

Exhibit 1

Phase I and II Environmental Site Assessment Report Requirements

NOTE: All environmental site assessment services and reports must be in conformance with current ASTM standards for Phase I and Phase II environmental site assessments. The Contractor is solely responsible for obtaining knowledge of current ASTM standards.

1. Phase I Environmental Site Assessment Criteria and Report Requirements

These sample Phase I Environmental Site Assessment Criteria and Report Requirements are based on the ASTM E1527-00 Phase I environmental site assessment process. The Phase I Environmental Site Assessment Report shall include the following:

I. Cover Page (Tax Map Number, Address who report is for)

The Environmental Site Assessment report shall have a caption showing the name of the owner/claimant, the location of the property, the total area of the property in acres or square feet, the area to be acquired in acres or square feet, the Nassau County Tax Map designation.

II. Table of Contents

All Environmental Site Assessment reports must contain a table of contents, and all pages must be consecutively numbered.

III. Executive Summary

IV. Site Analysis

Site overview including location, tax parcel number, and general site condition including but not limited to:

1. Geology of the site

- a. Geological Characteristics
- b. Site topography description and Topographic Map with site boundaries
- c. Site soils description with a Soils Map with site boundaries

2. Hydrology of the Site including:

- a. Surface water characteristics
- b. New York State Department of Environmental Conservation ("NYSDEC") Freshwater Wetlands Map including site boundaries and description of any on the site
- c. NYSDEC Tidal Wetlands Map including site boundaries and description of any on the site
- d. Water table Elevation Map

- e. Depth to groundwater and direction of water flow
- f. State specific Hydro geologic Zone
- g. Special Groundwater Protection Areas (“SGPAs”)
- h. Groundwater Classification and quality
- i. Organic and Nitrate Contamination Maps including site location and general description (Long Island Groundwater Study)

3. Site and Area History including:

- a. Historic review of the site
- b. Description of aerial photos from 1950 to present (include copies of aerials in appendix)
- c. Review of the “Inventory of Potential Hazardous Disposal Sites, Nassau County, New York,” prepared by Cornell Laboratory for Environmental Applications of Remote Sensing(“CLEARs Study”) and all sites within a one (1) mile radius
- d. An Archaeologically Sensitive Map containing boundaries and brief analysis

4. Site Inspection:

A physical inspection of the site with site photographs, a Site Details Map and associated documentation including but not limited to:

- a. A complete description of the undeveloped and developed portions of the site showing conditions and vegetation cover of undeveloped portion of the property.
- b. A complete description of all structures and buildings on the property to include but not limited to:

Exterior:

- (1) style of structure type (*i.e.*, brick-ranch, wood shingle, saltbox, cape block, commercial building, etc.)
- (2) roofing (*i.e.*, shingles, wood, slate, clay tile)
- (3) siding (*i.e.*, vinyl, aluminum, wood, asbestos shingles)

Interior:

Open and inspect all areas accessible by trap door(s) and/or ceiling scuppers. This information must be accompanied by photos and diagrams which indicate the problem areas.

- (1) basement (*i.e.*, full, partial, crawl space, and slab)
 - (2) water supply (*i.e.*, well, city water)
 - (3) waste (*i.e.*, cesspool, sewer)
 - (4) wall surface/condition (*i.e.*, oil-lead based, latex paint - chipped/holes, wallpaper - peeling, stucco fair poor, tile - good, fair)
 - (5) flooring (*i.e.*, wood, linoleum, ceramic, and vinyl tile, marble)
 - (6) heating source (*i.e.*, oil, natural gas, bottle/tank, electric)
 - i. steam or baseboard hot water
 - ii. pipe wrap if any (*i.e.*, asbestos, fiberglass, foam)
 - (7) other environmental conditions - building toxins
 - i. indoor radon potential
 - ii. possible asbestos containing materials
- c. Hazardous Materials, Handling, Storage, and Disposal
- (1) Underground and Above Ground Storage Tanks
 - (2) Polychlorinated Biphenyls ("PCBs")
- d. Surface staining and manmade alterations (ditches, mounding, etc.) on the site described and shown on the Site Details Map.
- e. Debris and Dumping - Specific description pinpointing the areas of dumping on the Site Details Map.
- f. An evaluation of all information obtained during the site inspection with documentation, interviews (with whom and their relationship to property) and conclusions.

V. Description of Surrounding Land Use

Describe areas to the North, South, East, and West of the site being assessed including:

1. Types of land use and all types of structures and their use, if any.
2. Contamination: a review of all toxic and hazardous waste sites, including printouts and maps of known sites within one mile of site.

VI. Data Base Review:

A review of all toxic and hazardous waste: include printouts and maps of all Data Base Reviews.

1. ***New York Inactive Hazardous Waste Disposal Site Registry***: a state listing of sites that can pose environmental or public health hazards requiring investigation or clean up. (*Within One-Mile Radius*)
2. ***CERCLIS*** (“*Comprehensive Environmental Response, Compensation and Liability Information System*”): a federal listing of sites that may pose environmental or public health hazards requiring investigation or clean up. (*Within One-Mile Radius*)
3. ***National Priority List for Federal Superfund Cleanup***: a listing of sites known to pose environmental or health hazards that are being investigated or cleaned under the Federal Superfund program. (*Within One-Mile Radius*)
4. ***New York Hazardous Substance Disposal Site Draft Study***: a state listing of sites contaminated with toxic substances that may pose environmental or public health hazards.

These sites are not eligible for state clean up funding programs. (*Within One-Mile Radius*)

5. ***New York Solid Waste Facilities Registry, including New York City 1934 Sites***: active and inactive landfills, incinerators, transfer stations or other solid waste management facilities. (*Within One-Mile Radius*)
6. ***New York State Major Oil Storage Facilities***: sites with more than a 400,000 gallon capacity for storing petroleum products. (*Within One-Mile Radius*)
7. ***New York and Federal Hazardous Waste Treatment, Storage or Disposal Facilities***:
sites reported by the New York State manifest system and the United States Environmental Protection Agency (“USEPA”) Resource Conservation and Recovery Act Information System (“RCRIS”). Also, includes the following databases:
 - a. ***RCRA violations***: waste facilities with violations reported by the USEPA pursuant to the Resource Conservation and Recovery Act. (*Within One-Mile Radius*)

- b. **RCRIS corrective action activity (CORRACTS):** waste facilities with RCRIS corrective action activity reported by the USEPA. (*Within One-Mile Radius*)
- 8. **Toxic Spills:** active stationary source spills reported to State environmental authorities, including remediate leaking underground storage tanks. (*Within half-mile Radius*)
- 9. **Toxic Spills:** closed stationary and non-stationary source spills reported to State environmental authorities, including remediate leaking underground storage tanks. (*Within half-mile radius*)
- 10. **New York and Local Petroleum Bulk Storage Facilities:** sites with more than a 1,100 gallon capacity for storing petroleum products. (*Within Quarter-Mile Radius*)
- 11. **New York and Federal Hazardous Waste Generators and Transporters:** sites reported by the N.Y.S. manifest system and the USEPA's Resource Conservation and Recovery Act Information System ("RCRA"). (*Within Quarter-Mile Radius*)

Also, includes the following database:

- a. **RCRA violations:** waste facilities with violations reported by the USEPA pursuant to the Resource Conservation and Recovery Act. (*Within Quarter-Mile Radius*)
- b. **RCRIS corrective action activity ("CORRACTS"):** waste facilities with RCRIS corrective action activity reported by the USEPA. (*Within Quarter-Mile Radius*)
- 12. **New York Chemical Bulk Storage Facilities:** sites storing hazardous substance listed in 6 NYCRR Part 597 in aboveground tanks with capacities of 185 gallons or more and/or underground tanks of any size. (*Within Quarter-Mile Radius*)
- 13. **New York Toxic Release Inventory Facilities:** discharges of selected toxic chemicals to air, land, water or treatment facilities. (*Within Quarter-Mile Radius*)
- 14. **Federal Permit Compliance System Toxic Wastewater Discharges:** permitted toxic wastewater discharges. (*Within Quarter-Mile Radius*)
- 15. **Air Discharges:** air pollution point sources monitored by United States Environmental Protection Agency and/or state and local air regulatory agencies. (*Within Quarter-Mile Radius*)

16. **Federal Civil Enforcement Docket:** civil judiciary cases filed on behalf of the U.S. Environmental Protection Agency by the Department of Justice. (*Within Quarter-Mile Radius*)
17. **ERNS: Federal Emergency Response Notification System Spills:** a listing of federally reported spills. (*Subject Property Only*)
18. **Sanborn Fire Insurance Maps and Atlas Maps:** when using Sanborn maps, review the map index sheet to determine the reference year of the map. Sanborn maps will often contain information about businesses that no longer exist and thus provide an understanding of prior uses, (*i.e.*, a gas station previously existed at a site and is no longer there, Underground Storage Tanks may be shown on the Sanborn Map; or, if a Sanborn map indicates that a foundry formerly existed on the target property, this would suggest the possible presence of heavy metal contamination).

VII. Non-Scope Considerations

Non-scope considerations shall be included in the standard to help assess business environmental risk. ASTM-E1527-00 expands the previous list of non-scope considerations to include all the following:

1. asbestos-containing material;
2. radon;
3. lead-based paint;
4. indoor air quality;
5. lead in drinking water;
6. wetlands;
7. regulatory compliance;
8. cultural and historic resources;
9. industrial hygiene;
10. health and safety;
11. ecological resources; 12. endangered species; and 13. high voltage power lines.

VIII. Summary and Conclusions

Properties involving vacant land must include a brief description of the parcel and if any trash and/or debris is found, an explanation of what was found, accompanied by drawing indicating where it was found.

1. Must include photos of trash and debris.
2. Must include reasons for a Phase II investigation.

EXAMPLE: Areas of the site requiring additional investigation—either because hazardous substance impact has been confirmed or is suspected, or because the Phase I ESA provides inconclusive results—can be further evaluated through a site-specific Phase II assessment. The Phase II assessment is the intrusive study, which further evaluates the range of potential liabilities associated with the site. Such information may help parties decide whether to continue in the property transfer negotiation process: an important consideration in the Phase I/Phase II process is how to address legally reportable conditions discovered during the ESA process (i.e., to whom and by whom reports should be made, and what follow-up actions are necessary, etc.). Although the law is typically quite clear that the property owner has ultimate responsibility for reporting the existence, investigation, and remediation of known impacts, the buyer and seller may reach a separate agreement as to how these issues will be handled before commencing the ESA. Examples of sites that would typically require further assessment (Phase II) are those with an uncertain or unresolved underground tank use history, discolored soils, or contaminated structures through which contamination from above ground hazardous substance use could migrate to the site's shallow soils, subsurface soils, or ground water. Sites with a reported history of hazardous substance use may need to be further evaluated to help rule out the possibility of environmental impact: this is also known as a baseline conditions assessment.

3. If a Phase II is recommended, a brief description of what was found and reasons for additional work, to be accompanied by drawings, and photos.

2. Phase II Environmental Site Assessment Criteria and Report Requirements

These requirements for the Phase II Environmental Site Assessment Criteria and Report Requirements

are based on ASTM E1903-00 Phase II environmental site assessment procedures.

The Phase II

Environmental Site Assessment Report shall include the following:

- I. **Cover Page (Tax Map Number, Address who report is for)**
- II. **Table of Contents**
- III. **Executive Summary**
- IV. **Scope of Work**

The environmental professional should develop a description of the work to be performed to establish the methods and work tasks that achieve the user's Phase II objectives. This work must be done in conformance with all the current ASTM standards and or updates. The description should provide the rationale for planned sampling locations

and testing parameters along with identification of selected methodologies and appropriate Quality Assurance/Quality Control measures. The description may provide for minor field modifications where appropriate. The description should be organized so as to facilitate the orderly, objective-focused implementation of the plan in the field. A formal written description will be required of the proposal and the scope of work. Likewise, the sampling, health and safety and chemical testing programs need to be a formal, stand-alone document(s).

V. Site Analysis

An additional site overview of location(s) of problems noted in Phase I inspection which should include, but not be limited to:

Site Inspection:

A physical inspection of the site with site photographs, a Site Details Map and associated documentation including:

1. A complete description of and the extent of the noted Phase I problems.
2. A complete description of all structures and buildings on the property to include the location of any and all above and below ground oil storage tank(s), if any, the location of any and all cesspools and/ or sewer lines, the location of any natural gas lines, the location of any above or below ground utility lines (electric, cable, phone), and the location of any and all water supply (well, city water).
3. In the course of the site inspection of the building(s) and other structures if additional asbestos is found, it must be noted and highlighted in the report to the County, and reasons for removal or encapsulation must be included as well as an approximate cost for either.
4. Debris and Dumping - Specific description of what materials and the extent of possible contamination pinpointing the areas of dumping on the Site Details Map.
5. An evaluation of all information obtained during the site inspection with documentation, a list of all people interviewed. Chain of custody—(a written or printed form which is used to document where sample was taken, condition of sample and who has responsibility. This custody must include the time from sample container acquisition through transportation, and laboratory analysis) must accompany noted problem areas.
6. A written estimate for the removal of any and all structures, utilities, water service and removal of sewers and/or cesspool(s) along with all the proper documentation. The proper removal and disposal of any and

all oil tanks, along with the proper documentation as to its proper removal and disposal in accordance with all federal state and local laws and regulations. The removal and proper disposal of asbestos must be done by a licensed and properly insured company (whose personnel are fully trained and licensed to do this type of work). This work must be done in accordance with all federal, state and local laws and regulations. A copy of all paper work documenting the proper removal and disposal of all construction debris, oil tanks and asbestos and any and all other environmentally hazardous material.

VI. Signature Page

The environmental professional(s) responsible for the Phase II Environmental Site Assessment should sign the report, along with typed names and titles at the end of the main text of the report. Where required by the local jurisdiction, professional seals, license type and license number, as applicable, should be affixed.

VII. Summary and Conclusions

1. On vacant land, investigation survey must include a brief description of parcel and if any trash and or debris was found an explanation of what was found accompanied by drawing indicating where on parcel and photos of trash and or debris.
2. The report MUST include reasons for or against a complete removal of trash and or debris, and a cost for the removal of the trash and debris that was found on vacant land.

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