



# Advanced Cleanup Technologies, Inc.

**ENVIRONMENTAL CONSULTANTS**

## **PHASE I ENVIRONMENTAL SITE ASSESSMENT**

**33 John Street  
Yonkers, New York 10701**

**April 10, 2006**

**ACT File #: 5435-YONY**

**Prepared for:**

**Mr. Bill Fonte  
Trifont Realty  
1955 Central Avenue  
Yonkers, New York 10710**

## CERTIFICATION

Property Location:

33 John Street  
Yonkers, New York 10701

Advanced Cleanup Technologies, Inc. performed a Phase I Environmental Site Assessment on the above-referenced property. The Assessment included a property inspection, research into the historical uses of the property and surrounding land, a review of regulatory agency files pertaining to the property and an interview with the landlord regarding past and present conditions at the property.

The Phase I Assessment was performed to meet the minimum requirements established by ASTM's Standard Practice for Environmental Site Assessments (E 1527-00). The Assessment has also considered other environmental issues such as asbestos, radon and lead which are not covered by the ASTM standard.

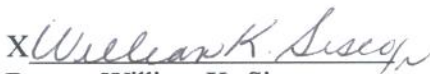
The results of the assessment are contained in this report. Based upon this assessment, Advanced Cleanup Technologies, Inc. makes the following conclusions and representations concerning the scope of the assessment and the environmental quality of the property. The Phase I Environmental Site Assessment has revealed the following Recognized Environmental Condition at the subject property:

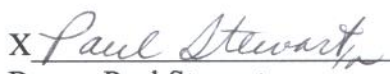
- Gasoline station located to the north of the subject property (Section 4.0 and 5.0).

We hereby certify that we have no interest, present or contemplated, in the properties inspected and that neither the employment to make the inspection nor the compensation is contingent on the value of the properties. The analyses, opinions and conclusions contained in this report are limited only by any reported assumptions or limiting conditions described herein, and are our personal unbiased professional opinions and conclusions.

We further certify that this inspection was performed in conformity with the ASTM Standard and the scope outlined in this report. This inspection report accurately reflects current federal, state and local guidelines.

Dated: April 10, 2006

X   
By: William K. Sisco  
Senior Project Manager

X   
By: Paul Stewart  
President

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A	Regulatory Agency Documents
B	Fire Insurance Maps
C	Database Search Results

## 1.0 INTRODUCTION AND SCOPE OF ASSESSMENT

Advanced Cleanup Technologies, Inc. (ACT) was retained to perform a Phase I Environmental Site Assessment of the property located at 33 John Street, Yonkers, Westchester County, New York 10701. The Assessment was performed to meet or surpass the industry standard established by ASTM's Standard Practice for Environmental Site Assessments (E 1527-00). The purpose of the Assessment was to identify any Recognized Environmental Conditions at the property. As defined by the ASTM, a Recognized Environmental Condition is the presence of any hazardous substances or petroleum products on real estate under conditions that indicate an existing release, a past release, or a material threat of a release.<sup>1</sup>

The Assessment consisted of a visual inspection of the premises, interviews with property representatives regarding past and present conditions at the property, research into historical uses of the property and surrounding land and a review of regulatory agency files pertaining to the property. The Assessment also included an overview of the site's hydrogeologic setting and an evaluation of environmental risks associated with asbestos, radon and lead.

A site inspection was performed by Chris Repetti of ACT on April 3, 2006. The representative of the property, Mr. Charlie Miller, provided access and information regarding the subject property. The property is owned by 33 John Street Realty Corporation. The inspection consisted of the following activities:

- A visual examination of the interior and exterior of the premises;
- An evaluation of land usage in the area surrounding the site;
- Photography of the site.

All relevant Westchester County and City of Yonkers agencies were contacted for information pertaining to this property, including:

- Department of Buildings;
- Department of Health;
- Department of Environmental Protection;
- Bureau of Fire Prevention.

Databases of environmental information maintained by Federal and State agencies were also searched for known sources of environmental contamination at the site and its vicinity.

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<sup>1</sup> American Society for Testing and Materials Practice E 1527-00, Sec. 3.3.28.

## **2.0 PROPERTY DESCRIPTION**

### **2.1 Site Vicinity**

The subject property, 33 John Street, is located in a residential and commercial area in the southern portion of Westchester County in New York. A Locational Diagram showing the site and its immediate vicinity is provided as Figure 1. The property is located along the north side of John Street and the east side of New School Street.

An auto body shop is located to the east of the subject property. A parking lot is located to the west of the subject property. A Fire Department building is located to the south of the subject property. A gasoline station is located to the north of the subject property. This gasoline station will be further-discussed in Section 4.0 and 5.0 of this report.

The topography of the area is generally level. The vicinity of the site is approximately 54 feet above mean sea level.<sup>2</sup> The ground surface in the vicinity of the property is covered with asphalt and concrete pavement. The general direction of ground water flow beneath the property is toward the southwest. The bedrock which underlies this portion of Westchester County is generally metamorphic in character and Ordovician and Precambrian in age. It lies close to the surface and is exposed in many locations.

### **2.2 Site Construction Details**

The subject property consists of a one-story commercial building (Photographs 1 through 6). The building contains a full basement. The footprint of the building is approximately 2,800 square feet in area and encompasses the entire property. A Site Diagram is provided as Figure 2.

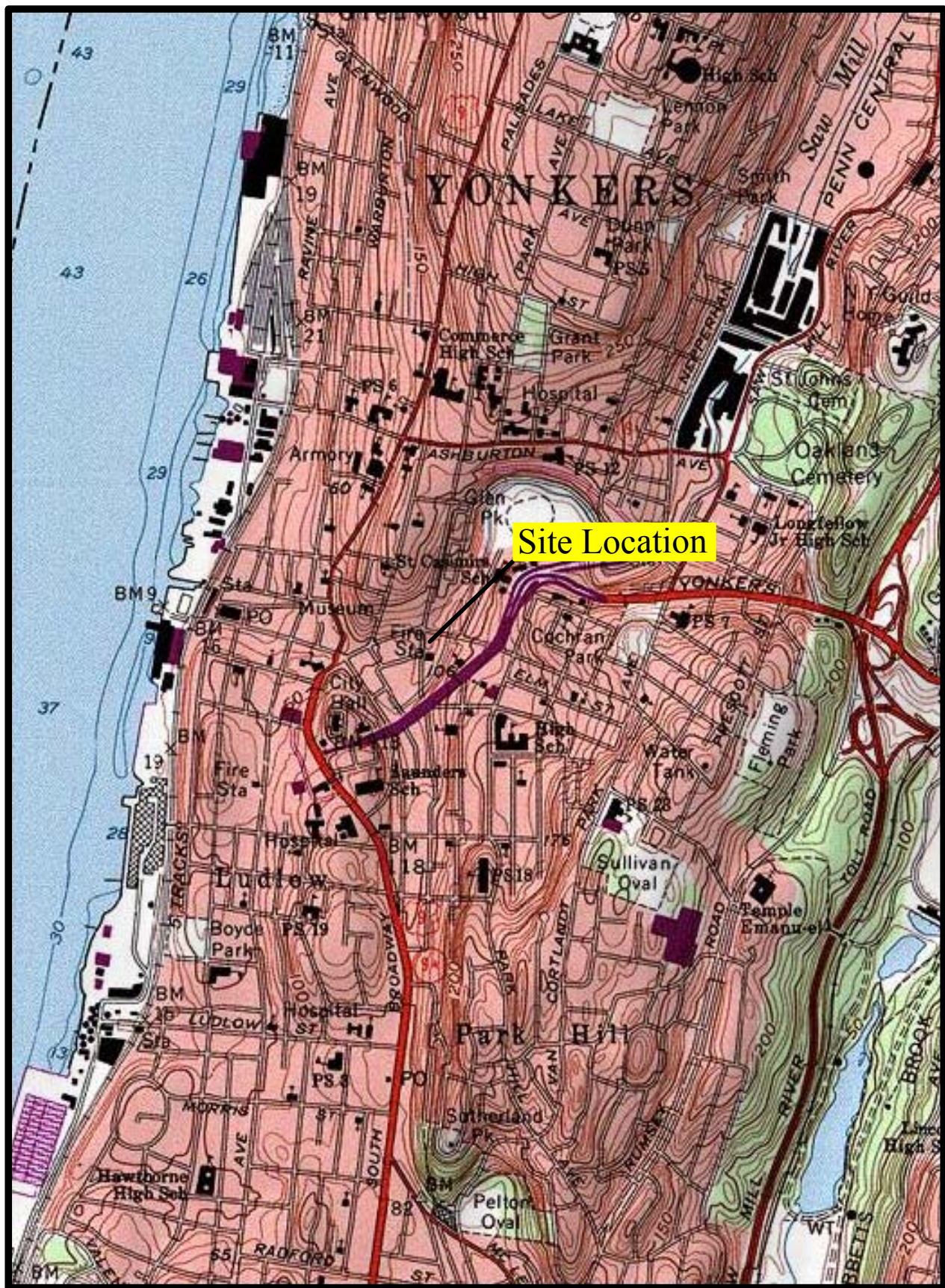
The electrical, natural gas and water services enter the building underground along the southern property boundary. The utility meters are located in the basement of the building. The property is connected to the municipal sewer system. The building is provided heat via natural gas-fired overhead heating equipment located throughout the building (Photograph 7). The building is provided hot water via natural gas-fired heating equipment. No stains, odors or evidence of spills were identified in the vicinity of the heating equipment.

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<sup>2</sup>

U.S.G.S. 7.5 Minute Series Topographic Map, Yonkers, New York





From USGS 7.5 Minute Topographic Map Of  
Yonkers, New York Quadrangle



Figure 1

## Locational Diagram

Job No. 5435-YONY	Date: 4/10/06
Dwg. No. 5435-01	Scale: 1"=2,000'
Drawn By: Steven Walls	Appr. By: William Sisco

*Advanced Cleanup Technologies*





Photograph 1: 33 John Street, Yonkers, New York



Photograph 2: Subject Property, Coffee Shop





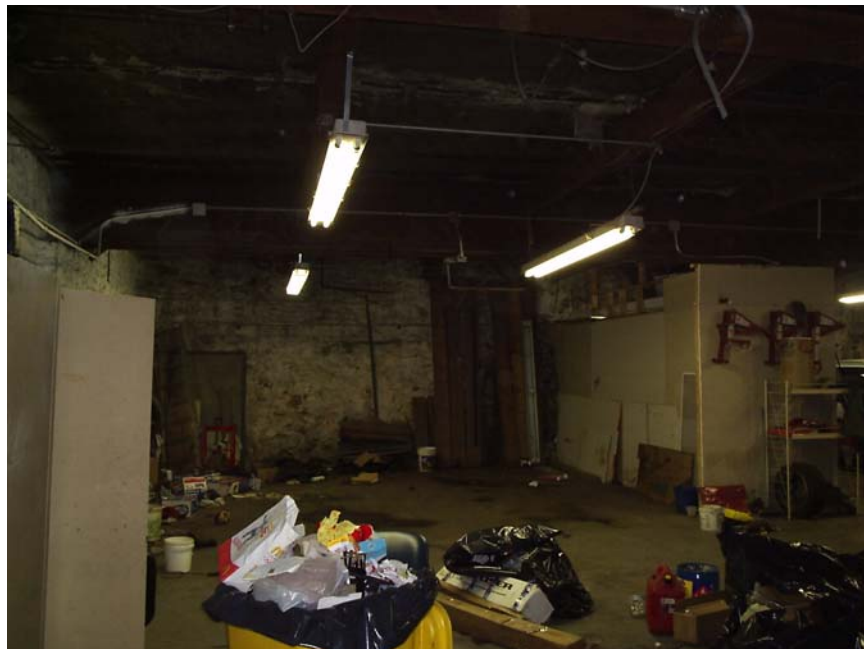
Photograph 3: View of Gasoline Station located to the north of the Subject Property



Photograph 4: First Floor Interior



Photograph 5: Basement Interior



Photograph 6: Basement Interior

*New School Street*

Adjacent Gasoline Station

Coffee Shop

Automobile

Storage Areas

Overhead  
Heat

Storage Areas

Utility Meters

Ramp to  
Basement

1-Story Commercial Building

*33 John Street*

*John Street*



Figure 2

## Site Diagram

Job No. 5435-YONY

Date: 4/7/06

Drawing No. 5435-02

Scale: NTS

Drawn By: William K. Sisco Approved By: Paul Stewart

*Advanced Cleanup Technologies, Inc.*





Photograph 7: Overhead Natural Gas Fired Heating Equipment

## **2.3 Building Interior**

The commercial building contains two commercial units and no residential apartments. The commercial units consist of an air conditioning company, Lynx Air Conditioning, and Lisa's Coffee Shop. The northwest portion of the building contains the coffee shop. The coffee shop contains a seating and counter area and a kitchen. The remainder of the building is utilized by Lynx Air Conditioning. The first floor contains storage areas for air conditioning materials, tools and equipment and an office area. A roll up door accesses the first floor. Two vehicles were also identified on the first floor. The interior of the building consists of concrete floors and painted drywall and concrete block walls. Ceilings consist of drywall and suspended ceiling tiles.

The basement can be accessed from a roll up door at street level and a concrete ramp which leads to the basement. An automobile is located in the basement. The basement of the building also contains the utility meters and storage areas. Two floor drains were identified in the basement of the building. No stains, odors or evidence of spills were identified in the vicinity of the floor drains or throughout the building.

## **2.4 Building Exterior**

The exterior of the building is constructed of concrete block, brick masonry and metal and glass storefront. The building has a flat, tar roof. The main entrance to the building is located along the southern exterior wall, facing John Street. A concrete sidewalk separates the building from John Street and New School Street. No exterior storm water drains were identified at the property.

A solid waste dumpster is located along the south side of the building. No evidence of hazardous waste was identified in the solid waste. No stains, odors or evidence of spills was observed in the vicinity of the solid waste or throughout the building.

## **3.0 FINDINGS AND RESULTS OF THE ASSESSMENT**

### **3.1 Asbestos**

A visual inspection of the property for suspect asbestos-containing materials (ACM) such as pipe and boiler insulation, ceiling tiles and floor tiles was conducted. No suspect ACM was identified at the property.

These findings comprise only a preliminary inspection of the subject property for ACM and should not be interpreted as a formal asbestos survey. All Federal, State and local regulations should be followed with respect to the identification and abatement of asbestos-containing materials if renovations or demolition activities are to be performed at the property.

### **3.2 Hazardous Materials**

A visual inspection of the property was conducted for evidence of potential hazardous material contamination. No areas of stained or discolored ground, stressed vegetation or excavated areas were observed anywhere on the property. No indication of previous environmental investigations, such as groundwater monitoring wells, was observed at the property or any adjoining properties. No pits, ponds, or lagoons indicative of hazardous waste disposal were identified at the property. No 55 gallon drums were identified at the subject property.

### **3.3 Storage Tanks**

No aboveground storage tanks were identified at the property. No evidence of underground storage tanks, such as fill pipes or vent pipes, was identified at the property. No evidence of former underground storage tanks, such as asphalt or concrete patches, was identified at the property.

The Westchester County Department of Health (WCDH) has not responded to our search requests for tank information at the time of this report. This information will be forwarded as soon as it has been received and evaluated.

### **3.4 Radon**

The New York State Department of Health maintains records of average radon levels for New York State based upon County. The average level for Westchester County is 2.7 picoCuries per Liter (pCi/L). This level is considered to be within the normal background range. The United States Environmental Protection Agency (USEPA) standard for radon is 4.0 pCi/L.<sup>3</sup>

### **3.5 Drinking Water Quality**

The subject property is supplied water by the local municipality. The quality of this water is monitored by the municipality for organics and inorganics, including lead, in accordance with Federal law. The municipality must maintain lead concentrations at less than 15 micrograms per liter.<sup>4</sup>

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<sup>3</sup> New York State Department of Health Basement Radon Screening Data, March 1999.

<sup>4</sup> USEPA Safe Drinking Water Act, 42 USC 300, et. seq. (1982).



### **3.6 Lead In Paint**

An inspection of the property for chipped, peeling or cracking paint was performed. No areas of chipped, peeling or deteriorating paint were identified at the property. Therefore, a paint sample was not obtained.

The building at the subject property was constructed prior to 1978. Lead content in paints manufactured and distributed prior to 1978 were not Federally regulated. Therefore, paints applied to the building surfaces prior to 1978 were probably lead based. As previously-mentioned, the painted surfaces at the building were identified in good condition.

These findings comprise only a preliminary inspection for lead-based paint at the subject property and should not be interpreted as a formal lead-based paint inspection. All Federal, State and local regulations should be followed with respect to lead-based paint if renovations or demolition activities affecting painted surfaces are to be performed.

### **3.7 Polychlorinated Biphenyls (PCB's)**

No electrical transformers containing substantial amounts of PCB-contaminated oil or hydraulic fluid were observed at the property. The building does not contain any hydraulic elevators. No equipment which could contain substantial amounts of PCB-contaminated oil was identified at the property.

## **4.0 PRIOR USE INVESTIGATION**

In order to determine the prior uses of the property, all available regulatory agency documents and Fire Insurance Maps regarding the subject property were obtained and reviewed. Appendix A contains copies of the regulatory agency documents.

The City of Yonkers provided ACT with information regarding the subject property. The tax map number for the property is Block 475, Lot 65 and 66. The property is owned by 33 John Street Realty Corporation. The footprint of the building is approximately 2,800 square feet in area and encompasses the entire property. The building was constructed in 1918. The building is listed as commercial.

Fire Insurance Maps for the years 1917, 1951, 1956, 1971, 1978 and 1989 were obtained and evaluated by ACT at Cornell University Library, Ithaca, New York. Appendix B contains copies of the Fire Insurance Maps.

The 1917 Map indicates the subject property as containing a one-story storage building. The property address is 33-35 John Street. The building is listed as storage of old wagons. The property to the north contains vacant land. The property to the south contains a contractor's yard and storage building. The property to the east contains a wagon shed and storage buildings. The property to the west contains a laundry building, across School Street. The surrounding areas contain commercial buildings.

The 1951 Map indicates the subject property as containing the current one-story commercial building. The property address is 33-35 John Street. The building is listed as Wholesale Produce. The property to the north contains a gasoline station. The property to the south contains a Fire Department building. The property to the east contains a storage building. The property to the west contains commercial buildings. The surrounding areas contain commercial buildings.

The 1956, 1971 and 1978 Map indicates the subject property, adjacent properties and surrounding areas as unchanged from the 1951 Map.

The 1989 Map indicates the subject property and adjacent properties to the north, south and east as unchanged. The property to the west contains a parking lot. The surrounding areas contain commercial buildings.

The review of the regulatory agency documents and Fire Insurance Maps indicate that the property was developed with the current building during 1918. Prior to this development the property contained a one-story storage building. The property has been utilized for commercial purposes since development.

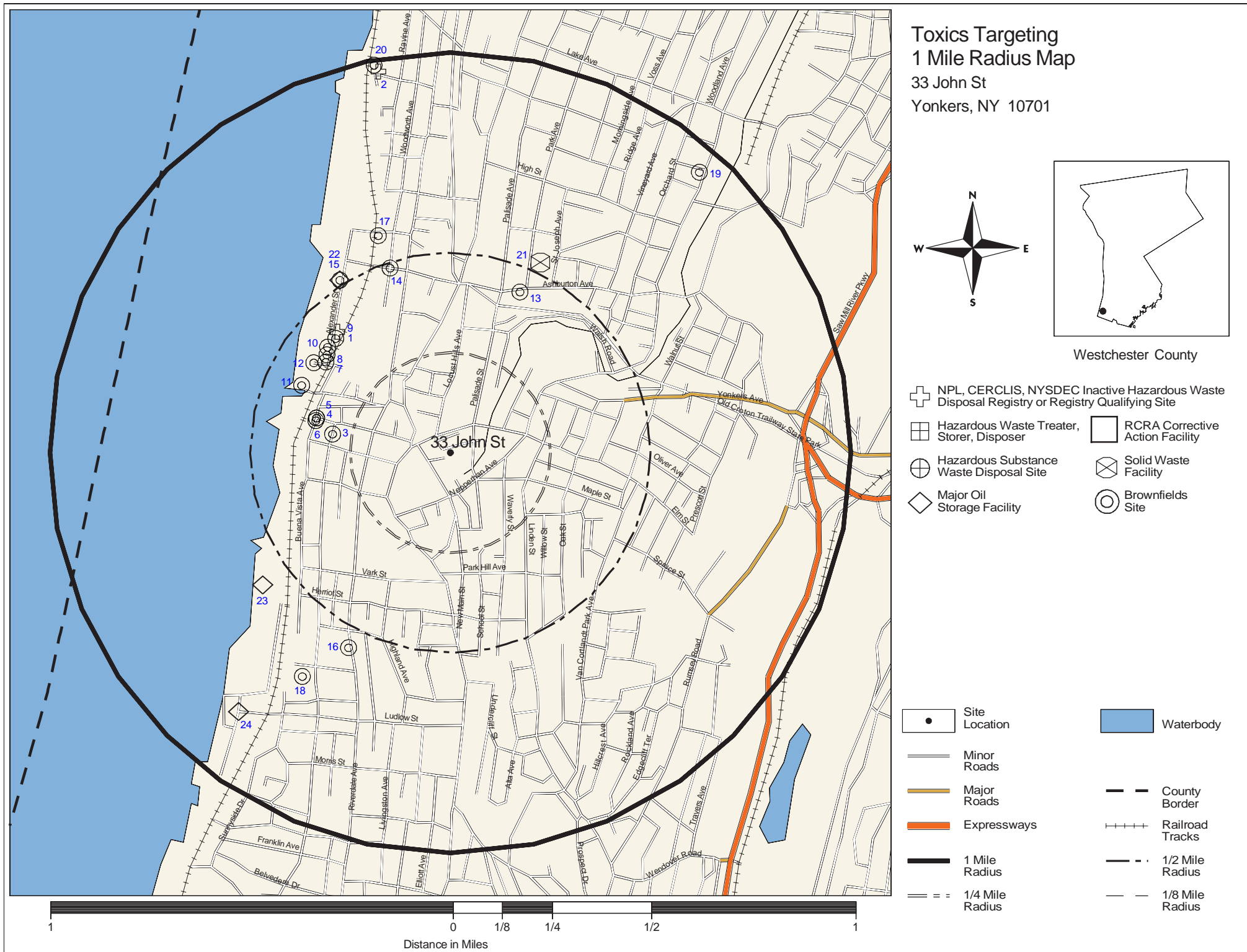
A gasoline station has been located adjacent to the north of the subject property since prior to 1951. This gasoline station is associated with numerous closed spills, mentioned in Section 5.0 of this report, and may be impacting the environmental quality of the subject property.

## **5.0 NEIGHBORHOOD HAZARDOUS WASTE ACTIVITY REVIEW**

In an effort to determine the potential impact from hazardous waste activities at the subject property and neighboring properties, a review of information on waste sites within one mile of the subject property was conducted. Figures 3 and 4 provide locations of plotted sites. Appendix C contains the results of the database searches. The review included a search of the following Federal data sources:

- National Priorities List (NPL);
- Comprehensive Environmental Response, Compensation, and Liability Act Information System (CERCLIS);
- Resource Conservation and Recovery Act Information System (RCRA);

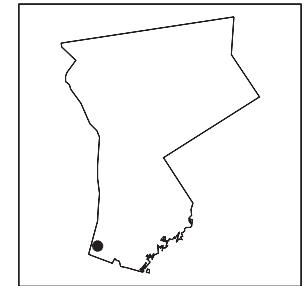
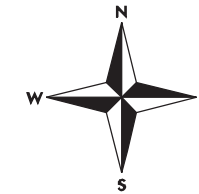
Figure 3





# Toxics Targeting 1/4 Mile Closeup Map

33 John St  
Yonkers, NY 10701

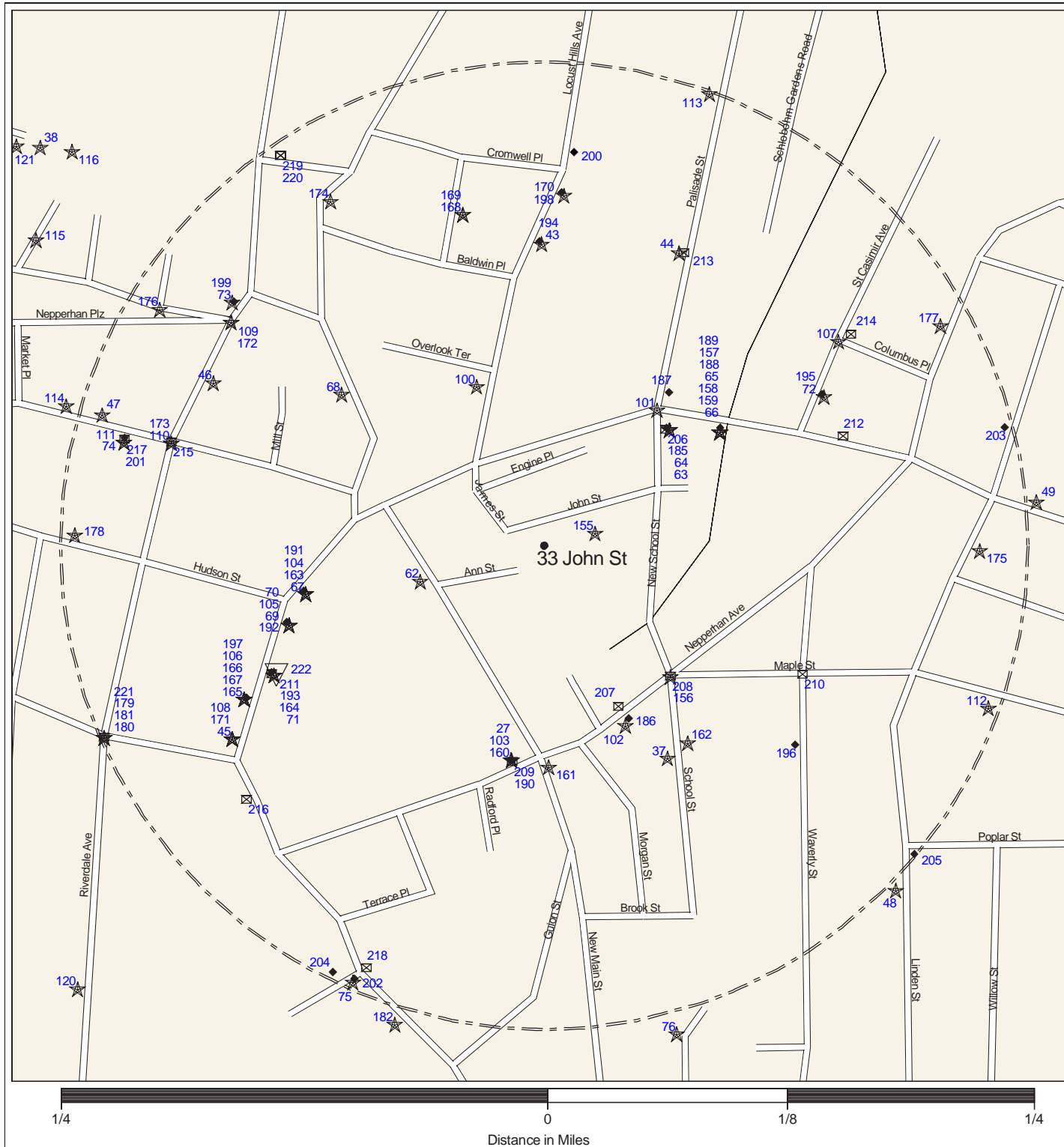


Westchester County

- NPL, CERCLIS, NYSDEC Inactive Hazardous Waste Disposal Registry or Registry Qualifying Site \*
- Hazardous Waste Treater, Storer, Disposer \*
- Hazardous Substance Waste Disposal Site \*
- Major Oil Storage Facility \*
- Chemical Storage Facility \*\*\*
- Toxic Release \*\*\*
- Wastewater Discharge \*\*\*
- Enforcement Docket Facility \*\*\*
- RCRA Corrective Action Facility \*
- Solid Waste Facility \*
- Brownfields Site \*
- Hazardous Material Spill \*\*
- Petroleum Bulk Storage Facility \*\*\*
- Hazardous Waste Generator, Transp. \*\*\*
- Air Release \*\*\*
- Waterbody
- Site Location
- Minor Roads
- Major Roads
- Expressways
- 1/4 Mile Radius
- County Border
- Railroad Tracks
- 1/8 Mile Radius

\* 1 Mile Search Radius  
\*\*\* 1/4 Mile Search Radius

\*\* 1/2 Mile Search Radius



- Emergency Response and Notification System (ERNS);

In addition, the review included a search of the following State data sources:

- New York State Department of Environmental Conservation (NYSDEC) listing of Leaking Underground Storage Tanks and Spills List;
- NYSDEC Solid Waste Management Facilities Database;
- NYSDEC listing of Inactive Hazardous Waste Disposal Sites or State equivalent NPL;
- NYSDEC listing of Inactive Hazardous Waste Disposal Site Study or State equivalent CERCLIS;
- NYSDEC listing of Petroleum Bulk Storage (PBS) Facilities.

The NPL and CERCLIS databases are maintained by the United States Environmental Protection Agency (USEPA) and contain records for each of the hazardous waste facilities nominated or chosen for cleanup under Superfund. The NPL database was searched for sites within a radius of 1 mile from the subject property. The subject property is not identified on the NPL database. No NPL sites are identified within 1 mile of the subject property.

The CERCLIS database was searched for sites within a radius of 1 mile from the subject property. The subject property is not identified on the CERCLIS database. One CERCLIS site is identified in the database within 1 mile of the subject property. This site is located approximately 2,208 feet northwest of the subject property. This site should not impact the environmental quality of the subject property.

The NYSDEC Solid Waste Landfill Facility database (SWLF) includes properties which are active solid waste disposal sites. The SWLF database was searched for sites within a radius of 1 mile of the subject property. The subject property is not identified on the SWLF database. One SWLF site is identified in the database within 1 mile of the subject property. This site is located approximately 2,787 feet north-northeast of the subject property. This site should not impact the environmental quality of the subject property.

The NYSDEC publication of Brownfield Cleanup Sites in New York State contains a listing of all properties and facilities where expansion or redevelopment is complicated by real or perceived environmental contamination. The subject property is not identified in the database. A total of 18 Brownfield sites are identified in the database within 1 mile of the subject property. The closest site is located approximately 1,573 feet west of the subject property. These sites should not impact the environmental quality of the subject property.

The RCRIS database includes listings of properties which are considered Hazardous Waste Treatment, Storage or Disposal (TSD) facilities or Hazardous Waste Generators/Transporters. The subject property is not listed in the RCRIS TSD database. No RCRIS TSD sites are identified within 1 mile of the subject property.

The RCRIS database includes listings of properties which are under going Corrective Action. The subject property is not listed in the Corrective Action database. No RCRIS Corrective Action sites are identified within 1 mile of the subject property.

The subject property is not listed as an RCRIS Hazardous Waste Generator/Transporter. A total of 16 RCRIS Hazardous Waste Generator/Transporter sites are identified within ¼ mile of the subject property. The closest site is located approximately 461 feet northeast of the subject property. These Hazardous Waste Generator/Transporter sites should not impact upon the environmental quality of the subject property.

The ERNS database is a Federal listing of properties which emergency responses were made to in reference to hazardous waste. The ERNS database was searched for the subject property. The subject property is not listed in the ERNS database.

The NYSDEC Spills and Leaking Underground Storage Tank (LUST) lists were searched for all reported spills within ½ mile of the subject property. The subject property is not listed in the databases as containing a Spill or LUST. A total of 160 Spills or LUSTs have occurred within ½ mile of the property. The closest active site is located approximately 586 feet south of the subject property. This site and the remaining active sites should not impact upon the environmental quality of the subject property. A total of five closed spills are identified at the gasoline station located adjacent to the north of the subject property. This gasoline station may be impacting the environmental quality of the subject property.

The NYSDEC publication of Hazardous Substance Waste Disposal Sites in New York State, dated May 2000, contains a listing of all suspected properties and facilities in New York State that have been identified as possibly containing toxic or hazardous wastes and/or contamination in various forms. The subject property is not identified in the listing. No Hazardous Substance Waste Disposal sites are identified in the database within 1 mile of the subject property.

The NYSDEC publication of Inactive Hazardous Waste Disposal Sites in New York State, dated August 2004, contains a listing of all properties and facilities in New York State that have been identified as containing toxic or hazardous wastes and/or contamination in various forms. The subject property is not identified in the listing. One Inactive Hazardous Waste Disposal site is identified in the database within 1 mile of the subject property. This site is located approximately 5,151 feet north of the subject property. This site should not impact the environmental quality of the subject property.

The NYSDEC listing of Petroleum Bulk Storage (PBS) facilities was searched for any listings within ¼ mile of the subject property. The subject property is not identified in the PBS database. A total of 21 PBS facilities are identified in the database within ¼ mile of the property. These sites should not impact upon the environmental quality of the subject property.

## **6.0 CONCLUSIONS**

The results of the Phase I Environmental Site Assessment are contained in this report. Based upon this assessment, Advanced Cleanup Technologies, Inc. makes the following conclusions and representations concerning the scope of the assessment and the environmental quality of the property. The Phase I Environmental Site Assessment has revealed the following Recognized Environmental Condition at the subject property:

- Gasoline station located to the north of the subject property (Section 4.0 and 5.0).

Except for this issue, no further assessment work is necessary in order to evaluate the environmental condition of the property.

## **7.0 RECOMMENDATIONS**

Advanced Cleanup Technologies makes the following recommendation with respect to the above Recognized Environmental Condition at the property:

### ***Adjacent Gasoline Station***

The soil and groundwater quality beneath the subject property should be evaluated to determine if the adjacent gasoline station has impacted the environmental quality of the subject property. This can be accomplished by the installation, sampling and analysis of soil borings and temporary groundwater monitoring wells throughout the subject property. The results of the above evaluation should be presented in a formal Phase II Environmental Site Assessment Report. The Phase II Environmental Site Assessment can be accomplished for approximately \$6,000.00.



## **8.0 EXCLUSIONS AND DISCLAIMER**

The purpose of this investigation was to assess the potential environmental liabilities at the subject site with respect to data which Advanced Cleanup Technologies, Inc. has accumulated during the Phase I Environmental Site Assessment. The conclusions presented in this report are based solely on the observations of the site at the time of the investigation. Data provided, including information provided by others, was utilized in assessing the site conditions. The accuracy of this report is subject to the accuracy of the information provided. Advanced Cleanup Technologies, Inc. is not responsible for areas not seen or information not collected. This report is given without a warranty or guarantee of any kind, expressed or implied. Advanced Cleanup Technologies, Inc. assumes no responsibility for losses associated with the use of this report.