report are subject to any state of facts which review of an abstract of title might show, directly or indirectly.

- (7.3) Ms. Nolan indicated that she is not aware of environmental liens, or activity and use limitations against the assessed property.
- (7.4) DAY previously performed a Phase I ESA and a Phase II Environmental Study on a portion of the assessed property (i.e., 370 Orchard Street; refer to Sections 6.1 and 6.2). Ms. Nolan does not have any other knowledge or experience with the property that may be pertinent to the environmental professional concerning the property and its

7.0 USER PROVIDED INFORMATION (Cont.)

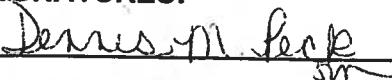
environmental condition (i.e., copies of any available prior environmental site assessment reports, documents, correspondence, etc.).

- (7.5) Ms. Nolan indicated that she is not aware of any valuation reduction of the assessed property due to environmental issues.

8.0 DEVIATIONS

- (8.1) One active unmappable spill site is potentially located within a 0.5-mile radius of the assessed property (refer to Section 2.4.11). An unmappable spill site is defined as a spill with incomplete or inaccurate address information provided on the NYSDEC Spill Report Form; therefore, the specific location of the spill site could not be determined. According to the NYSDEC Spill Report Form, vehicles were being spray painted without a spray booth and the overspray was going out of the garage. The NYSDEC remarks section indicates that the NYSDEC air unit would follow-up and that "no further action required". Based on the information presented above, this unmappable active spill is not being identified as a recognized environmental condition in relation to the assessed property at this time; however, this assessment is subject to any state of facts that more complete address information would have revealed.
- (8.2) Approximately two inches of snow and ice, as well as construction materials, obscured a complete view of the ground surface of the assessed property at the time of the site visit. Thus, this assessment is subject to any state of facts that complete observation of the ground surface would have revealed.
- (8.3) As of the date of this report, no response to the New York State Department of Environmental Conservation (NYSDEC) Freedom of Information Law (FOIL) request has been received. If the FOIL response indicates the existence of files concerning the requested property, client authorization will be requested to review these files at NYSDEC offices. The results of this review would be provided as a supplement to this report. A copy of the FOIL request is included in Appendix D.
- (8.4) A FOIL request was submitted to the City of Rochester Building and Fire Departments for information regarding the assessed property. As of the date of this report, a complete response to this request has not been received. If pertinent information is obtained from the City of Rochester (i.e., from the Fire Safety Department), it will be forwarded as a supplement to this report. A copy of the FOIL request is included in Appendix D.
- (8.5) An abstract of title was not provided to assist in determining prior property ownership and uses [Note: deed histories for the assessed property were provided by the City of Rochester and reviewed by DAY (refer to Section 7.2)]. Evaluation of property history, and requesting environmental agency information concerning prior owners, are important elements of a Phase I ESA. The conclusions in this report are subject to any state of facts which review of an abstract of title might show, directly or indirectly.

SIGNATURES:


Dennis M. Peck,
Independent Environmental Assessor


Day Environmental, Inc.
David D. Day, President

REPORT EXPLANATION

PURPOSE OF AN ENVIRONMENTAL SITE ASSESSMENT:

The purpose of an environmental site assessment is to perform the appropriate inquiry into the environmental condition of a property to identify the potential CERCLA/SARA liability for the cleanup of hazardous substances, and to establish the defense for such liability.

SCOPE OF A PHASE I ENVIRONMENTAL SITE ASSESSMENT:

This Phase I Environmental Site Assessment has been performed in general conformance with the scope and limitations of ASTM Practice E1527-00. Exceptions to, and/or deletions from, this practice are described in the summary of this report.

A Phase I Environmental Site Assessment is the initial level of inquiry into the history, use and condition of a property and area, which establishes the reasonable presumption that recognized environmental conditions do or do not exist. The Phase I Environmental Site Assessment consists of four (4) basic inquiry components:

1. Review of the title to the property and historical data to identify prior ownership and uses which represent a potential risk for contamination of the property.
2. Review of available public information and environmental records to identify site and area facilities, conditions, activities and substances of use of recognized environmental condition that have been recorded by federal, state and local agencies.
3. Site reconnaissance of the property to identify conditions which indicate the presence or potential presence of hazardous substances and contamination.
4. Interviews with the owners, operators and persons familiar with the site and area to identify conditions and operations of recognized environmental condition.

The Phase I Environmental Site Assessment will conclude that either (a) further inquiry into the environmental status of a property is not needed and appropriate inquiry has been performed or (b) further inquiry is needed to appropriately assess the environmental status of the property.

NON-CERCLA/SARA LIABILITIES:

There are risks associated with the environmental condition of a property which are not a potential CERCLA/SARA liability and are not subject to incurrence of response costs under CERCLA. Due to the frequency of occurrence, the scope of the Phase I Environmental Site Assessment has been expanded to include the identification of petroleum liabilities. No other assessment of non-CERCLA/SARA liabilities has been performed unless specifically identified in the report.

NOTES:

NOTES are used in the Assessment Summary either to identify special property conditions, or to identify and explain conditions which might characteristically be a potential recognized environmental condition, but where the assessment inquiry has not established the reasonable presumption that an environmental liability does exist.

DATA QUALIFICATION:

Environmental site assessment conclusions are made based on the data available for the dates identified. The conclusions are subject to any state of facts which would be identified by updated data. No assurances are made as the accuracy or completeness of data obtained from outside information sources. Also, it is possible that not all existing sites within the search radii specified in Section 2 of this report have been identified, due to factors such as urban density and potential insufficiencies in the databases.

SITE VISIT QUALIFICATION:

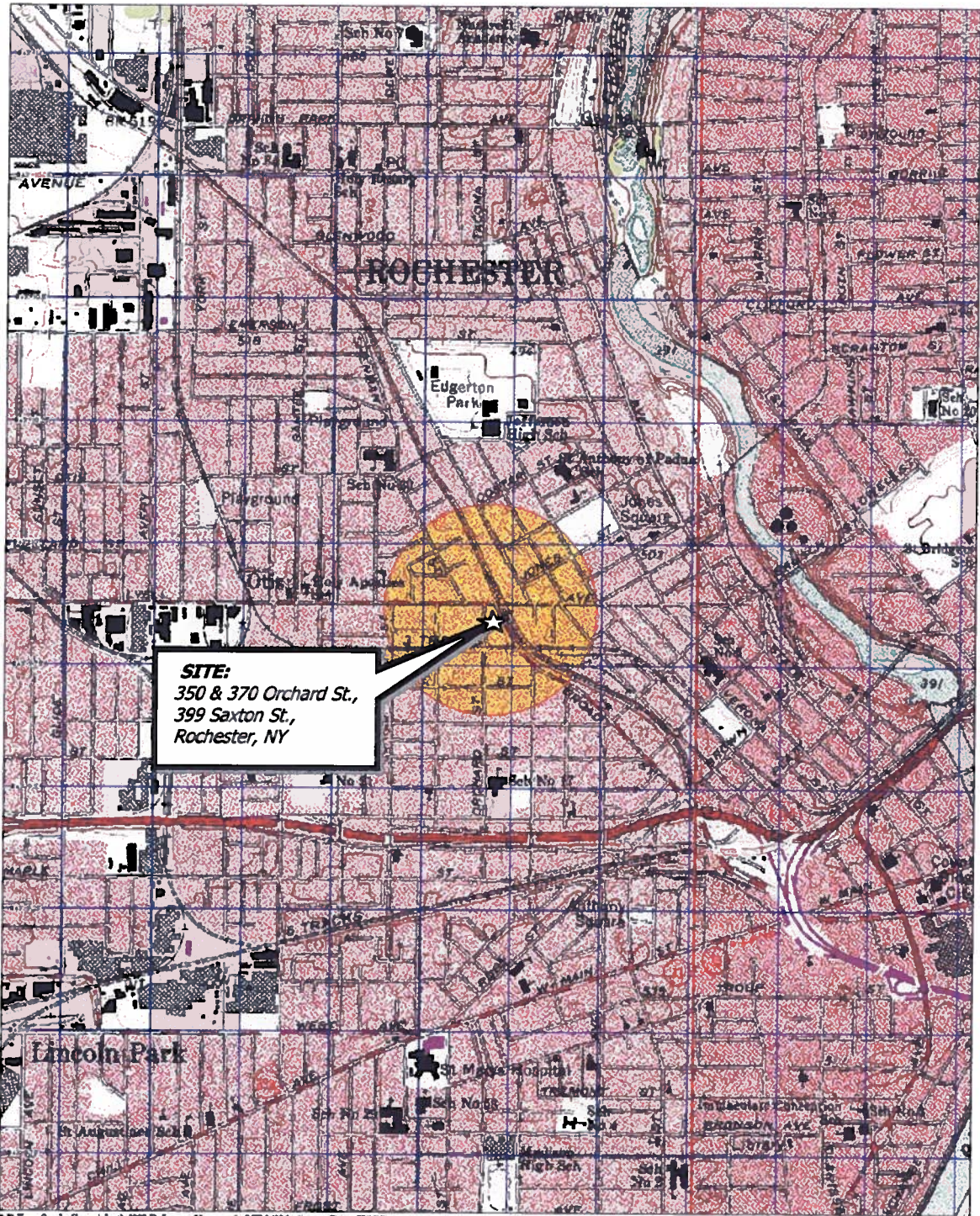
Where the site observations are limited to representative areas, or where facilities are inaccessible for observation, the environmental site assessment conclusions are subject to any statement of facts which access to those areas would have revealed.

ABBREVIATIONS/ACRONYMS:


ASTM – American Society for Testing and Materials
CERCLA – Comprehensive Environmental Response, Compensation, and Liability Act
CERCLIS – Comprehensive Environmental Response, Compensation, and Liability Information System
EPA – (United States) Environmental Protection Agency
ERNS – Emergency Response Notification System
FOIL – Freedom of Information Law
LUST – Leaking Underground Storage Tank
N/A – Not Applicable; Not Available
NPL – National Priorities List
NYS – New York State
NYSDEC – New York State Department of Environmental Conservation
PBS – Petroleum Bulk Storage
RCRA – Resource, Conservation, and Recovery Act
SACM – Suspect Asbestos-Containing Material
SARA – Superfund Amendments and Reauthorization Act of 1986
TSD – Treatment, Storage, and Disposal
UST – Underground Storage Tank

APPENDIX A

Site Location Map and Site Sketch



Drawing Produced From: 3-D TopoQuads, DeLorme Map Co., referencing USGS quad map Rochester West (NY) 1995 and Rochester East (NY) 1995. Site Lat/Long: N43°9.85' - W77°38.06'

DATE 03-28-2003	 DAY ENVIRONMENTAL, INC. ENVIRONMENTAL CONSULTANTS ROCHESTER, NEW YORK 14614-1008	PROJECT TITLE 350 & 370 ORCHARD STREET, 399 SAXTON STREET ROCHESTER, NY PHASE I ASSESSMENT	PROJECT NO. 3201S-03 FIGURE 1
DRAWN BY LRP		DRAWING TITLE PROJECT LOCUS MAP	
SCALE 1" = 2000'			



Auto repair and industrial properties

Railroad Tracks

Undeveloped land

Broad Street

Industrial properties

370 Orchard St. parcel

Vacant gas station/used car lot

~250 gal. Diesel AST

Orchard Street

Soil/debris piles

Dumpsters

7 approx. 20-gallon drums

Construction trailer (no access)

Saxton Street

350 Orchard St. parcel

Gravel pile

399 Saxton St. parcel

Residential Properties

Notes:

- 1) Site sketch based on observations made at the time of the site visit performed by a Day Environmental, Inc. representative on 4/9/03.
- 2) The highlighted area is only a representation of the assessed property, and does not depict the actual property boundaries of the assessed property.

DATE
4/9/03

DRAWN BY
DMP

SCALE
Not to Scale

day

DAY ENVIRONMENTAL, INC.
ENVIRONMENTAL CONSULTANTS
ROCHESTER, NEW YORK 14614

PROJECT TITLE
**Undeveloped Land
350 & 370 Orchard St, 399 Saxton St.
Rochester, New York**

PHASE I ASSESSMENT

DRAWING TITLE
SITE SKETCH

PROJECT NO.
3201S-03

FIGURE 2

APPENDIX B

Site Observations and Site Photographs

Day Environmental, Inc.

SITE OBSERVATIONS

Project No.: 32015-03 Date: 4/9/03 Assessor Name: Peck

Property Address: 350 + 370 Orchard St, 399 Saxton St
Rochester, NY

Persons Present/Title: Dennis Peck, Assessor

Locality: (circle one) Urban Suburban, Rural
Highly Moderately, Lightly Developed
Industrial Commercial, Agricultural, Residential, Wooded, Fallow, Vacant

No. of acres: Frontage: - Depth: -

GROUND SURFACES: 3 parcels #350 → 0.77 ac #370 → ~0.8 ac #399 Saxton → 0.72 ac

Fill materials: yes/no

Debris/Dumping: yes/no concrete rubble from bridge project - removed on a regular basis

Spills/Staining: yes/no

Stressed Vegetation: yes/no

Odors: yes/no

Pools of Liquid: yes/no

Pits/Ponds/Lagoons: yes/no

Wastewater discharge: yes/no

Trees Landscaping Green area

Snow cover: 1-2"

UTILITIES:

Transformers: number: none
Location on property: NA
Pole-mounted or pad-mounted
Client owned or utility owned
Suspect PCB-containing equipment: yes/no/unknown
Condition of the casing:
Spillage or staining observed:

Property serviced by: Natural gas Electric Telephone Sewer Septic Water Well
Date of Connection: Location on Property: Date of Connection: Location on Property:
Property is not developed, but utilities are available

BUILDING:

Building Designation: _____

No Buildings on AP

NA

No. of stories _____ square foot _____
Age of construction _____
Additions: _____
Circle: Basement Slab-on-grade Attic Crawlspace
Envelope: block/poured concrete _____ brick _____
 steel _____ wood _____
 siding (type) _____
Roof Type: peaked or flat, type of material _____
Existing Heating System: _____
Past Heating System: _____
Floor drains: yes/no discharge point _____
Sump pumps: yes/no discharge point _____
Catch basins: yes/no discharge point _____
Current on-site operations: _____
Past on-site operations: _____

Building Designation: _____

NA

No. of stories _____ square foot _____
Age of construction _____
Additions: _____
Circle: Basement Slab-on-grade Attic Crawlspace
Envelope: block/poured concrete _____ brick _____
 steel _____ wood _____
 siding (type) _____
Roof Type: peaked or flat, type of material _____
Existing Heating System: _____
Past Heating System: _____
Floor drains: yes/no discharge point _____
Sump pumps: yes/no discharge point _____
Catch basins: yes/no discharge point _____
Current on-site operations: _____
Past on-site operations: _____

BUILDING (cont.):

Building Designation: _____ NA

No. of stories _____ square foot _____
Age of construction _____
Additions: _____
Circle: _____ Basement _____ Slab-on-grade _____ Attic _____ Crawlspace _____
Envelope: block/poured concrete _____ brick _____
steel _____ wood _____
siding (type) _____
Roof Type: peaked or flat, _____ type of material _____
Existing Heating System: _____
Past Heating System: _____
Floor drains: yes/no discharge point _____
Sump pumps: yes/no discharge point _____
Catch basins: yes/no discharge point _____
Current on-site operations: _____
Past on-site operations: _____

SUSPECT ASBESTOS-CONTAINING MATERIALS:

Was asbestos evaluated as part of this assessment? Yes No
Does the age of the building suggest the presence of asbestos: Yes No
Date of construction: _____
Has the building been renovated: _____ NA Yes No
Date of renovation: _____
Floor materials: _____ 9" x 9" _____ 12" x 12"
_____ rolled vinyl flooring _____ stair treads
Ceiling tiles: _____ 1' x 1' _____ 2' x 2'
_____ 2' x 4' _____ Spray-on
Drywall/Plaster _____ TSI _____
Pipe Wrap _____ Boiler TSI _____
Base Cove _____ Transite _____
Roofing _____
Condition of materials: _____

Day Environmental, Inc.
Field Notes, page 4
Project No. 32015-03

SUSPECT LEAD-BASED PAINT:

Was lead-based paint evaluated as part of this assessment? Yes No
Does the age of the building suggest the presence of lead-based paint: Yes No
Date of construction: _____ *NA*
Has the building been renovated: _____
Date of renovation: _____ Yes No

If damaged, does paint appear to be (circle one):

Peeling Flaking Chipping Other _____

Condition of paint: _____

STORAGE TANKS:

Get copies of site plans (if available) for tank location. *No evidence of USTs*

USTs	Capacity	Product	Location on Property
Tank 1		<i>NA</i>	
Tank 2			
Tank 3			

Staining, Stressed or Dead Vegetation _____
Odors Detected _____
Tanks Registered _____
Any tanks removed from the property _____
contractor/date _____

ASTs	Capacity	Product	Location on Property
Tank 1	<i>~200 gal</i>	<i>AST (skid) Diesel</i>	<i>399 Saxton St</i>
Tank 2	<i>NA</i>		
Tank 3	<i>NA</i>		

Staining, Stressed or Dead Vegetation *NO*
Odors Detected *NO*
Tanks Registered *NO*
Any tanks removed from the property *NO*
contractor/date _____

Additional Comments: *AST is a temporary construction tank and will be removed when contractor leaves site.*

HAZARDOUS MATERIALS: *None observed*

stored on-site NA used on-site _____

MSDS on-site yes/no _____

List materials (type, size of containers, spills, odors, etc.)

Evidence of Spillage/Leakage:

*Note: 7 ~ 25 gal red metal drums reportedly contain bolts for construction project
1 ~ 55 gal drum - empty - used for trash*

WASTES:

Solid: type -
container _____
collector _____

Recycling: type Scrap Metal
container Dumpster
collector Kreiger Recycling

Other: type Construction waste
container dumpster
collector Compass Environmental Haulers Inc.

type -
container _____
collector _____

Evidence of Spillage/Leakage:
NO

Day Environmental, Inc.
Field Notes, page 6
Project No. 32015-03

PERMITS (air, water, etc.):
(obtain copies)

no

EQUIPMENT:

Temp. construction lights

Evidence of Spillage/Leakage:

no

ADJOINING PROPERTIES:

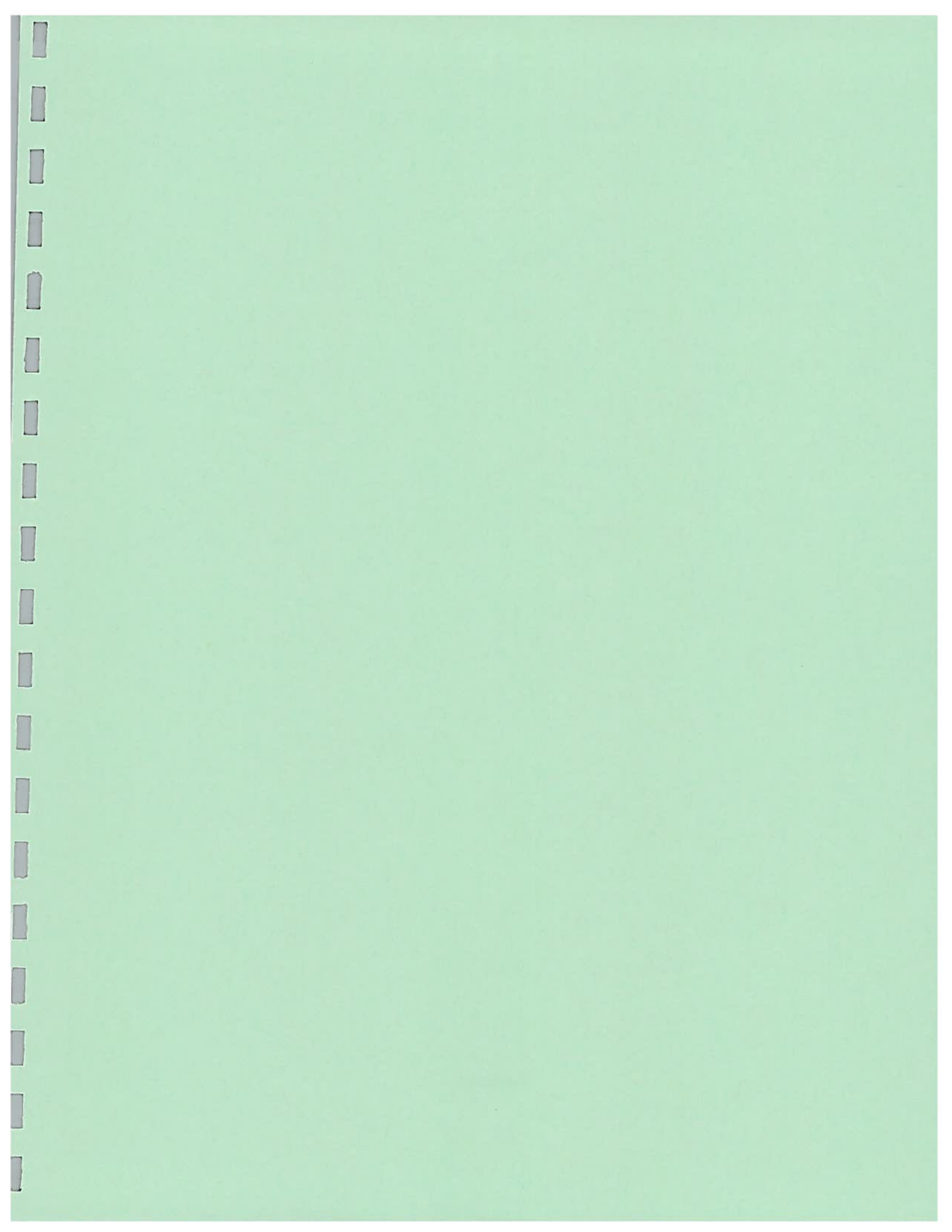
North: RR tracks w/ industrial property beyond
South: Residential
East: Vacant gas station w/ Broad St + undeveloped land beyond
West: Orchard St. w/ industrial property beyond

GENERATORS OR COMPRESSORS (fuel source; spills)

no

Also - construction trailers on-site - no access

Dennis M Peck 4/9/03





View of assessed property to west



AST located on 399 Saxton Street parcel

3201S-03
350 & 370 Orchard/399 Saxton Street
Rochester, NY
04-09-03



Vacant gas station located adjoining to the east/north of assessed property



Drums located on 399 Saxton Street parcel

3201S-03
350 & 370 Orchard/399 Saxton Street
Rochester, NY
04-09-03



Debris located on 350 Orchard Street parcel



View to east of 370 Orchard Street parcel

3201S-03
350 & 370 Orchard/399 Saxton Street
Rochester, NY
04-09-03

APPENDIX C

Historical Research Documentation



1930

50-71

1930 N ↑

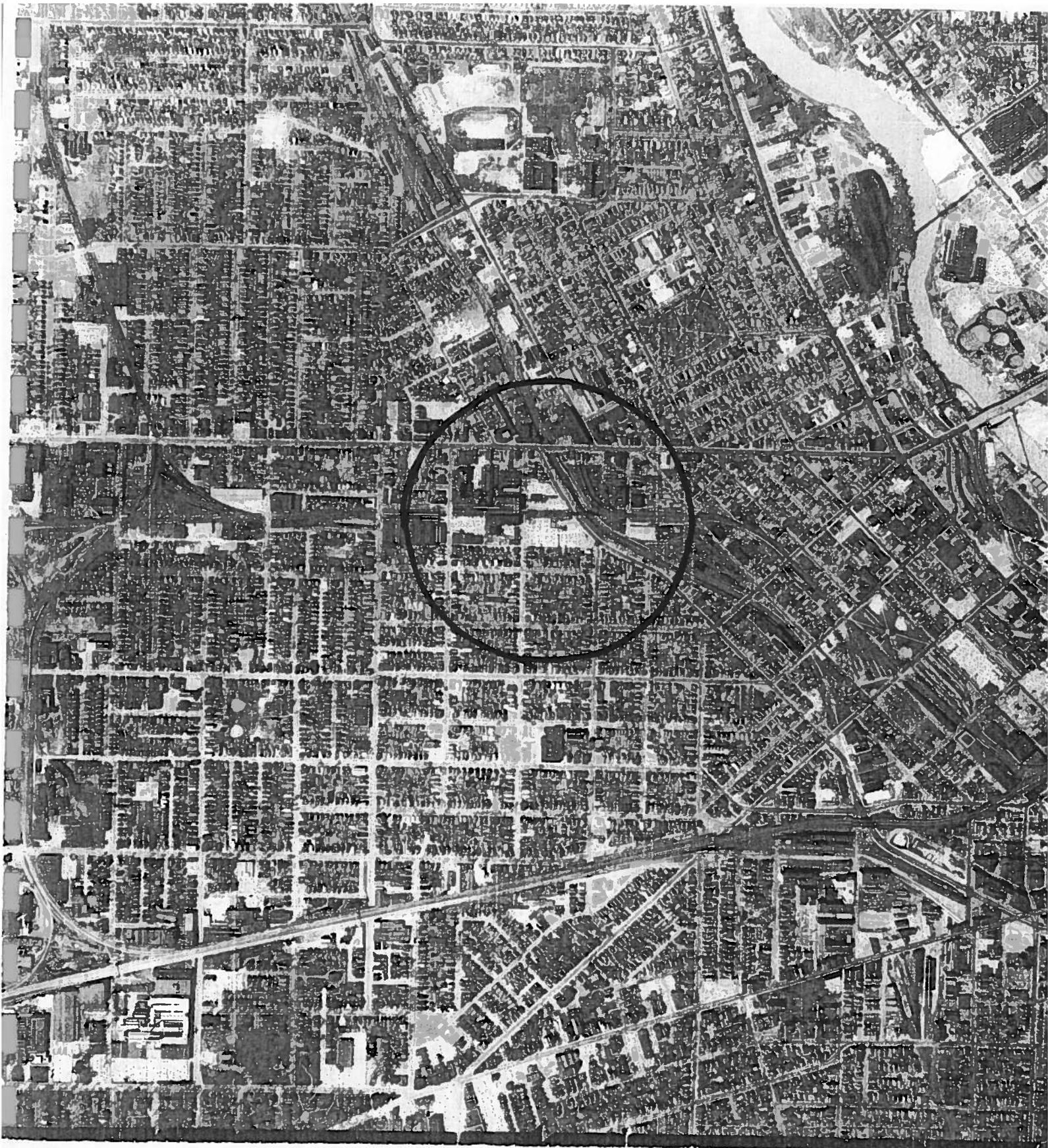
16-51

ARK-2H-43



1951

1951 N↑



1961

1961 N↑



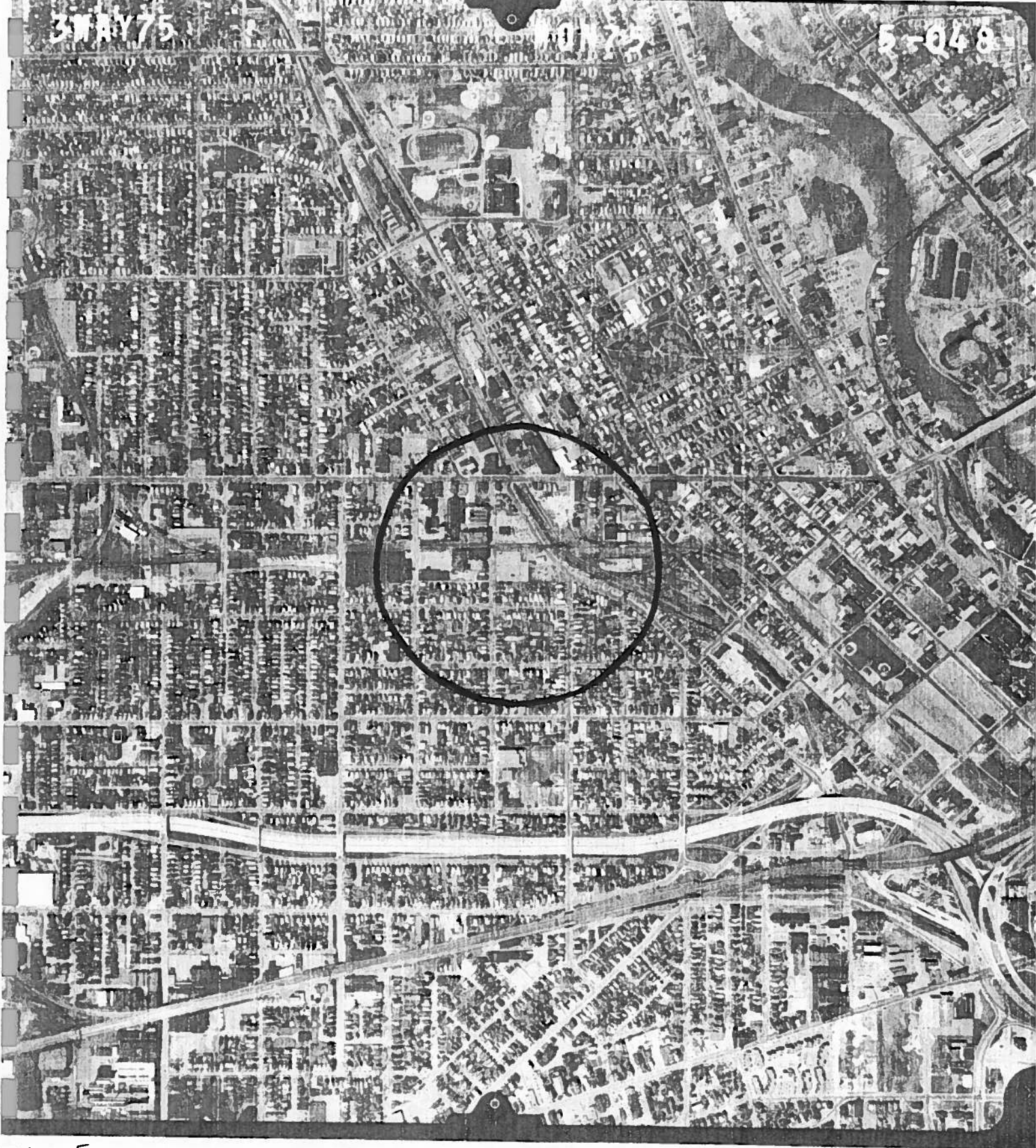
1970

1970 N↑

3 MAY 75

10N 75

5-048



1975

1975 N↑



1988

1988 N ↑



1993

1993 N↑



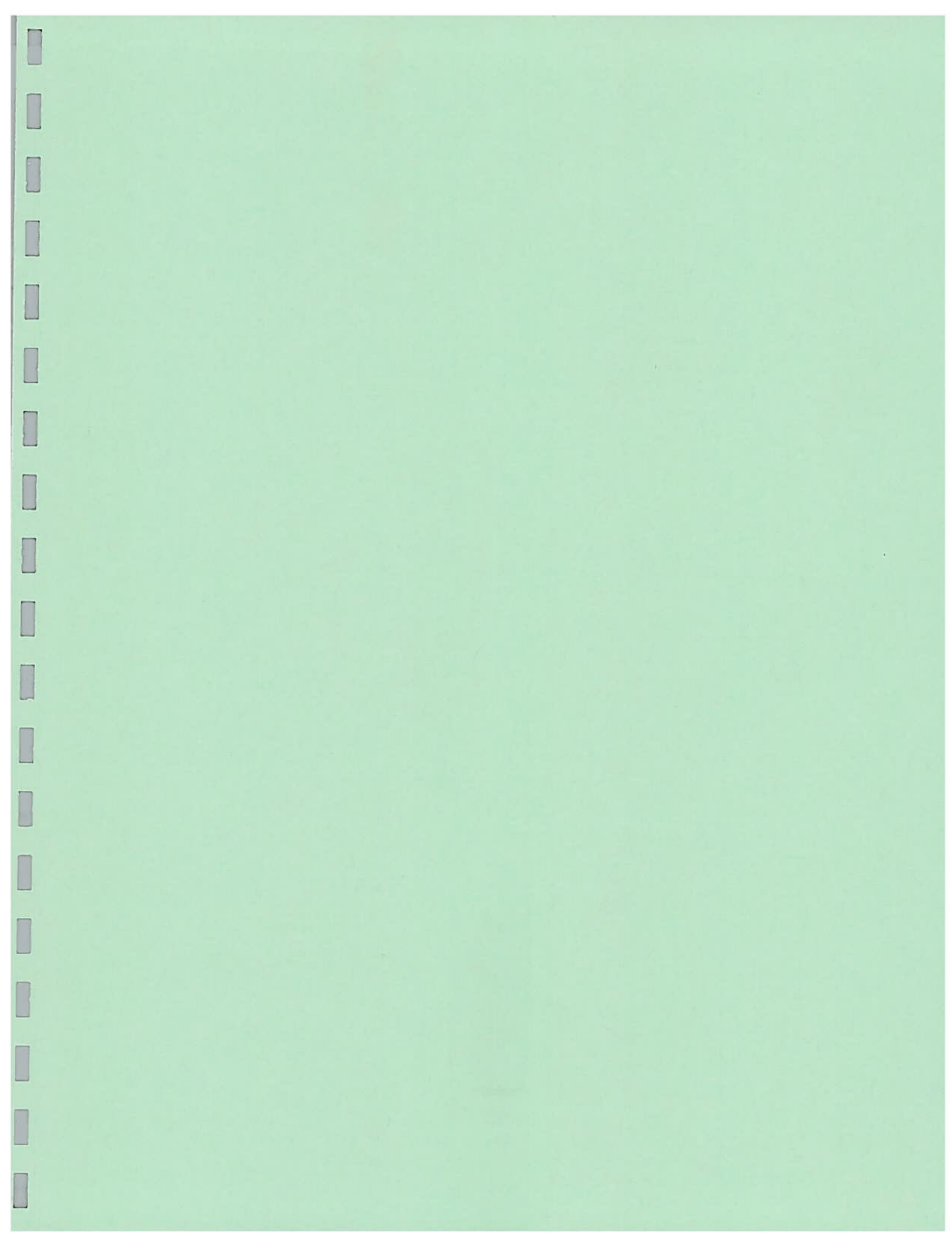
1996

1996 N ↑



1999

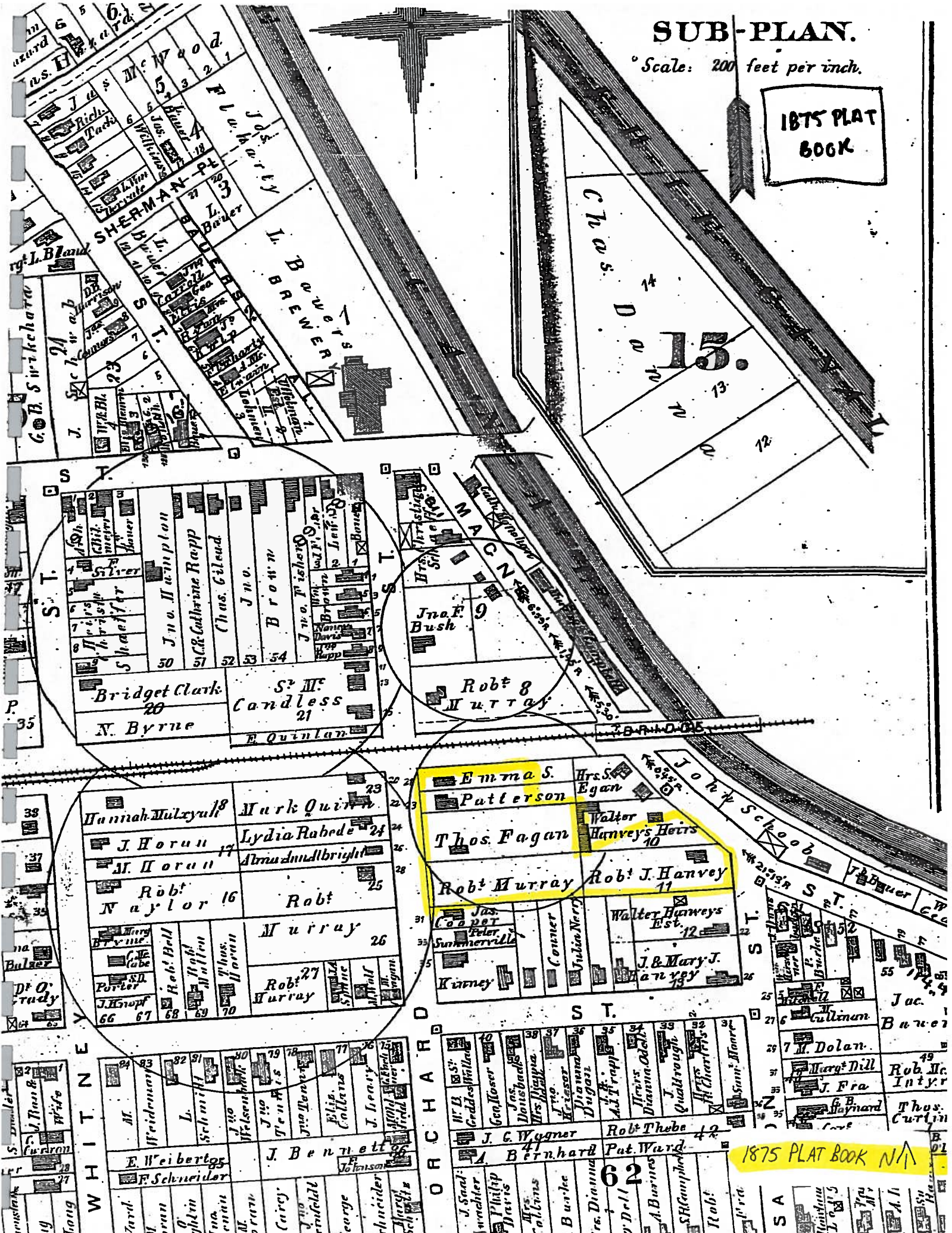
1999 N ↑



SUB-PLAN.

Scale: 200 feet per inch.

1875 PLAT BOOK



15.

Emma S. Patterson
Thos. Fagan
Robt Murray
Robt J. Hanvey

1875 PLAT BOOK N/A



STATION ST.

NEW YORK CENTRAL & HUDSON P. R. R.

1888 PLAT BOOK

200 J. Mulwoy	201 S. Egan
202 R. Burke	203
204 P. Pague	205 N. Harvey Est.
206 G. B. Barner	207 R. J. Harvey
208 J. Cooper	209 N. Harvey Est.
210 P. Schmeville	211 R. J. Harvey
212 M. Kelly	213 Mary Harter
214 M. Kelly	215
216 M. Kelly	217
218 M. Kelly	219
220 M. Kelly	221
222 M. Kelly	223
224 M. Kelly	225
226 M. Kelly	227
228 M. Kelly	229
230 M. Kelly	231
232 M. Kelly	233
234 M. Kelly	235
236 M. Kelly	237
238 M. Kelly	239
240 M. Kelly	241

264 Bridget Clark	265
266 P. Markens	267 C. Bernhart

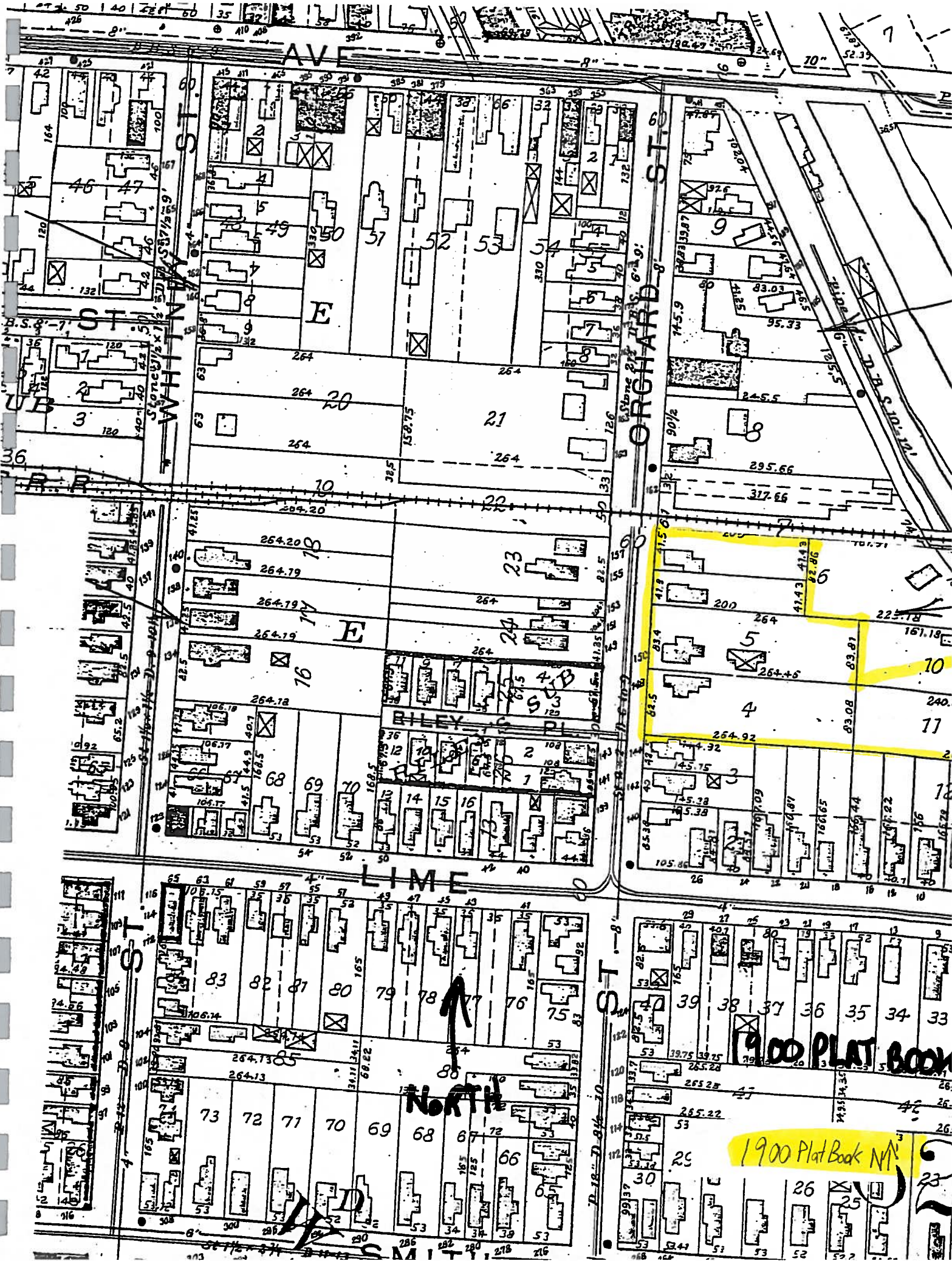
268 Hannah Mulryan	269 K. Mulryan	270 N. Quinn
271 J. Horan	272 G. Rudawon	273 M. Albright
274 K. Horan	275 Margt. Rudawon	276
277 B&C Street	278	279
280	281	282
283	284	285
286	287	288
289	290	291
292	293	294
295	296	297
298	299	300

NORTH

301	302	303	304	305	306	307	308	309	310
311	312	313	314	315	316	317	318	319	320
321	322	323	324	325	326	327	328	329	330
331	332	333	334	335	336	337	338	339	340
341	342	343	344	345	346	347	348	349	350
351	352	353	354	355	356	357	358	359	360
361	362	363	364	365	366	367	368	369	370
371	372	373	374	375	376	377	378	379	380
381	382	383	384	385	386	387	388	389	390
391	392	393	394	395	396	397	398	399	400

401	402	403	404	405	406	407	408	409	410
411	412	413	414	415	416	417	418	419	420
421	422	423	424	425	426	427	428	429	430
431	432	433	434	435	436	437	438	439	440
441	442	443	444	445	446	447	448	449	450
451	452	453	454	455	456	457	458	459	460
461	462	463	464	465	466	467	468	469	470
471	472	473	474	475	476	477	478	479	480
481	482	483	484	485	486	487	488	489	490
491	492	493	494	495	496	497	498	499	500

1888 Plat Book N



AV

ST

ORCHARD ST

E

E

RILEY ST

LINE

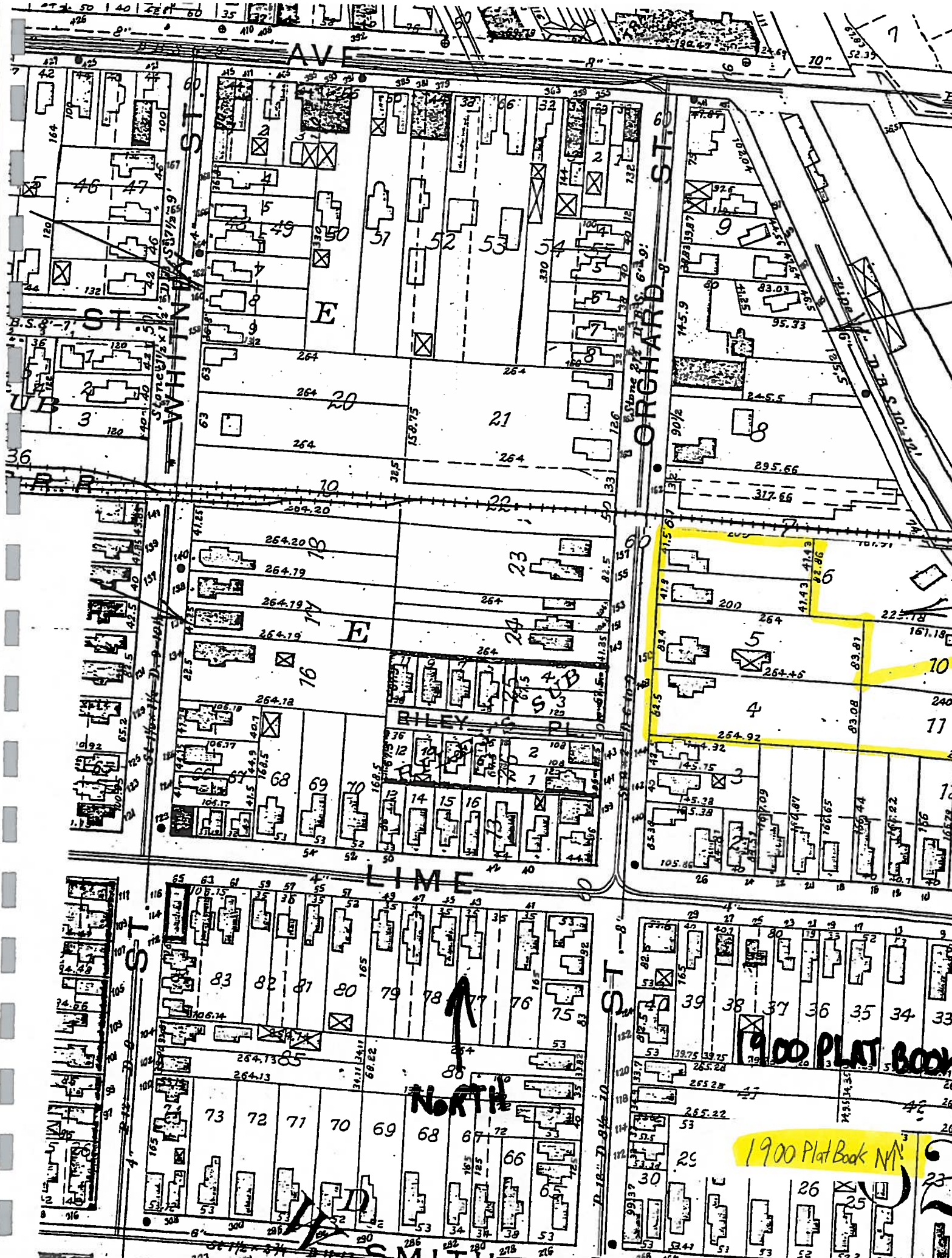
ST

ST

NORTH

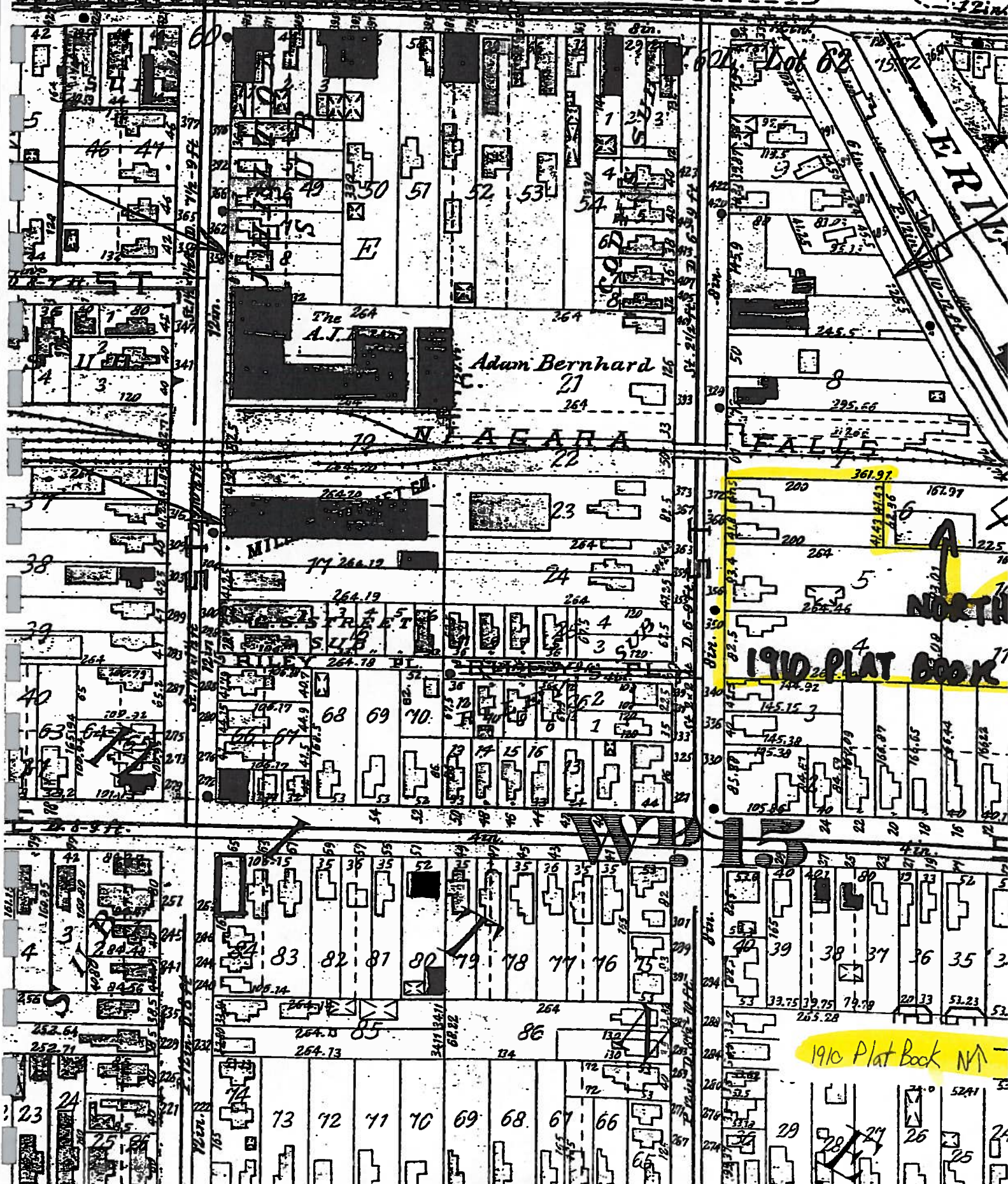
1900 PLAT BOOK

1900 Plat Book N^o 3



NOS 48, 49, 50, 62, 63 refer to 20000 ACI

19 S L Lot 47



1910 PLAT BOOK
NORTH

1910 Plat Book

The 264
A.J. ...
Adam Bernhard
21

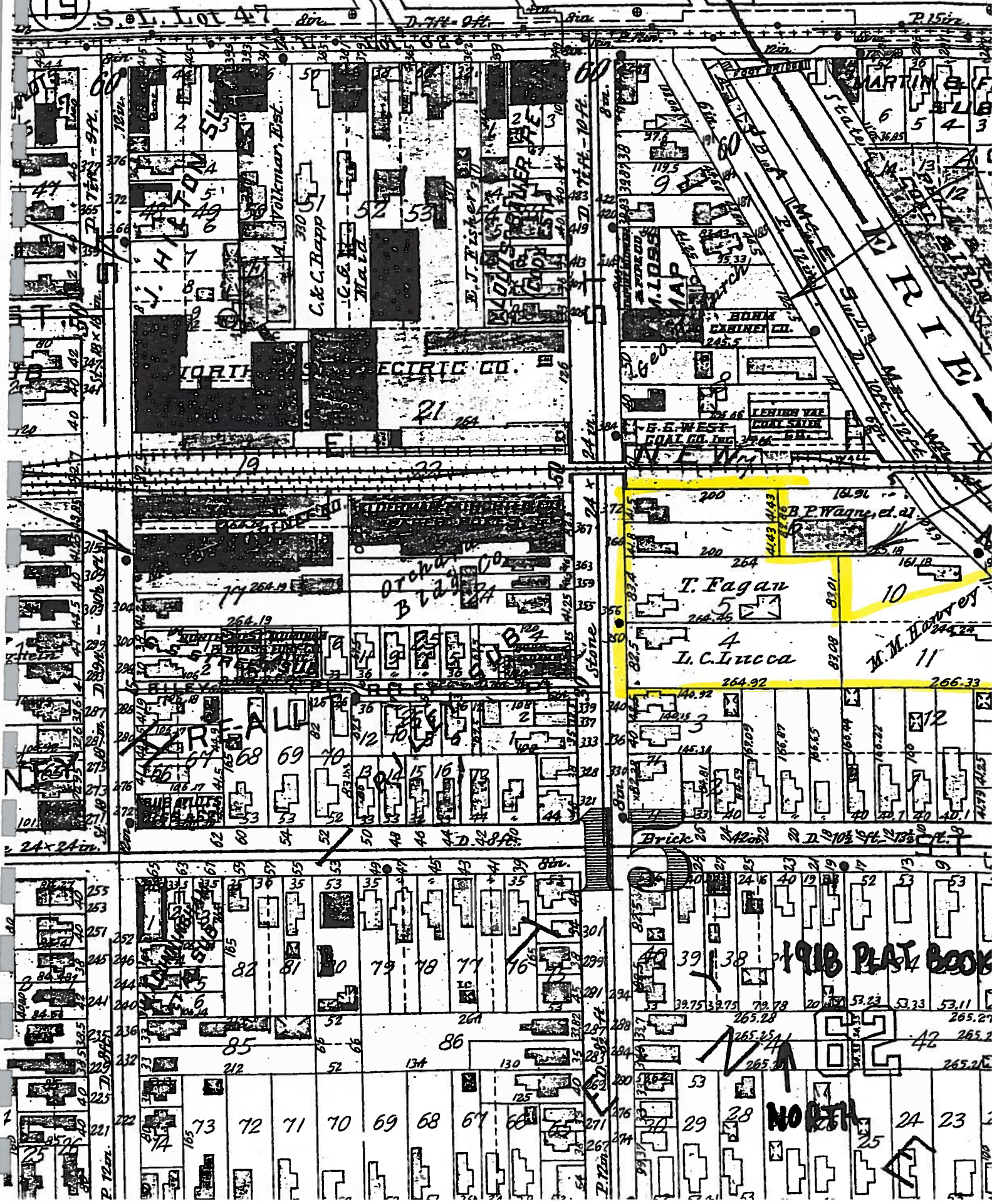
N. ABEARA

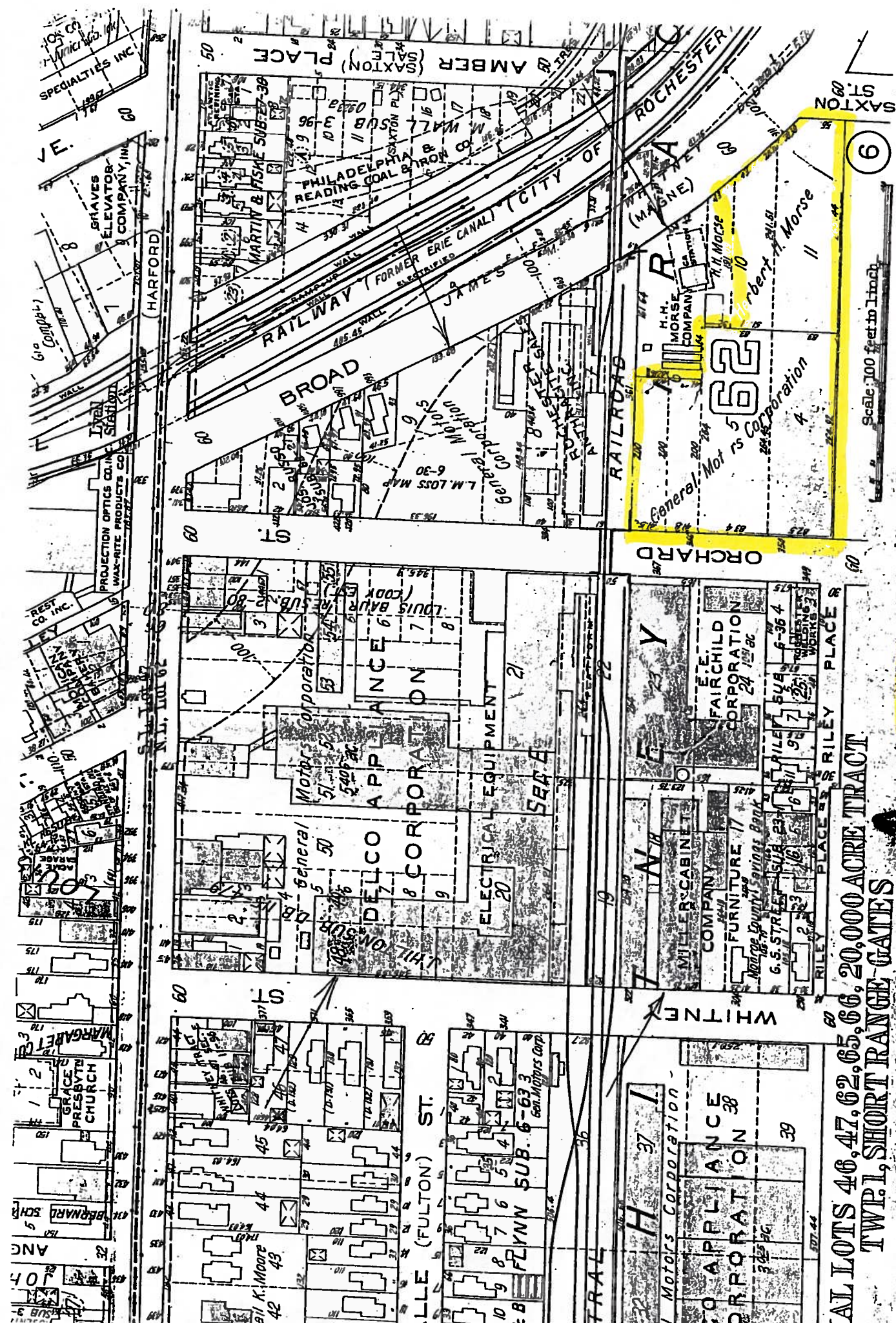
MILWAUKEE

W. ...

48, 49, 50, 62, 63 refer to 20,000 ACRE TR

19





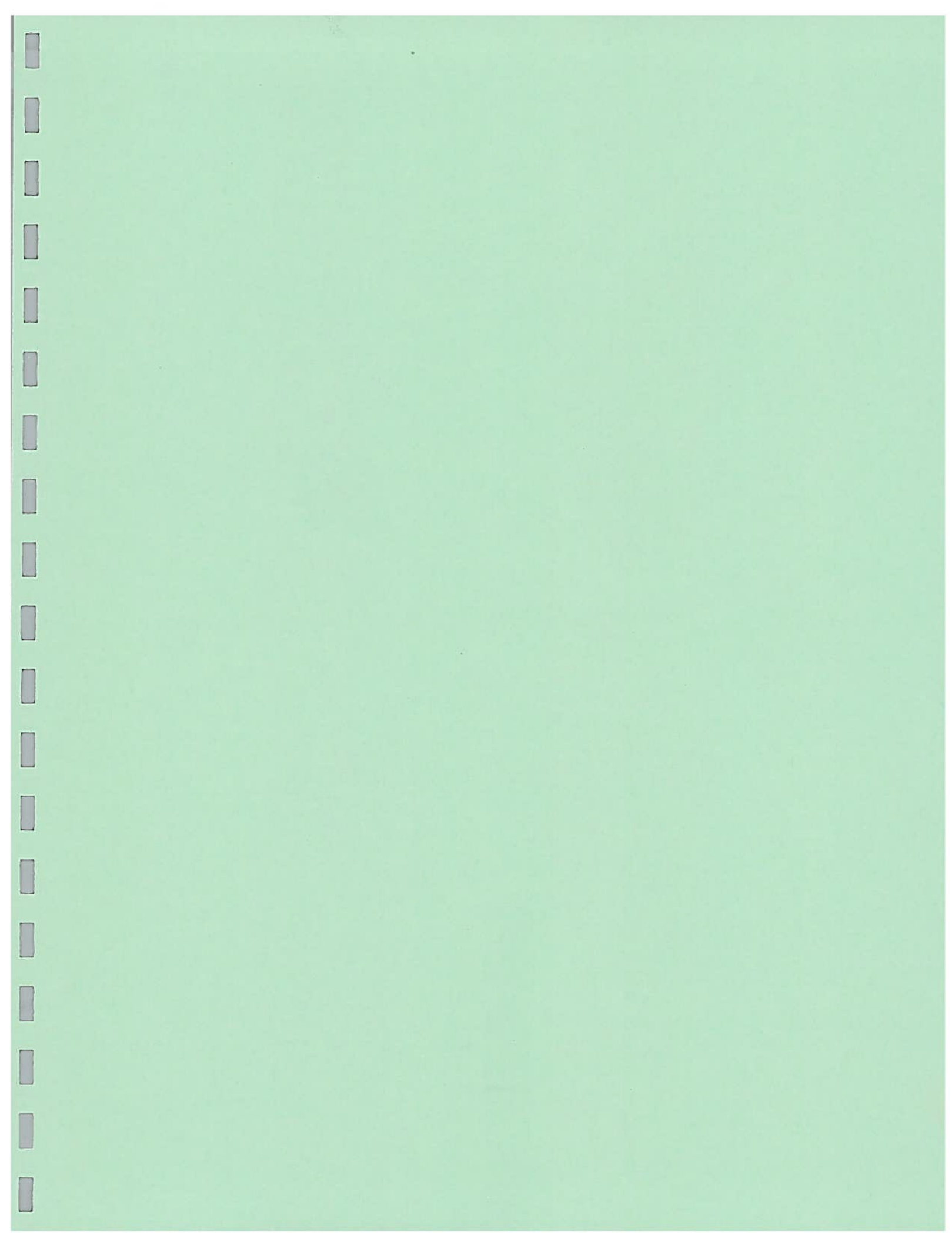
ALL LOTS 46, 47, 62, 65, 66, 20,000 ACRE TRACT.
 TWP. 1, SHORT RANGE GATES

1935 PLAT BOOK

NORTH

Scale 100 feet to Inch

6



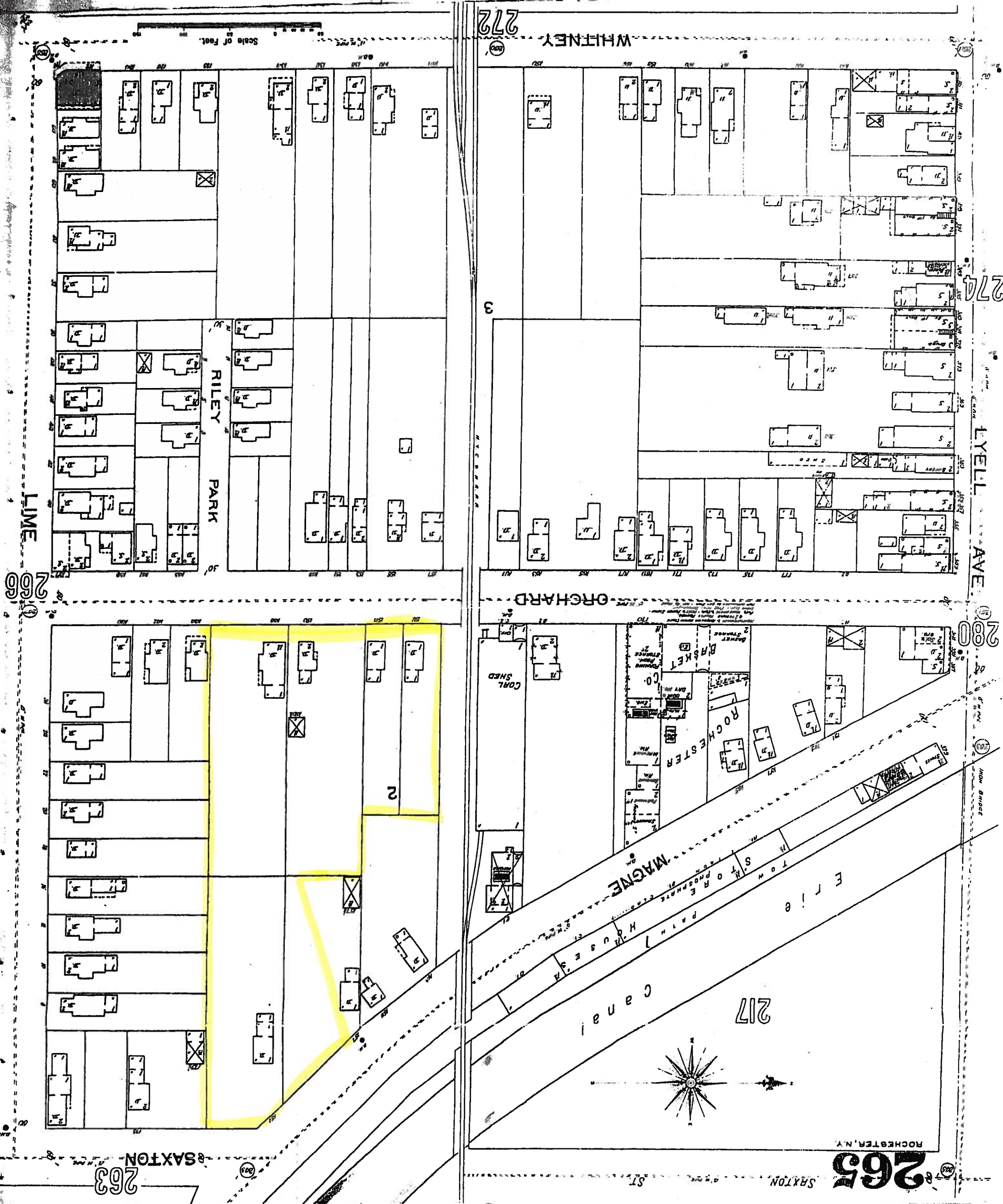
1892 N

SANBORN

1892

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Environmental Risk Information & Mapping Services



ROCHESTER, N.Y.

265

SAXTON ST.

263

SAXTON

LIME ST.

272

WHITLEY

271

LYELL AVE.

280

ORCHARD

217

Canal

WAGNE

HOUSE

ROCHESTER

BASKET

CO.

CORL SHED

2

3

RILEY PARK

1957

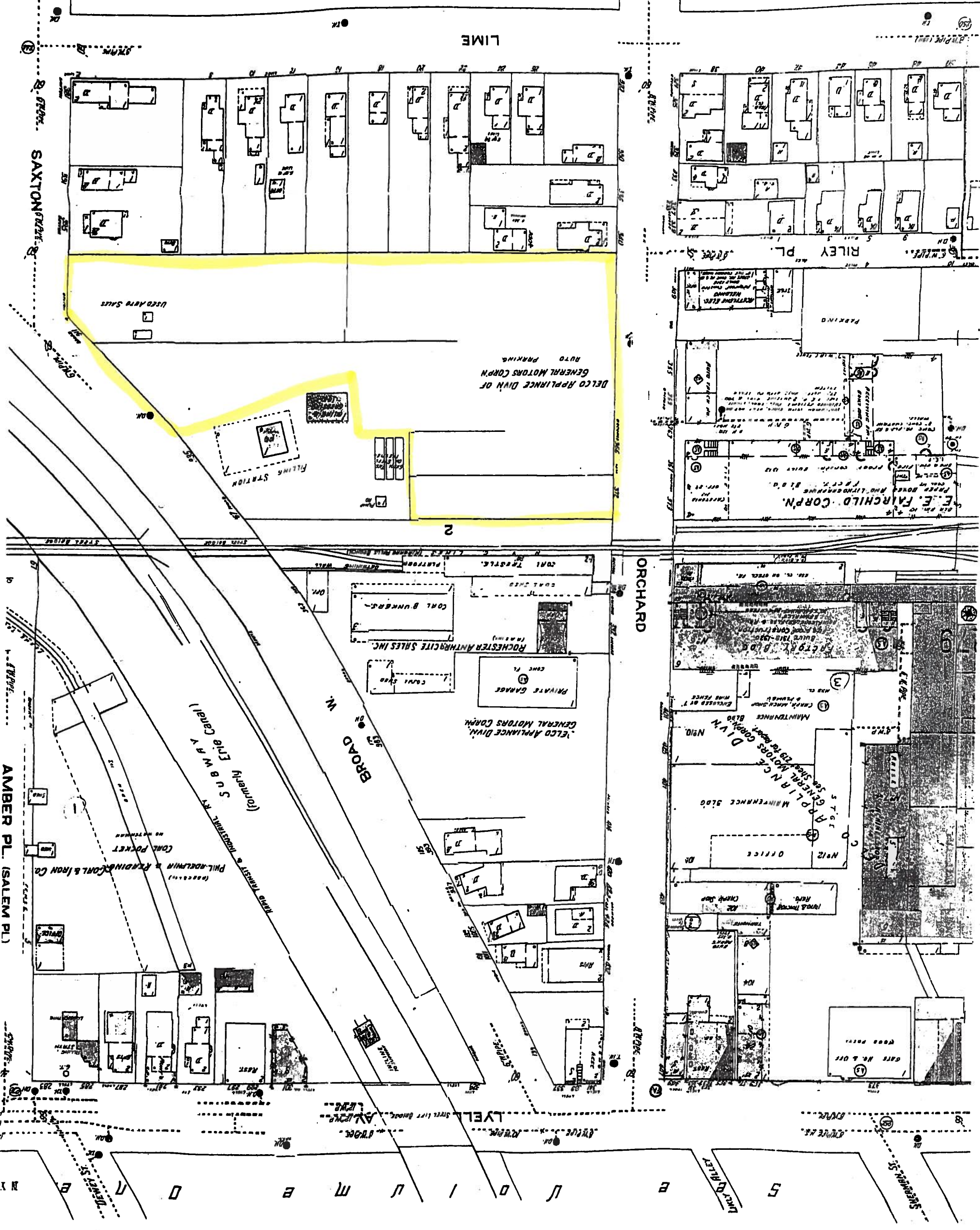
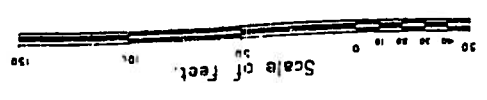
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Environmental Risk Information & Imaging Services

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282



1950 N ↓

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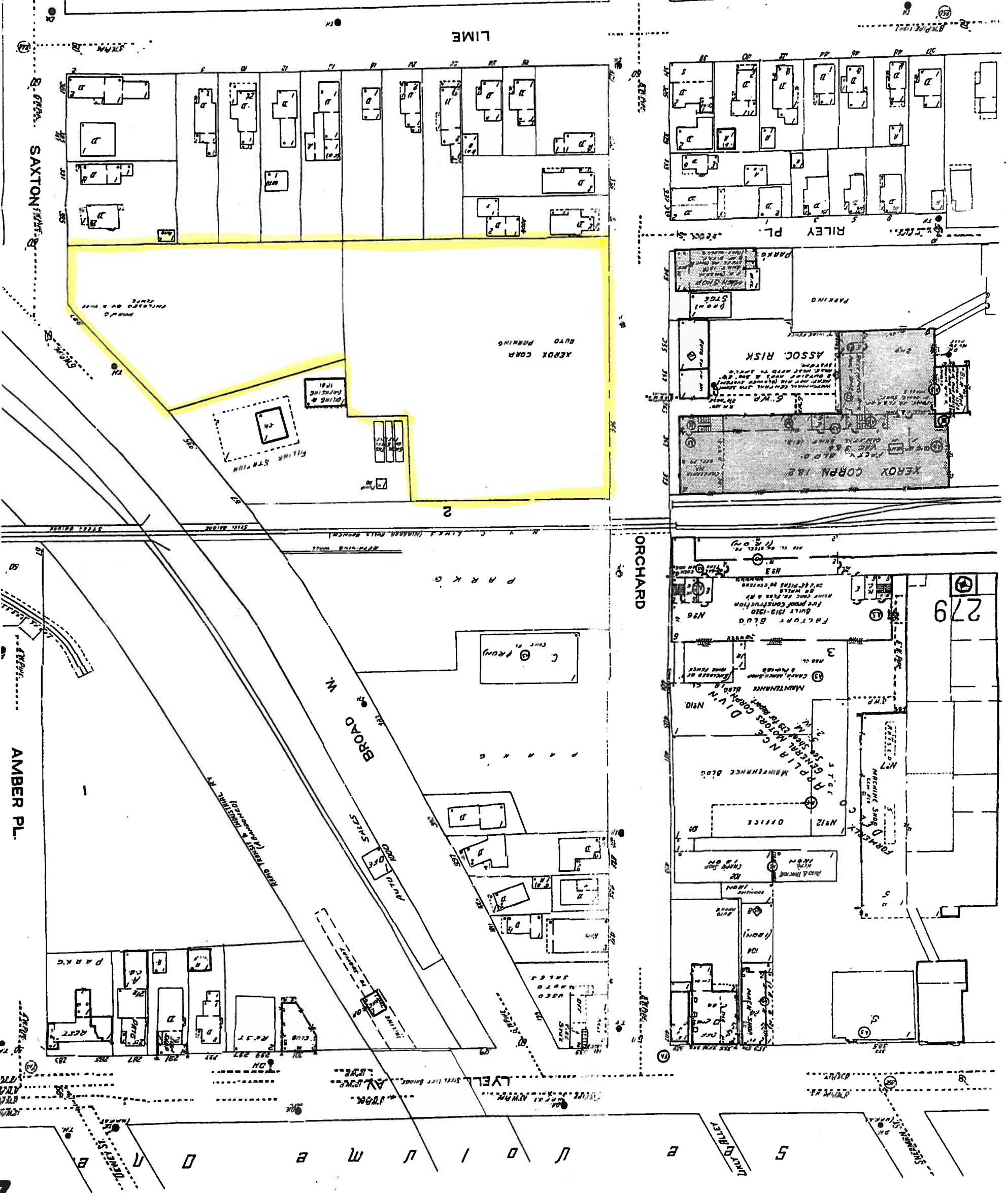
Environmental Risk Information & Imaging Services
505 HUNTMAR PARK DRIVE, SUITE 200 • HERNDON, VA 20170 • 703-834-0600 • 1-800-989-0403 • FAX: 703-834-0606

ERIS

SANBORN

282

SCALE OF FEET
0 10 20 30 40 50
COPYRIGHT SANBORN MAP COMPANY, INC.



1971 NW

APPENDIX D

Regulatory Records Documentation



DAY ENVIRONMENTAL, INC.

ENVIRONMENTAL CONSULTANTS
AN AFFILIATE OF DAY ENGINEERING, P.C.

April 9, 2003

Ms. Kim Shutts
NYS DEC
6274 East Avon-Lima Road
Avon, New York 14414

RE: FOIL REQUEST
JOB NUMBER 3201S-03

Dear Ms. Shutts:

This letter is a Freedom of Information Law request for the following location:

OWNERS

City of Rochester

Scientific Radio Systems, Inc.
Xerox Corporation
General Motors Corporation
Herbert H. Morse
Alderman, Fairchild Company
Sykes Datatronics
H H Morse Oil Company
E E Fairchild Corporation
County of Monroe

PROPERTY*

350 Orchard Street, 370 Orchard Street and 399
Saxton Street
Rochester, New York

“ “
“ “
“ “
“ “
“ “
“ “
“ “
“ “
“ “

We would appreciate being informed of any environmental records on the above sites.

If you have any questions concerning this matter, please do not hesitate to call. Thank you for your cooperation.

Very truly yours,

Dennis M. Peck

DMP/ab

*Map Attached

FR4770





Application for Access to Records Maintained at the Monroe County Department of Health

Return To: FOI Officer, Room 976
Monroe County Department of Health
111 Westfall Road
P.O. Box 92832
Rochester, New York 14692-8932

Fax: (585) 274 - 6098

I hereby apply to : inspect

obtain a copy of the following record(s) *:

Aerial photographs
Waste Site Info!
Department of Health files
350 + 370 Orchard Street, and 399 Sexton Street

William Wilson
Please print name

Will E. Lid
Signature

Dry Environmental, Inc.
Representing (if applicable)

3/27/03
Date

40 Commercial Street
Mailing address

(585) ~~424~~ 454-0210 ext. 109
Telephone number

Rochester, NY 14614-1008
City, State, Zip code
31025-03

(585) 454-0825
Fax number

FOR AGENCY USE ONLY:

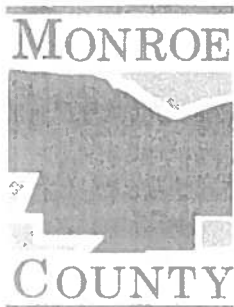
Approved <input type="checkbox"/> Denied <input type="checkbox"/> For the reason(s) checked below: <input type="checkbox"/> Confidential Disclosure <input type="checkbox"/> Part of investigatory files <input type="checkbox"/> Unwarranted invasion of personal privacy <input type="checkbox"/> Record is not maintained by this agency <input type="checkbox"/> Records for which this agency is legal custodian cannot be found <input type="checkbox"/> Exempted by statute other than Freedom of Information Act <input type="checkbox"/> Other: _____	FOI Number: _____ Date Received: _____ Assigned To: _____ Program Area: _____ Date Applicant Contacted: _____ Date File Review: _____ # of Copies: _____ Fee Waived: _____ Yes _____ No Amount Billed: _____ Invoice #: _____ Date Info Sent Out: _____ Date of Closing Letter: _____
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

*A Record Duplication charge of \$.25 per (8.5 x 11") page is payable to Monroe County Department of Health.

NOTICE: You have the right to appeal denial of this application.

I hereby request an appeal _____
Signature

_____ Date



Department of Health

John D. Doyle
County Executive

Andrew S. Doniger, M.D., M.P.H.
Director

April 1, 2003

Day Environmental, Inc.
40 Commercial Street
Rochester, New York 14614-1008
Attn: William Wilson

RECEIVED
APR 03 2003

RE: Freedom of Information Request HD03-056
350 & 370 Orchard St and 399 Sexton St, Rochester (C)

Dear Mr. Wilson:

This is in follow-up to your Freedom of Information Request for documents maintained in Monroe County Department of Health files, received at the Department of Health on March 28, 2003.

Staff at the Monroe County Department of Health searched the files and were unable to locate information regarding the above-referenced request. We contacted you on March 31, 2003 to discuss your request. Please be advised that site aerial photos had been previously evaluated.

We now consider this request closed.

If you have future needs, please feel free to contact my office at 585-274-6067.

Sincerely,

Richard S. Elliott, P.E.
FOI Officer

RSE: ey
c: file





Records Access Application

(Please print or type)

3/27/03
Date
William Wilson
Print Name
Day Environmental, Inc.
Representing
(585) 454-0210 ext. 109
Telephone

40 Commercial Street
Address
Rochester, New York 14614-1008

Will E. L...
Signature

I hereby apply to inspect and/or copy the following record(s):
350 Orchard Street 32015-03
370 Orchard Street
399 Saxton Street

- Bldg. Dept.: 1. Complaints/violations.
 2. Permits,
 3. Spills, leaks, environmental issues.
- Fire Dept.: 1. Storage tanks.
 2. Fire incident reports.
 3. Spills, leaks, environmental issues.
 4. Hazardous materials.

Return completed application to:
 Records Access Officer
 Bureau of Communications
 City Hall, Room 202A
 30 Church Street
 Rochester, New York 14614
 FAX (716) 428-7069

There is a 25¢ per page charge for copying most records. For more information on public access to records, call 428-7135.

NOTE: PLEASE DO NOT EXCEED \$10.00 IN COPY CHARGES WITHOUT PRIOR WRITTEN APPROVAL FROM A DAY ENVIRONMENTAL REPRESENTATIVE.

For agency use only

- Approved
 Denied
 Record not Maintained by City

Records Access Officer

Date

For appeal only

If you wish to appeal the Record Access Officer's decision on your application for public access to records, sign below and send this form within 30 days to:
 Corporation Counsel
 City Hall, Room 400A
 30 Church Street
 Rochester, New York 14614-1295

I hereby appeal:

Signature

Date

DAY

MEMORANDUM OF TELEPHONE CONVERSATION

PERSON WHO/WE CALLED: Assessor's Office

COMPANY OR AGENCY: City of Rochester

TELEPHONE NUMBER: 428-7221

DATE: 4/9/03

TIME: 11⁰⁰ AM/PM

CALLER: Peck

PROJECT: 32015-03

REGARDING: 350 + 370 Orchard St 399 Saxton St

NOTES:

Assessment information for the Assessed Property (AP)
350 Orchard St # 370 Orchard St # 399 Saxton St

Tax ID# 105.75-1-54 105.75-1-1 105.75-1-3

Owner City of Rochester —————>

Parcel Size (Frontage/Depth) 125.13 x 264.92 124 x 264 110.73 x 265.44

Building Info NONE NONE NONE

Sewer/water availability yes yes yes

ACTION REQUIRED: _____

SUSPENSE DATE: / /

END OF DATA

PPLIC. ADDRESS: 0350 ORCHARD ST PERMIT NO.: _____
SBL NO.: 105 . 750 - 0001 - 054 . 000 / 0000
PMT#/SFX APL DTE ISS DTE EST COST STATUS/DATE
0123678 00/00/00 08/19/41 0350 ORCHARD ST
PMT CMPLT PRE CONVERSION 93/10/18
DEMOLISH 2 FR DWELLINGS

F13-PMT MOD PF14-STAT LIST PF15-PMT DETL PF16-PMT EVTS PF17-PMT CONDS
F18-PROP SUMM PF19-ADDR LIST PF20-CFO LIST PF21-PND/CANC

MORE PERMITS ARE AVAILABLE FOR PARCEL - PRESS PF 8

APPLIC. ADDRESS: 0399

SAXTON

ST

PERMIT NO.:

SBL NO.: 105 . 750 - 0001 - 003 . 000 / 0000

PMT#/SFX APL DTE ISS DTE EST COST STATUS/DATE

PMT#/SFX	APL DTE	ISS DTE	EST COST	STATUS/DATE
0840725	00/00/00	03/02/84	4574	0399 SAXTON ST PMT CMPLT PRE CONVERSION 93/10/18 INSTALL PDS SLAT ADDITION TO EXISTING CL FENCE A DISTANC OF 535'

840163	00/00/00	01/16/84	500	PMT CMPLT PRE CONVERSION 93/10/18 CHANGE USE FROM EMPLOYEE PARKING LOT TO USED CAR SALE LO
--------	----------	----------	-----	-----------------------------------------------------------------------------------------------

320113	00/00/00	06/25/79	100	PMT CMPLT PRE CONVERSION 93/10/18 CHANGE USE FROM USED CAR LOT TO EMPLOYEE PARKING LOT
--------	----------	----------	-----	-------------------------------------------------------------------------------------------

308675	00/00/00	11/18/76	100	PMT CMPLT PRE CONVERSION 93/10/18 PLACE TRAILER ON EXISTING USED CAR LOT
--------	----------	----------	-----	-----------------------------------------------------------------------------

PF13-PMT MOD PF14-STAT LIST PF15-PMT DETL PF16-PMT EVTS PF17-PMT CONDS
PF18-PROP SUMM PF19-ADDR LIST PF20-CFO LIST PF21-PND/CANC

BPPMTQY BIS - BUILDING - PERMITS ISSUED

DATE: 03/28/2003 >

MORE PERMITS ARE AVAILABLE FOR PARCEL - PRESS PF 8

APPLIC. ADDRESS: 0399 SAXTON ST PERMIT NO.: _____

SBL NO.: 105 . 750 - 0001 - 003 . 000 / 0000

MT#/SFX	APL DTE	ISS DTE	EST COST	STATUS/DATE
0306967	00/00/00	06/24/76		0399 SAXTON ST PMT CMLPT PRE CONVERSION 93/10/18
		PLUMBING		

0306838	00/00/00	06/14/76	1000	PMT CMLPT PRE CONVERSION 93/10/18
		CHANGE USE FROM VACANT LOT TO USED CAR LOT		

220302	00/00/00	06/10/76		PMT CMLPT PRE CONVERSION 93/10/18
		150 CB		

193336	00/00/00	08/01/68	400	PMT CMLPT PRE CONVERSION 93/10/18
		ERECT 1 FT ADD TOP OF EXISTING CHAIN LINK FENCE WITH BAR		

WIRE

PF13-PMT MOD PF14-STAT LIST PF15-PMT DETL PF16-PMT EVTS PF17-PMT CONDS
 PF18-PROP SUMM PF19-ADDR LIST PF20-CFO LIST PF21-PND/CANC

BPPMTQY BIS - BUILDING - PERMITS ISSUED

DATE: 03/28/2003 >

END OF DATA

APPLIC. ADDRESS: 0399

SAXTON

ST

PERMIT NO.: _____

SBL NO.: 105 . 750 - 0001 - 003 . 000 / 0000

PMT#/SFX	APL DTE	ISS DTE	EST COST	STATUS/DATE
----------	---------	---------	----------	-------------

193312	00/00/00	07/29/68	400	0399 SAXTON ST PMT CMLT PRE CONVERSION 93/10/18 ERECT CHAIN LINK FENCE SIDE OF LOT TO STORE CARS
--------	----------	----------	-----	--------------------------------------------------------------------------------------------------------------

0164943	00/00/00	06/12/56	450	PMT CMLT PRE CONVERSION 93/10/18 MOVE ERECT FRAME 2 CAR GARAGE
---------	----------	----------	-----	-------------------------------------------------------------------

PF13-PMT MOD PF14-STAT LIST PF15-PMT DETL PF16-PMT EVTS PF17-PMT CONDS
 PF18-PROP SUMM PF19-ADDR LIST PF20-CFO LIST PF21-PND/CANC



IN-HOUSE RECORDS CHECKLIST
(Map of Assessment Location to be provided by Assessor)

Job # WHS-32015-03 Assessor DMP

Completed by SMN

Property Address 350 & 370 Orchard Street

399 Saxton Street

Rochester, NY (Zip Code) 14606

Region 8 County: Monroe

Date Submitted 3-31-03 Date Needed 4-3-03

Names and Addresses of Assessed and Adjoining Properties:

- 963 W. Broad St - other side of RR tracks (brakes front and 4 brakes)
- N) 378 Orchard St (RR tracks), 935 W. Broad St. (former gas station)
- 5 to 29 Lime St (Residential)
- S) 330 & 336 Orchard St (Residential)
- E) 381 to 395 Saxton St. (Residential)
- W) 367 Orchard St. (Abandoned Bldg - Scientific Radio Systems)

RECORDS REVIEW: Abandoned Bldg - Sykes Datatronics
375 Orchard St (Midstate metric supply)
349 & 351 Orchard St (Circ Bros Auto)

NPL:

Assessed Property: _____

1-Mile Radius: None

2.4.2 CERCLIS (Active):

Assessed Property: No

1/2-Mile Radius: DN 40002220523 - Rochester Metal Etching Co. Inc -
100 Lake Ave (3.5 E/NE)

CERCLIS NFRAP:

Assessed Property: _____

Adjoining Property: _____

None

TSDFs (Treatment, Storage and Disposal Facilities)

Assessed Property: _____

1/2-Mile Radius: _____

None

2.4.5 **RCRA GENERATORS:**

Assessed Property: _____

Adjoining Properties: *not adjoining* 1) NYD 045609799 - Scientific Radio Systems, Inc - 367 Orchard St (inactive)
2) NYD 980651319 - Styles Datatronics - 375 Orchard St (inactive)

No

CORRACTS:

Assessed Property: _____

1-Mile Radius: _____

None

ERNS (Emergency Response Notification System)

Assessed Property: _____

No

2.4.8 **NYSDEC Inactive Hazardous Waste Disposal Sites:**
(NYSDEC Report and Site Map attached)

Assessed Property: _____

1-Mile Radius: 1) ~~828028A - Taylor Instruments Inc Camb Eng - Area St (≈ 1 mi SW)~~ > 1 mi.

2) 828100 - former Rochester Metal Etching Co -
100 Lake Ave (≈ .5 E/NE)

3) P 28107 - former Raeco Products - 24 Spencer St (≈ .6 NE)

HAZARDOUS SUBSTANCE WASTE DISPOSAL SITES:
(NYSDEC Report and Site Map attached)

Assessed Property: _____

0.5-Mile Radius: _____

None

NYSDEC Solid Waste Facilities (Permitted Facilities/Landfills):
(list type of waste accepted at site)

Assessed Property: _____

1/2-Mile Radius: _____

None

FEDERAL UST:

Assessed Property: _____

Adjoining Properties: _____

None

HISTORICAL NAMES TO CHECK (1974-1983):

Not checked

SPILLS (MONTHLY UPDATES - REGION 8): 1-1-02 to 2-28-03 (updated 3-7-03)

Assessed Property: _____

No

1/2-Mile Radius: 1) 0270244 - Chin (Clarence) Property - 935 W. Broad St - 7-19-02 ^{A (adjoin)}

2) 0263654 - CSX Railroad Driv - 25 Texas St - 7-7-02 - A (= .25 W)

3) 0201881 - Junkyard - Broad & Jay - 5-21-02 - A (= .4 SE)

4) 0270030 - 135 Murray St - 135 Murray St - 4-10-02 - A (= .4 W/SW)

5) 0270079 - 195 Dewey Ave - 195 Dewey Ave - 11-30-02 - A (= .3 N/NW)

6) 0270091 - 367 Orchard St - 367 Orchard St - 4-25-02 - A (Adjoin)

7) 0170570 - Upstate Farms - 45 Fulton Ave - 3-8-02 - C (= .5 NE)

Job # WHS3201S-03 Assessor Peck

Completed by McPhee

Property
Address 350 & 370 Orchard Street

399 Saxton Street

Rochester, N.Y. (Zip Code) 14606

Region 8 County: Monroe

Date
Submitted 3/28/2003 Date
Needed ASAP

Names and Addresses of Assessed and Adjoining Properties:

N) 935 & 963 West Broad Street and 378 Orchard Street

S) 5-29 Lime Street & 330-336 Orchard Street

E) 381-395 Saxton Street

W) 349, 351, 367 & 375 Orchard Street

HISTORICAL NAMES TO CHECK (1974-1983):

2. 4.14 **NYSDEC PBS (assessed property and adjoining properties)**

1. 8-503630 Caribbean Service Center

935 Broad Street West, 3 Tanks

NYSDEC MOSF: (assessed property and adjoining properties)

None

NYSDEC CBS: (assessed property and adjoining properties)

None

Summary of Spills

Total Number of Spills within a 0.5-mile Radius: 150

Active Mappable Spills: 28

Active Unmappable Spills: 1

Closed/Inactive Mappable Spills: 84

Closed/Inactive Unmappable Spills: 37

NYSDEC Spills/Leaking Storage Tank (LST):
(Assessed property and ½ mile radius)

	Spill Number	Spill Address	Spill Date	Spill Status	Direction/Distance	Mappable (Yes/No)
1	8912115	167 Orchard St.	3/19/90	C	.3mi S	Y
2	9310124	Lyell Ave. & Orchard St.	11/19/93	C	.1mi N	Y
3	9870108	Orchard St.	8/19/98	CI		N
4	9609253	155 Lyell Ave.	10/21/96	CI	.3mi NE	Y
5	9006519	155-159 Lyell Ave.	9/13/90	C	.3mi NE	Y
6	9870086	175 Lyell Ave.	8/14/98	(A)	.25mi NE	Y
7	9970434	175 Lyell Ave.	10/18/99	CI	.25mi NE	Y
8	8902176	192 Lyell Ave.	5/18/89	C	.2mi NE	Y
9	0070629	192 Lyell Ave.	2/25/01	C	.2mi NE	Y
10	8902562	229 Lyell Ave.	6/10/89	C	.2mi NE	Y
11	0070503	252 Lyell Ave.	11/27/00	CI	.2mi NE	Y
12	8803819	271 Lyell Ave. & Oak St.	7/29/88	C	.2mi NE	Y
13	9700769	286 Lyell Ave. & 55 Dewey	4/16/97	(A)	.1mi N	Y
14	8704270	291 Lyell Ave.	8/21/87	C	.1mi N	Y
15	9203503	291 Lyell Ave.	6/24/92	C	.1mi N	Y
16	9707867	349 Lyell Ave.	10/2/97	(A)	.1mi N	Y
17	9970564	349 Lyell Ave.	1/6/00	CI	.1mi N	Y
18	9704807	386 Lyell Ave.	7/22/97	CI	.2mi NW	Y
19	8402180	386 Lyell Ave.	11/15/84	C	.2mi NW	Y
20	9105824	436 Lyell Ave.	8/22/91	C	.25m NW	Y

NYSDEC Spills/Leaking Storage Tank (LST):
(Assessed property and ½ mile radius)

	Spill Number	Spill Address	Spill Date	Spill Status	Direction/Distance	Mappable (Yes/No)
21	9970179	469 Lyell Ave.	6/23/99	CI	.3mi NW	Y
22	9105379	501 Lyell Ave. & Murray St.	8/16/91	C	.4mi NW	Y
23	8500057	519 Lyell Ave.	3/28/85	C	.5mi NW	Y
24	8704780	Lyell Ave.	9/9/87	C		N
25	9301868	Lyell Ave. & Child St.	5/7/93	C	.3mi NW	Y
26	8403692	Lyell Ave.	3/28/85	C		N
27	8201342	Lyell Ave.	11/4/82	C		N
28	0170326	Lyell Ave. & Sherman St.	9/7/01	CI	.1mi NW	Y
29	8606939	Lyell Ave. W Route 31	2/11/87	C		N
30	8603851	Lyell Ave.	9/12/86	C		N
31	9712406	Lyell Ave. & Saratoga St.	2/5/98	(A)	.25mi NE	Y
32	0170248	935 West Broad St.	8/1/01	C	Adj. N	Y
33	9803528	West Broad St. & Grape St.	6/19/98	CI	.25mi SE	Y
34	9402624	515-517 Jay St.	5/23/94	C	.25mi S	Y
35	9306980	555 Jay St.	9/3/93	C	.25mi S	Y
36	9706070	728 Jay St.	8/18/97	(A)	.4mi SW	Y
37	8706523	Jay St. & Grape St.	11/1/87	C	.3mi SE	Y
38	9901169	Jay St.	4/30/99	CI		N
39	9406636	555 N. Plymouth Ave.	8/13/94	C	.5mi E	Y
40	0070029	651 N. Plymouth Ave.	4/13/00	CI	.4mi E	Y

NYSDEC Spills/Leaking Storage Tank (LST):
(Assessed property and ½ mile radius)

	Spill Number	Spill Address	Spill Date	Spill Status	Direction/Distance	Mappable (Yes/No)
41	7981029	Plymouth Ave.	10/29/79	C		N
42	8604632	Plymouth Ave. & Smith St.	10/20/86	C	.4mi E	Y
43	9970701	285 Dewey Ave.	3/22/00	(A)	.5mi N	Y
44	8706517	62 Dewey Ave.	10/30/87	C	.2mi N	Y
45	9306293	62 Dewey Ave.	8/20/93	C	.2mi N	Y
46	9700271	62 Dewey Ave.	4/4/97	C	.2mi N	Y
47	9870384	62 Dewey Ave.	12/14/98	(A)	.2mi N	Y
48	9603716	99 Dewey Ave.	6/12/76	(A)	.25mi N	Y
49	8201354	Dewey Ave.	11/5/82	C		N
50	9206766	Dewey Ave.	9/10/92	C		N
51	9702397	Dewey Ave.	5/26/97	CI		N
52	9204573	Dewey Ave.	7/17/92	C		N
>0.5Mi	53	9712896	Dewey Ave.	2/18/98	A	N
	54	9310584	Dewey Ave.	11/30/93	C	N
	55	8302271	Dewey Ave. & Felix St.	2/14/84	C	.5mi N Y
	56	8901307	Dewey Ave.	5/9/89	C	N
	57	8805741	Dewey Ave.	10/5/88	C	N
	58	8908103	Dewey Ave.	11/14/89	C	N
	59	8907291	10 Felix St.	10/17/89	C	.5mi N Y
	60	9601608	10 Felix St.	5/1/96	C	.5mi N Y

NYSDEC Spills/Leaking Storage Tank (LST):
(Assessed property and ½ mile radius)

	Spill Number	Spill Address	Spill Date	Spill Status	Direction/Distance	Mappable (Yes/No)
61	9804126	10 Felix St.	7/1/98	(A)	.5mi N	Y
62	9103029	56 Felix St.	6/7/91	C	.5mi NW	Y
63	7580506	Sherman St.	5/6/75	C		N
64	9403536	284 Murray St.	6/10/94	C	.5mi NW	Y
65	9210297	143 Cameron St.	12/4/92	C	.4mi NW	Y
66	9603514	71 Parkway Alley	6/10/96	(A)	.2mi N	Y
67	9405130	10 Daus Alley	6/28/94	(A)	.2mi NE	Y
68	9405427	41 Backus St.	7/18/94	C	.5mi N	Y
69	9607147	45 Fulton Ave.	9/5/96	CI	.5mi NE	Y
70	9311086	2 Dempsey Pl.	12/10/93	C	.5mi NE	Y
71	9202695	10 Ambrose St.	6/4/92	(A)	.5mi NE	Y
72	8701722	18 Ambrose St.	5/29/87	C	.5mi NE	Y
73	8400438	35 Ambrose St.	5/15/84	C	.5mi NE	Y
74	9712371	8 Ambrose St.	1/23/98	CI	.5mi NE	Y
75	9970261	8 Ambrose St.	8/1/99	(A)	.5mi NE	Y
76	9970402	8 Ambrose St.	9/29/99	CI	.5mi NE	Y
77	0170274	8 Ambrose St.	8/14/01	CI	.5mi NE	Y
78	8911899	92 Ambrose St.	3/15/90	C	.4mi NE	Y
79	8400237	Lyell Ave. Tunnel, Ambrose	4/25/84	C		N
80	9404492	24 Spencer St.	6/29/94	(A)	.5mi NE	Y

NYSDEC Spills/Leaking Storage Tank (LST):
(Assessed property and ½ mile radius)

	Spill Number	Spill Address	Spill Date	Spill Status	Direction/Distance	Mappable (Yes/No)
81	9507181	24 Spencer St.	9/8/95	(A)	.5mi NE	Y
82	9002100	Spencer St. Overflow	5/23/90	C		N
83	8907569	Spencer St. Overflow	10/30/89	C		N
84	9206622	11 White St.	8/24/92	(A)	.5mi NE	Y
85	9610540	86 White St.	11/22/96	C	.4mi NE	Y
86	0070187	86 White St.	6/19/00	(A)	.4mi NE	Y
87	9309004	15 Immel St.	10/21/93	C	.5mi SW	Y
88	9312374	15-17 Immel St.	1/13/94	C	.5mi SW	Y
89	9706721	261 Child St.	9/5/97	CI	.4mi SW	Y
90	9006181	305 Child St.	9/5/90	C	.4mi SW	Y
91	9501985	349 Child St.	5/16/95	C	.4mi SW	Y
92	9606929	555 Child St.	8/30/96	C	.25mi W	Y
93	0070300	555 Child St.	8/5/00	A C	.25mi W	Y
94	9607851	Child St.	9/23/96	(A)		N
95	9108401	Child St. & Smith St.	11/5/91	C	.3mi SW	Y
96	9410406	Child St. & Kondolf St.	11/4/94	C	.3mi SW	Y
97	8201244	Route 490 & Child St.	10/20/82	C	.5mi SW	Y
98	8101513	Route 490 & Child St.	1/18/82	C	.5mi SW	Y
99	9516511	Route 490 West & Child St.	3/22/96	CI	.5mi SW	Y
100	8803965	Route 490 West & Child St.	8/2/88	C	.5mi SW	Y

NYSDEC Spills/Leaking Storage Tank (LST):
(Assessed property and ½ mile radius)

	Spill Number	Spill Address	Spill Date	Spill Status	Direction/Distance	Mappable (Yes/No)
101	9801332	22 Lime St.	4/29/98	(A)	.1mi S	Y
102	9104200	290 Smith St.	7/12/91	C	.5mi E	Y
103	9870570	318 Smith St.	3/15/99	(A)	.4mi E	Y
104	9703579	Smith St. & Oak St.	6/23/97	C	.3mi E	Y
105	9704212	Smith St. & Oak St.	7/8/97	CI	.3mi E	Y
106	9704491	132 Orange St.	7/15/97	CI	.4mi SE	Y
107	9308223	4 Orange St.	10/3/93	C	.4mi SE	Y
108	8400784	60 Orange St.	6/17/84	C	.4mi SE	Y
109	8702129	350 Whitney St.	6/15/87	C	.2mi W	Y
110	9803721	350-354 Whitney St.	6/18/98	(A)	.2mi W	Y
111	9870461	354 Whitney St.	12/30/98	(A)	.2mi W	Y
112	8403025	136 Campbell St.	2/9/85	C	.4mi S	Y
113	8489998	Route 490 W/ Campbell St.	9/12/84	C		N
114	8401573	Route 490W, Campbell St.	9/12/84	C		N
115	9311441	12 Parker Pl.	12/16/93	C	.4mi SE	Y
116	7980312	10 Moore St.	3/12/79	C	.1mi NE	Y
117	7680222	20 Moore St.	2/24/76	C	.1mi NE	Y
118	9701992	410 Oak St.	4/15/97	CI	.4mi E	Y
119	9311444	460 Oak St.	12/7/93	C	.3mi E	Y
120	8807607	600 Oak St.	12/15/88	C	.2mi E	Y

NYSDEC Spills/Leaking Storage Tank (LST):
(Assessed property and 1/2 mile radius)

	Spill Number	Spill Address	Spill Date	Spill Status	Direction/Distance	Mappable (Yes/No)
121	8900304	600 Oak St.	4/5/89	C	.2mi E	Y
122	8905339	600 Oak St.	8/29/89	C	.2mi E	Y
123	9011039	600 Oak St.	1/16/91	CI	.2mi E	Y
124	9011300	600 Oak St.	1/25/91	C	.2mi E	Y
125	9513728	600 Oak St.	1/26/96	(A)	.2mi E	Y
126	8201190	600 Oak St.	10/11/82	C	.2mi E	Y
127	9870143	600 Oak St.	9/3/98	C	.2mi E	Y
128	9105890	Oak St. & Lind St.	8/28/91	CI	.2mi E	Y
129	9204337	244 Verona St.	7/14/92	C	.5mi E	Y
130	7581110	Route 490	11/10/75	C		N
131	7980830	Route 490	8/30/79	C		N
132	7980920	Route 490 Eastbound Ramp	9/20/79	C		N
133	8180226	Route 490	2/9/81	C		N
134	8180420	Route 490	4/20/81	C		N
135	8200709	Route 490	7/20/82	C		N
136	8200839	Route 490	8/9/82	C		N
137	8200853	Route 490	8/11/82	CI		N
138	8201133	Route 490	9/30/82	C		N
139	8280488	Route 490	6/16/82	C		N
140	8402348	Route 490 East Bound Lane	12/1/84	C		N

NYSDEC SPILL REPORT FORM

0.4 MILES SW



DEC REGION# 8 (Avon) SPILL NUMBER 9706070
 SPILL NAME: GILLIS RESIDENCE DEC LEAD: TW
 CALLER'S NAME: _____ NOTIFIER'S NAME: _____
 CALLER'S AGENCY: _____ NOTIFIER'S AGENCY: _____
 CALLER'S PHONE: _____ EXT. _____ NOTIFIER'S PHONE: _____ EXT. _____

SPILL DATE: 08/18/1997 TIME: 20:00
 CALL RECEIVED DATE: 08/18/1997 TIME: 22:15 RECEIVED BY CID #: 999

Material Spilled	Mat. Class	Am't Spilled	Units	Am't Recovered
1) #2 FUEL OIL	<u>Pet-Haz-Other-Unk.</u>	10	<u>Gal</u> Lbs	10
2) _____	Pet-Haz-Other-Unk.		Gal - Lbs	
3) _____	Pet-Haz-Other-Unk.		Gal - Lbs	
4) _____	Pet-Haz-Other-Unk.		Gal - Lbs	

SPILL LOCATION	POTENTIAL SPILLER
PLACE: <u>GILLIS RESIDENCE</u>	NAME: <u>GILLIS RESIDENCE</u>
STREET: <u>728 JAY ST</u>	STREET: <u>728 JAY ST</u>
T/C/V: <u>ROCHESTER</u> CO: <u>MONROE</u>	CITY: <u>ROCHESTER</u>
CONTACT: <u>MIKE GILLIS</u>	STATE: <u>NY</u> ZIP: _____
PHONE: <u>(716) 638-1092</u> EXT. _____	CONTACT: <u>MIKE GILLIS</u>
	PHONE: <u>(716) 638-1092</u> EXT. _____

SPILL CAUSE	SPILL SOURCE
Human Error Tank Test Failure* Tank Failure Traffic Accident Housekeeping Tank Overfill <u>Equipment Failure</u> Deliberate Other Vandalism Abandoned Drums Unknown	Gas Station <u>Private Dwelling</u> Non-Maj Facility Passenger Vehicle Vessel Comm/Indust Comm. Vehicle Railroad Car Non-Comm/Instit Tank Truck Major Facility Unknown

RESOURCE AFFECTED	SPILL REPORTED BY
<u>On Land</u> Groundwater Air In Sewer Surface Water**	Responsible Party Tank Tester Local Agency Affected Persons DEC Federal Gov't Police Department Citizen Other <u>Fire Department</u> Health Dept.

**WATERBODY: _____

CALLER REMARKS: FUEL OIL LINE FROM TANK TO FURNACE, SPRUNG A LEAK, FUEL LOST TO CONCRETE FLOOR - ROCHESTER FD HAZ-MAT RESPONDED AND CLEANED UP FUEL WITH ABSORBANTS - DEBRIS PLACED IN 55 GALLON DRUM - RP TO CONTACT INSURANCE CO AND ARRANGE FOR DISPOSAL

*PBS Number	Tank Number	Tank Size	Test Method	Leak Rate

PRIMARY CONTACT CALLED DATE: _____ TIME: _____ hrs. REACHED DATE: _____ TIME: _____ hrs.
 SECONDARY CONT. CALLED DATE: _____ TIME: _____ hrs. FAXED BY CID#: _____

PIN #	T & A	Cost Center	ISR to Central Office
Cleanup Ceased	Meets St'ds	NO	Last Inspection
RP-CUI	ENF-INIT	INVES-COM	CAP
UST Trust Eligible	NO	Site: A B <u>C</u> D E	Resp. Party 1 2 <u>3</u> 4 5 6
Reg Close Date			

Spill Number: 9706070 Spill Name: GILLIS RESIDENCE

Printed on: 04/09/20

DEC REMARKS

09/03/97 MIKE GILES SPOKE W/DT STATING DRUMMED WASTE WAS DISPOSED OF AT
M.C.H.H.W..

NYSDEC SPILL REPORT FORM



DEC REGION# 8 (Avon) SPILL NUMBER 9803721
 SPILL NAME: _____ DEC LEAD: CH
 CALLER'S NAME: _____ NOTIFIER'S NAME: _____
 CALLER'S AGENCY: _____ NOTIFIER'S AGENCY: _____
 CALLER'S PHONE: _____ EXT. _____ NOTIFIER'S PHONE: _____ EXT. _____

SPILL DATE: 06/18/1998 TIME: 12:00
 CALL RECEIVED DATE: 06/23/1998 TIME: 16:07 RECEIVED BY CID #: 999

Material Spilled	Mat. Class	Am't Spilled	Units	Am't Recovered
1) <u>WASTE OIL</u>	<u>Pet-Haz-Other-Unk.</u>	<u>5</u>	<u>Gal</u> - Lbs	<u>0</u>
2) _____	<u>Pet-Haz-Other-Unk.</u>	_____	<u>Gal</u> - Lbs	_____
3) _____	<u>Pet-Haz-Other-Unk.</u>	_____	<u>Gal</u> - Lbs	_____
4) _____	<u>Pet-Haz-Other-Unk.</u>	_____	<u>Gal</u> - Lbs	_____

<u>SPILL LOCATION</u>	<u>POTENTIAL SPILLER</u>
PLACE: _____	NAME: <u>UNKNOWN</u>
STREET: <u>350-354 WHITNEY STREET</u>	STREET: _____
T/C/V: <u>ROCHESTER</u> CO: <u>MONROE</u>	CITY: _____
CONTACT: _____	STATE: _____ ZIP: _____
PHONE: _____ EXT. _____	CONTACT: _____
	PHONE: _____ EXT. _____

<u>SPILL CAUSE</u>			<u>SPILL SOURCE</u>		
Human Error	Tank Test Failure*	Tank Failure	Gas Station	Private Dwelling	Non-Maj Facility
Traffic Accident	Housekeeping	Tank Overfill	Passenger Vehicle	Vessel	Comm/Indust
Equipment Failure	<u>Deliberate</u>	Other	Comm. Vehicle	Railroad Car	Non-Comm/Instit
Vandalism	Abandoned Drums	Unknown	Tank Truck	Major Facility	<u>Unknown</u>

<u>RESOURCE AFFECTED</u>	<u>SPILL REPORTED BY</u>
On Land	Responsible Party
In Sewer	Affected Persons
	Police Department
	Fire Department
	Tank Tester
	Local Agency
	Federal Gov't
	Other
	Health Dept.
	<u>Citizen</u>

CALLER REMARKS: UNKNOWN PARTY PLACED GARBAGE AND A 5 GALLON CONTAINER OF WASTE OIL IN THE STREET. THE CALLER NOTIFIED CITY ENVIRONMENTAL SERVICES. THEY DID NOT COME OUT AND UNKNOWN PARTY Poured OIL FROM THE CONTAINER ALONG THE EAST CURB OF THE STREET. CURRENTLY IT IS RAINING AND THE OIL IS FLOWING TO THE STORM SEWER. CH

<u>PBS Number</u>	<u>Tank Number</u>	<u>Tank Size</u>	<u>Test Method</u>	<u>Leak Rate</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

PRIMARY CONTACT CALLED DATE: _____ TIME: _____ hrs. REACHED DATE: _____ TIME: _____ hrs
 SECONDARY CONT. CALLED DATE: _____ TIME: _____ hrs. FAXED BY CID#: _____

PIN #	T & A	Cost Center	ISR to Central Office
Cleanup Ceased	Meets St'ds	NO	Last Inspection
RP-CUI	ENF-INIT	INVES-COM	PENALTY NO
UST Trust Eligible	NO	Site: A B <u>C</u> D E	Resp. Party 1 2 <u>3</u> 4 5 6
Reg Close Date			

Spill Number: 9803721 Spill Name:

Printed on: 04/09/20

CALLER'S REMARKS (continued)

NOTIFIED ANNE KLUMP. THE CITY WILL DO THE CLEANUP.

NYSDEC SPILL REPORT FORM

0.2 MILES WEST



DEC REGION# 8 (Avon) SPILL NUMBER 9870461
 SPILL NAME: PALUSO (CHARLES) PROPERTY DEC LEAD: BF
 CALLER'S NAME: _____ NOTIFIER'S NAME: _____
 CALLER'S AGENCY: _____ NOTIFIER'S AGENCY: _____
 CALLER'S PHONE: _____ EXT. _____ NOTIFIER'S PHONE: _____ EXT. _____

SPILL DATE: 12/30/1998 TIME: 12:00
 CALL RECEIVED DATE: 01/21/1999 TIME: 14:00 RECEIVED BY CID #: _____

Material Spilled	Mat. Class	Am't Spilled	Units	Am't Recovered
1) UNKNOWN HAZARDOUS MATERIAL	Pet-Haz- <u>Other</u> -Unk.	Unknown	<u>Gal</u> Lbs	Unknown
2) SOLVENTS	Pet-Haz- <u>Other</u> -Unk.	Unknown	<u>Gal</u> Lbs	Unknown
3) PAINT	Pet-Haz- <u>Other</u> -Unk.	Unknown	<u>Gal</u> Lbs	Unknown
4) PAINT THINNERS	Pet-Haz- <u>Other</u> -Unk.	Unknown	<u>Gal</u> Lbs	Unknown

SPILL LOCATION

PLACE: PALUSO (CHARLES) PROPERTY
 STREET: 354 WHITNEY STREET
 T/C/V: ROCHESTER CO: MONROE
 CONTACT: _____
 PHONE: _____ EXT. _____

POTENTIAL SPILLER

NAME: CHARLES PALUSO
 STREET: _____
 CITY: _____
 STATE: _____ ZIP: _____
 CONTACT: _____
 PHONE: (516) 367-3450 EXT. _____

SPILL CAUSE

Human Error Tank Test Failure* Tank Failure
 Traffic Accident Housekeeping Tank Overfill
 Equipment Failure Deliberate Other
 Vandalism Abandoned Drums Unknown

SPILL SOURCE

Gas Station Private Dwelling Non-Maj Facility
 Passenger Vehicle Vessel Comm/Indust
 Comm. Vehicle Railroad Car Non-Comm/Instit
 Tank Truck Major Facility Unknown

RESOURCE AFFECTED

On Land Groundwater Air
 In Sewer Surface Water**

SPILL REPORTED BY

Responsible Party Tank Tester Local Agency
 Affected Persons DEC Federal Gov't
 Police Department Citizen Other
 Fire Department Health Dept.

CALLER REMARKS: THE SPILL LOCATION IS A LARGE ABANDONED BUILDING WHICH CURRENTLY HOUSES SQUATTING BUSINESSES, HOMELESS PEOPLE, DRUG ADDICTS, AND OTHER ILLICIT ACTIVITY. 100 LEAKING 55 GALLON DRUMS CONTAINING A VARIETY OF MATERIALS WERE DISCOVERED TO BE STORED IN THE SOUTHWEST CORNER OF THE BUILDING. ALSO NOTED

PBS Number	Tank Number	Tank Size	Test Method	Leak Rate

PRIMARY CONTACT CALLED DATE: _____ TIME: _____ hrs. REACHED DATE: _____ TIME: _____ hrs
 SECONDARY CONT. CALLED DATE: _____ TIME: _____ hrs. FAXED BY CID#: _____

PIN #	T & A	Cost Center	ISR to Central Office
Cleanup Ceased	Meets St'ds	NO	Last Inspection 05/13/1999 Penalty NO
RP-CUI	ENF-INIT	INVES-COM	CAP
UST Trust Eligible NO	Site: <u>A</u> B C D E	Resp. Party 1 <u>2</u> 3 4 5 6	Reg Close Date

Spill Number: 9870461 Spill Name: PALUSO (CHARLES) PROPERTY Printed on: 04/09/20

CALLER'S REMARKS (continued)

WERE 50 5-GALLON PAILS, AND A FORMER UNDERGROUND STORAGE TANK. FAXED TO MCHD ON 01/25/99 AT 1510 HRS.

DEC REMARKS

1/21/99 ADDITIONAL CONTACT AT THE CITY OF ROCHESTER INCLUDE PHIL BANKS (428-6965). ADDITIONAL CONTACT FOR THE OWNER IS PAUL PALUSO (SON OF CHARLES) (454-5880).

1/26/99 P. MILLER TELCON WITH PAUL PALUSO, (CELL PHONE 716-703-1223, OFFICE 716-424-5880 EXT 148, HOME 716-242-0633), HE INDICATED THAT SITE ACCESS SHOULD NOT BE A PROBLEM. HE THINKS DRUMS AND CONTAINERS ARE LIKELY FROM FORMER TENNANTS.

1/26/99 MILLER TELCON WITH MIKE SOLECKI - EPA, OFFICE 732-906-6918, PAGER 800-759-8888 PIN 1356740, SHERATON DOWNTOWN ROCHESTER 716-546-6400, EN ROUTE TO ROCHESTER. EPA WITH CONTRACTOR ROY WESTON CO. PLANS TO ENTER SITE TO OVERPACK, CHARACTERIZE, CLASSIFY AND DISPOSE HAZARDOUS MATERIALS.

1/27/99 PRE-SEARCH MEETING SCHEDULED FOR 2:00PM AVON WITH INVOLVED AGENCIES.

5/13/99 MZ ON SITE WITH MIKE BRESCIO (EPA OSC). A COPY OF THE MAY 1999 EPA FACT SHEET WAS GIVEN TO DEC AS WELL AS HANDED OUT TO NEIGHBORING BUSINESS'S AND RESIDENCES. EPA'S CONTRACTOR IS CURRENTLY REMOVING PALLETS FROM HALLWAYS TO ALLOW ACCESS TO THE DRUMS/CONTAINERS. ALSO ATTEMPTING TO GAIN ACCESS TO THE FOURTH FLOOR (HAS NOT BEEN INSPECTED YET). THE BASEMENT HAS NOT BEEN INSPECTED YET. EPA PLANS TO INSPECT IT IN THE NEXT WEEK. THE OTHER ADJACENT BUILDINGS (NOT OWNED BY PALUSO) WERE ALSO INSPECTED AND APPROX 50 MORE DRUMS WERE DISCOVERED. EPA TO ALSO REMOVE THESE DRUMS. EPA TO KEEP DEC UPDATED ON PROGRESS. MZ LEFT SITE.

NYSDEC SPILL REPORT FORM



DEC REGION# 8 (Avon) SPILL NUMBER 0270244 08/19/2003
 SPILL NAME: CHIN (CLARENCE) PROPERTY DEC LEAD: MZ
 CALLER'S NAME: _____ NOTIFIER'S NAME: _____
 CALLER'S AGENCY: _____ NOTIFIER'S AGENCY: _____
 CALLER'S PHONE: _____ EXT. _____ NOTIFIER'S PHONE: _____ EXT. _____

SPILL DATE: 07/19/2002 TIME: 10:33
 CALL RECEIVED DATE: 07/19/2002 TIME: 10:33 RECEIVED BY CID #: _____

Material Spilled	Mat. Class	Am't Spilled	Units	Am't Recovered
1) <u>GASOLINE</u>	<u>Pet-Haz-Other-Unk.</u>	<u>Unknown</u>	<u>Gal</u> - Lbs	<u>Unknown</u>
2) _____	<u>Pet-Haz-Other-Unk.</u>	_____	<u>Gal</u> - Lbs	_____
3) _____	<u>Pet-Haz-Other-Unk.</u>	_____	<u>Gal</u> - Lbs	_____
4) _____	<u>Pet-Haz-Other-Unk.</u>	_____	<u>Gal</u> - Lbs	_____

SPILL LOCATION		POTENTIAL SPILLER	
PLACE: <u>CHIN (CLARENCE) PROPERTY</u>	NAME: <u>CHIN (CLARENCE) PROPERTY</u>	STREET: <u>935 WEST BROAD STREET</u>	
STREET: <u>935 WEST BROAD STREET</u>	CITY: <u>ROCHESTER</u>	STATE: <u>NY</u>	ZIP: _____
T/C/V: <u>ROCHESTER</u> CO: <u>MONROE</u>	CONTACT: <u>CLARENCE CHIN</u>	CONTACT: <u>CLARENCE CHIN</u>	PHONE: <u>(716) 889-1892</u> EXT. _____

SPILL CAUSE			SPILL SOURCE		
Human Error	Tank Test Failure*	<u>Tank Failure</u>	<u>Gas Station</u>	Private Dwelling	Non-Maj Facility
Traffic Accident	Housekeeping	Tank Overfill	Passenger Vehicle	Vessel	Comm/Indust
Equipment Failure	Deliberate	Other	Comm. Vehicle	Railroad Car	Non-Comm/Instit
Vandalism	Abandoned Drums	Unknown	Tank Truck	Major Facility	Unknown

RESOURCE AFFECTED			SPILL REPORTED BY		
On Land	<u>Groundwater</u>	Air	Responsible Party	Tank Tester	<u>Local Agency</u>
In Sewer	Surface Water**		Affected Persons	DEC	Federal Gov't
** WATERBODY: _____			Police Department	Citizen	Other
			Fire Department	Health Dept.	

CALLER REMARKS: THE CITY OF ROCHESTER PERFORMED AN ENVIRONMENTAL SITE ASSESSMENT ON THIS TAX DELINQUENT PROPERTY. THE CITY WILL FORWARD ADDITIONAL INFORMATION TO THE DEPARTMENT. FAXED TO MCHD ON 08/01/02 AT 0938 HRS.

PBS Number	Tank Number	Tank Size	Test Method	Leak Rate
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

PRIMARY CONTACT CALLED DATE: _____ TIME: _____ hrs. REACHED DATE: _____ TIME: _____ hrs.
 SECONDARY CONT. CALLED DATE: _____ TIME: _____ hrs. FAXED BY CID#: _____

PIN #	T & A	Cost Center	ISR to Central Office
Cleanup Ceased	Meets St'ds	NO	Last Inspection
RP-CUI	ENF-INIT	INVES-COM	CAP
UST Trust Eligible YES	Site: A <u>B</u> C D E	Resp. Party 1 2 <u>3</u> 4 5 6	Reg Close Date

Spill Number: 0270244 Spill Name: CHIN (CLARENCE) PROPERTY Printed on: 04/03/200

DEC REMARKS

1/24/2003 DEPT MET WITH JANE FORBES, JOE BIONDOLILLO AND MARK GREGOR (CITY OF ROCHESTER) TO GO OVER STATUS OF SPILL. THIS IS AN EPA GRANT SITE. GREGOR STATED THAT THE CITY MAY SECURE FUNDING FROM OTHER SOURCES SO THAT THINGS MOVE QUICLER AT THIS SITE. CITY TO KEEP DEC UPDATED.

NYSDEC SPILL REPORT FORM

0.25 MILES WEST



DEC REGION# 8 (Avon) SPILL NUMBER 0203654
 SPILL NAME: CSX RAILROAD DRUM DEC LEAD: JM
 CALLER'S NAME: _____ NOTIFIER'S NAME: _____
 CALLER'S AGENCY: _____ NOTIFIER'S AGENCY: _____
 CALLER'S PHONE: _____ EXT. _____ NOTIFIER'S PHONE: _____ EXT. _____

SPILL DATE: 07/07/2002 TIME: 10:50
 CALL RECEIVED DATE: 07/07/2002 TIME: 11:16 RECEIVED BY CID #: 266

Material Spilled	Mat. Class	Am't Spilled	Units	Am't Recovered
1) <u>TRANSMISSION FLUID</u>	<u>Pet-Haz-Other-Unk.</u>	<u>10</u>	<u>Gal</u> - Lbs	<u>Unknown</u>
2) _____	<u>Pet-Haz-Other-Unk.</u>	_____	<u>Gal</u> - Lbs	_____
3) _____	<u>Pet-Haz-Other-Unk.</u>	_____	<u>Gal</u> - Lbs	_____
4) _____	<u>Pet-Haz-Other-Unk.</u>	_____	<u>Gal</u> - Lbs	_____

<p>SPILL LOCATION</p> <p>PLACE: <u>CSX RAILROAD DRUM</u></p> <p>STREET: <u>25 TEXAS STREET</u></p> <p>T/C/V: <u>ROCHESTER</u> CO: <u>MONROE</u></p> <p>CONTACT: _____</p> <p>PHONE: _____ EXT. _____</p>	<p>POTENTIAL SPILLER</p> <p>NAME: <u>UNKNOWN</u></p> <p>STREET: _____</p> <p>CITY: _____</p> <p>STATE: _____ ZIP: <u>-</u></p> <p>CONTACT: _____</p> <p>PHONE: <u>() -</u> EXT. _____</p>
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<p>SPILL CAUSE</p> <table style="width: 100%;"> <tr> <td>Human Error</td> <td>Tank Test Failure*</td> <td>Tank Failure</td> </tr> <tr> <td>Traffic Accident</td> <td>Housekeeping</td> <td>Tank Overfill</td> </tr> <tr> <td>Equipment Failure</td> <td>Deliberate</td> <td>Other</td> </tr> <tr> <td>Vandalism</td> <td><u>Abandoned Drums</u></td> <td>Unknown</td> </tr> </table>	Human Error	Tank Test Failure*	Tank Failure	Traffic Accident	Housekeeping	Tank Overfill	Equipment Failure	Deliberate	Other	Vandalism	<u>Abandoned Drums</u>	Unknown	<p>SPILL SOURCE</p> <table style="width: 100%;"> <tr> <td>Gas Station</td> <td>Private Dwelling</td> <td>Non-Maj Facility</td> </tr> <tr> <td>Passenger Vehicle</td> <td>Vessel</td> <td>Comm/Indust</td> </tr> <tr> <td>Comm. Vehicle</td> <td>Railroad Car</td> <td>Non-Comm/Instit</td> </tr> <tr> <td>Tank Truck</td> <td>Major Facility</td> <td><u>Unknown</u></td> </tr> </table>	Gas Station	Private Dwelling	Non-Maj Facility	Passenger Vehicle	Vessel	Comm/Indust	Comm. Vehicle	Railroad Car	Non-Comm/Instit	Tank Truck	Major Facility	<u>Unknown</u>
Human Error	Tank Test Failure*	Tank Failure																							
Traffic Accident	Housekeeping	Tank Overfill																							
Equipment Failure	Deliberate	Other																							
Vandalism	<u>Abandoned Drums</u>	Unknown																							
Gas Station	Private Dwelling	Non-Maj Facility																							
Passenger Vehicle	Vessel	Comm/Indust																							
Comm. Vehicle	Railroad Car	Non-Comm/Instit																							
Tank Truck	Major Facility	<u>Unknown</u>																							

<p>RESOURCE AFFECTED</p> <p><u>On Land</u> In Sewer</p> <p>Groundwater Surface Water**</p> <p>Air</p>	<p>SPILL REPORTED BY</p> <table style="width: 100%;"> <tr> <td>Responsible Party</td> <td>Tank Tester</td> <td>Local Agency</td> </tr> <tr> <td><u>Affected Persons</u></td> <td>DEC</td> <td>Federal Gov't</td> </tr> <tr> <td>Police Department</td> <td>Citizen</td> <td>Other</td> </tr> <tr> <td>Fire Department</td> <td>Health Dept.</td> <td></td> </tr> </table>	Responsible Party	Tank Tester	Local Agency	<u>Affected Persons</u>	DEC	Federal Gov't	Police Department	Citizen	Other	Fire Department	Health Dept.	
Responsible Party	Tank Tester	Local Agency											
<u>Affected Persons</u>	DEC	Federal Gov't											
Police Department	Citizen	Other											
Fire Department	Health Dept.												

CALLER REMARKS: THE RESIDENT AT 25 TEXAS STREET CALLED THE ROCHESTER POLICE DEPARTMENT AND REPORTED AN ABANDONED DRUM ON THE RAILROAD TRACKS BEHIND HER RESIDENCE. THE DRUM WAS TIPPED OVER AND WAS SPILLING OIL ONTO THE TRACKS. THE ROCHESTER POLICE CONTACTED THE NOTIFIER, WHO IN TURN CONTACTED THE CALLER AT HOME. THE CALLER

*PBS Number	Tank Number	Tank Size	Test Method	Leak Rate

PRIMARY CONTACT CALLED DATE: _____ TIME: _____ hrs. REACHED DATE: _____ TIME: _____ hrs.
 SECONDARY CONT. CALLED DATE: _____ TIME: _____ hrs. FAXED BY CID#: _____

PIN #	T & A	Cost Center	ISR to Central Office
Cleanup Ceased	Meets St'ds	NO	Last Inspection
RP-CUI	ENF-INIT	INVES-COM	CAP
UST Trust Eligible	NO	Site: A B <u>C</u> D E	Resp. Party 1 2 3 <u>4</u> 5 6
Reg Close Date			

Created on 07/07/2002 Last Updated on 07/09/2002 Is Updated? NO EDO DATA INPUT []
 Date Printed: 04/03/2003

Spill Number: 0203654 Spill Name: CSX RAILROAD DRUM

Printed on: 04/03/200

CALLER'S REMARKS (continued)

ASSUMES THAT THIS IS DELIBERATE VANDALISM. CALLER HAS CONTACTED NYE-TECH ENVIRONMENTAL. THEY ARE ENROUTE TO THE SCENE TO SIZE UP THE SITUATION. THE CALLER CAN BE REACHED AT HOME AT (716) 652-1553.

CALLER CALLED BACK AT 1156 HOURS. NYE-TECH PERSONNEL ARE ON THE SCENE. IT IS A 15 GALLON CONTAINER OF TRANSMISSION FLUID. ABOUT 10 GALLONS OF THE FLUID HAVE SPILLED. NYE-TECH IS CHECKING THE SITE THOROUGHLY TO SEE IF ANY OTHER CONTAINERS HAVE BEEN ABANDONED THERE.

DEC REMARKS

07/07/2002: JM SPOKE TO MIKE BETHAGE FROM CSX RAILROAD. CLEANUP IS BEING COMPLETED BY NYTECH ENVIRONMENTAL, WHO WAS HIRED BY CSX.

JM NOTIFIED LT. STEVE GEROULD, LAW ENFORCEMENT, AND PETE CORRIGAN, MONROE COUNTY HEALTH DEPARTMENT. FAXED TO MCHD AND FORWARDED TO LE ON 07/08/02 AT 1340 HRS.

NYSDEC SPILL REPORT FORM

0.4 miles WEST/SOUTH



DEC REGION# 8 (Avon) SPILL NUMBER 0270030
 SPILL NAME: 135 MURRAY STREET DEC LEAD: CH
 CALLER'S NAME: _____ NOTIFIER'S NAME: _____
 CALLER'S AGENCY: _____ NOTIFIER'S AGENCY: _____
 CALLER'S PHONE: _____ EXT. _____ NOTIFIER'S PHONE: _____ EXT. _____

SPILL DATE: 04/09/2002 TIME: 12:00
 CALL RECEIVED DATE: 04/10/2002 TIME: 09:31 RECEIVED BY CID #: _____

Material Spilled	Mat. Class	Am't Spilled	Units	Am't Recovered
1) <u>PCB OIL</u>	<u>Pet-Haz-Other-Unk.</u>	<u>Unknown</u>	<u>Gal</u> - Lbs	<u>0</u>
2) <u>GASOLINE</u>	<u>Pet-Haz-Other-Unk.</u>	<u>Unknown</u>	<u>Gal</u> - Lbs	<u>0</u>
3) <u>MOTOR OIL</u>	<u>Pet-Haz-Other-Unk.</u>	<u>Unknown</u>	<u>Gal</u> - Lbs	<u>0</u>
4) _____	<u>Pet-Haz-Other-Unk.</u>	_____	<u>Gal</u> - Lbs	_____

<u>SPILL LOCATION</u>	<u>POTENTIAL SPILLER</u>
PLACE: <u>135 MURRAY STREET</u>	NAME: <u>UNKNOWN</u>
STREET: <u>135 MURRAY STREET</u>	STREET: _____
T/C/V: <u>ROCHESTER</u> CO: <u>MONROE</u>	CITY: _____
CONTACT: _____	STATE: _____ ZIP: _____
PHONE: _____ EXT. _____	CONTACT: _____
	PHONE: () - _____ EXT. _____

<u>SPILL CAUSE</u>	<u>SPILL SOURCE</u>
Human Error Tank Test Failure* Tank Failure	Gas Station Private Dwelling Non-Maj Facility
Traffic Accident <u>Housekeeping</u> Tank Overfill	Passenger Vehicle Vessel <u>Comm/Indust</u>
Equipment Failure Deliberate Other	Comm. Vehicle Railroad Car Non-Comm/Instit
Vandalism Abandoned Drums Unknown	Tank Truck Major Facility Unknown

<u>RESOURCE AFFECTED</u>	<u>SPILL REPORTED BY</u>
On Land Groundwater Air	Responsible Party Tank Tester Local Agency
<u>In Sewer</u> Surface Water**	Affected Persons DEC Federal Gov't
** WATERBODY: _____	Police Department Citizen Other
	<u>Fire Department</u> Health Dept.

CALLER REMARKS: Caller states that ground is saturated with oil and old transformers are store on site. Material runs into the sewer. The local fire department will inspect today and requests a DEC response. Faxed to MCHD on 04/11/02 at 1430 hrs.

*PBS Number	Tank Number	Tank Size	Test Method	Leak Rate

PRIMARY CONTACT CALLED DATE: _____ TIME: _____ hrs. REACHED DATE: _____ TIME: _____ hrs.
 SECONDARY CONT. CALLED DATE: _____ TIME: _____ hrs. FAXED BY CID#: _____

PIN #	T & A	Cost Center	ISR to Central Office
Cleanup Ceased	Meets St'ds	NO	Last Inspection
Penalty	NO		
RP-CUI	ENF-INIT	INVES-COM	CAP
UST Trust Eligible	NO	Site: A <u>B</u> C D E	Resp. Party 1 <u>2</u> 3 4 5 6
			Reg Close Date

Spill Number: 0270030 Spill Name: 135 MURRAY STREET

Printed on: 04/03/200

DEC REMARKS

04/10/2002 LAW ENFORCEMENT TO INSPECT PROPERTY ALONG WITH THE FIRE DEPARTMENT.
LAW ENFORCEMENT REFFERAL TO BE COMPLETED.

NYSDEC SPILL REPORT FORM

ADDITIONAL TO WFST



DEC REGION# 8 (Avon) SPILL NUMBER 0270071
 SPILL NAME: 367 ORCHARD STREET DEC LEAD: CH
 CALLER'S NAME: _____ NOTIFIER'S NAME: _____
 CALLER'S AGENCY: _____ NOTIFIER'S AGENCY: _____
 CALLER'S PHONE: _____ EXT. _____ NOTIFIER'S PHONE: _____ EXT. _____

SPILL DATE: 04/25/2002 TIME: 15:57
 CALL RECEIVED DATE: 04/25/2002 TIME: 15:57 RECEIVED BY CID #: _____

Material Spilled	Mat. Class	Am't Spilled	Units	Am't Recovered
1) UNKNOWN HAZARDOUS MATERIAL	Pet- Haz -Other-Unk.	Unknown	<u>Gal</u> - Lbs	Unknown
2) _____	Pet-Haz-Other-Unk.	_____	Gal - Lbs	_____
3) _____	Pet-Haz-Other-Unk.	_____	Gal - Lbs	_____
4) _____	Pet-Haz-Other-Unk.	_____	Gal - Lbs	_____

<p>SPILL LOCATION</p> <p>PLACE: <u>367 ORCHARD STREET</u></p> <p>STREET: <u>367 ORCHARD STREET</u></p> <p>T/C/V: <u>ROCHESTER</u> CO: <u>MONROE</u></p> <p>CONTACT: _____</p> <p>PHONE: _____ EXT. _____</p>	<p>POTENTIAL SPILLER</p> <p>NAME: <u>UNKNOWN</u></p> <p>STREET: _____</p> <p>CITY: _____</p> <p>STATE: _____ ZIP: _____</p> <p>CONTACT: _____</p> <p>PHONE: <u>() -</u> EXT. _____</p>
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<p>SPILL CAUSE</p> <p>Human Error Tank Test Failure* Tank Failure Traffic Accident Housekeeping Tank Overfill Equipment Failure Deliberate Other Vandalism <u>Abandoned Drums</u> Unknown</p>	<p>SPILL SOURCE</p> <p>Gas Station Private Dwelling Non-Maj Facility Passenger Vehicle Vessel <u>Comm/Indust</u> Comm. Vehicle Railroad Car Non-Comm/Instit Tank Truck Major Facility Unknown</p>
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<p>RESOURCE AFFECTED</p> <p><u>On Land</u> Groundwater Air In Sewer Surface Water**</p>	<p>SPILL REPORTED BY</p> <p>Responsible Party Tank Tester Local Agency Affected Persons DEC Federal Gov't Police Department Citizen Other <u>Fire Department</u> Health Dept.</p>
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CALLER REMARKS: DURING A FIRE SAFETY INSPECTION, MANY DRUMS WERE NOTED IN A VACANT FOUR-STORY BUILDING. THE CONTENTS AND ORIGIN OF THE DRUMS IS UNKNOWN AT THIS TIME. THE ROCHESTER FIRE DEPARTMENT HAZMAT TEAM IS ON SITE. MCHD IS RESPONDING AND REQUESTS NYSDEC RESPONSE (HETTENBAUGH IS RESPONDING FOR SPILLS). LE NOTIFIED

*PBS Number	Tank Number	Tank Size	Test Method	Leak Rate

PRIMARY CONTACT CALLED DATE: _____ TIME: _____ hrs. REACHED DATE: _____ TIME: _____ hrs.
 SECONDARY CONT. CALLED DATE: _____ TIME: _____ hrs. FAXED BY CID#: _____

PIN #	T & A	Cost Center	ISR to Central Office
Cleanup Ceased	Meets St'ds	NO	Last Inspection
RP-CUI	ENF-INIT	INVS-COM	Penalty
UST Trust Eligible	NO	Site: <u>A</u> B C D E	Resp. Party <u>1</u> 2 3 4 5 6
Reg Close Date		CAP	

CALLER'S REMARKS (continued)

AND RESPONDING.

FAXED TO MCHD ON 04/29/02 AT 1340 HRS.

DEC REMARKS

4/25/2002 ACCORDING TO CITY OF ROCHESTER ENVIRONMENTAL SERVICES, THE PROPERTY OWNER HAS BEEN IDENTIFIED AS SCIENTIFIC RADIO SYSTEMS, INC., 2057 MT READ BOULEVARD, ROCHESTER, NY 14615. PROPERTY IS VACANT, AND FORECLOSURE IS UNDERWAY. NUMEROUS ATTEMPTS TO BOARD UP AND SECURE THE BUILDING HAVE NOT BEEN SUCCESSFUL.

04/25/2002: PM TELCON WITH JOE BIONDILLILO OF THE CITY OF ROCHESTER ENVIRONMENTAL. DAY ENVIRONMENTAL WAS CONTRACTED BY THE CITY AND DID A PHASE I OF THE PROPERTY IN 2000. DECEMBER 20, 2000 PHASE I REPORT IDENTIFIED 55 GALLONS DRUMS LABELLED AS HAZARDOUS WASTE, 2 55-GALLON DRUMS OF PERCHLOROETHYLENE, 1 55-GALLON DRUM OF SOLDERING OIL, AND SEVERAL CONTAINERS OF VARIOUS CHEMICALS THROUGHOUT THE BUILDING.

04/25/2002: PM TELCON WITH CARL HETTENBAUGH ON SITE. FIRE SAFETY HAS IDENTIFIED IN THE BUILDING 5 GALLON CONTAINERS OF MATERIALS LABELLED AS THINNER AND ACID. SOME APPARENTLY HAVE LEAKED. IDENTIFIED ON THE SECOND FLOOR ARE AN ESTITMATED 1,000 TIRES. TWO TENNANTS ARE ALSO REPORTEDLY OCCUPYING PARTS OF THE BUILDING (UNITED RIGGING AND MICROAIR). SITE SECURED AND LEFT OVERNIGHT. ENTRY OF BUILDING TO COMMENCE 4/26/02 AT 900 HRS.

04/26/2002:CH ON SITE WITH THE CITY, FIRE DEPT.,ML OF MCHD,ECO'S AND BECI. ON THE FIRST FLOOR OF THE STRUCTURE THERE ARE NUMEROUS ROOMS WITH WASTE PRESENT. IN THE AREA FORMERLY OCCUPIED BY FISHER SCIENTIFIC THERE ARE VARIOUS HAZARDOUS WASTE. THERE ARE NO DRUMS ON THE 2ND OR 3RD FLOOR ACCORDING TO THE FIRE DEPT. PART OF THE BLDG IS CURRENTLY BEING USED BY PHONEIX GRAPHICS AND COMMUNITY BANNER. THERE IS A SEALED ROOM IN THE AREA BEING OCCUPIED BY THESE BUSINESSES. IT IS A FLAMABLE STORAGE ROOM THAT IS APPROXIMATELY 20FT X 12FT.THAT NO ONE KNOWS WHAT IT CONTAINS. IT FORMERLY STORED FLAMABLE AND COMBUSTIBLE LIQUIDS AND MATERIALS. BLDG TO BE SEALED AND SECURED. BECI TO INVESTIGATE.

NYSDEC SPILL REPORT FORM

UNMAPPABLE



DEC REGION# 8 (Avon) SPILL NUMBER 9607851
 SPILL NAME: J&V CUSTOMS DEC LEAD: DT
 CALLER'S NAME: _____ NOTIFIER'S NAME: _____
 CALLER'S AGENCY: _____ NOTIFIER'S AGENCY: _____
 CALLER'S PHONE: _____ EXT. _____ NOTIFIER'S PHONE: _____ EXT. _____

SPILL DATE: 09/23/1996 TIME: 14:33
 CALL RECEIVED DATE: 09/23/1996 TIME: 14:31 RECEIVED BY CID #: 312

Material Spilled	Mat. Class	Am't Spilled	Units	Am't Recovered
1) <u>PAINT</u>	<u>Pet-Haz-Other-Unk.</u>	<u>Unknown</u>	<u>Gal</u> - Lbs	<u>0</u>
2) _____	<u>Pet-Haz-Other-Unk.</u>	_____	<u>Gal</u> - Lbs	_____
3) _____	<u>Pet-Haz-Other-Unk.</u>	_____	<u>Gal</u> - Lbs	_____
4) _____	<u>Pet-Haz-Other-Unk.</u>	_____	<u>Gal</u> - Lbs	_____

<u>SPILL LOCATION</u>	<u>POTENTIAL SPILLER</u>
PLACE: <u>J&V CUSTOMS</u>	NAME: <u>J&V CUSTOMS</u>
STREET: <u>CHILD STREET</u>	STREET: <u>CHILD STREET</u>
T/C/V: <u>ROCHESTER</u> CO: <u>MONROE</u>	CITY: <u>ROCHESTER</u>
CONTACT: _____	STATE: <u>NY</u> ZIP: _____
PHONE: _____ EXT. _____	CONTACT: _____
	PHONE: _____ EXT. _____

<u>SPILL CAUSE</u>	<u>SPILL SOURCE</u>
Human Error Tank Test Failure* Tank Failure Traffic Accident Housekeeping Tank Overfill Equipment Failure <u>Deliberate</u> Other Vandalism Abandoned Drums Unknown	Gas Station Private Dwelling Non-Maj Facility Passenger Vehicle Vessel <u>Comm/Indust</u> Comm. Vehicle Railroad Car Non-Comm/Instit Tank Truck Major Facility Unknown

<u>RESOURCE AFFECTED</u>	<u>SPILL REPORTED BY</u>
On Land Groundwater <u>Air</u> In Sewer Surface Water**	Responsible Party Tank Tester Local Agency Affected Persons DEC Federal Gov't Police Department <u>Citizen</u> Other Fire Department Health Dept.

CALLER REMARKS: occurs in middle of day usually (starting about 2pm) - subjects there spray vehicles without a spraybooth - overspray and anything else involved is going out of the garage - caller concerned for welfare of children playing in area.

*PBS Number	Tank Number	Tank Size	Test Method	Leak Rate

PRIMARY CONTACT CALLED DATE: _____ TIME: _____ hrs. REACHED DATE: _____ TIME: _____ hrs
 SECONDARY CONT. CALLED DATE: _____ TIME: _____ hrs. FAXED BY CID#: _____

PIN #	T & A	Cost Center	ISR to Central Office
Cleanup Ceased	Meets St'ds	NO	Last Inspection
RP-CUI	ENF-INIT	INVES-COM	Penalty
UST Trust Eligible	NO	Site: A B <u>C</u> D E	NO
Resp. Party		1 2 <u>3</u> 4 5 6	CAP
Reg Close Date			

Spill Number: 9607851 Spill Name: J&V CUSTOMS

Printed on: 04/09/20

DEC REMARKS

090/23/96 TILTON NOTIFIED MAT GILLETTE OF AIR UNIT AND LEFT MESSAGE WITH MONROE CO HEALTH DEPT. AIR UNIT TO FOLLOW-UP. NO FURTHER ACTION REQUIRED.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 Petroleum Bulk Storage Program
 Facility Information Report

PBS # : 8-503630

Site : CARIBBEAN SERVICE CENTER
 935 BROAD STREET WEST
 ROCHESTER, NY 14606

Owner : CLARENCE CHIN
 76 ARCHER ROAD
 ROCHESTER, NY 14624

Site status : Active
 Total Active Tanks : 3
 Active Capacity : 30,000 gals.

Phone : (716) 889-1892
 Owner Type : Corporate/Commercial

County : MONROE Town : ROCHESTER (C)
 Latitude : N Longitude : W
 SPDES# : CBS# :
 Site Type : Info Not Given.

Reg Expires : 08/28/2000
 Last Inspection : 06/22/1990 CS
 Cert Printed : 01/12/1999

Mail : CARIBBEAN SERVICE CENTER
 76 ARCHER ROAD
 ROCHESTER, NY 14624

Site Errors : Minor Data Missing
 Owner Error : Minor Data Missing
 Tank Errors : Minor Data Missing

Operator : CLARENCE CHIN (716) 235-3511
 Emergency : CLARENCE CHIN (716) 889-1892

Att : CLARENCE CHIN (716) 889-1892

TankNo	TankLoc	Stat	DateIn	Capac (g)	Product	TankType	TankInt	TankExt	PipeLoc	PipeType	PipeInt	PipeExt	SecCont	Leak	OverFil	Disp	LastTest	NextTest	TStat
001	4	2	/ /	10,000	2	5							0	0	0	2	/ /	12/27/1987	2
002	4	2	/ /	10,000	2	5							0	0	0	2	/ /	12/27/1987	2
003	4	2	/ /	10,000	2	5							0	0	0	2	/ /	12/27/1987	2

APPENDIX E

Owner/Occupant Interview Documentation

ASSESSMENT INTERVIEW
GENERAL INFORMATION

Ask the person interviewed to be as specific as reasonably feasible in answering questions, and to answer the questions in good faith and to the extent of their knowledge.

- 1) PERSON INTERVIEWED: Bob Zimmer
- 2) TITLE: Senior Real Estate Specialist
City of Rochester
- 3) YEARS IN POSITION: ~20
- YEARS AT SITE: ~ 4 years
- 4) CURRENT DATE: 4/14/03
- 5) JOB NUMBER: 32015-03
- 6) PURPOSE OF ASSESSMENT: Real Estate Sale
- 7) PROPERTY OWNER: City of Rochester
- 7A) OWNED SINCE: ~ 4 years
- 8) PREVIOUS OWNER: unknown
- 8A) OWNED SINCE: "
- 9) PROPERTY SIZE: ~ 2.2
- 10) NUMBER OF PARCELS: 3

11) DO ANY OF THE FOLLOWING EXIST FOR THE ASSESSED PROPERTY? (Building diagrams, plans, maps, photographs, spec. books, commercial appraisals, engineering/environmental reports from investigations)

Commercial appraisal (not provided to DAY)

12) PRESENT LAND/PROPERTY USE: Parking lots

13) PREVIOUS LAND/BUILDING USE: unknown

14) Do any of the following exist for the assessed property?

- a. Environmental site assessment/audit reports: DAY PFI + PII Studies
- b. Environmental permits (i.e., solid waste disposal permits, hazardous waste disposal permits, wastewater permits, NPDES permits): NO
- c. Registrations for USTs or ASTs: NO
- d. Material safety data sheets: NO
- e. Community right-to-know plan: NO
- f. Safety plan; preparedness and prevention plans; spill prevention, countermeasure, and control plans; etc.: NO
- g. Reports regarding hydrogeologic conditions on the property or surrounding area: NO
- h. Notices or other correspondence from any government agency relating to past or current violations of environmental laws with respect to the property or relating to environmental liens encumbering the property: NO
- i. Hazardous waste generator notices or reports: NO
- j. Geotechnical studies: NO

15) IS THE PROPERTY CURRENTLY USED, OR HAS IT PREVIOUSLY BEEN USED, AS ANY OF THE FOLLOWING: AN INDUSTRIAL OR MANUFACTURING OPERATION, A GASOLINE STATION, A MOTOR REPAIR FACILITY, A COMMERCIAL PRINTING FACILITY, A DRY CLEANERS, A PHOTO-DEVELOPING LABORATORY, A JUNKYARD OR A LANDFILL, OR AS A WASTE TREATMENT, STORAGE, DISPOSAL, PROCESSING OR RECYCLING FACILITY? (YES, NO, UNKNOWN)

NO

16) ADJACENT SITES (CURRENT & PAST):

ARE ANY ADJOINING PROPERTIES CURRENTLY USED, OR HAVE THEY PREVIOUSLY BEEN USED AS ANY OF THE FOLLOWING: AN INDUSTRIAL OR MANUFACTURING OPERATION, A GAS STATION, A MOTOR REPAIR FACILITY, A COMMERCIAL PRINTING FACILITY, A DRY CLEANERS, A PHOTO-DEVELOPING LABORATORY, A JUNK YARD OR A LANDFILL, OR AS A WASTE TREATMENT STORAGE, DISPOSAL PROCESSING, OR RECYCLING FACILITY?

Gas Station, manufacturing

17) DESCRIPTION OF TOPOGRAPHY & SURFACE DRAINAGE (ANY CREEKS, DITCHES):

Level

BUILDING(S) INFORMATION

18) BUILDING(S) AGE/SIZE/LOCATIONS: No Buildings

19) ANY ADDITIONS (AGE/SIZE/LOCATIONS): NA

20) NUMBER OF FLOORS: _____

21) BASEMENT, CRAWLSPACE, ATTIC: _____

22) TYPE OF HEAT: _____

22A) Has the facility ever been heated with oil in the past? _____

22B) IF OIL, ANY TANKS: _____

23) BLDG(S) TIED TO SANITARY SEWER: _____

23A) IF SO, DATE OF CONNECTION: _____

24) WAS FACILITY EVER ON SEPTIC/DRYWELL: _____

24A) IF SO, LOCATION OF LEACHFIELD: _____

24B) HOW OFTEN IS SEPTIC TANK PUMPED OUT: _____

25) ANY FLOOR DRAINS: _____

25A) IF SO, LOCATION(S): _____

25B) CONNECTED TO OIL/WATER SEPARATOR: _____

25C) DISCHARGE POINT(S): _____

26) ANY SUMPS: _____

26A) IF SO, LOCATION/DISCHARGE POINT(S): _____

BUILDING(S) INFORMATION (Cont.)

27) HAVE THERE EVER BEEN ANY FOUL ODORS OBSERVED EMANATING FROM DRAINS, SUMPS, OR OTHER LOCATIONS IN THE BUILDING OR ON THE PROPERTY?

_____ *NA*

28) IS THERE ANY WASTEWATER (OTHER THAN SANITARY) DISCHARGE ON-SITE OR ONTO ADJOINING PROPERTIES?

29) IS FACILITY SERVICED BY PUBLIC WATER: _____

30) ANY WELLS ON SITE (CURRENTLY/PAST): _____

Potable water wells, monitoring wells, etc.

30A) IF SO, STILL USED/ACCESSIBLE: _____

30B) IF SO, LOCATION: _____

31) INSULATION:

W = Between walls
C = Ceiling
F = Floors

S = Spray On
B = Batting
P = Poured

I = Blown-in
R = Rigid

32) ROOFING MATERIAL (e.g. asphalt shingle, rolled rubber, rolled asphalt paper):

32A) ORIGINAL ROOFING MATERIAL: _____

BUILDING DEMOLITION

33) ANY BUILDINGS DEMOLISHED? Yes No

NA

33A) IF SO, WHEN: _____

BUILDING SIZE/LOCATION: _____

OPERATIONS IN BLDG: _____

MAT. STORED IN BLDG: _____

BUILDING DEMOLITION (Cont.)

BASEMENT FILLED IN: _____ NA

FLOOR DRAINS/SUMPS: _____

IF SO, DISCHARGE LOCATION: _____

SEPTIC/LEACH FIELD: _____

DEMO. CONTRACTOR: _____

DISPOSAL LOCATION: _____

COMMENTS: _____

SITE HISTORY

34) HAS ANY TYPE OF MATERIAL EVER BEEN FILLED, BURIED OR DUMPED ON OR ADJACENT TO THE PROPERTY: (e.g. clean fill, ash, c/d debris, waste oil for dust suppression, etc.)

NO

35) HAS THERE EVER BEEN ANY SIGNIFICANT SOIL STAINING ON THE PROPERTY?

NO

36) HAVE ANY SOIL SAMPLING, GROUNDWATER SAMPLING, GEOTECHNICAL, ENGINEERING OR ENVIRONMENTAL INVESTIGATIONS EVER BEEN CONDUCTED ON THE PROPERTY: (If so, when and by whom; is copy of report available)

DAY ENV PL I ESA + PL II study on 370 Orchard St parcel

37A) DO YOU KNOW OF ANY PENDING, THREATENED, OR PAST LITIGATION RELEVANT TO HAZARDOUS SUBSTANCES OR PETROLEUM PRODUCTS IN, ON, OR FROM THE PROPERTY:

NO

SITE HISTORY (Cont.)

37B) DO YOU KNOW OF ANY PENDING, THREATENED, OR PAST ADMINISTRATIVE PROCEEDINGS RELEVANT TO HAZARDOUS SUBSTANCES OR PETROLEUM PRODUCTS IN, ON, OR FROM THE PROPERTY: no

37C) DO YOU KNOW OF ANY NOTICES FROM ANY GOVERNMENTAL ENTITY REGARDING ANY POSSIBLE VIOLATION OF ENVIRONMENTAL LAWS OR POSSIBLE LIABILITY RELATING TO HAZARDOUS SUBSTANCES OR PETROLEUM PRODUCTS IN, ON, OR FROM THE ASSESSED PROPERTY: no

37D) HAVE THERE BEEN ANY ENVIRONMENTAL LIENS ON THE SITE, OR IN THE VICINITY OF THE SITE? no

38) DOES THE FACILITY CURRENTLY HAVE, OR HAS IT HAD IN THE PAST, ANY PERMITS (E.G. STATE/FEDERAL AIR, WASTEWATER (SPDES), SURFACE WATER, CONSTRUCTION/DEMOLITION): no

39) HAS THE FACILITY EVER BEEN THE SUBJECT OF ANY COMPLAINTS OR VIOLATIONS. IF SO, DESCRIBE: no

40) HAS ANY TYPE OF MATERIAL (GREATER THAN 5 GALLONS IN QUANTITY) EVER BEEN SPILLED ON THE PROPERTY OR IN THE BUILDING(S): no

41) HAVE THERE EVER BEEN ANY ACTIONS RELATING TO THE RELEASE OF A HAZARDOUS SUBSTANCE ON SITE OR ON ADJOINING SITES? no

42) HAVE THERE EVER BEEN ANY FIRES AT THE FACILITY. IF SO, DESCRIBE: no

43) HAVE THERE EVER BEEN ANY PITS, PONDS OR LAGOONS ON THE PROPERTY? IF YES, ARE THESE PITS, PONDS, OR LAGOONS ASSOCIATED WITH WASTE TREATMENT ACTIVITIES, HAZARDOUS SUBSTANCES, OR PETROLEUM PRODUCTS? no

AGRICULTURAL ACTIVITY

44) HAS THE PROPERTY EVER BEEN FARMED IN LAST TEN YEARS: NO

44A) IF SO, CROPS/YEARS: _____

45) HAS THE PROPERTY EVER CONTAINED ORCHARDS: NO

45A) IF SO, FRUIT/YEARS: _____

46) HAVE PESTICIDES EVER BEEN USED OR STORED ON THE PROPERTY: NO

46A) IF SO, DESCRIBE: _____

47) DOES THE PROPERTY CONTAIN A COMPOST PILE/DUMP OR POND: NO

47A) IF SO, LOCATION: _____

TANK & DRUM INFORMATION

48) ARE THERE NOW, OR HAVE THERE EVER BEEN, ANY STORAGE TANKS AT THE FACILITY (E.G. FUEL OIL, GASOLINE, WASTE OIL, CHEMICALS):

48A) IF YES, PLOT LOCATION(S) ON MAP AND PROVIDE THE FOLLOWING INFO.:

TANK #	LOCATION	SIZE	MATERIAL DATE		
			STORED	INSTALLED	REMOVED
<i>NA</i>					

NOT aware of any but he is not familiar w/ Sealand operations.

No tanks used by City

(i.e., Sealand is the contractor leasing the AP to temporarily stage construction materials & equipment)

49) HAS THE TANK(S) EVER BEEN PRESSURE TESTED: _____

49A) IF SO, WHEN, BY WHOM, COPY OF RESULTS: _____

50) HAS THE TANK BEEN REGISTERED WITH THE NYSDEC, USEPA, OR LOCAL AGENCY:

TANK & DRUM INFORMATION

51) DOES THE TANK(S) HAVE ANY TYPE OF LEAK DETECTION. IF SO, DESCRIBE:

NA

52) HAVE ANY TANKS EVER BEEN CLOSED IN-PLACE OR REMOVED FROM THE SITE:

(IF YES, REFER TO TANK REMOVAL/CLOSURE FORM)

52A) ARE ANY CLOSURE/REMOVAL REPORTS AVAILABLE FOR REVIEW?

53) HAS ANY CONTAMINATION BEEN IDENTIFIED OR REMEDIATION EVER BEEN REQUIRED REGARDING ANY TANK(S) ON THE PROPERTY:

MATERIALS STORAGE

He is not familiar w/ Sealand operations, nothing stored by city

54) ARE ANY MATERIALS/CHEMICALS STORED ON THE PROPERTY:

54A) IF SO, DESCRIBE LOCATION, TYPE OF CHEMICALS, QUANTITIES STORED AND CONTAINERS USED:

NA

54B) IF SO, HAVE ANY CONTAINERS OF MATERIALS EVER LEAKED OR SPILLED:

54C) IF SO, HAS ANY TESTING AND/OR REMEDIATION BEEN REQUIRED FOR LEAKS/SPILLS:

WASTE DISPOSAL
Not familiar w/ Sealand operations. No wastes generated/disposed by City
55) ARE SOLID WASTES (i.e. rags, filters, etc.) GENERATED FROM OPERATIONS OR ACTIVITIES AT THIS SITE: _____ IF SO:

<u>TYPE OF WASTE</u>	<u>PROCESS/ACTIVITY</u>	<u>STORAGE LOCATION</u>	<u>DISPOSAL COMPANY</u>
----------------------	-------------------------	-------------------------	-------------------------

NA

56) ARE ANY OTHER WASTES MATERIALS (e.g., waste oil, waste paint, waste solvents, etc.) GENERATED AT THIS FACILITY:

56A) IF SO, PLEASE DESCRIBE:

56B) ARE HAZARDOUS WASTE MANIFESTS OR ANY OTHER PERMITS/PAPERWORK AVAILABLE (e.g. HAULER, ID#, WASTE TYPE):

PCB MATERIALS INFORMATION

57) HAVE PCB MATERIALS EVER BEEN USED AT THE FACILITY (e.g. transformers, volt regulators, capacitors, switches, hydraulic equipment):

No

TRANSFORMERS

58) ARE TRANSFORMERS LOCATED ON THE PROPERTY? (INTERIOR OF BUILDING OR ON THE EXTERIOR PORTION OF THE PROPERTY).

No

58A) IF SO, LOCATION AND AGE:

TRANSFORMERS (cont.)

58B) IF TRANSFORMER, WET/DRY, POLE OR GROUND-MOUNTED:

_____ NA _____

58C) OWNERSHIP (PRIVATE OR UTILITY):

58D) IF PRIVATE, WHO MAINTAINS:

58E) HAS ANY OF THIS EQUIPMENT EVER BEEN TESTED FOR PCB MATERIAL (if so, when and by whom; results):

58F) HAVE THERE BEEN ANY LEAKS OR SPILLS ASSOCIATED WITH ANY OF THIS EQUIPMENT:

ASBESTOS MATERIALS INFORMATION

Is asbestos being evaluated as part of this assessment?

Yes No

Does the age of the building suggest the presence of asbestos?

Yes No

Has the building been renovated?

Yes No

59A) ARE ASBESTOS CONTAINING MATERIALS PRESENT IN THE FACILITY (e.g. floor/ceiling tiles, pipe wrap, spray-on):

_____ NA _____

59B) HAS AN ASBESTOS INSPECTION OR ANY ASBESTOS SAMPLING EVER BEEN CONDUCTED AT THE FACILITY (if so, when and by whom):

ASBESTOS MATERIALS INFORMATION (Cont.)

59C) HAS ANY ASBESTOS EVER BEEN REMOVED FROM THE FACILITY (if so, when and by whom):

NA

LEAD BASED PAINT INFORMATION

Is lead paint being evaluated as part of this assessment?

Yes No

Does the age of the building suggest the presence of lead paint?

Yes No NA

Has the building been renovated?

Yes No

60A) IS LEAD-BASED PAINT PRESENT IN THE FACILITY?

60B) HAS A LEAD-BASED PAINT INSPECTION OR SAMPLING EVER BEEN CONDUCTED AT THE FACILITY (if so, when and by whom):

60C) HAS ANY LEAD PAINT EVER BEEN REMOVED FROM THE FACILITY (if so, when and by whom):

RADON

Is radon being evaluated as part of this assessment?

Yes No

Does the building have a basement?

Yes No NA

Has radon testing ever been conducted?

Yes No Unknown

Who completed the sampling: _____

Results of sampling: _____

RADON (Cont.)

Is a copy of the sample results/report available? NA

LEAD-IN-DRINKING WATER

Is lead-in-drinking water being evaluated as part of this assessment? Yes No
Is the property serviced by a private well or public water? Private Well NA Public Water
Has any testing ever been conducted? Yes No Unknown

Who completed the sampling: _____

Results of sampling: _____

Is a copy of the sample results/report available? _____

Additional Information:

Interview form completed by: (Print and Sign)
Dennis Peck Dennis M Peck



DAY

MEMORANDUM OF TELEPHONE CONVERSATION

PERSON WHO/WE CALLED: Russ Guelli
COMPANY OR AGENCY: Sealand Construction
TELEPHONE NUMBER: 370-6180
DATE: 4/14/03 TIME: 1045 AM/PM
CALLER: Peck PROJECT: 32015-03
REGARDING: Orchard St / Saxton St.

NOTES:

- Sealand has occupied the 399 Saxton St + 35^a Orchard St. parcels since about November. They use the site to stage construction materials + equipment. Sealand is working on several bridges in the area (Route 490). When they are done with the site they will be removing all materials and equipment.
- The AST at the site is approx. 250 gal + contains diesel fuel.
- The soil piles near the south fence line are ~~run~~ run of bank gravel (i.e. construction materials)
- The rubble piles contain concrete from demolition at the bridge projects. The rubble is staged at the site temporarily + is removed on a regular basis.
- The 7 small red drums contain bolts for the projects + do not contain liquid
- Scrap metal placed in dumpster - Krieger recycling
- Construction Waste placed in dumpster - Compass Environmental Haulers Inc.

ACTION REQUIRED: _____

SUSPENSE DATE: / /

1/2

APPENDIX F

References

REFERENCES

1. Aerial Photographs
Monroe County Environmental Management Council
Photograph Dates: 1930, 1951, 1961, 1970, 1975, 1988, 1993, 1996, and 1999
2. Topographic Map
United States Geological Survey
Rochester East and Rochester West, New York
Quadrangles (map dates 1995)
3. Plat Maps
Provided by City of Rochester Dept. of
Environmental Services
Plat Book of the City of Rochester
Map Dates: 1875, 1888, 1900, 1910, 1918, 1926, and
1935
4. Sanborn Maps
Provided by City of Rochester Department of
Environmental Services via Environmental Risk
Information and Imaging Services (ERIIS)
Map Dates: 1892, 1912, 1950, and 1971
5. Directories
Rundel Memorial Library
City of Rochester Polk Directories
Directory Dates: 1922/23, 1928/29, 1931/32, 1935, 1941,
1946, 1952, 1958, 1964, 1967, 1971, 1977, 1981/82, 1989,
1994, 1997, and 2001.

APPENDIX G

Previous Environmental Reports/Documents

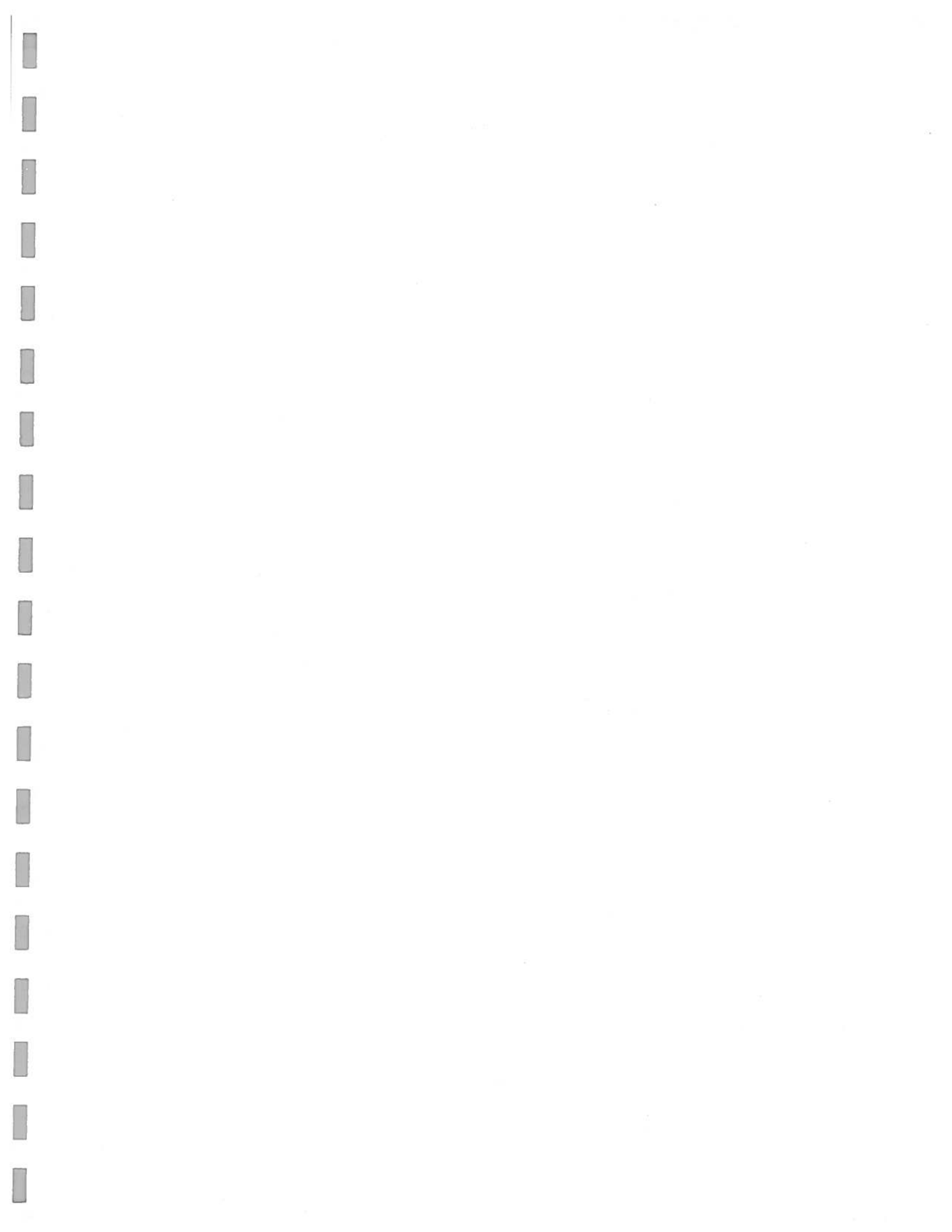
**PHASE I ENVIRONMENTAL SITE ASSESSMENT
354 WHITNEY STREET
367, 370, 406, 415 ORCHARD STREET
MONROE COUNTY, NEW YORK**

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: 4,000-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:

Environmental Concern(s) Identified

Environmental Concern(s) Not Identified

FURTHER INVESTIGATION(S):

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)

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 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 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)

- 1. 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.

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- 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: 10/80
- 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)
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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

1.0 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

1.0 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.
1-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 SPILLS/LUST: 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.
1-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.)

- Active Spill #9803721 involved an abandoned five-gallon open container of waste oil next to the 354 Whitney Street parcel. Rain displaced the waste oil from the container, which then flowed into a storm sewer. The NYSDEC contacted the City of Rochester and the City of Rochester agreed to cleanup the waste oil spill. The spill database information provided no further information regarding whether this spill was cleaned up.

Up to 20 active spills were also identified off-site within a 0.5-mile radius of the assessed property. These spills are located as follows:

- One spill is located approximately 0.5 miles north of the assessed property. Seven spills are located between 0.2 miles and 0.5 miles northeast of the assessed property. One spill is located approximately 0.25 miles east of the assessed property. Two spills are each located approximately 0.4 miles southeast of the assessed property. Four spills are located between 0.4 and 0.45 miles southwest of the assessed property. Three spills are located between 0.1 and 0.5 miles west 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/or location of these 18 active spill sites from the assessed property suggest no environmental impact upon the assessed property.
- One active spill (Spill #9707867) occurred approximately 150 feet north of the assessed property. A review of NYSDEC spill database information indicated that this spill involved the spillage of antifreeze fluid that impacted land. The type of material spilled and the location of this spill from the assessed property suggest no environmental impact upon the assessed property.
- One active spill (Spill #9801332) occurred approximately 0.15 miles southeast of the assessed property. A review of NYSDEC spill database information indicated that this spill involved deliberate dumping of paint that impacted air (apparent unpermitted air emission). The type of spill (to air) and the distance of this spill from the assessed property suggest no environmental impact upon the assessed property.

(2.7.2) Former and/or current tenants/owners of the 354 Whitney Street assessed parcel are listed RCRA hazardous waste generators. These RCRA generators are listed as being in the building addressed as 350 Whitney Street. These include the following:

- Antex, Inc. on the third floor (NYD150621910), which is designated as a small quantity generator.
- Independent Tool & Mold, inc. in Suite #5 (NYD0000954040), which is designated as a small quantity generator.
- K & N Mold (NYD986935872), which is designated as a large quantity generator.

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	DEBRIS/DUMPING:	No Observations of Concern. See Footnote (3.2)
3.3	SPILLAGE/STAINING:	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.1) 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 "R11 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 Whitney 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.

SIGNATURES:



Day Environmental, Inc.
Jeffrey A. Danzinger, Sr. Professional



Day Environmental, Inc.
Raymond L. Kampff, Project Manager

REPORT EXPLANATION

PURPOSE OF AN ENVIRONMENTAL SITE ASSESSMENT:

The purpose of an environmental site assessment is to perform the appropriate inquiry into the environmental condition of a property to identify the potential CERCLA/SARA liability for the cleanup of hazardous substances, and to establish the defense for such liability.

SCOPE OF A PHASE I ENVIRONMENTAL SITE ASSESSMENT:

This Phase I Environmental Site Assessment has been performed in general conformance with the scope and limitations of ASTM Practice E1527. Exceptions to, and/or deletions from, this practice are described in the summary of this report.

A Phase I Environmental Site Assessment is the initial level of inquiry into the history, use and condition of a property and area, which establishes the reasonable presumption that environmental concerns do or do not exist. The Phase I Environmental Site Assessment consists of four (4) basic inquiry components:

1. Review of the title to the property and historical data to identify prior ownership and uses which represent a potential risk for contamination of the property.
2. Review of available public information and environmental records to identify site and area facilities, conditions, activities and substances of use of environmental concern that have been recorded by federal, state and local agencies.
3. Site reconnaissance of the property to identify conditions which indicate the presence or potential presence of hazardous substances and contamination.
4. Interviews with the owners, operators and persons familiar with the site and area to identify conditions and operations of environmental concern.

The Phase I Environmental Site Assessment will conclude that either (a) further inquiry into the environmental status of a property is not needed and appropriate inquiry has been performed or (b) further inquiry is needed to appropriately assess the environmental status of the property.

NON-CERCLA/SARA LIABILITIES:

There are risks associated with the environmental condition of a property which are not a potential CERCLA/SARA liability and are not subject to incurrence of response costs under CERCLA. Due to the frequency of occurrence, the scope of the Phase I Environmental Site Assessment has been expanded to include the identification of petroleum liabilities and friable asbestos. No other assessment of non-CERCLA/SARA liabilities has been performed unless specifically identified in the report narrative.

ASBESTOS:

Where apparent, damaged and/or friable SACM has been identified; however, a complete visual inspection and records review for SACM was not performed as part of this assessment. As a result, this facility may contain other SACM which is not identified in this report.

SACM is identified as a potential environmental concern when the observable condition (i.e., exposed, damaged and/or friable) suggests the release of debris and/or fibers under normal facility operations. If the SACM actually contains asbestos, the release of debris and/or fibers could pose an asbestos-exposure hazard. In order to determine if the SACM contains asbestos, the SACM must be sampled and analyzed.

Should any asbestos-containing material (ACM) at this facility be disturbed through abatement, removal, maintenance, renovation, demolition, etc., the handling and disposal of the ACM is subject to applicable state and federal regulations. Also, no representations are made regarding previous disturbance and/or removal of ACM at this facility.

OPERATIONAL CONCERNS:

Although beyond the scope of the routine environmental site assessment, operational concerns may be identified. Operational concerns are not considered to be liabilities which should impact real estate or mortgage loan transactions. Rather, operational 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 further environmental liabilities. Since identification of operational concerns is incidental to the purpose of this assessment, correction of these items may not necessarily result in full compliance with all applicable environmental regulations.

NOTES:

NOTES are used in the Assessment Summary either to identify special property conditions, or to identify and explain conditions which might characteristically be a potential environmental concern, but where the assessment inquiry has not established the reasonable presumption that an environmental liability does exist.

DATA QUALIFICATION:

Environmental site assessment conclusions are made based on the data available for the dates identified. The conclusions are subject to any state of facts which would be identified by updated data. No assurances are made as the accuracy or completeness of data obtained from outside information sources. Also, it is possible that not all existing sites within the search radii specified in Section 2 of this report have been identified, due to factors such as urban density and potential insufficiencies in the databases.

SITE VISIT QUALIFICATION:

Where the site observations are limited to representative areas, or where facilities are inaccessible for observation, the environmental site assessment conclusions are subject to any statement of facts which access to those areas would have revealed.

ABBREVIATIONS/ACRONYMS:

- ACM - Asbestos-Containing Material
- ASTM - American Society for Testing and Materials
- CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act
- CERCLIS - Comprehensive Environmental Response, Compensation, and Liability Information System
- EPA - (United States) Environmental Protection Agency
- ERNS - Emergency Response Notification System
- FOIL - Freedom of Information Law
- LUST - Leaking Underground Storage Tank
- N/A - Not Applicable; Not Available
- NPL - National Priorities List
- NYS - New York State
- NYSDEC - New York State Department of Environmental Conservation
- PBS - Petroleum Bulk Storage
- RCRA - Resource, Conservation, and Recovery Act
- SACM - Suspect Asbestos-Containing Material
- SARA - Superfund Amendments and Reauthorization Act of 1986
- TSD - Treatment, Storage, and Disposal
- UST - Underground Storage Tank



DRAWING PRODUCED FROM: ROCHESTER WEST, N.Y.
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<p>PROJECT NO. 1745E-98</p> <p>FIGURE FIGURE 1</p> <p>SHEET 1 OF 1</p>	<p>PROJECT TITLE 354 WHITNEY ST., 367, 370, 406 & 415 ORCHARD ST. ROCHESTER, NEW YORK</p> <p>PHASE I ASSESSMENT</p> <p>DRAWING TITLE PROJECT LOCUS MAP</p>	<p>DAY ENVIRONMENTAL, INC. ENVIRONMENTAL CONSULTANTS ROCHESTER, NEW YORK</p>	<p>DATE 9/28/98</p> <p>DRAWN BY</p> <p>SCALE 1" = 2000'</p>
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SUMMARY TABLE OF ASSESSED PARCELS
PHASE I ENVIRONMENTAL SITE ASSESSMENT
DAY ENVIRONMENTAL, INC. PROJECT #1745E-98

PARCEL #	ADDRESS	SBL #	ACRES	IMPROVEMENTS	FORMER USES	POTENTIAL ENVIRONMENTAL CONCERNS
1	354 WHITNEY STREET	105.660-0003-024	2.70	371,626-square foot multiple-story building	Residential, manufacture of appliances, tool & die shops, shoe factory, plastic injection mold making, furniture refinishing, machine shops, printers, warehousing, etc.	<ol style="list-style-type: none"> 1. Tanks/suspect wastewater treatment system 2. Suspect and confirmed asbestos-containing material 3. Historical uses of property and adjoining properties 4. Spillage, staining and equipment 5. Former in-ground hydraulic lift 6. Transformers and electrical equipment 7. Floor drains and sumps
2	367 ORCHARD STREET	105.740-0003-002	1.97	107,796-square foot multiple-story building	Residential, manufacture of boxes/cabinets/radio systems, lithographing, painting, possible foundry, warehousing, etc.	<ol style="list-style-type: none"> 1. Underground storage tanks (USTs) 2. Suspect asbestos-containing material 3. Historical uses of the property and adjoining properties 4. Containers/Drums and Spillage/staining 5. Floor drains and trench drains 6. Exterior Transformers
3	370 ORCHARD STREET	105.750-0001-001	0.63	Paved parking lot	Residential, parking lot, vacant lot	<ol style="list-style-type: none"> 1. Historical uses of adjoining properties 2. Abandoned Dry Cleaning Machine and Water Heater
4	406 ORCHARD STREET	105.670-0002-007	1.09	4,000-square foot one-story building and paved parking lot	Residential, parking lot, manufacture of cabinets/baskets, automobile rust control company, chromium plating operation, welding operation, sheet metal fabrication, etc.	<ol style="list-style-type: none"> 1. Underground storage tank (UST) 2. Suspect and confirmed asbestos-containing material 3. Historical uses of the property and adjoining properties 4. Floor drains and trench drains
5	415 ORCHARD STREET	105.660-0003-023	1.20	128,903-square foot multiple-story building	Manufacture of appliances/ electrical equipment, warehousing, bearing company, distribution, etc.	<ol style="list-style-type: none"> 1. Suspect asbestos-containing material 2. Historical uses of the property and adjoining properties 3. Floor drains and trench drains



PHASE II ENVIRONMENTAL STUDY

**370 & 406 ORCHARD STREET
ROCHESTER, NEW YORK**

Prepared for: The City of Rochester
30 Church Street
Rochester, New York 14614

Prepared by: Day Environmental, Inc.
2144 Brighton-Henrietta Town Line Road
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Project No.: 2508S-00

Date: March 2001

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Table 3 - Total Petroleum Hydrocarbons - Soil Samples

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Table 5 - Semi-Volatile Organic Compounds - Soil Samples

Table 6 - Total RCRA Metals - Soil Samples

Table 7 - Groundwater Analytical Laboratory Testing Program

Table 8 - Total Petroleum Hydrocarbons - 12/28/00 Groundwater Sample

Table 9 - Volatile Organic Compounds - 12/28/00 Groundwater Samples

Table 10 - Total RCRA Metals - 12/28/00 Groundwater Sample

Appendix C: Test Boring Logs and Monitoring Well Logs

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1.0 INTRODUCTION

This report prepared by Day Environmental, Inc. (DAY) summarizes the findings of a Phase II Environmental Study conducted at 370 & 406 Orchard Street, City of Rochester, County of Monroe, New York (Site). The general location of the Site is shown on Figure 1 (Project Locus Map) included in Appendix A. As shown on Figure 2 (Site Plan) included in Appendix A, the Site consists of two parcels that are not contiguous.

1.1 Background

DAY completed a Phase I Environmental Site Assessment (Phase I ESA) report (DAY file #1745E-98) dated December 20, 2000 for five parcels, including the two parcels that comprise the Site. The Phase I ESA report identified the following environmental concerns for the 370 Orchard Street and 406 Orchard Street parcels:

370 Orchard Street

1. Historical uses of adjoining properties (e.g., a gasoline station and/or automobile repair shop, a coal sales and storage facility, a lithographing operation, a box manufacturing operation, etc.).
2. Abandoned dry cleaning machine and water heater

406 Orchard Street

1. Former underground storage tank
2. Suspect and confirmed asbestos-containing material
3. Historical uses of the property and adjoining properties (a cabinet company, a chromium plating operation, a basket company, an automobile rust control company, a welding company, an automobile repair shop, a coal sales and storage facility, an electric company, and appliance manufacturing facility, etc.)
4. Floor drains and trench drains

The City of Rochester did not identify the evaluation of Concern #2 (suspect and confirmed asbestos-containing material) for the 406 Orchard Street parcel as a requirement of this Phase II Environmental Study. Therefore, evaluation of the suspect and confirmed asbestos-containing material concern is not included as part of this Phase II Environmental Study.

1.2 Objectives

The objective of this Phase II Environmental Study was to evaluate subsurface conditions, including soil, fill and groundwater, for the presence of contamination in relation to the potential environmental concerns identified in the Phase I ESA report for these two parcels that comprise the Site.

2.0 FIELDWORK AND ANALYTICAL LABORATORY TESTING

As part of this Phase II Environmental Study, various tasks were performed on the Site including: a test boring evaluation, a groundwater evaluation, and analytical laboratory testing. These tasks and the associated findings are discussed below.

2.1 Test Boring Evaluation

On December 13 and December 14, 2000, thirty (30) test borings (i.e., TB-1 through TB-30) were advanced on the Site using vehicle-mounted Geoprobe System soil sampling equipment. DAY retained MARCOR Remediation, Inc. to advance these test borings. The test borings were sampled continuously and advanced through the overburden to depths ranging between approximately 4.5 feet (TB-24) and 23.0 feet (TB-22) below the ground surface. With the exception of test boring TB-22, equipment refusal (i.e., inferred top of bedrock) was encountered in the test borings at depths ranging between 4.5 feet (TB-24) and 11.0 feet (TB-21). The average depth to equipment refusal encountered at the 29 test boring location was 6.6 feet.

Figure 2 (Appendix A) illustrates the locations of these test borings and their locations are further described below:

- Test Borings TB-1 through TB-14: 370 Orchard Street parcel.
 - Test borings TB-1 through TB-4 were advanced along the eastern property line shared with an adjoining property formerly used as an automobile service and gasoline station (i.e., addressed as 935 West Broad Street).
 - Test Boring TB-5 was advanced in proximity to the abandoned dry cleaning machine.
 - The remaining test borings were advanced over the balance of the Site.
- Test borings TB-15 through TB-30: 406 Orchard Street parcel.
 - Four of these test borings (TB-27, TB-28, TB-29 and TB-30) were advanced inside the existing building on the 406 Orchard Street parcel at, or in proximity to, existing or former (i.e., filled in) trench drains and floor drains.
 - Five of the test borings (TB-15, TB-16, TB-17, TB-25 and TB-26) were advanced west of the building on this parcel in an area suspected to be the location of a former underground storage tank and associated fuel dispensing unit.
 - The remaining test borings were advanced over the balance of the Site, including the location of a former shed that was located immediately east of the existing building.

A DAY representative observed the recovered soil samples in order to develop a stratigraphic description of the subsurface conditions encountered and to evaluate the recovered soil samples for evidence of suspect contamination (e.g., staining, unusual odors, presence of petroleum or chemical product, etc.). Portions of the recovered soil samples were also screened with a

Photovac 2020IS photoionization detector (PID) equipped with a 10.6 eV lamp. The DAY representative recorded pertinent information for each test boring and subsequently prepared test boring logs (included in Appendix C).

Selected samples of fill or soil collected from the test borings were evaluated in the field for evidence of contamination (i.e., staining, odors, type of fill material, elevated PID readings, etc.). Other portions of the samples were retained for possible testing at Paradigm Environmental Services, Inc. (Paradigm), which is a New York State Department of Health (NYSDOH) ELAP-certified analytical laboratory.

2.2 Groundwater Evaluation

As part of the studies conducted, the test borings TB-1, TB-14 and TB-21 were converted into 1.25-inch diameter overburden groundwater monitoring wells that are designated as MW-1, MW-2, and MW-3 (refer to Figure 2 included in Appendix A). Well MW-1 is located on the eastern portion of the 370 Orchard Street parcel at a test boring location where field evidence of petroleum-type contamination was encountered in the saturated zone. Well MW-1 is in proximity to former aboveground storage tanks and a building (identified in the Phase I ESA report as being used for "oiling and greasing") that were present on the adjoining property to the east. Well MW-2 is located on the western portion of the 370 Orchard Street parcel. This well location is in proximity to the adjoining properties to the west that had historical uses that were identified as potential environmental concerns in the Phase I ESA report. Well MW-3 is located on the northwest portion of the 406 Orchard Street parcel. This location was selected due to its proximity in relation to adjoining properties to the north and west that had historical uses that were identified as potential environmental concerns in the Phase I ESA report. Two of these wells (MW-1 and MW-3) were later developed, and groundwater samples were collected for analytical laboratory testing. Well MW-2 was dry (i.e., no measurable groundwater) and could not be sampled as part of this study.

Each well consists of a pre-cleaned approximate four-foot to five-foot long, 1.25-inch inner-diameter (ID), threaded, flush-jointed, No. 10 slot, Schedule 40 polyvinyl chloride (PVC) screen attached to flush-coupled riser casing of the same material. The well screens were installed to intercept the top of the water table observed in the overburden during advancement of the associated test borings. The well installations included a washed and graded sand pack surrounding the screen and about 1 to 5.5 feet of sand above the top of the screen. A bentonite seal was placed above the sand pack and the remaining annulus was filled with cement/bentonite grout. A steel protective curb box with locking cap was placed over the wells and cemented in place. Well details are included on the corresponding logs in Appendix C.

Monitoring Well Development

Monitoring wells MW-1 and MW-3 were developed by DAY on December 22, 2000. These wells were developed to restore natural hydraulic properties at the well locations to the extent possible. Well development was performed utilizing disposable bailers with dedicated cord. No fluids were added to the wells during development, and well development equipment was decontaminated prior to development of the well. Water quality readings (i.e., pH, conductance, and temperature) were collected before, during and after development. Copies of well development logs for these wells are included in Appendix D.

Monitoring Well Sampling

On December 28, 2000, wells MW-1 and MW-3 were purged by removing more than three well casing volumes of groundwater, and a groundwater sample was collected from each well (designated as samples 2508S-MW01 and 2508S-MW02) for subsequent laboratory analysis. Copies of well sampling logs are included in Appendix D.

The location of the three wells (MW-1 through MW-3) on the Site were tape-measured in relation to existing site structures or to site boundaries, and a licensed land surveyor surveyed their elevations. On December 28, 2000, DAY measured static water levels in the three wells using a Heron Model HO1L oil/water interface probe. Well MW-2 was dry (i.e., containing no measurable groundwater) at the time of the December 28, 2000 sampling event. The well elevations, static water levels and calculated groundwater elevations are presented on Table 1 in Appendix B. Evidence of light non-aqueous phase liquid (LNAPL) was not detected in the wells using the Heron oil/water interface probe during this monitoring event. Since groundwater elevation data was not available for well MW-2, a groundwater potentiometric map could not be developed for December 28, 2000. However, the data does show that on December 28, 2000, the groundwater elevation at well MW-1 (90.78') is 1.56' higher than at well MW-3 (89.22'), which suggests that groundwater at the Site may generally flow towards the north. The former Erie Canal located along the eastern side of West Broad Street was filled in and may also be influencing groundwater flow toward the north/northwest in proximity to the Site.

2.3 Field Observations

Field observations and findings based upon the work completed during this Phase II Environmental Study are summarized below, and generally apply to both parcels that comprise the Site:

- Most test borings were advanced through asphalt pavement or concrete. Fill material generally consisting of mixtures of silt, sand and gravel with lesser amounts of clay, coal, ash, organics, brick, and slag was encountered beginning at the ground surface in each of the test borings. The fill material in the test borings excavated during this study extended from the ground surface to depths ranging between approximately 1.5 feet (TB-5, TB-6) and 8.0 feet (TB-22). Based on the observation of soil samples from the 30 test borings, the average thickness of the fill material on the Site is approximately 3.4 feet. A specific fill pattern was not identified.
- Soils beneath the fill material generally consisted of silt and/or sand with lesser amounts of gravel and clay. At many of the test borings, rock fragments (i.e., fractured Lockport Dolomite) were observed in samples collected near the bottom of the test borings. The thickness of the indigenous soil observed ranged between approximately 0.0 feet (TB-13 and TB-23) and 15.0 feet (TB-22) with an average thickness of 3.7 feet.
- The apparent groundwater table was encountered (i.e., as evidenced by wet soil samples and/or standing water in the test boring) in 15 of the 30 test borings advanced during this study. On December 28, 2000, groundwater was measured in wells MW-1 (TB-1) and MW-3 (TB-21) at depths of 8.32 feet and 10.34 feet below the ground surface, respectively. On December 28, 2000, there was no measurable groundwater in well MW-2 (TB-14).

- Field evidence of suspect petroleum or chemical contaminated soil (i.e., based upon PID readings greater than 5.0 ppm and observations including odors, staining, etc.) was detected on soil samples from 2 of the 30 test borings (i.e., TB-1 and TB-29). The contamination at these two locations was noted on wet soil samples near the bottom of these test borings (i.e., immediately above equipment refusal that inferred the top of bedrock). The peak PID readings measured at TB-1 and TB-29 were 430 ppm and 6.2 ppm, respectively. Petroleum-type odors were noted on the soil at these two locations.
- Peak PID readings measured at the other 28 test borings (i.e., TB-2 through TB-28 and TB-30) were less than 1.0 ppm, and evidence of staining was not observed. However, ash material was observed in the fill material at many of these locations. In addition, a 0.1' thick layer of soft white unknown material (possibly ash) was observed at a depth of approximately 2.8 feet at test boring TB-19.
- Fill material was encountered in test boring TB-22 from the ground surface to a depth of 8 feet, and between 5.0 feet to 8.0 feet this fill consisted of ash with some coal. This test boring as advanced to a depth of 23 feet below the ground surface without encountering equipment refusal, whereas equipment refusal (suggesting the inferred top of bedrock) was encountered at depths ranging between 4.5 feet (TB-24) and 11.0 feet (TB-21) at the other 29 test boring locations. The soils encountered beneath the fill material in this test boring appeared lacustrine in nature and a piece of wood was observed in the soil sample at a depth of 23 feet below the ground surface. As such, it is possible that the soil identified as indigenous beneath the fill was actually fill material (e.g., reworked indigenous soil). A review of Sanborn map and Plat Book information included in the Phase I ESA report indicated that the Erie Canal was located along the east side of Broad Street (i.e., east of TB-22) between the years of at least 1875 and 1918. It is possible that this test boring may have intercepted a structure, etc. that was once associated with the Erie Canal.
- The test boring logs included in Appendix D provide additional information regarding subsurface conditions, PID measurements, etc. encountered in each test boring.
- Evidence of contamination associated with floor drains and trench drains and the former underground storage tank at the 406 Orchard Street parcel was not encountered. Evidence of contamination associated with the abandoned dry cleaning machine at the 370 Orchard Street parcel was not encountered.

2.4 Analytical Laboratory Testing

Analytical laboratory testing for this project was completed by Paradigm. The following laboratory program was implemented on samples that were collected from test borings and monitoring wells:

Soil Samples

Six (6) soil samples were submitted for analytical laboratory testing. The specific locations, depth intervals, and test parameters for these soil samples are illustrated on Table 2 included in Appendix B, and summarized as follows:

- Sample 2508-01 from test boring TB-1 (8-10') was analyzed for United States Environmental Protection Agency (USEPA) target compound list (TCL) and New York

State Department of Environmental Conservation (NYSDEC) Spill Technology and Remediation Series (STARS)-list volatile organic compounds (VOCs) using USEPA Method 8260; NYSDEC STARS-list base/neutral semi-volatile organic compounds (SVOCs) using USEPA Method 8270; and total petroleum hydrocarbons (TPH) using NYSDOH Method 310.13.

- Sample 2508-02 from test boring TB-29 (6-6.5') was analyzed for USEPA TCL and NYSDEC STARS-list VOCs using USEPA Method 8260; NYSDEC STARS-list base/neutral SVOCs using USEPA Method 8270; TPH using NYSDOH Method 310.13; and polychlorinated biphenyls (PCBs) using USEPA Method 8082.
- Sample 2508-03 from test boring TB-19 (0-4') was analyzed for pH; total RCRA metals; and TCL base/neutral/acid SVOCs using USEPA Method 8270.
- Sample 2508-04 from test boring TB-22 (5-8') was analyzed for pH and total RCRA metals.
- Sample 2508-05 from test boring TB-6 (0-4') was analyzed for total RCRA metals.
- Sample 2508-06 from test boring TB-3 (0-4') was analyzed for total RCRA metals.

Groundwater Samples

Two groundwater samples were collected on December 28, 2000 from wells MW-1 and MW-3 (designated as 2508S-MW01 and 2508S-MW02, respectively). The groundwater analytical laboratory testing program is presented on Table 7 included in Appendix B.

- Sample 2508S-MW01 from well MW-1 was analyzed for USEPA TCL and NYSDEC STARS-list VOCs using USEPA Method 8260; TPH using NYSDOH Method 310.13; and total RCRA metals.
- Due to groundwater volume limitations caused by slow recharge at well MW-3, Sample 2508S-MW02 was only analyzed for USEPA TCL and NYSDEC STARS-list VOCs using USEPA Method 8260.

Analytical Laboratory Test Results

Copies of analytical laboratory test results for the soil and groundwater samples are included in Appendix E. Tables summarizing the analytical laboratory data and providing a comparison to NYSDEC criteria are included in Appendix B. The test results for the samples are further discussed as follows:

Soil Samples

- As shown on Table 3 included in Appendix B, 33 mg/kg (ppm) of light-weight TPH designated as mineral spirits was detected in Sample 2508-01 from TB-1 (8-10'), which was advanced on the 370 Orchard Street parcel in proximity to a former gasoline service station on the adjoining property east of the Site. 3,520 mg/kg or ppm of medium-weight TPH

designated as diesel fuel was detected in Sample 2508-02 from TB-29 (6-6.5'), which was advanced inside the building on the 406 Orchard Street parcel through a former trench drain that had been filled in. The NYSDEC's Technical and Administrative Guidance Memorandum: Determination of Soil Cleanup Objectives and Cleanup Levels (TAGM 4046) dated January 24, 1994 indicates that the soil cleanup objective for total VOCs is 10 ppm and for total SVOCs is 500 ppm. Light-weight TPH (e.g., mineral spirits) is comprised primarily of VOCs. Medium-weight TPH (e.g., diesel fuel) and heavy-weight TPH are comprised primarily of SVOCs. Based on these considerations, the TPH test results for the soil samples from TB-1 and TB-29 indicate that regulatory agencies could require that the two types of TPH detected at the Site be addressed in some manner (i.e., remediated, control exposure to contamination, etc.).

- As shown on Table 4 included in Appendix B, VOCs were detected in Sample 2508-01 from TB-1 (8-10'), but were not detected above reported analytical laboratory detection limits in Sample 2508-02 from TB-29 (6-6.5'). Four of the VOCs detected in Sample 2508-01 (i.e., 1,2,4-trimethylbenzene, sec-butylbenzene, p-isopropyltoluene and naphthalene) are typically associated with petroleum products (e.g., fuels, solvents, lubricants). In addition, acetone was also detected in this sample. As shown on Table 4, the concentration of naphthalene detected in Sample 2508-01 (i.e., 251 ug/kg or ppb) exceeded its toxicity characteristic leaching procedure (TCLP) alternative soil guidance value as referenced in the August 1992 NYSDEC Spill Technology and Remediation Series, STARS Memo #1, Petroleum-Contaminated Soil Guidance Policy (STARS Memo #1), but did not exceed its recommended soil cleanup objective as referenced in the January 24, 1994 NYSDEC TAGM 4046, as amended by the NYSDEC's supplemental Table 1 dated 1998. The concentrations of 1,2,4-trimethylbenzene, sec-butylbenzene, p-isopropyltoluene and acetone detected in Sample 2508-01 did not exceed their STARS TCLP alternative soil guidance values, or TAGM 4046 recommended soil cleanup objectives.
- As shown on Table 5 included in Appendix B, SVOCs were detected above reported laboratory detection limits in Samples 2508-01 and 2508-03. SVOCs were not detected above reported laboratory detection limits in Sample 2508-02 from TB-29 (6-6.5'). The SVOCs naphthalene and phenanthrene were detected in Sample 2508-01 from TB-01 (8-10') at concentrations of 23,400 ug/kg (ppb) and 29,700 ug/kg (ppb), respectively. The SVOC pyrene was detected in Sample 2508-03 from TB-19 (0-4') at a concentration of 991 ug/kg (ppb). These SVOCs are typically associated with petroleum products, or due to the incomplete combustion of organic matter (ash). The concentrations of SVOCs detected in Sample 2508-01 exceed STARS TCLP alternative soil guidance values and/or TAGM 4046 recommended soil cleanup objectives. The concentration of the SVOC pyrene detected in Sample 2508-03 did not exceed its STARS TCLP alternative soil guidance value and/or TAGM 4046 recommended soil cleanup objective.
- PCBs were not detected above analytical laboratory detection limits in Sample 2508-02 from TB-29 (6-6.5').
- As shown on Table 6 included in Appendix B, the RCRA metals arsenic, barium, cadmium, chromium, lead, mercury and selenium were detected in one or more of the four soil samples that were tested.

- The concentrations of arsenic, barium, chromium, lead, and selenium were within their typical background ranges as referenced in NYSDEC TAGM 4046.
- The concentrations of mercury in three of the samples, and cadmium in one sample, were above their typical background ranges as referenced in the January 24, 1994 NYSDEC TAGM 4046.
- The concentrations of arsenic and mercury in Samples 2508-04, 2508-05 and 2508-06 exceed their January 24, 1994 NYSDEC TAGM 4046 recommended soil cleanup objectives.
- The concentrations of the metals barium, cadmium, chromium, lead, and selenium detected in the four samples were below their respective NYSDEC TAGM 4046 recommended soil cleanup objectives. [Note, as allowed by the NYSDEC on other projects, the NYSDEC's 1995 proposed recommended soil cleanup objectives for cadmium and chromium were used for comparison to the test results].
- The pH test results for Sample 2508-03 from TB-19 (0-4') and Sample 2508-04 from TB-22 (5-8') were 7.49 and 8.24 standard units, respectively.

Groundwater Samples

- As shown on Table 8, light-weight TPH identified as gasoline was detected in Sample 2508S-MW01 at a concentration of 7,080 ug/l (ppb). There are no NYSDEC cleanup criteria for TPH in groundwater.
- As shown on Table 9, only the VOC benzene was detected in Sample 2508S-MW01 at a concentration of 33.7 ug/l (ppb). The concentration of benzene detected in Sample 2508S-MW01 exceeded its respective groundwater standard of 1.0 ug/l (ppb) as referenced in the NYSDEC Division of Water Technical and Operational Guidance Series 1.1.1 document titled "Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations" (TOGS 1.1.1) dated June 1998. VOCs were not detected above reported analytical laboratory detection limits in Sample 2508S-MW02.
- As shown in Table 10, the metals arsenic, barium, chromium, lead, mercury, selenium and silver were detected at concentrations above reported analytical laboratory detection limits in Sample 2508S-MW01. The concentrations of arsenic, chromium, lead, and selenium exceed their respective groundwater standards and/or guidance values as referenced in the NYSDEC TOGS 1.1.1 dated June 1998. The presence of the metals in the groundwater may be attributable to leaching from the fill material, naturally occurring metals, an area-wide or localized source or a combination of these factors. [Note: Groundwater is not used as a potable water supply at the Site. As such, the above standards may not be applicable.]

2.5 Decontamination Procedures and Study-Derived Wastes

Drilling and sampling equipment used during the test boring evaluation and groundwater evaluation were decontaminated prior to being used at each location by implementing the following

procedures: 1) rough wash in tap water; 2) wash in mixture of tap water andalconox soap; 3) double rinse with distilled or deionized water; and 4) air dry and/or dry with clean paper towel. Decontamination was conducted as a quality control measure to avoid cross-contamination between sample intervals at and between test locations.

Drill cuttings that were generated during this study were placed on the ground surface or used as backfill at their specific locations. Due to evidence of contamination, well development and purge waters from well MW-1 were placed in a New York State Department of Transportation (NYSDOT)-approved 30-gallon drum that was labeled and staged on-site. Well development and purge waters from well MW-3, and decontamination waters, were discharged to the ground surface at the Site.

3.0 CONCLUSIONS AND RECOMMENDATIONS

A previous Phase I ESA report identified environmental concerns for the 370 Orchard Street and 406 Orchard Street parcels. Intrusive work was performed as part of this Phase II Environmental Study in an effort to evaluate environmental conditions at the Site. The environmental concerns identified in the Phase I ESA report for the 370 Orchard Street parcel that were further evaluated as part of this study included: historical uses of adjoining properties; and abandoned dry cleaning machine and water heater. The environmental concerns identified in the Phase I ESA report for the 406 Orchard Street parcel that were further evaluated as part of this study included: a former underground storage tank; historical uses of the property and adjoining properties; and floor drains and trench drains.

This Phase II Environmental Study included: advancement of 30 test borings; installation of three groundwater monitoring wells; field observations and PID screening on soil and groundwater samples; analytical laboratory testing of six soil and two groundwater samples; and evaluation of the data collected. The conclusions and recommendations developed by DAY based upon the work completed to date are summarized below.

Evidence of petroleum contamination was detected in soil and groundwater at only two of the 30 test locations at the Site (i.e., TB-1/MW-1 and TB-29). Some of the petroleum constituents detected at these two locations exceeded NYSDEC clean-up criteria. The contamination at these two locations was encountered in saturated soils immediately above the inferred top of bedrock. As such, it is likely that the contamination may also be present in the bedrock at these locations; however, the scope-of-work for this Phase II Environmental Study was generally limited to an assessment of overburden conditions. VOC or petroleum contamination was generally not observed in unsaturated soil samples collected from test boring locations at the Site. Groundwater samples collected from a groundwater monitoring well on each parcel generally contained little or no VOCs. A moderate concentration of light-weight TPH was detected in a groundwater sample from well MW-1 located on the 370 Orchard Street parcel in proximity to an apparent off-site source to the east.

The extent of petroleum contamination in the overburden soils on the 370 Orchard Street parcel appears limited to the area in proximity to TB-1. Analytical laboratory testing at TB-1/MW-1 indicates that light-weight TPH designated as mineral spirits/gasoline is present at this location. Evidence of this type of contamination was not detected at other nearby test locations (i.e., TB-2 and TB-12). Since petroleum contamination was not encountered in unsaturated soils above the water table at this parcel, the contamination encountered at TB-1 likely migrated on-site in groundwater from the adjoining off-site property (addressed as 935 West Broad Street) located east of the 370 Orchard Street parcel. This adjoining property was formerly used as a gasoline and service station. A review of historic Sanborn maps shows the off-site building closest to test boring TB-1 was labeled as "oiling and greasing" and that three approximately 30-foot long aboveground storage tanks were also located nearby on this adjoining property (refer to Figure 2 included in Appendix A).

The extent of petroleum contamination in the overburden soils on the 406 Orchard Street parcel appears limited to the area in proximity to TB-29, which was advanced inside the existing building. Analytical laboratory testing at TB-29 indicates that medium-weight TPH designated as diesel fuel is present at this location. Evidence of this type of contamination was not detected at other nearby

test locations (i.e., TB-18, TB-19, TB-27 and TB-28). An on-site source of the petroleum contamination encountered at TB-29 was not identified. It is possible that this contamination has migrated on-site in groundwater from an on-site or off-site source, since the contamination was only encountered in the saturated soils at the bottom of the test boring. An auto repair facility (addressed as 392 Orchard Street) is located on an adjoining property south of the 406 Orchard Street parcel (refer to Figure 2 included in Appendix A).

Fill material generally consisting of mixtures of silt, sand and gravel with lesser amounts of clay, coal, ash, organics, brick, and slag was encountered beginning at the ground surface in each of the test borings to depths up to 8.0 feet. Also, a pocket of ash with some coal was noted from 5.0 feet to 8.0 feet at test boring TB-22 on the 406 Orchard Street parcel. One sample of fill material from test boring TB-19 contained the SVOC pyrene, but at a concentration below NYSDEC recommended cleanup criteria. Total RCRA metals such as arsenic, cadmium and mercury were detected in one or more samples of fill material at concentrations exceeding typical background ranges and/or above recommended soil cleanup objectives as referenced in the NYSDEC's TAGM 4046. The elevated concentrations of detected metals appear attributable to the fill material. Currently, this fill material is generally covered with paved surfaces or the existing building on the 406 Orchard Street parcel. This type of fill material containing elevated concentrations of metals and SVOCs is typical for older industrial and commercial sites in the City of Rochester, New York area.

Although the petroleum contamination encountered at test borings TB-1 and TB-29 appear limited in extent and possibly attributable to off-site sources, remediation, activity use or redevelopment restrictions, or implementation of environmental engineering controls may be warranted if redevelopment is proposed for these areas of the Site.

Based on the work conducted as part of this Phase II Environmental Study, the following items presented in the Phase I ESA report do not appear to have resulted in environmental impacts to the Site and are no longer considered to represent an environmental concern at this time:

- Abandoned dry cleaning machine or water heater on the 370 Orchard Street parcel. One test boring was advanced in this area, and evidence of VOC contamination was not encountered.
- Former underground storage tank; and floor drains and trench drains on the 370 Orchard Street parcel. The suspected location of the former UST system was west of the building on this parcel. Five test borings were advanced in this area, and evidence of petroleum contamination was not encountered. Four test borings were advanced inside the building on this parcel. Two of the borings were advanced inside or next to floor drains or trench drains. Evidence of contamination was observed only in one test boring (TB-29) advanced inside a filled trench drain, but the contamination was encountered starting at an approximate depth of 6.0 feet near the inferred top of bedrock (i.e., the contamination was not observed in proximity to the near surface trench drain structure).

Recommendations

Based on the current use and improvement of the Site and the fact that on-site sources for the petroleum contamination were not identified during this study, further evaluation or remediation of subsurface environmental conditions are not recommended at this time. The findings of this study could be presented to the NYSDEC so that the NYSDEC can pursue evaluating the potential off-site sources of petroleum contamination that have been identified as part of this study.

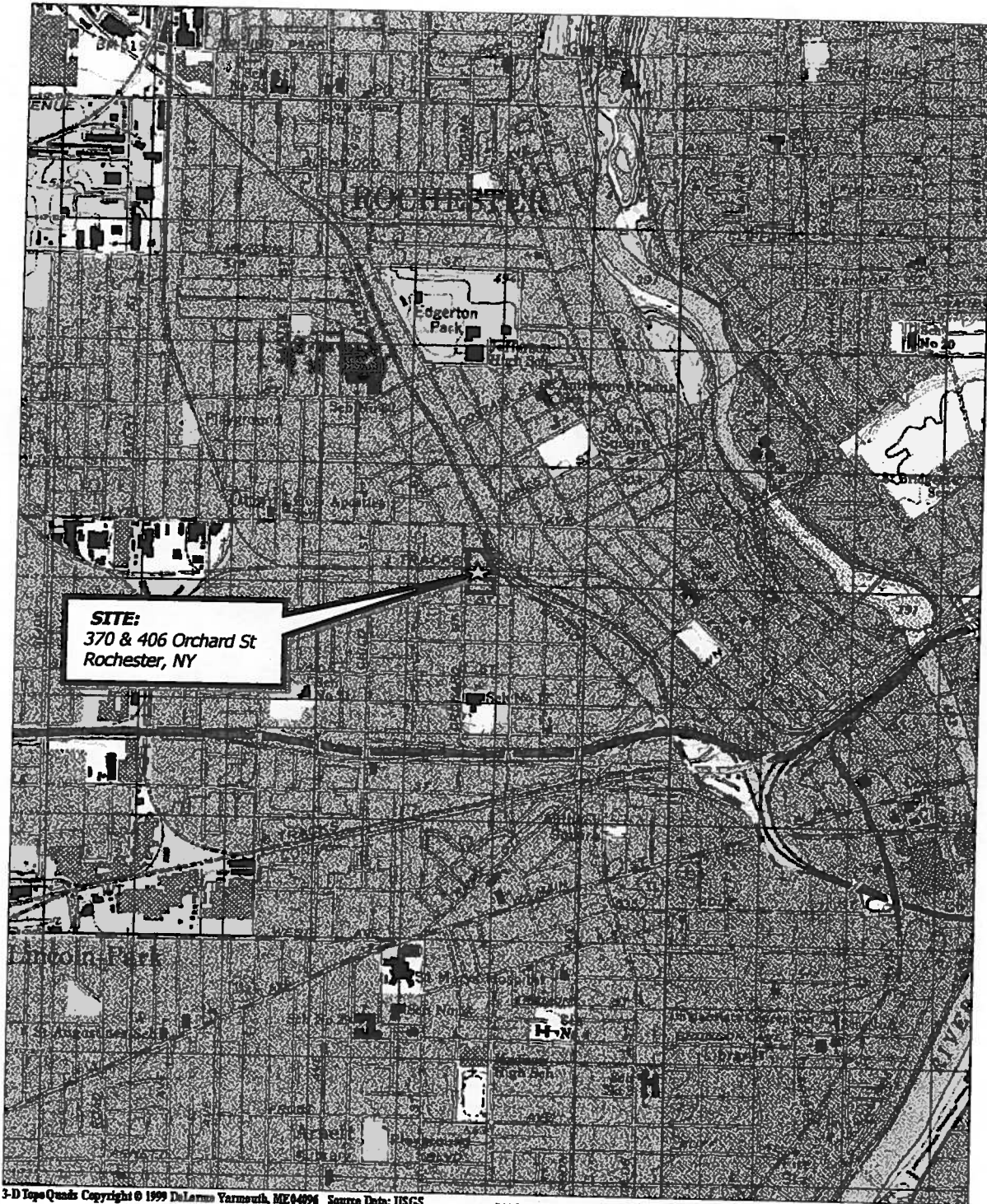
If the Site is to be redeveloped, or if subsurface media are to be disturbed, it is recommended that an environmental management plan (EMP) be developed and implemented. The EMP should include a site-specific health and safety plan (HASP). The EMP and HASP would be used to assist in the proper handling, disposal or re-use of contaminated media, assist in protecting construction workers and nearby residents/occupants of adjoining properties against exposures to site contaminants, and specify environmental engineering controls (e.g., vapor barriers, passive vent systems, etc.) for planned structures, etc. if the Site is to be redeveloped. Appropriate regulatory agencies (e.g., Monroe County Department of Health, etc.) should be offered the opportunity to review and comment on the EMP and HASP and to evaluate whether remediation activities would be required.

Also, further subsurface studies may be warranted in the future depending upon redevelopment plans. For example, an evaluation of environmental conditions in bedrock may be warranted if construction of basements, sub-grade parking garages, etc. is planned that would require disturbance of the bedrock. In addition, given the former or current industrial and commercial uses of adjoining properties, future owners, developers, lending institutions, etc. may require evaluation of environmental conditions at the Site to further assess the potential risks (monetary, exposure, etc.) that could arise if contamination in the bedrock and underlying groundwater is significant.


As a precaution to reduce the potential for future environmental impact, it is recommended that the abandoned dry cleaning machine and apparent water heater on the 370 Orchard Street parcel be properly removed and disposed of off-site.

4.0 ABBREVIATIONS

DAY	Day Environmental, Inc.
EMP	Environmental Management Plan
ESA	Environmental Site Assessment
HASP	Health and Safety Plan
ID	Inner Diameter
LNAPL	Light Non-Aqueous Phase Liquid
MCDOH	Monroe County Department of Health
mg/kg	Milligram Per Kilogram
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
NYSDOT	New York State Department of Transportation
PCB	Polychlorinated Biphenyls
PID	Photoionization Detector
ppb	Parts Per Billion
ppm	Parts Per Million
PVC	Polyvinyl Chloride
STARS	Spill Technology and Remediation Series
SVOC	Semi-Volatile Organic Compound
TCL	Target Compound List
TCLP	Toxicity Characteristic Leaching Procedure
TPH	Total Petroleum Hydrocarbons
ug/kg	Microgram Per Kilogram
ug/l	Microgram Per Liter
USEPA	United States Environmental Protection Agency
UST	Underground Storage Tank
VOC	Volatile Organic Compound



Drawing Produced From: 3-D TopoQuads, DeLorme Map Co., referencing USGS quad maps Rochester West (NY) 1995 and Rochester East (NY) 1995. Site Lat/Long: N43d-09.78' - W77d-38.05'

DATE 01/31/2001	 DAY ENVIRONMENTAL, INC. ENVIRONMENTAL CONSULTANTS ROCHESTER, NEW YORK 14623-2700	PROJECT TITLE 370 & 406 ORCHARD STREET ROCHESTER, NEW YORK	PROJECT NO. 2508S-00
DRAWN BY Tww		PHASE II ENVIRONMENTAL STUDY DRAWING TITLE PROJECT LOCUS MAP	FIGURE 1 SHEET 1 OF 1
SCALE 1" = 2000'			



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