

**City of New York
Department of Environmental Protection**

**Emily Lloyd
Commissioner**



**PHASE I ENVIRONMENTAL SITE ASSESSMENT
FOR SHAFT 33B
E. 59TH STREET / E. 61ST STREET ROUTE**

DECEMBER 2005

Prepared By: Malcolm Pirnie, Inc.

CONTRACT: 561 (No. 20000030105)

New York City Department of Environmental Protection

ENVIRONMENTAL SITE ASSESSMENT REPORT
Shaft 33B – E. 59th Street / E. 61st Street Route
New York, New York

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LIMITATIONS

This Environmental Site Assessment Report [**Report**] has been prepared for the sole use of Malcolm Pirnie, Inc.'s Client, the New York City Department of Environmental Protection (NYCDEP). The purpose of this Report is to provide information to the Client on the environmental conditions of the subject property, the East 59th Street / East 61st Street route, which is bounded by E. 61st Street to the north, Third Avenue to the west, E. 59th Street to the south, and First Avenue to the east in New York, New York.¹

The use of and reliance on this Report by any person or entity other than the Client is not authorized without an agreement between the user and Malcolm Pirnie. Without an agreement with Malcolm Pirnie, Inc., the use of this report by an unauthorized user is for their information only and *shall be solely at the unauthorized user's risk.*

Malcolm Pirnie's work presented in this Report was performed pursuant to the Professional Services Contract between Malcolm Pirnie, Inc. and the NYCDEP, dated January 1, 2002, and the scope of work as described in Malcolm Pirnie's proposal to the Client: A500203 Tunnel 3 DSC. Any modifications, deviations or exceptions to the services proposed or limitations in the scope of the Environmental Site Assessment (ESA) arising out of site access issues and the actual availability of data and information related to the site are as described in Section 1.2 of this Report.

An ESA can reduce but not wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a particular Site. The conclusions in this Report have been based, in part, on information obtained from third parties including environmental agency records, and other public records regarding the Site obtained from various sources. Unless noted, Malcolm Pirnie, Inc. has not independently evaluated or verified the accuracy or completeness of

¹ Database results are based on the original FirstSearch database search conducted in October 2005.
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such third party information. Visual observations of the Site only represent conditions at the time of the site visit. Malcolm Pirnie, Inc. makes no warranties that the on-site observations made during the ESA are representative of historical or future conditions at the Site. Malcolm Pirnie, Inc. performed its services and prepared this Report at the level customary for other prudent and competent professional engineers performing such services at the time and place where the services are provided. The Report shall be construed neither as a legal opinion nor as compliance with any environmental law. *Malcolm Pirnie, Inc. makes no other warranty, expressed or implied.*

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1. INTRODUCTION

1.1. Scope of Services

An Environmental Site Assessment is a due diligence process to identify *recognized environmental conditions* on a property.² This ESA Report provides factual information about the Site in support of the Client's "all appropriate inquiry" into the previous ownership and uses of property consistent with good commercial or customary practices. The Report may not address all requirements to qualify for an innocent landowner defense commonly associated with the Comprehensive Environmental Response Compensation and Liability Act (see 42 USC § 9601(35)(B), the "Superfund" law). The Client's knowledge and experience may also be factors in determining the extent of an "all appropriate inquiry," and only legal counsel is competent to determine the legal implications of the information or conclusions in this Report.

1.2. Relationship to ASTM Standard Practice E 1527

The current American Society for Testing and Materials (ASTM) Standard E 1527 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* provides guidelines for conducting an ESA. However, in the performance of this Assessment, as with any professional service, modifications or exceptions to, or deviations from such guidelines may occur because of factors including but not limited to instructions from the Client, site conditions, the availability of records, or scheduling and timing issues. The scope of services Malcolm Pirnie developed for this ESA and accepted by the Client is controlling. It is standard procedure to review certain items when developing Phase I ESA reports.

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The Bureau of Environmental Planning and Assessment (BEPA) instructed Malcolm Pirnie not to include the following items in this ESA:

- Interviews with site occupants, and past/present owners of the site and adjacent sites;
- City directories and title boundaries.

² The definition of “recognized environmental conditions” is provided in the conclusion section of this Report.
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2. SITE DESCRIPTION

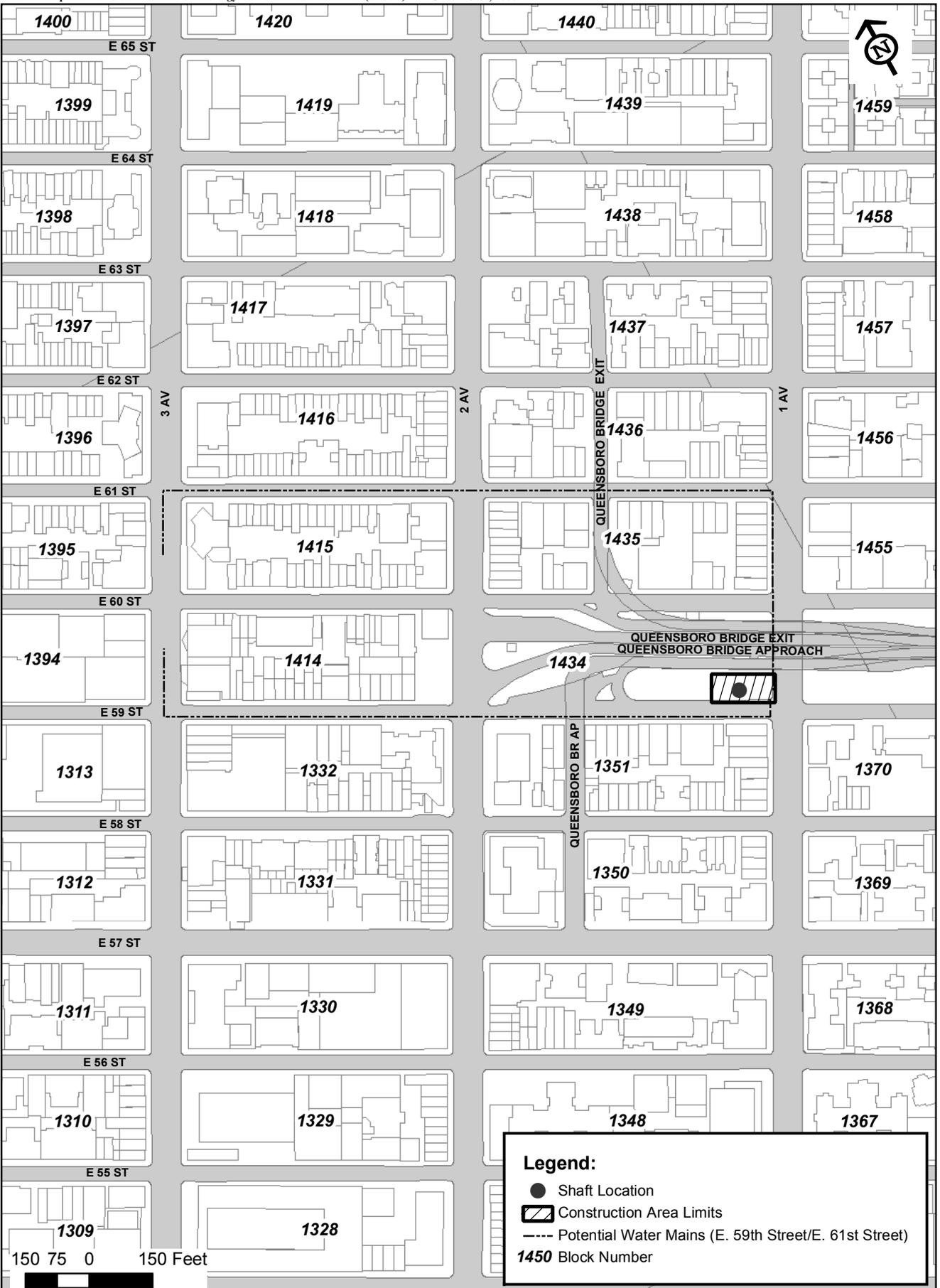
This Report presents the findings of the ESA for the E. 59th Street / E. 61st Street route which is bounded by E. 61st Street to the north, Third Avenue to the west, E. 59th Street to the south, and First Avenue to the east in New York, New York (Site). The ESA was commissioned by the NYCDEP and was conducted by Malcolm Pirnie, Inc. pursuant to an Agreement, under Contract 561 (No. 20000030105) and a scope of services first described in Malcolm Pirnie's proposal to the NYCDEP: A500203 Tunnel 3 DSC.

2.1 Site Reconnaissance

Spencer Salzberg (Malcolm Pirnie) performed a site reconnaissance on Friday, October 21st, 2005. This reconnaissance included a general observation of the site and the surrounding buildings, properties, uses, and neighborhoods.

2.2 General Site Information

The Route, as shown in Figure 1, consists of a corridor of land encompassing properties adjacent to the E. 59th Street / E. 61st Street route in New York, New York. The area around the Site is zoned for a variety of commercial and retail uses, residential development, and personal services. Occupied commercial space consists predominantly of warehouses, storage facilities, large-scale commercial establishments, and small, independently-owned retail businesses at ground level, many with residential units above. Other uses include personal service businesses, mixed-use commercial buildings with residential units above, high-rise multi-family dwellings, walk-up multi-family residential structures, underground parking garages, office space, the Queensboro Bridge, houses of worship, and other retail and commercial establishments typically found in New York City. The Site



Map Document: (S:\Projects\2175158\GIS_Figures\Shaft_33B\GIS_Field_Work\WaterMains\WaterMains(59_61st_Street).mxd)
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NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION
PROPOSED SHAFT 33B TO CITY TUNNEL NO. 3
STAGE 2 - MANHATTAN LEG
WATER MAIN CONNECTIONS
E. 59TH STREET/E. 61ST STREET ROUTE SITE LOCATION MAP

FIGURE 1

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is bordered by E. 61st Street to the north, Third Avenue to the west, E. 59th Street to the south, and First Avenue to the east.

2.3 Observations of Current Site Conditions

Malcolm Pirnie Inc. personnel observed the following conditions on the Site walk which was conducted on Friday, October 21st, 2005. The following existing conditions were observed on the Site:

- The area surrounding the Site consists of a wide range of commercial and retail uses, warehouses, storage facilities, large-scale commercial establishments, and small independently-owned retail businesses at ground level, many with residential units above. Other uses include personal service businesses mixed-use commercial buildings with residential units above, high-rise multi-family dwellings, walk-up multi-family residential structures, underground parking garages, office space, the Queensboro Bridge, houses of worship, and other retail and commercial establishments typically found in New York City.
- The Site is paved with asphalt, and is heavily traveled by pedestrians and often congested with traffic because of its proximity to the Queensboro Bridge.
- The Site is also used daily by delivery vehicles providing a wide array of supplies to retail businesses and large-scale commercial establishments within its vicinity.

2.4 Description of Adjacent Lands and Vicinity Land Uses

The E. 59th Street / E. 61st Street route is located in a mixed business, commercial, residential, and public transportation area.

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There are no buildings listed in the National Register of Historic Places within ¼ mile of the E. 59th Street / E. 61st Street route, and no receptor sites within ¼ mile of the Site.

The following are descriptions of current lands and land uses immediately adjacent to the Site as observed during the site reconnaissance:

- North: E. 61st Street between First and Third Avenues – personal service businesses, mid-level and high-rise multi-family residential structures, ground level commercial establishments with residential units above, a house of worship, underground parking garages, the exit ramp from the Queensboro Bridge, storage facilities, and warehouses.
- South: E. 59th Street between First and Third Avenues – mid-level and high-rise residential multi-family residential structures, ground level commercial establishments with residential units above, restaurants, a movie theater, underground parking garages, the on-ramp and vehicular approaches to the Queensboro Bridge, the multi-use area (Honey Locusts Park / Gateway Plaza), a New York City Department of Transportation (NYCDOT) staging area and engineer’s office, and personal service businesses.
- West: Third Avenue between E. 59th and E. 61st Streets - a variety of large-scale commercial establishments, offices, high-rise multi-family residential structures, ground floor retail commercial uses with residential dwellings above, a movie theater, and underground parking garages.
- East: First Avenue between E. 59th and E. 61st Streets – a variety of large-scale commercial establishments, the Queensboro Bridge, high-rise multi-family residential structures, ground floor retail commercial businesses with residential units above, a NYCDOT staging area and engineer’s office, and personal service businesses.

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2.5 Physical Environmental Setting

Land in the vicinity of the E. 59th Street / E. 61st Street route is relatively flat, and areas ½ mile from the site along the East River are located within both the 100- and 500-year flood plains. In addition, these areas are classified as wetlands by the National Wetlands Inventory. There are no water bodies on the Site itself. The nearest water body is the East River, approximately ¼ mile to the east. A topographic map is provided in Appendix A.

There are no federal United States Geological Survey (USGS) wells within ½ mile of the site.

2.6 Site and Vicinity Photographs

Photographs taken during site reconnaissance are provided in Appendix B. The photographs show the following features:

- The Site is in a general state of good repair.
- The Site and surrounding area is predominantly covered by asphalt, pavement, curbs and concrete, and is heavily traveled by pedestrians and often congested with traffic.
- The area surrounding the Site consists of a wide range of commercial uses, warehouses, storage facilities, large-scale commercial establishments, and small independently-owned retail businesses at ground level, many with residential units above. Other uses include personal services, mixed-use commercial buildings with residential units above, high-rise multi-family dwellings, walk-up multi-family residential structures, underground parking garages, office space, exit and approach ramps for the Queensboro Bridge, houses of worship, and other retail and commercial establishments typically found in New York City.

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2.7 Site Geology and Hydrogeology

Recent geotechnical borings taken at E. 59th Street and First Avenue indicated bedrock to be at 22 feet below grade. Groundwater was encountered from 10 to 15 feet below grade, and the general direction of groundwater flow is from west to east towards the East River. Based on topographical maps of the area around the E. 59th Street/E. 61st Street route, the overland flow of water (i.e. stormwater, environmental releases, etc.) would also flow in a west to east direction. A topographic map of the area is provided in Appendix A.

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3. RECORDS REVIEW

Malcolm Pirnie reviewed records from reasonably ascertainable sources, which were publicly available and obtained within the time and budget constraints of this ESA, but did not require an extraordinary review of irrelevant data in the process. This record review was conducted to obtain information regarding the E. 59th Street / E. 61st Street route's recognized environmental conditions.

3.1 Government Environmental Databases

Malcolm Pirnie obtained a listing of federal and state environmental enforcement sites from a private database management firm, FirstSearch Technology Corporation, for the area in which the Site is located. This firm organizes government agency list sources in a consolidated format. Malcolm Pirnie makes no representation about the reliability and accuracy of the information contained within the lists. The complete database report is provided as Appendix C and is available at Malcolm Pirnie Inc.'s New York City office located at:

Malcolm Pirnie Inc.
75-20 Astoria Boulevard, Suite 350
Jackson Heights, New York 11370

The lists and the geographic area included in the search are presented below. **Please note, the list names for which the search returned positive findings are noted in bold letters and highlighted.**

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Government Database List	Distance From Site (miles)
<i>Federal</i>	
NPL	0.25
CERCLIS	0.25
CERCLIS-NFRAP	0.25
RCRIS-TSD	0.25
RCRIS-COR	0.25
RCRIS-GEN	0.25
RCRIS-NLR	0.25
ERNS	0.25
NPDES	0.25
FINDS	0.25
TRIS	0.25
HMIRS	0.25
NCDB	0.25
PADS	0.25
Wetlands	0.25
Floodplains	0.25
Nuclear Permits	0.25
Historic/ Landmark	0.25
Federal Land Use	0.25
Federal Wells	0.25
Receptors	0.25

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Government Database List	Distance From Site (miles)
<i>Federal Cont.</i>	
Soils	USGS Soil Data 0.25
Federal Other	0.25
<i>State</i>	
State Sites	State Sites List 0.25
Spills – 1990	State Spills List 0.25
Spills – 1980	State Spills List 0.25
SWL	Solid Waste Landfills 0.25
Permits	Permitted Facilities 0.25
	Registered Underground Storage
REG UST/ AST	Tanks/ Aboveground Storage Tanks 0.25
LUST	Leaking Underground Storage Tanks 0.25
State Wells	State Wells List 0.25
State Other	0.25
<i>Federal and State</i>	
Aquifers	Water Related GIS Data Layers 0.25
ACEC	Areas of Critical Environmental Concern 0.25
Releases (Air/Water)	0.25
Towers	0.25
Misc.	0.25

Of the positive database findings, the following items may represent an environmental condition as related to the E. 59th Street / E. 61st Street route. Detailed information regarding these items can be found within the FirstSearch data provided as Appendix C and is available at Malcolm Pirnie Inc.'s New York City office located at:

Malcolm Pirnie Inc.
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 Jackson Heights, New York 11370

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Within ¼ mile of the Site, there are 138 Registered Underground Storage Tanks (USTs) / Aboveground Storage Tanks (ASTs). In addition, the following are present:

- 31 RCRIS Large Quantity Generators
- 26 RCRIS Small Quantity Generators
- 19 RCRIS Conditionally Exempt Small Quantity Generators
- 2 RCRIS Treatment, Storage, Disposal Facilities
- 59 RCRIS sites that are no longer regulated

There are 29 Emergency Response Notification System (ERNS) sites within ¼ mile of the E. 59th Street / E. 61st Street route. The following materials were reported:

- #2 and #6 Fuel Oils
- Gasoline
- Jet Fuel
- Non-PCB Containing Transformer Oil
- PCB-Containing Transformer Oil
- Hydraulic Oil
- Unknown Oil
- Oil
- Asbestos
- Smoke
- Sand
- Resin

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There is one National Pollution Discharge Elimination System (NPDES) site within ¼ mile of the E. 59th Street / E. 61st Street route. The site is a Con Edison facility located at E. 60th Street. The permit is for discharging into the East River, and was issued 06/29/01. The permit expires on 11/1/06.

There is one Toxic Release Inventory System (TRIS) site within ¼ mile of the E. 59th Street / E. 61st Street route. That site is registered to Edison Price, Inc. at 409 E. 60th Street. 1,1,1-Trichloroethane is the material reported at this site between 1987 and 1993. The current status of the site is “open.”

There is one permitted site within ¼ mile of the E. 59th Street / E. 61st Street route. The site is active and is located at 450 Park Avenue. The permit is a nuclear permit and is registered to Alfred Dunhill (North American) LTD.

There are two sites within ¼ mile of the E. 59th Street / E. 61st Street route that are registered with New York State. One of the sites is registered to Morania Oil Tanker Corp. at 136 E. 57th Street. The current status of this site is “inactive.” The other site is registered to Con Edison at York Avenue between E. 61st and E. 63rd Streets. The status of this site is unknown.

There were 14 spills reported within ¼ mile of the E. 59th Street / E. 61st Street route as identified in the 1980 database. There were 386 spills reported within ¼ mile of the E. 59th Street/E. 61st Street route as identified in the 1990 database. Groundwater hydrogeology at the preferred Shaft 33B Site flows from west to east towards the East River. Area topography based on USGS mapping of the area around the preferred Shaft 33B site also suggest that spills which are west of the site would flow in an eastwardly direction and therefore represent incidents most likely to impact Site groundwater or soils. Additional details regarding all spills can be found in the environmental

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database search report provided as part of Appendix C which is located in Malcolm Pirnie Inc.'s New York City office at:

Malcolm Pirnie Inc.
75-20 Astoria Boulevard, Suite 350
Jackson Heights, New York 11370

The following table lists the 1980 database spills located immediately to the west or within one block north or south of the E.59th Street / E. 61st Street route and are the spills most likely to have had any impact on the site:

Search ID No.	Location	Material Spilled	Media Affected	Quantity	Status/ Closure Date
1689	NYCDOS Garage 8	Diesel	Groundwater	<1 Liter	Active
1672	348 E. 58 th Street	#2 Fuel Oil	Groundwater	<1 Unknown	11/04/93
1694	First Avenue between E. 61 st and E. 62 nd Streets	Unknown	Land	Unknown	08/10/89
1675	407 E. 61 st Street	Gasoline	Air	<1 Unknown	06/15/88
1669	First Avenue between E. 58 th and E. 62 nd Streets	Gasoline	Air	<1 Unknown	08/31/87

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The following table lists the 1990 database spills located immediately to the west or within one block north or south of the E.59th Street / E. 61st Street route and are the spills most likely to have had any impact on the site:

Search ID No.	Location	Material Spilled	Media Affected	Quantity	Status/ Closure Date
1542	135 E. 59 th Street	Transformer Oil	Sewer	5 Gallons	Active
1392	Second Avenue @ E. 62 nd Street	Dielectric Fluid	Soil	Unknown	Active
1359	323 E. 60 th Street	Unknown Material	Soil	20 Gallons	Active
1171	340 E. 58 th Street	#4 Fuel Oil	Soil	Unknown	Active
1078	350 E. 60 th Street	Gasoline	Land	<1 Unknown	Active
1350	350 E. 60 th Street	Gasoline	Land	Unknown	Active
1646	401 E. 58 th Street	#2 Fuel Oil	Land	Unknown	Active
1645	403 E. 58 th Street	Unknown Petroleum	Land	Unknown	Active
1423	E. 60 th Street @ First Avenue	Dielectric Fluid	Soil	1 Gallons	Active
1346	E. 61 st Street @ Second Avenue	#2 Fuel Oil	Soil	4 Gallons	Active
1549	E. 61 st Street @ Second Avenue	Dielectric Fluid	Land	4 Gallons	Active
1165	346 E. 62 nd Street	Unknown Petroleum	Land	Unknown	05/06/05
1561	140 E. 60 th Street	Unknown Material	Soil	20 Gallons	04/29/05
1478	Park Avenue @ E. 60 th Street	Transmission Fluid	Soil	Unknown	02/22/05
1282	1176 Second Avenue	Hydraulic Oil	Air	Unknown	01/26/05
1577	107 E. 59 th Street	Unknown Petroleum	Land	1 Gallon	11/15/04
1433	E. 59 th Street @ First Avenue	Unknown Petroleum	Soil	1 Gallons	10/14/04
1345	253 E. 62 nd Street	Unknown Petroleum	Soil	Unknown	09/17/04

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Search ID No.	Location	Material Spilled	Media Affected	Quantity	Status/ Closure Date
1491	Queensboro Bridge @ E. 59 th Street and Second Avenue	Unknown Petroleum	Soil	Unknown	08/25/04
1209	144 E. 60 th Street	Kerosene	Land	1 Gallon	07/16/04
1437	First Avenue @ E. 58 th Street	Unknown Petroleum	Land	2 Gallons	06/03/04
1377	E. 61 st Street @ Second Avenue	Unknown Oil (58 ppm PCBs)	Land	5 Gallons	03/24/04
1588	201-213 E. 58 th Street	Unknown Petroleum	Land	4 Gallons	03/17/04
1434	E. 62 nd Street @ Second Avenue	Unknown Petroleum (80 ppm PCBs)	Land	56 Gallons	03/15/04
1348	157 E. 59 th Street	Transformer Oil	Soil	20 Gallons	02/09/04
1424	E. 61 st Street @ First Avenue	Unknown Petroleum	Land	1 Gallon	02/05/04
1366	E. 60 th Street @ Lexington Avenue	Unknown Petroleum (170 ppm PCBs)	Land	1 Gallon	02/03/04
1442	Lexington Avenue @ E. 60 th Street	Unknown Petroleum	Land	1 Gallon	02/03/04
1603	228 E. 58 th Street	#6 Fuel Oil	Land	Unknown	01/05/04
1069	339 E 58 th Street	#6 Fuel Oil	Land	10 Gallons	12/22/03
1338	E. 60 th Street @ Lexington Avenue	Dielectric Fluid	Land	1 Gallon	11/05/03
1369	E. 61 st Street @ Third Avenue	Unknown Petroleum	Land	Unknown	11/04/03
1448	E. 61 st Street @ Park Avenue	Unknown Petroleum	Land	3 Gallons	11/04/03
1381	E. 60 th Street @ First Avenue	Unknown Petroleum	Soil	9 Gallons	08/27/03

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Search ID No.	Location	Material Spilled	Media Affected	Quantity	Status/ Closure Date
1349	Lexington Avenue @ E. 60 th Street	Unknown Petroleum	Sewer	8 Gallons	04/21/03
1311	First Avenue @ E. 61 st Street	#2 Fuel Oil	Land	Unknown	03/03/03
1620	149 E. 60 th Street	#2 Fuel Oil	Land	5 Gallons	02/24/03
1310	First Avenue @ E. 62 nd Street	Motor Oil	Soil	6 Gallons	10/31/02
1025	245 E. 58 th Street	Ethylene Glycol	Soil	1 Gallon	10/28/02
1651	252 E. 61 st Street	#6 Fuel Oil	Soil	20 Gallons	05/10/02
1347	E. 61 st Street @ First Avenue	Unknown Petroleum	Land	5 Gallons	10/17/01
1593	Park Avenue @ E. 60 th Street	Dielectric Fluid	Land	20 Gallons	08/17/01
1396	208 E. 58 th Street	Unknown Petroleum	Land	8 Gallons	08/07/01
1446	Lexington Avenue @ E. 60 th Street	Unknown Petroleum	Land	1 Gallon	07/13/01
1462	E. 61 st Street @ Third Avenue	Dielectric Fluid (6 ppm PCBs)	Land	3 Gallons	04/16/01
1623	117 E. 60 th Street	#2 Fuel Oil	Land	100 Gallons	10/05/00
1376	E. 61 st Street @ First Avenue	Unknown Petroleum	Land	1 Gallon	05/18/00
1284	1102-1106 First Avenue	Gasoline	Land	Unkknown	03/28/00
1404	E. 60 th Street @ Lexington Avenue	Unknown Petroleum (≤ 1 ppm PCBs)	Land	10 Gallons	11/05/99

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Search ID No.	Location	Material Spilled	Media Affected	Quantity	Status/ Closure Date
1405	E. 61 th Street @ Lexington Avenue	Dielectric Fluid (6 ppm PCBs)	Land	1 Gallon	5/18/99
1666	351 E. 61 st Street	#2 Fuel Oil	Land	Unknown	05/14/99
1447	E. 61 st Street @ Park Avenue	Unknown Petroleum (≤1 ppm PCBs)	Land	4 Gallons	03/03/99
1031	Second Avenue between E. 59 th and E. 60 th Streets	Motor Oil	Sewer	25 Gallons	08/04/98
994	165 E. 60 th Street	Asbestos	Land	Unknown	05/27/98
1027	247 E. 62 nd Street	#2 Fuel Oil	Land	15 Gallons	11/28/97
1033	Second Avenue @ E. 59 th Street	Diesel	Land	Unknown	06/20/97
1074	345 E. 59 th Street	Gasoline	Land	<1 Liter	02/18/97
1159	976 Third Avenue @ E. 58 th Street	Antifreeze	Land	1 Gallon	08/22/96
964	1123 First Avenue	#2 Fuel Oil	Land	10 Gallons	02/14/95
998	First Avenue @ E. 60 th Street	Gasoline	Land	<1 Unknown	08/01/94
1205	398 E. 58 th Street	#2 Fuel Oil	Land	1 Gallon	04/21/94
1010	217 E. 61 st Street	#2 Fuel Oil	Land	Unknown	10/22/93
1042	306 E. 61 st Street	#6 Fuel Oil	Land	50 Gallons	10/20/93
1514	South Tramway Station @ E. 59 th Street	Paint Chips	Surface Water	Unknown	10/08/92

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Search ID No.	Location	Material Spilled	Media Affected	Quantity	Status/ Closure Date
1056	326 E. 58 th Street	#4 Fuel Oil	Land	5 Gallons	07/16/92
971	121 E. 61 st Street	#2 Fuel Oil	Land	1 Gallon	02/24/92
963	1121 First Avenue	Gasoline	Land	5 Gallons	02/05/91
1011	219 E. 58 th Street	Asbestos	Air/ Land	Unknown	02/01/91

Based on the number of spills, permitted RCRIS generators, regulated USTs and ASTs, LUST sites and environmental releases in the vicinity of the site, there exists the potential for soil and groundwater contamination from off-site sources that may have migrated onto the site.

3.2 Historical Uses of Site and Adjacent Properties

Malcolm Pirnie reviewed the following reasonably ascertainable historical sources to obtain information on Site's history. This information provides historical information from 1892 to the present and was obtained from:

- EDR Sanborn / Fire Insurance Maps
- Aerial Photographs
- NYC Department of Buildings (NYCDOB) Records

3.2.1 EDR Sanborn / Fire Insurance Maps

Malcolm Pirnie obtained Sanborn Maps from Environmental Data Resources, Inc. Copies of these maps have not been included in this ESA, but have been kept on file at Malcolm Pirnie. These maps are available for review by the Client at their request. A total of 62 maps were obtained. The earliest of these maps dates from 1892 and the most recent map dates from 1996.

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In 1892, the E. 59th Street / E. 61st Street route and areas adjacent to the E. 59th Street / E. 61st Street route were comprised mostly of low-rise residential buildings. The following were a few of the most predominant commercial and industrial properties and land uses near the E. 59th Street / E. 61st Street route:

- A brewery was located on the southwest corner of E. 58th Street and Third Avenue;
- A stone yard was located on the southwest corner of block #1436;
- A malt house was located on the E. 61st Street side of block #1435;
- A stable and a wagon yard were located on the E. 60th Street side of blocks #1434 and #1435 respectively;
- The Consolidated Gas Company (with three gas holders / tanks) occupied most of the city block bordered by E. 63rd Street to the north, E. 62nd Street to the south, First Avenue to the west, and Sutton Place to the east;
- Another stone yard was located on the southwest corner of E. 62nd Street and Sutton Place;
- A lumber yard and a stable were located on the southeast corner of E. 61st Street and First Avenue;
- A coal yard was located on E. 59th Street between First Avenue and Sutton Place;
- Another coal yard and a stable were located on the East River between E. 62nd and E. 63rd Streets;
- A sand yard was located on the East River between E. 61st and E. 62nd Streets;
- Another lumber yard was located on the East River between E. 59th and E. 60th Streets.

In 1907, the E. 59th Street / E. 61st Street route and areas adjacent to the E. 59th Street / E. 61st Street route were still comprised mostly of low-rise residential buildings, although several larger commercial buildings (mainly schools and churches) had been erected. The following were a few of

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the most predominant commercial / industrial properties and land uses near the E. 59th Street / E. 61st Street route:

- A coal and wood yard was located on the northwest corner of block #1418, and two large wagon yards were located on the east side of block #1418;
- A wagon yard was located along the E. 59th Street side block #1332;
- A hotel was located along the E. 57th Street side of block #1331;
- A lumber company was located along the E. 64th Street side of block #1438;
- A large (approximately one eighth of the block) parcel of vacant land was located on the southwest corner of block #1437;
- On block #1435, a candy factory replaced the malt house, and a hospital replaced the wagon yard;
- A steam laundry and a picture frame factory were located on the E. 59th Street side of block # 1351;
- A veterinary hospital was located on the E. 57th Street side of block # 1350;
- A large (approximately one fourth of the block) parcel of vacant land was located in the middle of block #1349.

By 1951, the E. 59th Street / E. 61st Street route and areas adjacent to the E. 59th Street / E. 61st Street route had experienced significant changes. Many larger commercial/industrial buildings replaced smaller structures, and the Queensboro Bridge is now visible on the maps. The following were a few of the most predominant commercial/industrial properties and land uses near and along the E. 59th Street / E. 61st Street route:

- The two large wagon yards on block #1418 were replaced with a parking garage;
- A service station with nine (9) gas tanks was located on the northeast corner of block # 1435;

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- A large parking garage with at least two gas tanks replaced several smaller buildings on the northwest corner of block #1437, and a lumber yard was constructed on the large parcel of vacant land that occupied the southwest corner of block #1437;
- A large building replaced several smaller buildings along the E. 63rd Street side of block # 1437;
- The hospital that was located on block #1435 was demolished. A parking lot with three gas tanks were located on the block;
- Block #1434, which consisted of several small buildings, was demolished and replaced with a plaza and roadway servicing the Queensboro Bridge;
- The picture frame gallery on block #1351 was replaced with a parking garage;
- Several smaller buildings along the E. 57th Street side of block #1350 were replaced with three large buildings;
- A roadway (approach to the Queensboro Bridge) parallel to Second Avenue and running through the western third of blocks #1351 and #1350 had been constructed. Several small buildings were demolished to accommodate the roadway;
- Several large buildings had been constructed on the large parcel of vacant land that was located on block #1349. In addition, several smaller buildings along E. 57th Street were replaced with four larger buildings.

In 1976, the E. 59th Street / E. 61st Street route and areas adjacent and along the E. 59th Street / E. 61st Street route continued to experience significant changes. The following were a few of the most predominant commercial / industrial properties and land uses near the E. 59th Street / E. 61st Street route:

- On block #1418, the parking garage had been replaced with a large building (Regency), and four other large parking garages had been constructed throughout the block;

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- The Manhattan Eye, Ear, and Throat Hospital had been constructed along the E. 64th Street side of block #1418, and a large (approximately one sixth of the block) parcel of vacant land was present adjacent to the Hospital on E. 64th Street;
- Two large garages had been constructed on the northeast corner of block #1417, a large building had replaced a public school along the E. 63rd Street side of block #1417, and another parking garage had been constructed on the west end of the block;
- A large building replaced several of the smaller buildings on the western fifth of block # 1416;
- A large parking garage replaced several smaller buildings along E. 60th Street on block #1414, and a large movie theater replaced a few smaller buildings on the northwest corner of block #1414. In addition, an aerial tramway station and a parking garage were been constructed on the eastern end of the block, replacing several small buildings;
- A large building and another movie theater replaced most of the smaller buildings on the western third of block #1332, and the smaller buildings on the eastern fourth of the block were demolished leaving a parking lot and a large parcel of vacant land;
- Several large buildings replaced smaller buildings on the western half of block #1331;
- Several large buildings, including a public high school, replaced most of the smaller buildings that comprised block #1330;
- A couple of large apartment buildings with parking garages, as well as a Consolidated Edison plant with at least 11 transformers replaced most of the buildings that were present on block # 1438. Some of the properties that were replaced included a church, the lumber company, and the service station with nine (9) gas tanks (the gas tanks are no longer present);
- A large apartment building replaced a few smaller buildings on the southwest corner of block #1437;
- The Queensboro Bridge approach ramp parallel to Second Avenue and running through the center of blocks #1437, #1436, and #1435 had been constructed. Several small buildings were demolished to accommodate the Queensboro Bridge approach ramp;

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- A Department of Plants and Structures maintenance shop and a Department of Street Cleaning garage were located under the Queensboro Bridge approach on block #1434;
- A large building (The Landmark) and a large parking garage replaced several small buildings along the portion of block #1351 bordered by Second Avenue to the west, and the Queensboro Bridge approach to the east;
- A large building (The Excelsior) and a large parking garage replaced several small buildings on the portion of block #1350 bordered by Second Avenue to the west, and the Queensboro Bridge approach to the east;
- Two large buildings with a parking garages replaced smaller buildings on the northwest and southeast corners of the portion of block #1350 bordered by the Queensboro Bridge approach to the west and First Avenue to the east;
- A large apartment building with a parking garage replaced a few smaller buildings on the southeast corner of block #1349, and several buildings along E. 56th Street were demolished, leaving a large (approximately one fourth of the block) parcel of vacant land.

By 1979, the E. 59th Street / E. 61st Street route and areas adjacent to the E. 59th Street / E. 61st Street route only experienced minor changes. The following were a few of the most predominant commercial/industrial properties and land uses near the E. 59th Street / E. 61st Street route:

- The large parking garage with at least two gas tanks that was located on the portion of block #1437 bordered by Second Avenue to the west and the Queensboro Bridge approach to the east, had been demolished, leaving a large (approximately one eighth of the block) parcel of vacant land. The gas tanks were no longer present;
- The steam laundry that previously located on the northeast corner of block #1436 (adjacent to First Avenue) was no longer present;
- An athletic club and two large parking garages had been constructed on the southwest corner of block #1435 (adjacent to the Queensboro Bridge approach);

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- A large building along E. 58th Street (between First Avenue and the Queensboro Bridge approach) of block #1351 had been demolished, leaving a vacant parcel of land.

By 1980, the E. 59th Street / E. 61st Street route and areas adjacent to the E. 59th Street / E. 61st Street route only experienced minor changes. The following are a couple of the most predominant commercial / industrial properties and land uses near and along the E. 59th Street / E. 61st Street route:

- The Manhattan Eye, Ear, and Throat Hospital had constructed a large building on the vacant parcel of land that was located on block #1418;
- A large building had been constructed along the E. 58th Street side (between First Avenue and the Queensboro Bridge approach) of block #1351 on a parcel of land that was previously vacant.

By 1982, the E. 59th Street / E. 61st Street route and areas adjacent to the E. 59th Street / E. 61st Street route only experienced minor changes. The following are a couple of the most predominant commercial / industrial properties and land uses near and along the E. 59th Street / E. 61st Street route:

- A large condominium complex (Le Triomphe) with a parking garage were constructed on the vacant parcel of land and the large parking garage that once covered the eastern portion of block #1332;
- A large apartment complex (Bamford) had been constructed on the large vacant parcel of land that was located on block #1349.

By 1985, the E. 59th Street / E. 61st Street route and areas adjacent to the E. 59th Street / E. 61st Street route only experienced minor changes. The following are a couple of the most predominant commercial / industrial properties and land uses near and along the E. 59th Street / E. 61st Street route:

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- A large apartment building replaced several small buildings on the western eighth of block #1415;
- A subway ventilation building and a private school were constructed on the large vacant parcel of land on block #1437 bordered by Second Avenue to the west and the Queensboro Bridge approach to the east.

By 1987, no significant changes appear to have occurred on or along the E. 59th Street / E. 61st Street route or in areas adjacent to the E. 59th Street / E. 61st Street route. No significant changes occurred in the area in 1988, 1991, 1992, 1993, 1994, 1995, and 1996 as well.

3.2.2 Aerial Photographs

Malcolm Pirnie obtained four aerial photographs from Environmental Data Resources, Inc. These photographs are located in Appendix D. The earliest of these photographs is dated 1954 and the most recent photograph is dated 1994.

Since 1954, a majority of the structures adjacent to the E. 59th Street / E. 61st Street route appear to be a mix of low-rise and mid-rise mixed-use residential and commercial buildings, with a few mixed-use high-rise residential and commercial buildings.

Between 1954 and 1966, it appears that the most significant change that occurred in the vicinity of the E. 59th Street / E. 61st Street route was the construction of an exit ramp off of the Queensboro Bridge between First and Second Avenues. This ramp extended to E. 63rd Street, and required the demolition of several low-rise and mid-rise structures.

Between 1966 and 1975, the replacement of a few low-rise and mid-rise residential buildings with

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high-rise residential structures occurred in the vicinity of the E. 59th Street / E. 61st Street route. Specifically, this demolition / construction occurred on the southwest corner of E. 59th Street and Second Avenue, on the southeast corner of E. 59th Street and Sutton Place, and throughout a large area south of E. 59th Street between First Avenue and Central Park.

Between 1975 and 1984, the demolition of low-rise and mid-rise buildings for the purpose of replacing them with new high-rise residential buildings continued. One area in the vicinity of the E. 59th Street / E. 61st Street route in which this occurred was within the three city blocks bordered by E. 63rd Street to the south, E. 65th Street to the north, Third Avenue to the west, and Second Avenue to the east. In addition, the construction of the Citicorp building occurred further south on Lexington Avenue between E. 53rd and E. 54th Streets.

Between 1984 and 1994, no significant changes appear to have occurred in the vicinity of the E. 59th Street / E. 61st Street route or in the surrounding area.

3.2.3 NYC Department of Buildings Records

An attempt was made to acquire available Site information through the NYC DOB Building Information System (BIS). However, since no specific address exists for the E. 59th Street / E. 61st Street route, no information was available.

4. CONCLUSIONS AND RECOMMENDATIONS

4.1 Conclusions - Environmental Site Assessment

Malcolm Pirnie performed an ESA for the E. 59th Street / E. 61st Street route and its findings are provided in Chapters 2 and 3 of this Report. As a result of the findings in Chapters 2 and 3, the following conclusions are offered:

Recognized Environmental Conditions

A recognized environmental condition means “...the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater or surface water of the property.” Recognized environmental conditions do not “...include de minimis conditions that generally do not present a material risk of harm to public health or the environment, and that generally would not be subject of an enforcement action if brought to the attention of appropriate government agencies. Conditions determined to be de minimis are not recognized environmental conditions.” (ASTM E1527 ¶3.3.31)

This ESA has revealed no evidence of recognized environmental conditions in connection with the E. 59th Street / E. 61st Street route.

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Historical Recognized Environmental Condition

A historical recognized environmental condition means an “... environmental condition which in the past would have been considered a recognized environmental condition, but which may or may not be considered a recognized environmental condition currently.” (ASTM E 1527 ¶ 3.3.16) The use of this term largely depends on the current impact of the condition on the Site. For example, if a Site remediation had occurred and the overseeing government agency accepted the remediation, the condition may be considered a ‘historical recognized condition’.

This ESA has revealed no evidence of historical recognized environmental conditions in connection with the E. 59th Street / E. 61st Street route.

Other Environmental Conditions

In certain situations, a Site condition, observed by Malcolm Pirnie or noted in the available records, may not meet the definition of a ‘recognized environmental condition’. However, presence of these environmental conditions may impact the Client’s due diligence decisions regarding the Site.

In the course of this ESA, other environmental conditions in connection with the E. 59th Street / E. 61st Street route were observed or discovered in the previously-described documents, as follows:

- Environmental Database records indicate the potential for soil and groundwater contamination, based on sources in the vicinity (e.g., the history of spill records).

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4.2 Recommendations - Environmental Site Assessment

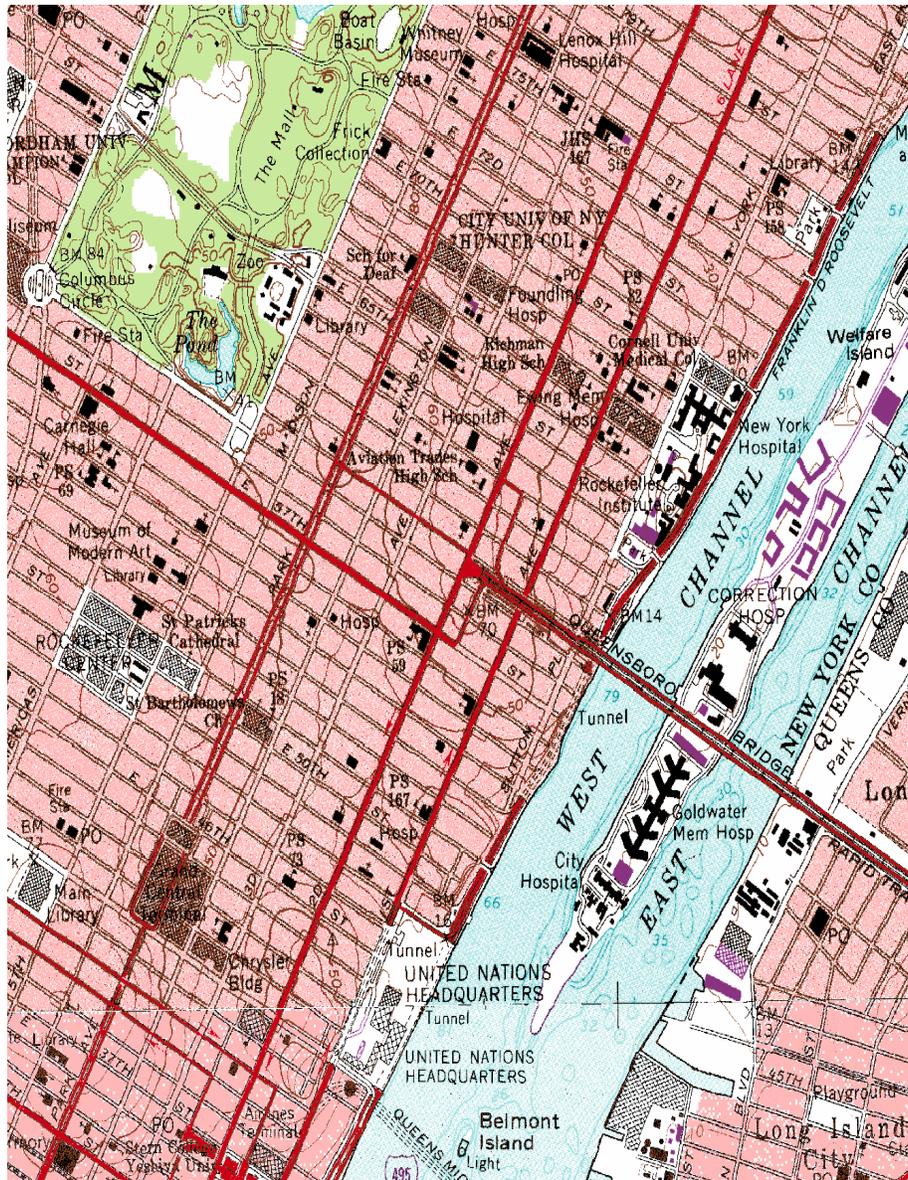
Malcolm Pirnie performed an ESA for the E. 59th Street / E. 61st Street route and its findings are provided in Chapters 2 and 3 of this Report. As a result of the findings in Chapters 2 and 3, the following recommendations are offered:

Phase II Environmental Site Assessment

Based upon the information obtained, it is recommended that a Phase II ESA be performed, to include soil borings and associated chemical testing within and adjacent to the E. 59th Street / E. 61st Street route. The constituents listed in Section 3.1, Government Environmental Databases, would be reviewed to determine the appropriate chemical analyses to be conducted. These soil borings and chemical analyses are recommended to determine the potential for off-site migration of contaminants to the preferred Shaft 33B Site, and to identify disposal needs and costs of Site soils during construction. Water testing may also be necessary, depending upon whether excavation activities occur at or below the water table.

APPENDIX A

SITE TOPOGRAPHIC MAP



APPENDIX B

SITE AND VICINITY PHOTOGRAPHS AND PHOTOGRAPH KEY

.



**PHOTO 1: E. 61ST STREET / THIRD AVENUE
NORTHEAST CORNER**



**PHOTO 2: E. 61ST STREET / THIRD AVENUE
NORTHWEST CORNER**



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**PHOTO 3: E. 60TH STREET / THIRD AVENUE
NORTHWEST CORNER**



**PHOTO 4: E. 60TH STREET / THIRD AVENUE
NORTHEAST CORNER**



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**PHOTO 5: E. 60TH STREET / THIRD AVENUE
SOUTHEAST CORNER**



**PHOTO 6: E. 60TH STREET / THIRD AVENUE
SOUTHWEST CORNER**



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**PHOTO 7: E. 59TH STREET / THIRD AVENUE
SOUTHWEST CORNER**



**PHOTO 8: E. 59TH STREET / THIRD AVENUE
SOUTHEAST CORNER**



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**PHOTO 9: E. 59TH STREET / THIRD AVENUE
NORTHEAST CORNER**



**PHOTO 10: E. 59TH STREET / THIRD AVENUE
SOUTHEAST CORNER**



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**PHOTO 11: E. 59TH STREET / SECOND AVENUE
SOUTHWEST CORNER**



**PHOTO 12: E. 59TH STREET / SECOND AVENUE
SOUTHWEST CORNER**



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**PHOTO 13: E. 59TH STREET / SECOND AVENUE
NORTHWEST CORNER**



**PHOTO 14: E. 59TH STREET / SECOND AVENUE
NORTHWEST CORNER**



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**PHOTO 15: E. 59TH STREET / QUEENSBORO BRIDGE APPROACH
SOUTH CORNER**



**PHOTO 16: E. 59TH STREET / FIRST AVENUE
SOUTHWEST CORNER**



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**PHOTO 17: E. 59TH STREET / FIRST AVENUE
NORTHWEST CORNER**



**PHOTO 18: E. 59TH STREET / FIRST AVENUE
SOUTHEAST CORNER**



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**PHOTO 19: E. 60TH STREET / FIRST AVENUE
SOUTHEAST CORNER**



**PHOTO 20: E. 60TH STREET / FIRST AVENUE
NORTHEAST CORNER**



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**PHOTO 21: E. 60TH STREET / FIRST AVENUE
SOUTHWEST CORNER**



**PHOTO 22: E. 60TH STREET / FIRST AVENUE
NORTHWEST CORNER**





**PHOTO 23: E. 60TH STREET / FIRST AVENUE
NORTHEAST CORNER**



**PHOTO 24: E. 61ST STREET / FIRST AVENUE
SOUTHEAST CORNER**



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**PHOTO 25: E. 61ST STREET / FIRST AVENUE
NORTHEAST CORNER**



**PHOTO 26: E. 61ST STREET / FIRST AVENUE
NORTHEAST CORNER**



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**PHOTO 27: E. 61ST STREET / FIRST AVENUE
NORTHEAST CORNER**



**PHOTO 28: E. 61ST STREET / FIRST AVENUE
NORTHWEST CORNER**



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**PHOTO 29: E. 61ST STREET / FIRST AVENUE
NORTHWEST CORNER**



**PHOTO 30: E. 61ST STREET / FIRST AVENUE
SOUTHWEST CORNER**



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**PHOTO 31: E. 61ST STREET / QUEENSBORO BRIDGE EXIT RAMP
SOUTHEAST CORNER**



**PHOTO 32: E. 61ST STREET / QUEENSBORO BRIDGE EXIT RAMP
NORTHEAST CORNER**





**PHOTO 33: E. 61ST STREET / QUEENSBORO BRIDGE EXIT RAMP
NORTHWEST CORNER**



**PHOTO 34: E. 61ST STREET / SECOND AVENUE
NORTHEAST CORNER**



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**PHOTO 35: E. 61ST STREET / SECOND AVENUE
NORTHEAST CORNER**



**PHOTO 36: E. 61ST STREET / SECOND AVENUE
SOUTHEAST CORNER**



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**PHOTO 37: E. 61ST STREET / SECOND AVENUE
SOUTHEAST CORNER**



**PHOTO 38: E. 61ST STREET / QUEENSBORO BRIDGE EXIT RAMP
SOUTHWEST CORNER**



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**PHOTO 39: E. 61ST STREET BETWEEN SECOND AND THIRD AVENUES
MIDBLOCK**



**PHOTO 40: E. 61ST STREET BETWEEN SECOND AND THIRD AVENUES
MIDBLOCK**



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**PHOTO 41: E. 61ST STREET BETWEEN SECOND AND THIRD AVENUES
MIDBLOCK**



**PHOTO 42: E. 61ST STREET / THIRD AVENUE
SOUTHEAST CORNER**



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**PHOTO 43: E. 61ST STREET / THIRD AVENUE
NORTHEAST CORNER**



**PHOTO 44: E. 61ST STREET / THIRD AVENUE
NORTHEAST CORNER**



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**PHOTO 45: E. 61ST STREET / THIRD AVENUE
NORTHEAST CORNER**



**PHOTO 46: E. 61ST STREET / THIRD AVENUE
NORTHEAST CORNER**



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**PHOTO 47: E. 61ST STREET / THIRD AVENUE
NORTHEAST CORNER**



**PHOTO 48: E. 61ST STREET / THIRD AVENUE
SOUTHEAST CORNER**



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FIRSTSEARCH ELECTRONIC DATABASE REPORT

The First Search Electronic Database is on file and available at Malcolm Pirnie's New York City office:

Malcolm Pirnie Inc.
75-20 Astoria Boulevard, Suite 350
Jackson Heights, New York 11370

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AERIAL PHOTOGRAPHS

The EDR Aerial Photo Decade Package

**E 59th St
E 59th St
New York, NY 10022**

Inquiry Number: 1538033.1

October 21, 2005



**EDR® Environmental
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Milford, Connecticut 06461**

Nationwide Customer Service

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THE EDR AERIAL PHOTO DECADE PACKAGE

Environmental Data Resources, Inc.'s (EDR) Aerial Photo Decade Package is a screening tool designed to assist professionals in evaluating potential liability on a target property resulting from past activities.

ASTM E 1527-00, Section 7.3 on Historical Use Information, identifies the prior use requirements for a Phase I environmental site assessment. The ASTM Standard requires a review of *reasonably ascertainable standard historical sources*. *Reasonably ascertainable means information that is publicly available, obtainable from a source within reasonable time and cost constraints, and practically reviewable*. To meet the prior use requirements of ASTM E 1527-00, Section 7.3.4, the following *standard historical sources* may be used: aerial photographs, fire insurance maps, property tax files, land title records (although these cannot be the sole historical source consulted), topographic maps, city directories, building department records, or zoning/land use records. ASTM E 1527-00 requires *"All obvious uses of the property shall be identified from the present, back to the property's obvious first developed use, or back to 1940, whichever is earlier. This task requires reviewing only as many of the standard historical sources as are necessary, and that are reasonably ascertainable and likely to be useful."* (ASTM E 1527-00, Section 7.3.4, page 12).

EDR has one of the nation's largest collections of historical aerial photography. EDR's Aerial Photo Decade Package provides digitally reproduced historical aerial photographs and includes one photo per decade, where available.

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with any questions or comments.

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te EDR Searched Historical Sources:

al Photography October 21, 2005

arget Property:

0th St
v York, NY 10022

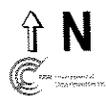
<u>id</u>	<u>Scale</u>	<u>Details</u>	<u>Source</u>
7	Aerial Photograph. Scale: 1"=750'	Panel #: 2440073-G8/Flight Date: April 20, 1954	EDR
5	Aerial Photograph. Scale: 1"=750'	Panel #: 2440073-G8/Flight Date: February 23, 1966	EDR
5	Aerial Photograph. Scale: 1"=750'	Panel #: 2440073-G8/Flight Date: April 01, 1975	EDR
4	Aerial Photograph. Scale: 1"=750'	Panel #: 2440073-G8/Flight Date: April 27, 1984	EDR
4	Aerial Photograph. Scale: 1"=833'	Panel #: 2440073-G8/Flight Date: April 04, 1994	EDR



INQUIRY #: 1538033.1

YEAR: 1994

—| = 833'





INQUIRY #: 1538033.1

YEAR: 1984

— = 750'





QUIRY #: 1538033.1

YEAR: 1975

—| = 750'





INQUIRY #: 1538033.1

YEAR: 1966

—|— = 750'





INQUIRY #: 1538033.1
EAR: 1954
| = 750'

