IV. C. – HAZARDOUS MATERIALS & PUBLIC HEALTH

INTRODUCTION

The Applicant retained HydroEnvironmental Solutions, Inc. to conduct an Environmental Site Assessment (ESA) in accordance with the American Society of Testing and Materials (ASTM) Standard Practice E 1527-13 to identify any recognized environmental Conditions (RECs) and/or environmental concerns. The findings of this assessment are presented below.

1.) EXISTING CONDITIONS

(a.) **Phase I Assessment:**

The Phase I ESA consisted of a review of pertinent records, a Site reconnaissance and interviews with individuals familiar with the Site's history. The ESA evaluated the Site for the following conditions:

- **Chemical, Hazardous Substances & Petroleum Product Storage & Use**:
  Hazardous chemical storage and use was observed at the Site; however, the chemicals were all stored in proper containers.

- **Waste Generation, Storage & Disposal:**
  The only waste generated at the Site is general household waste from the office use.

- **Above Ground Storage Tanks:**
  No ASTs of evidence of AST was observed at the Site.

- **Underground Storage Tanks:**
  No USTs are present on the Site. However, there was a UST of unknown size that was removed from the Site in November 2003, and a 550-gallon UST that was removed from the Site in February 2004. Two NYSDEC spill incidents were reported (#0304697 and #0304698) that were administratively closed by NYSDEC in August 2004.

- **Pits, Ponds or Lagoons:**
  There are no pits, ponds or lagoons on the Site.

- **Vapor Encroachment Screening:**
  A Tier 1 screening was conducted, which concluded that no Vapor Encroachment Conditions (VEC) exist on the Site.

- **Asbestos:**
  Due to the age of at least one of the buildings (~1920), it is likely that asbestos containing materials (ACMs) are present in areas that have not been renovated.

- **Lead-Based Paint:**
  Due to the age of at least one of the buildings (~1920), it is likely that lead-based paint is present.

- **Radon:**

A review of the EPA map of Radon Zones indicates that the Site is in Zone 3, where average predicted radon levels are less than 2.0 pCi/L. Recognizing that the Site is served by the public water supply, the presence of radon in drinking water is not a concern.

- **PCBs**
  Although no definitive determination was made regarding the presence of PCBs, given the age of at least one of the buildings (~1920), the presence of PCBs is possible in areas that have not been renovated.

- **Mold:**
  Mold growth was not observed in the buildings on the Site.

- **Other Site-Specific Environmental Conditions:**
  No other Site-specific environmental conditions were observed.

(b.) Phase II Assessment:

The Phase I ESA concluded that no further site investigation was necessary. Nevertheless, the Lead Agency required that a Phase II ESA be prepared. The scope of work for the Phase II assessment included the following tasks:

- Drilling and installation of 9 on-site soil borings.
- Collection of soil samples during drilling from 6 of the test borings to test for volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs), and testing at a New York State certified laboratory.
- Collection of soil samples during drilling from 4 of the test borings for metals (target analyte list [TAL]), and PCBs.
- Installation of 6 temporary monitoring wells at selected borehole locations.
- Collection of groundwater samples during drilling from all 6 of the monitoring wells for VOCs and SVOCs at a New York State certified laboratory.

The results of PID field screening of soil samples collected from test boring locations GB-1 TW through GB-9 indicate that petroleum hydrocarbon vapors were detected at low concentrations (<25 ppm) at the GB-1 TW boring location (11.8 ppm). The other borings did not contain petroleum hydrocarbon vapors.

The results of soil sampling for VOCs, SVOCs, TAL metals and PCBs indicate that no petroleum hydrocarbon constituents, metals or PCBs were detected above NYSDEC- RUSCOs for Commercial properties at any of the boring locations where these constituents were tested.

The results of groundwater sampling for VOCs and SVOCs indicate that several SVOCs were detected above NYSDEC-AWQS in the temporary monitoring wells installed in the GB-1 TW, and GB-5 TW boreholes. For GB-1 TW, Benzo(a)anthracene (1.370 ug/L), Benzo(a)pyrene (2.140 ug/L), Benzo(b) fluoranthene (1.980 ug/L), Benzo(k)fluoranthene (1.490 ug/L), Chrysene (0.969 ug/L) and Indeno (1,2,3-cd)pyrene (0.954 ug/L) exceeded their respective NYSDEC-AWQS. GB-5 TW also had concentrations of Benzo(a)pyrene (0.0588 ug/L) and Benzo(b)fluoranthene (0.0588 ug/L) that exceeded their respective NYSDEC- AWQS.

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These levels only slightly exceed their laboratory MDLs, and Hydro Environmental Solutions believes that the levels detected likely represent the background concentrations for these constituents in this area (commercial corridor). The site and

surrounding area are built on top of urban fill material that likely contains trace levels of SVOCs, as observed in the groundwater sampling results.

Based on these findings, it must be concluded that the all of the existing *Areas of Concern* can be eliminated for the following reasons:

- Based on PID field screening and the laboratory results of the soil samples collected at the GB-1 TW, GB-3 TW, GB-5 TW, GB-6 TW, GB-7 TW, and GB-8 TW boring locations, it can be concluded that no detrimental impacts to soil quality remain that are related to the past tank removal activities at the Site, and historic commercial use.

- Based on the laboratory results of the groundwater samples collected from temporary monitoring wells installed at the GB-1 TW, and GB-5 TW boreholes, several SVOCs were detected at levels slightly above their respective NYSDEC-AWQS. However, based on the detected levels of SVOCs (slightly above laboratory MDLs), the absence of VOCs detected in the groundwater samples, the location of the Site in a commercial corridor (the Site is adjacent to historic railroad tracks), and the fact that the Site is/will be supplied potable water by municipal means, Hydro Environmental Solutions believes that these SVOC levels (which we believe to be background concentrations for the area) are not a concern to human health or the environment in this area. The full Phase II Assessment in included in the Appendix.

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(b.)(c.) On-Site Spill Incidents:

Two spill incidents were reported to the NYSDEC concerning the Project Site. In November of 2003 a spill incident was reported in conjunction with the removal of a UST of unknown size (Spill #0304697). In February 2004 a spill incident was reported in conjunction with the removal of 550-gallon UST (Spill #0304698). The cause of both reports was "Tank Test Failure" and the amount or type of product spilled was not recorded. The NYSDEC reported that both spill incidents were closed on August 29, 2004, indicating that the necessary clean-up was completed, and no further remedial activities were necessary.

(c.)(d.) Proximate Contaminated Sites:

As documented on Figure IV.C-1, numerous locations in the vicinity of the Project Site have experienced some form of environmental contamination. This Figure documents incidents contained within the NYSDEC Spills Incident Database (which documents most of the incidents on Figure IV.C-1 as "Hazardous Waste Sites") and the NYSDEC Environmental Site Remediation Database (which documents Superfund or Brownfield remedial sites identified on Figure IV.C-1 as "Toxic Release Inventory").

Three sites are noted in the immediate vicinity of the Site:

- Con Edison Other – Intersection of Fenimore Road and Waverly Avenue. This is a transformer leak reported in 2003.The status is closed.

- Philips Offset Co. Inc. Two incidents were reported at this location. In 1993 there was a petroleum spill. The status is closed. And in 2003 there was a 20-gallon diesel spill. The status is closed.

- M. Argueso and Company, Inc. – This is a Brownfield Clean-Up site. The site was contaminated with petroleum, volatile organic compounds and semi-volatile organic compounds. Site remediation involves on-going monitoring.

None of these three incidents affected or impacted the Project Site as confirmed by the fact that each incident has been closed by the NYSDEC and no off-site remediation or monitoring on or near the project Site was required.

2.) FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION:

If the Proposed Acton is not developed, the Project Site would continue to operate as it operates today. The existing warehouse buildings would remain in place, accommodating various tenants. Murphy Brothers Contracting would continue to operate their businesses from the Site and the self-storage building would continue to function as it does today. No improvements to the existing buildings would be undertaken, the site and streetscape would remain unchanged, and it is unlikely that the Community Solar project would be undertaken.

3.) ANTICIPATED IMPACTS:

The Proposed Action will not result in any significant adverse impacts to public health or resulting from the presence of hazardous materials. The two spill incidents that occurred at the Site were fully remediated and closed by 2004. No environmentally hazardous conditions have been identified on, or in the vicinity of the Site since that time. Given their age, the existing buildings on the Site that are slated for demolition may contain asbestos, lead paint or PCBs, which would require abatement during the demolition process.

4.) MITIGATION MEASURES

The findings of the Phase I Environmental Assessment recommends that given the likely presence of asbestos, lead paint and PCBs, proper sampling and abatement should be undertaken prior to any future renovations, repairs or demolition. The findings of the Phase II Environmental Assessment concluded that no further environmental investigation is warranted. Project related excavation requiring removal of soil from the Site, should include proper classification of the material, and disposal at an approved disposal facility, if found to be necessary.