



HAZARDOUS MATERIAL SPILLS INFORMATION REQUEST

FORMER EXXONMOBIL S/S FUTURE RESIDENTIAL

2 PIKE STREET

NEW YORK, NY NO ZIP PROVIDED

Spill Number: 9207898

Close Date:

ADDRESS CHANGE INFORMATION

Revised street: NO CHANGE

Revised zip code: NO CHANGE

Source of Spill: GASOLINE STATION OR PBS FACILITY

Notifier Type: Responsible Party

Caller Name: ROBIN BUNN

DEC Investigator: JBVUGHT

Spiller: JOANNE WALLACH – EXXONMOBIL CORPORATION

Notifier Name:

Caller Agency: MOBIL OIL CO.

Contact for more spill info:

Spiller Phone: (908) 474-2745

Notifier Phone:

Caller Phone: (703) 849-3330

Contact Person Phone:

Category: Known petroleum or hazardous material release with minimal potential for fire/explosion (indoors or outdoors), drinking water contamination, or releases to surface waters.

Class: Willing RP – DEC Field Response – Corrective Action Initiated, Taken Over, or Completed by RP or Other Agency

Spill Date	Date Cleanup Ceased	Cause of Spill	PBS # Involved	Meets Cleanup Standards	Penalty Recommended
10/08/1992		UNKNOWN	2-157864	NO	NO

Material Spilled	Material Class	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
GASOLINE	PETROLEUM	0.00	GALLONS	0.00	GALLONS	GROUNDWATER

Caller Remarks:

TANKS TESTED AUGUST=TIGHT-FREE PRODUCT DISCOVERED IN MONITORING WELLS # 7&5 BAILED 1-2 GALS- CONTRACTOR=LEGETT

DEC Investigator Remarks:

Prior to Sept, 2004 data translation this spill Lead_DEC Field was SARNOWICZ Reassigned from DEC Sigona on August 4, 2003, as per Letter from P. David Smith, Bureau Director, Remedial Bureau B.

This spill site has been consolidated under Spill No. 9207898.

Spill No. 0502493 has been consolidated under this spill. See spill No. 0502493 for details.

2/1/10 – The site has been divested and is no longer an active gas/service station. The site is secure and the SVE system is operational and being monitored for its effectiveness.

5/1/10 – During the period of March 2010 through May 2010 the following quarterly activities were conducted:

March through May 2010 – Operation and Maintenance (O&M) of the SVE/AS system was conducted twice a month.

May 13, 2010 – Groundwater sampling was conducted. Groundwater analytical data from the May 13, 2010 sampling event indicated that dissolved-phase hydrocarbon concentrations were generally consistent with previous sampling events at the Site with the exception of monitoring wells OW-10 and OW-12, and VP-5A. BTEX concentrations decreased from 12,710 to 901 ppb in OW-11, 13,538 to 6,571 ppb in OW-12, and 12,640 to 1,594 ppb in VP-5A.

August 2, 2010 – Groundwater wells were gauged and sampled. Sampling event indicated that dissolved-phase hydrocarbon concentrations were generally consistent with previous sampling events. Concentrations of BTEX in downgradient wells have decreased and concentrations in upgradient wells near the source area have increased. Extraction well OW-12 was connected to the SVE system.

November 5, 2010 – 12 wells were gauged and measured for dissolved oxygen, and 10 wells were sampled. Liquid-phase hydrocarbon (LPH) was not detected in the monitoring wells gauged.

February 2011 – Quarterly report is due this month. Site is divested. SVE system continues to operate and remove contamination.

February 24, 2011, wells were gauged, measured for dissolved oxygen, and 10 wells were and sampled. Liquid-phase hydrocarbon (LPH) was not detected in the monitoring wells gauged.

August 26, 2011 – As a precautionary measure, Kleinfelder will temporarily shut-down the SVE/AS System to minimize the potential impacts of Hurricane Irene:

September 6, 2011 – SVE/AS System was restarted on 9/6/11. However, the air sparge (AS) variable frequency drive (VFD) faulted and we could not restart. Kleinfelder attempted to restart on 9/16/11 but was unsuccessful. Assistance was requested from the system manufacturer to trouble shoot an electrical problem with the AS VFD. In the interim the SVE has been running.

November 7, 2011 – Dissolved benzene, toluene, ethylbenzene and xylenes (BTEX) concentrations in monitoring well OW-18 have remained consistent since August of 2009. Based on previous subsurface investigations absorbed phase BTEX concentrations in the vicinity of OW-18 appear to be beneath the water table. To optimize recovery in OW-18, Kleinfelder will evaluate the effectiveness of cycling and/or turning off portions of the SVE and/or AS system to optimize recovery in OW-18. Cycling may promote better recovery of absorbed and dissolved BTEX concentrations by creating a pulsing effect. Kleinfelder, on behalf of ExxonMobil, will evaluate system optimization options. Dissolved hydrocarbon concentration trends will continue to be evaluated to assess system effectiveness.

April 6, 2012 – Work has not proceeded at this site because Exxonmobil changed consulting firms. On January 31, 2012 GES submitted a SSUR. On February 9, 2012 the Department received a request the air emission equipment at the site be disconnected and removed. The Department submitted comments to the SSUR on 2/10/12 requesting a RWP be drafted and submitted to deal with wells OW-10, OW-12 and OW-18 where high levels of BTEX contamination remain. GES and ExxonMobil were in Albany on 2/29/12 to discuss the progress of the site work and how to proceed to closure. On March 9, 2012 a Remedial Work Plan for System Optimization was submitted for review. The Department sent comments to the ExxonMobil on March 22, 2012. A response is due with 30 days of the comment letter. On 4/5/12 a SSUR was submitted for review.

May 22, 2012 – On May 3 the Department approved the system optimization work plan. Work plan modifies the SVE system to include an air sparge component. The work should begin to be implemented within 30 days.

November 29, 2012 – A SSUR was submitted on October 23, 2012. August 9, 2012, a total of twelve monitoring wells were gauged and ten monitoring wells were sampled. Liquid-phase hydrocarbons were not detected in the monitoring wells gauged. Methyl tertiary butyl ether (MTBE) was not detected in any of the monitoring wells sampled during this round of groundwater sampling. Dissolved phase concentrations of benzene, toluene, ethylbenzene, and total xylenes (BTEX) in monitoring wells OW-13, OW-15 and OW-16 were reported as non-detect, consistent with the last monitoring round. Concentrations of BTEX have increased in monitoring wells OW-5, OW-6, OW-7, OW-10, OW-12, and OW-18. Concentrations of BTEX in monitoring well VP-5A has decreased since the last reporting period.

Air sparge system was shut down due to motor failure. GES also requests SVE shutdown. This request is based on the low recovery of the SVE/AS system subsequent to completing optimization activities outlined in the April 19, 2012 System Optimization Workplan ~ Response to NYSDEC Comments. GES request an alternate remedial approach to address dissolved phase VOCs in groundwater in the vicinity of OW-10, OW-12 and OW-18.

Department has been in verbal communication with GES regarding what type of alternate remedial technology they anticipate proposing. The Department is drafting comments regarding the request to develop a alternative remedial plan.

January 3, 2013 – Department has agreed to allow Exxon Mobil until February 4, 2013 to submit an alternative remedial approach for review and comment.

January 8, 2013 – On November 14, 2012, a total of twelve monitoring wells were gauged and ten monitoring wells were sampled. Liquid-phase hydrocarbons were not detected in the monitoring wells gauged.

Methyl tertiary butyl ether (MTBE) was not detected in any of the monitoring wells sampled during this round of groundwater sampling. Dissolved phase concentrations of benzene, toluene, ethylbenzene, and total xylenes (BTEX) in monitoring wells OW-13 and OW-16 were reported as non-detect, consistent with the last monitoring round. Concentrations of BTEX have increased in monitoring wells OW-15, OW-18, and VP-5A. Concentrations of BTEX in monitoring well OW-5, OW-6, OW-7, OW-10 and OW-12 have decreased since the last reporting period. Note: GES conducted the groundwater sampling while the existing soil vapor extraction/air sparge (SVE/AS) system was temporarily shutdown.

March 11, 2013 – GES met with the Department to discuss this project moving forward. It was decided that NYSDEC would allow the elimination of select monitoring wells which exhibit low level or nondetect concentrations of volatile organic compounds (VOCs).

GES will coordinate the repair and/or replacement of the damaged AS motor which was rendered inoperable due to mechanical failure in September of 2012. Once repaired, the SVE/AS system will be configured in accordance to the NYSDEC approved System Optimization Workplan ~ Response to NYSDEC Comments, (Workplan) dated April 19, 2012. This Workplan targeted operation of extraction and sparge wells in the central portion of the site where concentrations of VOCs warrant continued operation of the system. Based on the attached BTEX data trend graphs, the system is effectuating remediation of the site; therefore, GES has requested continued operation of the system at this time. However, in order to more closely monitor remedial progress, GES will initiate monthly sampling of key monitoring wells (OW-10, OW-12 and OW-18) once the system is restarted.

Once restarted, the system operation and monthly groundwater sample collection activities will continue for a period of six months. GES will provide the NYSDEC with groundwater sampling results via email each month as requested in addition to the regularly submitted Site Status Update Report (SSUR) prepared for the site.

April 3, 2013 – On February 28, 2013, representatives of GES and the New York State Department of Environmental Conservation (NYSDEC) met to discuss current site conditions and future remediation. At the request of the NYSDEC, GES will begin collecting groundwater samples from monitoring wells OW-10, OW-12 and OW-18 on a monthly basis for a period of 6 months. Additionally, GES

will screen monitoring wells OW-10, OW-12 and OW-18 for temperature, pH, conductivity, oxidation-reduction potential and dissolved oxygen on a bimonthly basis.

Air sparging has resumed as of 3/21/13. GES has initiated monthly groundwater sampling of key wells at the site as requested by the Department to monitor the effectiveness of the enhancing the air sparge system. The Department is reviewing the data as it is submitted.

July 11, 2013 – On May 22, 2013, a total of twelve monitoring wells were gauged and ten monitoring wells were sampled. Liquid-phase hydrocarbons were not detected in the monitoring wells gauged. Methyl tertiary butyl ether (MTBE) was not detected in any of the monitoring wells sampled during this round of groundwater sampling. Dissolved phase concentrations of benzene, toluene, ethylbenzene, and total xylenes (BTEX) in monitoring wells OW-7, OW-13 and OW-16 are generally consistent with the last monitoring period. Concentrations of BTEX in monitoring well OW-5, OW-6, OW-10, OW-12 and OW-15 have increased since the last reporting period. Concentrations of BTEX in monitoring well OW-18 and VP-5A have decreased since the last reporting period.

August 9, 2013 – Six months of data has been collected on the upgraded Air Sparge System to evaluate its performance. GES will evaluate the data, provide conclusions and recommendations in the SSUR that is scheduled to be submitted on 8/16/13.

3/31/2015 The system was turned off and groundwater concentrations rebounded. The system was repaired and restarted. Active remediation continues.

3/23/2016 The site is to be redeveloped into a 13-story building. Excavation will be to groundwater and corner to corner, however the work has not been initiated yet. ORC will be applied at the base of the excavation under an approved RAWP. The RP is currently investigating LPH encountered by Reg. 2 personnel perform other work. The results of the petroleum identification are pending.

6/17/16-Vought-This spill transferred to Vought from Central Office Charles Post as per RSE and DEC Cozzy due to continued off-site comingled product impact to Con Edison monitoring wells under Spill 1406668 and 9416721/9704309, and possible consideration of using Spill Funds, and consideration of this site as a primary Potential Responsible Party. See also closed Spills 9315390 at 90 East Broadway, open Spill 1206258 and closed spill 8401545 at 26 Forsythe Street, which were also noted by the consultant as a possible PRPs.

6/21/16-Vought-Received email from Shing (Welcome Holdings Email:shing@wellcomeholdings.com) on 6/9/16 that Jeffrey, I am informed by Charlie Post that this job has been transferred to you. I am owner of the property and we are preparing to mobilize construction the end of this month. I was in the process of scheduling a pre kick off meeting with Charlie and the team prior to this transfer. I would like to see if you would like to participate; if you could provide a few dates of availability for the week of 13th and 20th, I can coordinate with the team. Also, my environmental team will be reaching out to you to coordinate this transition Thank you, Vought later received call from and spoke to Shing and agreed to construction meeting that was scheduled for 6/22 at 10am at site. Email contained chain that also had email from HydroTech (Sixuan Wang Ph:201-773-9621 cell:201-988-3935) to DEC Post dated 6/8/16 that Good Afternoon Charles,I have just called your office and left a message. We are planning to mobilize for the excavation by the end of this month, and Shing will schedule a kick-off meeting before the mobilization. We are planning to decommissioning the monitoring wells within the site boundary. I would like to check with you if we need to prepare a report for the monitoring well decommissioning or we can include the information in our remedial action report. Thank you. DEC Post on 6/9/16 noted to HydroTech Wang that I did receive your voicemail today; thank you. I understand that you are trying to coordinate a pre-construction meeting with me, however, NYSDEC management has very recently chosen to transfer this project from the Central Office to the NYSDEC Region 2 office. The new Project Manager is Jeffrey Vought. He can be reached at... Wang then forwarded DEC Post email to Shing (Wellcome Holdings) with email that Good Morning Shing, Charles just reply back to me this morning. And he mentioned that our site has been transferred from DEC Central office to Region 2

office at Long Island City, Queens. Please see below contact information for the new project manager for our site. Sixuan Wang. Shing then sent email at beginning of this note entry above. Vought received call from and spoke to Shing last week and agreed to go to construction kick off meeting on 6/22/16. Vought to perform complete file review at a later date, however due to construction meeting tomorrow, Vought need to review document detailing development plans. Vought called Sixuan and requested she send the appropriate document with the needed information and she sent to Vought the Interim Remedial Measures Work Plan (IRM Work Plan) dated August 2015 by Yu and Associates. Vought added IRM Work Plan to D2 and during brief review of D2 noted that DEC Post approved the IRM Work Plan in a letter dated 8/3/15 with the additional requirements. IRM Work Plan noted on Endpoint Sampling Site Plan that the proposed end-point sampling locations are approximate. The exact locations will be determined based on visual, olfactory, and photoionization detector (PID) screening results. No source specific locations were proposed (eg former locations of tanks and piping) and only general grid pattern was proposed. Vought spoke with OGC Urda and RSE and as DEC Post authored IRM Work Plan approval letter on 8/3/15, he was not aware of Yu Associates refusal to collect product in off site Con Edison well. Vought discussed with OGC Urda and RSE that in light of 2 Pikes refusal, DEC would have to require submission of an IRW Work Plan Addendum that at a minimum includes: 1) Endpoint samples collected at former UST and piping locations, in addition to visual and olfactory evidence 2) Collection of bottom groundwater grab samples 3) Notification to DEC of scheduling excavation. In light of construction meeting tomorrow, Vought called and spoke with NYSDOH Walz who confirmed that no SVI study or NYSDOH review was needed if the proposed basement garage did indeed take up the whole basement. NYSDOH Walz suggested Vought confirm use of future basement. Vought reviewed IRW Work Plan in full:

Interim Remedial Measures Work Plan (Yu and Associates)–August 2015. Report prepared on behalf of:

Two Pike LLC 15 Pike Street, Basement New York, NY 10002 Ph:(212)964–6869

The current site owner, Two Pike LLC, purchased the property from ExxonMobil Foundation on April 6, 2015.

The Site is currently a partially paved lot with an operational soil vapor extraction/air sparge (SVE/AS) system. The former gasoline pumps have been removed, but the one-story concrete and brick station and garage building is still standing in the western portion of the Site. The proposed redevelopment includes demolition of the existing service station building and construction of a 14-story building with a below grade ventilated garage for vehicle parking and mechanical equipment. The proposed uses of the building are retail, restaurant, community facility, and offices. The proposed Project Development Plan is included in Appendix A. Mobil purchased the property in October 1958 from St. Louis Sales and Export Company Inc.. By 1966, the filling station service building appeared to have been constructed on the Site. According to review of the Sanborn Maps and Aerial Photographs, the Site operated as a gas station from 1977 to 2010. GPR survey was performed to clear boring locations and it detected numerous subsurface anomalies including sections of the SVE/AS system, electric and water lines, a storm drain, a catch basin, and heating-oil supply lines. The average depth to groundwater during the SI was approximately 34.9 ft bgs and the depth ranged from approximately 34 to 35.7 ft bgs. Dominant groundwater flow direction was not observed during this SI. No VOC concentrations in soil samples exceeded 6 NYCRR Part 375 Table 6.8(b) Restricted Use Soil Cleanup Objectives. This suggests that on-site source(s) of contamination for the groundwater likely only exist in the smear zone (the area where contamination has been smeared into soils due to a fluctuating water table) as residual contamination. This may be product adsorbed to soil and remaining in pore spaces due to the fluctuating groundwater table. Excavation and in-situ enhanced bioremediation are the remedies for the Site. A capping or barrier system will be incorporated. On-site soil impacted by contaminants will be excavated to 35 ft bgs across the Site with exception of 10 ft bgs excavation in the 10 ft western setback zone. Excavation of hotspot areas will extend approximately 2 ft below the groundwater table. See Section 5.2 for details. In-situ enhanced aerobic bioremediation will be implemented to treat the on-site groundwater contamination. An oxygen release compound (ORC~advanced) will be directly applied at the bottom of the excavation (around the water level) and mixed with the upper 2 ft of saturated soils prior to soil compaction. A composite cover system will be installed across the Site, composed of, from bottom to top, a geotextile fabric layer for demarcation, a 1-foot thick layer of clean soil and gravel, a Mirafi 140N geotextile fabric layer, a Grace Prepruf 300 waterproofing/vapor barrier membrane system, and a concrete mat foundation slab with sealed penetrations. IRM

Work Plan also has a HASP and a CAMP. IRM Work Plan notes that Continuous monitoring will be required for all ground intrusive activities and during the demolition of contaminated or potentially contaminated structures. Ground intrusive activities include, but are not limited to, soil/waste excavation and handling, test pitting or trenching, and soil mixing. Exceedances observed in the CAMP will be reported to NYSDEC Project Managers and included in the Daily Report. NYSDEC will be notified of odor events and other reasonable complaints about the project. A pre-construction meeting with NYSDEC will take place prior to the start of major construction activities including soil excavation. Existing on-site monitoring wells will be abandoned prior to commencement of any intrusive activity (e.g., excavation). Soils will be excavated to the water table. Groundwater end-point samples will be collected using the grab sampling method from each hotspot excavation area. The excavation will extend approximately 2 ft below the groundwater table in the hotspot areas, shown in Figure 4. After the completion of soil removal and any other invasive activities and prior to backfilling, a physical demarcation layer, consisting of Mirafi 140N geotextile fabric or equivalent material will be placed on the top elevation of any residual contaminated soils to provide a visual reference. As part of the SOE, the soil mixing wall will be installed using in situ solidification technology. The process involves injecting a mix cement with soil in the overlapping columns that will be 2 feet in diameter. The soil mixing wall will be installed to the depth of approximately 50 feet below ground surface following the steps below. Soil mixing wall will be installed using hollow auger to mix cement with soil. This composite cover system will be comprised of, from bottom to top, a demarcation layer of Mirafi 140N geotextile fabric or equivalent (6-inch overlap), a 12-inch thick layer of ASTM C-33 of size No.5 Aggregate gravels, Grace Preprufe 300R (1.20 mm thickness waterproofing/vapor barrier membrane) or approved equivalent (sealed 6-inch overlap, sealed to exterior walls and around penetrations), and a 36-inch thick concrete mat foundation slab with sealed penetrations. The potential for any vapor exposure from the subsurface will be avoided by the vapor barrier/watwerproofing system and the ventilated garage encompassing the full footprint of the proposed building. If warranted by the results of groundwater sampling, the application of ORC advanced filter socks will be emplaced in the groundwater monitoring well to mitigate any off-site migration, and a detailed work plan for the application of ORC advanced filter socks into the off-site groundwater will be prepared for the NYSDEC review within 30 days of the construction completion. A Final Report will be submitted to NYSDEC following implementation of the Remedial Action defined in this WP.

6/22/16-Vought-Attended pre-construction meeting and at meeting was also Owner:

Mr. Shing Wah Yeung 15 Pike Street, Basement New York, NY 10002 Ph:(212)964-6869 Cell:(6416)739-6815
email:Shing@wellcomeholdings.com

Also at meeting was Nelson Yeung(2 Pike Street LLC-owner), Wilson Chao(Studio C Architects-architect), Thomas Wang and May Ni (W&L Group Construction Inc - contractor), Gary Smith and Blaine Kelly (ECD NY Inc-excavation contractor), Cory Weissglass (Earth Efficient - Soil disposal company), Andrew Leung/Sixuan Wang(Yu Associates - Environmental Consultant). Added meeting agenda, participant information and conceptual schedule to D2. Meeting included agreement on the following: 1)if vapor complaints were received, additional monitoring points would be set up 2)Yu and Associates awaiting lab analyses of groundwater samples recently collected from on-site 3)soils will be direct loaded and hauled from site to reduce potential for vapors 4)Depth to groundwater is still from 33-34'bg 5)basement use will be entirely as a garage and mechanical space and there will be no residential facilities in basement 6)if encountered during excavation, free product will be recovered 7)remote fills,if any,will be investigated. Conceptual schedule was discussed and it was noted that by the end of July site will be excavated to ten feet below grade and the final depth of excavation at 35'bg is scheduled to be reached in September 2016. Vought performed site inspection and site is surrounded by plywood fence and no onsite above grade structures remain. Site is at grade level and no olfactory detections of odors noted. Numerous adjacent residences to site suggesting CAMP adherence is important. Buildings between site and impacted Con Edison well include (one 6-story apartment building, one 5-story apartment building and one 7-story new construction office building immediately adjacent to site. Based on observations, it not likely that these building foundations intersect the water table at 35'bg, suggesting that there is no impedance to down-gradient flow between 2 Pike Street and the impacted Con Edison well. Numerous utilities also line East Broadway and as such in addition to a likely down-gradient direct impact from 2 Pike street, there may be preferential flow of product through aggregate associated with utility

installation from 2 Pike Street to the impacted Con Edison well.

6/24/16–Vought–Complete site review began by Vought:

NYCDOB Database Search: Alternate addresses include and to be researched below are: 89–95 Division Street; 100–104 East Broadway; and 2–8 Pike Street. Owner as per ACRIS is Two Pike Street at same address listed above. Exxon Mobil sold property on 4/21/15 to Two Pike Street LLC.

PBS Database Search: Only PBS found for site is expired PBS #2–157864 that shows former site owner was:

ExxonMobil Oil Corporation 3225 Gallows Road Fairfax, VA 22037 Ph:(703)486–3000

PBS Registration 2–157864 shows the following tanks that were used on the site during its history: Seven 4000–gallon gasoline USTs One 550–gallon fuel oil UST Eleven 550–gallon gasoline USTs One 12,000–gallon gasoline UST One 1,000–gallon waste oil UST Ten 550–gallon unknown product USTs (that show close date and may be duplicates of same USTs above or may be additional tanks). One 12,000–gallon gasoline UST(that shows close date and may be duplicates of same USTs above) One 1,000–gallon fuel oil UST One 1,000–gallon waste oil UST One 1,000–gallon Other as per PBS, UST One 550–gallon Other as per PBS, UST

Spills Database Review: 9204121–Tank test failure of gasoline UST – Consolidated as per Remarks Under 9207898–(No Files in D2) 9514394–Tank failure Fire and explosion caused 15 manholes to blow – Consolidated as per Remarks Under 9207898 – In D2 one spill report, one FOIL Request 9514395– The driver overfilled the gas island and the spill was flushed.. by FDNY– Consolidated as per Remarks Under 9207898–(No Files in D2) 9702389– Overfill of underground storage tank. Onto concrete. cleaned up – Consolidated as per Remarks Under 9207898–(No Files in D2) 9801048–Equipment failure – 3 gallons of gasoline. reported small leak – Consolidated as per Remarks Under 9207898–(No Files in D2) 9801049– Caller reporting an overfill of 3 gals into sewer – Consolidated as per Remarks Under 9207898–(No Files in D2) 9903211–Tank overfill–10 gallons of gasoline– Consolidated as per Remarks Under 9207898– D2 has one confirmation cleanup letter dated 6/21/99 from Exxon Mobil of minor surface spill. 9930016–Equipment failure – PBS Inspection found that all warning lights were on in the omntec leak monitor and the veeder root leak monitor indicated T1, T2, T3: Sudden loss alarm , T1, T2, T3: leak .– Consolidated as per Remarks Under 9207898–(No Files in D2) 0111386– Tank test failure at above location –failure of a 4000–gallon gasoline UST . Consolidated as per Remarks Under 9207898–(No Files in D2) 0205061– Contaminated soil discovered at site... – Consolidated as per Remarks Under 9207898–(No Files in D2) 0205097– Possible contaminated soil – Consolidated as per Remarks Under 9207898–(No Files in D2) 0206274– line on a backhoe ruptured.. 2 gallons of hydraulic oil– Consolidated as per Remarks Under 9207898–(No Files in D2) 0210571– Sample revealed contamination at above location – Consolidated as per Remarks Under spill 9207898–Soil contamination letter sent to ExxonMobil–D2 has one CSL to Joanne Wallach dated 1/21/03 0306333– Tank test failure helium test, repair and retest scheduled for 9/16/03 –D2 has one TTF letter from DEC Rossan dated 9/17/03 0502493– Tank test failure of waste oil UST – No DEC remarks.– D2 has two site photos of a man in an excavation at gas station and excavation depth to approximately 15'bg based on photo and no groundwater in excavation.

7/18/16–Vought–Sent email to DEC Post that Charles, Thanks for the attached below OM&M report and I am beginning to review in detail all of the associated spills. With respect to 2 Pike Street, I noticed that there are only files beginning from 2004. Are there any paper files older than this in Central Office? If there are, I would be much obliged if they could be sent down. Thanks again. Complete file review of D2 for 9207898 by Vought:

Consent Order and Corrective Action Plan–7/9/04. ExxonMobil Oil Corporation, Respondent . Respondent is owner of a petroleum bulk storage facility (the Facility located at 2 Pike Street.... . Consent Order also: includes requirements on investigative and remedial action plans; contains a section on dispute resolution; spill compensation fund section; DEC's reservation of rights; penalty to be paid for effective date of Order; access section; investigation and remediation costs to date. The

Department agrees that it will not seek any additional sums from the Respondent for past or future costs attributable solely to Department Oversight of the remediation work for the site. It is expressly agreed that Department Oversight Costs, as defined above, shall not include any contractual costs which have been or which may be incurred by the State of New York... ; closure section. As per CAP Compliance Schedule If the NYSDEC does not provide a written response within 30 days, the submittal will be deemed approved . Note that Consent Order in D2 is NOT Signed by DEC. Consent Order has contact address of:

ExxonMobil Oil Corporation Global Remediation Attn: Northeast Area Manager 3225 Gallows Road Fairfax, Va. 22037

Remedial Action Plan(Kleinfelder)–8/14/06. RAP prepared in accordance with the 8/18/05 Soil Vapor Extraction/Air Sparge Feasibility Investigation Report approved by DEC on 9/2/05. NYSDEC approval of the RAP will indicate that ExxonMobil has successfully completed Item No. 6 of the Corrective Action Plan incorporated into the Site Order on Consent executed between Exxon Mobil... and the NYSDEC ...on October 12, 2004). RAP includes proposal for a AS/SVE system. RAP prepared as per DEC approved AS/SVE Feasibility Investigation Report (not in D2) that was approved by DEC on 9/2/05 as per RAP. The results of the feasibility study indicated that while SVE/AS is a viable remedial strategy for the Site, low hydrocarbon recovery rates calculated during the test presented the need for further evaluation to assess long term recovery trends. To further evaluate hydrocarbon recovery, Kleinfelder conducted a long–term SVE/AS pilot study over a six–week period. The results of the long term pilot study are included in Section 3.3 of this report. Based on the results of the initial feasibility study and long–term pilot study, Kleinfelder proposes to install and operate a SVE/AS remedial system at the Site. The RAP includes a conceptual system design, installation schedule and system performance monitoring plan. Gasoline is stored in two 12,000–gallon capacity USTs located north of the service building. Fuel oil is stored in a 1,000–gallon capacity UST located east of the service station building. A 250–gallon used oil above–ground storage tank (AST) is located along the south side of the service station building. The station UST system was upgraded between May and July 2005. During the upgrade, two 4,000–gallon capacity gasoline USTs, which were located on the south side of the service station building, were removed and one 1,000–gallon capacity used oil UST was abandoned in place and replaced with an AST. The area surrounding the Site consists of residential and commercial use properties. Located west of the Site are an automotive repair technical school and vacant lot followed by retail stores and restaurants. South of the Site, beyond East Broadway, are restaurants and retail stores. East of the Site, beyond Pike Street, is a New York City park area (median) followed by commercial stores. North of the Site, beyond Division Street, are commercial buildings. Bedrock beneath the Site is located at approximately 110 fbg (USGS, 1994). Depth to groundwater beneath the Site is approximately 32 fbg . Calculated water–table elevations indicate groundwater flow direction varies between southwest and west–northwest beneath the Site. Potential sensitive receptors in the vicinity of the Site include the following: Surrounding commercial and residential buildings with basements; Public School No. 2 located approximately 500 feet southeast and Yung Wing School located approximately 500 feet west~northwest of the Site; Utility vaults/lines surrounding the Site; A subway tunnel located approximately 600 feet to the northwest beneath Canal Street. The following is a summary of environmental activities conducted at the Site between July 1985 and present: July 1985 A liquid–phase hydrocarbon (LPH) recovery system was installed and operated until January 1989, recovering approximately 3,800 gallons of LPH from the Site; Geologic Services Corporation (GSC) provided oversight of the excavation of three 4,000–gallon capacity gasoline USTs and six 550–gallon previously abandoned USTs.922 tons of soil removed during UST excavation from 8/02 to 9/02; GSC submitted a Site Investigation Work Plan in response to the NYSDEC January 21, 2003 correspondence in 2/03; in 9/03 GSC submitted a Revised Site Investigation Plan incorporating the modifications required in the September 3, 2003 NYSDEC letter; In November 2003 Total BTEX concentrations ranged from below laboratory reporting limits (BRL)in OW–11 and OW–14 to 463,210 micrograms per kilogram (?g/kg) in OW–17. Groundwater samples collected indicated BTEX concentrations ranging from BRL in OW–14 to 66,519 micrograms per liter (?g/L) in OW–10. The complete findings of the investigation were submitted to the NYSDEC in a March 17, 2004 Supplemental Subsurface Investigation Report ; 92 tons of soil were removed from the site in 6/05 as part of a UST upgrade. Feasibility study shows 30' ROI for SVE and 10' for AS. ...to evaluate whether hydrocarbon recovery rates would be sustained during operation of a full–scale remediation system, GSC–Kleinfelder conducted a long–term duration pilot study. The results of the long–term feasibility study indicate that the proposed remedial system should be focused on the northern portion of the Site property surrounding the existing UST location and dispenser islands. The SVE remediation system will consist of six soil vapor extraction wells (VP–1 through VP–4, OW–18 and

PVP-5). The AS portion of the SVE/AS system will consist of seven AS points (AS-1 through AS-6, and PAS-6). The SVE effluent will be treated with a Falco 300 Cat/ox unit, or equivalent, with a destructive removal efficiency up to 99.5% and discharged through a 20-foot high emission stack. Air discharges will be monitored on a monthly basis to verify that air emissions are within NYSDEC regulatory limits. Kleinfelder will continue to collect groundwater samples from on- and off-Site monitoring wells on a quarterly basis. Following the startup period, a System Startup Report will be submitted to the NYSDEC within 90 days following the receipt of analytical data from the final startup visit. Site Status Update Report (SSUR) summarizing the results of each groundwater sampling event and remedial system operation and maintenance will be submitted to the NYSDEC on a quarterly basis. RAP also has summary data tables for OW5 thru OW17 from 1999 to 2003 for wells installed during these periods.

Site Status Update Report(SSUR) (Kleinfelder)- 11/4/11. Sent to DEC Kevin Sarnowicz. SSUR prepared pursuant to Consent Order. On May 25, 2010, twelve wells were gauged and measured for dissolved oxygen and ten of those wells were sampled. On August 18, 2011, twelve wells were gauged and measured for dissolved oxygen and ten of those wells were and sampled. Groundwater flow to the southwest and Laboratory analysis indicates that dissolved-phase hydrocarbon concentrations are generally consistent with previous groundwater sampling events. AS/SVE system began operation on 5/29/08. System shut down temporarily for three months due to damage concerns associated with Hurricane Irene and system problems with restart. BTEX concentrations in OW-18 have remained consistent since August of 2009 and the evaluation of cycling and/or turning off portions of the SVE and/or AS system to optimize recovery in OW-18. Depth to water is 32-34'bg. A LPH recovery system operated from 1985 through 1988. A total of 3,823 gallons of LPH was recovered. ExxonMobil ceased gasoline distribution operations and divested from the Site on July 6, 2009. Underground storage tanks (USTs), pump islands and associated piping were removed from the site between July 6, 2009 and August 18, 2009. SSUR notes quarterly sampling and system OM&M twice per month. Groundwater analyses show up to:34ppb toluene(OW-12), 2160ppb ethylbenzene(OW-12), 10,500ppb xylene(OW-12).

7/21/16-Vought-Continued file review by Vought:

Site Status Update Report (GES Timothy Maus)-1/31/12. On November 10, 2011, a total of twelve monitoring wells were gauged and ten monitoring wells were sampled. Liquid-phase hydrocarbons were not detected in the monitoring wells gauged. Calculated water table elevations for the quarter indicate groundwater flow direction is to the southwest. Dissolved phase concentrations of benzene, toluene, ethylbenzene, and total xylenes (BTEX) and methyl tertiary butyl ether (MTBE) in monitoring wells OW-5, OW-6, OW-7, OW-12 and OW-16 are generally consistent with the last reporting period. Concentrations of BTEX in monitoring wells OW-10 and OW-15 have increased since the last reporting period and concentrations of BTEX in monitoring wells OW-18 and VP-5A have decreased since the last reporting period. The soil vapor extraction/air sparge (SVE/AS) remediation system operated through the reporting period with operation and maintenance (O&M) events conducted on a bi-monthly basis. Report has attached SVE/AS Influent/Effluent data.

Letter for Removal of Emissions Control Equipment (GES Ghiourelotis)-2/9/12. On behalf of Exxon Mobil Corporation (ExxonMobil), Groundwater & Environmental Services, Inc. (GES) is requesting permission to remove the emissions control equipment for the soil vapor extraction system (SVE) that is operating at the above referenced site. Based on recent laboratory analytical data from December 2011 and January 2012, the SVE system influent benzene concentration is reported to be below the laboratory detection limit of 0.16 micrograms per cubic meter (ug/m³). At an average system flow rate of 300 standard cubic feet per minute (scfm) of extracted air, and an influent benzene concentration of 0.16 ug/m³, the calculated benzene emissions rate is approximately 0.000178 pounds per hour (lb/hr). Additionally, groundwater sampling data indicates benzene is below detection in limits in the on-site monitoring wells (Table 1). GES proposes to remove the catalytic oxidizer and construct a 20-foot high, 4-inch diameter stack through which the extracted soil vapors will be discharged. Attached was analytical effluent data.

Letter from DEC Sarnowicz to Exxon Mobil (Jacqueline Fawcett)-2/10/12. New York State Department of Environmental Conservation (Department) has received the "Site Status Update Report" dated January 31, 2010 for the above referenced site. These high concentrations of BTEX and the ineffectiveness of the soil vapor extraction system (SVE) system to significantly reduce the

concentrations of BTEX in groundwater in the vicinity of these wells is indicative of potential residual non aqueous phase liquid (NAPL) remaining onsite that is a source of groundwater contamination. The Department requests you develop a remedial work plan to address the high concentrations of BTEX that remain at wells OW-10, OW-12 and OW-18. Please notify the Department in writing within 30 days of the date of this letter of your intent or submit a remedial work plan for review to address the Department's concerns.

System Optimization Workplan (GES Ghioureliotis)- 3/9/12. GES believes the activities proposed below will optimize and enhance the hydrocarbon mass recovery rate, the biodegradation of dissolved-phase hydrocarbons, and the overall operation of the system. Based on recent groundwater analytical data from November 2011 (Figure 1), total BTEX concentrations in excess of 1,000 micrograms per liter (ug/L) are present in monitoring wells OW-10, OW-12 and OW-18. In order to effectively target these impacts, GES proposes to modify the operation of the air sparge system to include air sparge wells AS-1, AS-3 and AS-4 only. Soil vapor extraction wells VP-1, VP-2 VP-5A and OW-18 will also be operated in order to capture soil vapors that are produced from the proposed air sparging application. Bimonthly system checks to continue and monthly collection of influent samples. Groundwater in monitoring wells OW-10, OW-12 and OW-18 will be monitored for DO, temperature and pH on a monthly basis in order to determine if conditions are favorable for microbial activity. Groundwater samples will also be collected during the second quarter of 2012 from the above monitoring wells for analysis of Total Kjeldahl Nitrogen (TKN) and Total Phosphorous. Also includes proposal to remove SVE emissions control equipment. Upon your approval of the proposed activities above, GES will co-ordinate restarting the system with the noted operational modifications. SVES data sheets and laboratory analyses included.

Letter from DEC Sarnowicz to Exxon Mobil (Fawcett)-3/22/12. New York State Department of Environmental Conservation (Department) has received the "System Optimization Work Plan" dated March 9, 2012 for the above referenced site. The Department has reviewed the report and has found the document unacceptable. The following questions and comments need to be addressed before the document is acceptable and the system enhancements provided by the work plan can proceed.... Questions and comments cover system optimization, biodegradation of hydrocarbons, and removal of emissions control equipment. The Department would like to see engineering calculations to justify that the proposed remedy will be beneficial in achieving the remedial goal(s). If data is not available to present calculations to provide answer to the above questions until the system is operational, it may be more suitable to present this work as pilot study at this time. Please notify the Department in writing within 30 days of the date of this letter of your intent as per Section I, C, 2 of the Consent Order.

Site Status Update Report (GES)-4/5/12 On February 20, 2012, a total of twelve monitoring wells were gauged and ten monitoring wells were sampled. Liquid-phase hydrocarbons were not detected in the monitoring wells gauged. Calculated water table elevations for the quarter indicate groundwater flow direction is to the southwest. OW-12 and OW-13 are generally consistent with the last reporting period. Concentrations of BTEX in monitoring wells OW-6, OW-7, OW-15, OW-16, and VP-5A have decreased to non-detect concentrations since the last reporting period. Concentrations of BTEX in monitoring wells OW-10 and OW-18 have decreased since the last reporting period. The SVE/AS system operated until February 1, 2012 when it was temporarily shutdown due to a piping issue. Groundwater monitoring and sampling will continue on a quarterly basis. The next groundwater gauging and sampling event will occur in the second quarter of 2012. Report has attached SVE/AS Influent/Effluent data.

System Optimization Workplan ~ Response to NYSDEC comments (GES)-4/19/12. On behalf of Exxon Mobil Corporation (ExxonMobil), Groundwater & Environmental Services, Inc. (GES) is providing this letter as a response to the Department's concerns regarding the System Optimization Workplan that was previously submitted by GES on March 9, 2012. Letter contained responses to DEC's letter dated 3/22/12. Figure 2 indicates the total BTEX concentrations in monitoring wells OW-6, OW-10, OW-12, OW15, OW-16 and OW-17 from June 1999 through to the present. The graph clearly indicates a downward trend in on-site BTEX concentrations since the SVE/AS system was started in May 2008. GES will conduct a short term pilot test with the proposed SVE/AS well configuration which will include operation of SVE wells VP-1, VP-2 and OW-18, and air sparge wells AS-1, AS-2, AS-3 and AS-4. Based on the application AS/SVE alone, GES estimates that an additional 28 months of operation will be required to reduce average groundwater concentrations in all on-site wells within the area of concern in Figure 1 to below 1,000 ug/L of total BTEX. Bioremediation on

its own would require an additional 64 months of operation to attain the same target concentrations of below 1,000 ug/L. The combined approach which would involve operating the AS/SVE system, and active monitoring and injection of nutrients as necessary to further stimulate biodegradation would require only 24 months of system operation. Letter also contains responses to DEC's biodegradation of hydrocarbons question as well as to the DEC lack of approval for removal of emissions control equipment.

Letter from DEC Sarnowicz to Exxon Mobil (Fawcett)–5/3/12. The Department has reviewed the response and has found the document acceptable on the condition that the air stream is treated before it is discharged to the atmosphere as indicated in your response. Please implement the work in the System Optimization Work Plan within 30 days of the date of this letter.

Site Status Update Report (GES Nahmias)–10/23/12. On May 31, 2012, a total of twelve monitoring wells were gauged and ten monitoring wells were sampled. Calculated water table elevations for the quarter indicate groundwater flow direction is to the southwest. Concentrations of BTEX have increased in monitoring wells OW–5, OW–10, OW–18, and VP–5A. Concentrations of BTEX in monitoring well OW–12 and OW–3 have decreased since the last reporting period. GES conducted the groundwater sampling while the existing soil vapor extraction/air sparge (SVE/AS) system was temporarily shutdown. GES will conduct operation and maintenance (O&M) visits based on a prescribed schedule outlined in the System Optimization Work Plan, and then continue twice monthly O&M visits with influent and effluent air sampling performed once per month. Groundwater monitoring and sampling will continue on a quarterly basis. Depth to water is 33–35'bg. Groundwater and SVE analyses included in report.

Site Status Update Report Comments (DEC Sarnowicz)–12/4/12. The Department has reviewed the report and acknowledges your request to shut down the Soil Vapor Extraction (SVE) system and develop a new remedial approach. The Department will allow the SVE system to remain shut down if Exxon Mobil agrees to the following conditions: The Department would request the design and implementation of the new alternative be done under an expedited schedule. Upon Department approval of an acceptable schedule for the Design and implementation of the Remedial Action the Department will determine if the SVE can be shut down. Also, The Department understands that Groundwater Environmental Services Inc. (GES) will propose "Mitigation via a Chemical Oxidation Process" as the new alternative for the site. Please be sure all necessary data and calculations for concluding this technology is applicable at the site and an estimate for how long this technology would take to achieve the remedial goal are included. Please notify the Department in writing within 30 days of the date of this letter of your intent as per Section I, C, 2 of the Consent Order.

8/1/16–Vought–Continued file review by Vought:

Site Status Update Report (GES Maus)–1/7/13. On November 14, 2012, a total of twelve monitoring wells were gauged and ten monitoring wells were sampled. Liquid-phase hydrocarbons were not detected in the monitoring wells gauged. Calculated water table elevations for the quarter indicate groundwater flow direction is to the southwest. Concentrations of BTEX have increased in monitoring wells OW–15, OW–18, and VP–5A. Concentrations of BTEX in monitoring well OW–5, OW–6, OW–7, OW–10 and OW–12 have decreased since the last reporting period. Additionally, an alternate remedial approach to address dissolved phase VOCs in groundwater in the vicinity of OW–10, OW–12 and OW–18 will be presented to the NYSDEC for consideration by February 2, 2013. Quarterly groundwater sampling will continue. **Groundwater analyses show up to:183ppb toluene(OW–18), 4560ppb ethylbenzene(OW–18), 20,800ppb xylene(OW–18).**

Remedial System Status Update Letter (GES Ghiourelitis)–1/31/13. (GES) is proposing the following modifications to the operation of the existing soil vapor extraction & air sparge system (SVE/AS) system at the above referenced site. ...GES believes that the most effective remedial approach to remediation of the site is through the continued operation of the SVE/AS system. Proposed steps for system optimization include: air sparge motor replacement, air sparge well performance testing, evaluation of data to determine the optimal system configuration and to determine if replacement and/or additional air sparge wells are necessary to improve overall system performance and recovery of hydrocarbons from within the area of concern. Proposal notes report will be submitted to DEC within 60 days of completion of the performance testing. GES will initiate the proposed activities above upon receipt of NYSDEC approval.

Letter from DEC Sarnowicz to ExxonMobil(McCarthy)–2/11/13. DEC has reviewed the document and finds your proposal to continue operating the Soil Vapor Extraction /Air Sparge Systems (AS/SVE) with minor modifications unacceptable. The AS/SVE system performance monitoring data suggest the site was incorrectly modeled or sub–terrain conditions have changed since the AS/SVE system installation. DEC requests a new conceptual site model be developed and used to perform a feasibility analysis to support your belief that the AS/SVE is the most effective remedial approach for this site. Please notify the DEC in writing within 30 days of the date of this letter of your intent as per Section I, C, 2 of the Consent Order .

Groundwater Monitoring Data (GES)–3/5/13. GES Groundwater analyses summary table and analytical report from lab.

Project Review Meeting Summary (GES DeGloria)–3/8/13. Site meeting with DEC Sarnowicz and GES on 2/27/13. The purpose of the meeting was to discuss historical remediation completed to date, current site conditions and data trends, and the status of the soil vapor extraction (SVE)/Air Sparge (AS) system (system) relative to the NYSDEC letter dated February 11, 2013 (attached). The following action items were discussed and agreed upon during our meeting:... The NYSDEC would allow the elimination of select monitoring wells which exhibit low level or nondetect concentrations of volatile organic compounds (VOCs). The following monitoring wells will be eliminated from the groundwater sampling program pending approval by NYSDEC: VP–5A; OW–5; OW–7; OW–13; OW–15 and OW–16; these monitoring wells will continue to be gauged during routine groundwater sampling events in order to assist in the calculation of groundwater flow direction. GES will coordinate the repair and/or replacement of the damaged AS motor which was rendered inoperable due to mechanical failure in September of 2012. Once repaired, the SVE/AS system will be configured... Once restarted, the system operation and monthly groundwater sample collection activities will continue for a period of six months. GES will provide the NYSDEC with groundwater sampling results via email each month as requested.

Site Status Update Report (GES Maus)–3/19/13. Dissolved phase concentrations of benzene, toluene, ethylbenzene, and total xylenes (BTEX) in monitoring wells OW–6, OW–7, OW–13 and OW–16 are generally consistent with the last monitoring period. Concentrations of BTEX in monitoring well OW–5, OW–10, OW–12, OW–15, OW–18 and VP–5A have decreased since the last reporting period. On February 28, 2013, representatives of GES and the New York State Department of Environmental Conservation (NYSDEC) met to discuss current site conditions and future remediation. At the request of the NYSDEC, GES will begin collecting groundwater samples from monitoring wells OW–10, OW–12 and OW–18 on a monthly basis for a period of 6 months. Additionally, GES will screen monitoring wells OW–10, OW–12 and OW–18 for temperature, pH, conductivity, oxidation–reduction potential and dissolved oxygen on a bimonthly basis. The air sparge portion of the system remains down. GES is currently coordinating either the replacement or repair of the existing air sparge motor. Once the motor is operational, the air sparge portion of the system will be restarted with the system configured... Quarterly groundwater sampling will continue. Groundwater analyses show up to: 229ppb toluene(OW–18), 4390ppb ethylbenzene(OW–18), 17,900ppb xylene(OW–18).

Summary of SVE/AS Influent Analytical Data (GES unknown author)–Latest data 5/2/13.

Summary of SVE/AS Influent and Groundwater Analytical Data (GES unknown author)–Latest data 6/6/13.

Site Status Update Report (GES Maus)–7/9/13. The air sparge portion of the system was restarted on March 21, 2013 after GES completed the replacement of the existing air sparge motor. On May 22, 2013, a total of twelve monitoring wells were gauged and ten monitoring wells were sampled. Liquid–phase hydrocarbons were not detected in the monitoring wells gauged. Calculated water table elevations for the quarter indicate groundwater flow direction is to the southwest. Quarterly groundwater sampling will continue. Groundwater analyses show up to: 62ppb toluene(OW–18), 3600ppb ethylbenzene(OW–18), 11,300ppb xylene(OW–18).

Summary of SVE/AS Influent and Groundwater Analytical Data (GES unknown author)–Latest data 7/8/13.

Site Status Update Report (GES Maus)–10/1/13. On August 16, 2013, a total of twelve monitoring wells were gauged and ten

monitoring wells were sampled. Liquid-phase hydrocarbons were not detected in the monitoring wells gauged. Calculated water table elevations for the quarter indicate groundwater flow direction is to the southwest. The system is currently extracting vapors from recovery wells VP-1, VP-2, OW-12 and OW-18, and sparging into wells SP-1, SP-2, SP-3 and SP-4. Based on these data trends and current site conditions, GES believes continued operation of the AS/SVE system is the most appropriate remedy for the site. Dissolved phase concentrations of benzene, toluene, ethylbenzene, and total xylenes (BTEX) in monitoring wells OW-7, OW-13 and OW-16 are generally consistent with the last monitoring period. Concentrations of BTEX in monitoring well OW-12 and OW-18 have increased since the last reporting period. Concentrations of BTEX in monitoring well OW-5, OW-6, OW-10, OW-15 and VP-5A have decreased since the last reporting period. GES, on behalf of EMESC, requests approval to remove the following wells from the quarterly sampling program: OW-5, OW-7, OW-13, and OW-16. This request is based on historical groundwater data and trends which show the absence or low level detections of compounds for multiple consecutive quarters. Quarterly groundwater sampling will continue. Groundwater analyses show up to: 42ppb toluene(OW-18), 2570ppb ethylbenzene(OW-18), and 11,400ppb xylene(OW-18).

Letter from DEC Maus to ExxonMobil(McCarthy)-12/3/13. Letter that DEC disagrees that the Air Sparge/Soil Vapor Extraction system (AS/SVE) is the most appropriate remedy for the site as noted in our previous correspondence and past discussions. Based on concentrations trends, ...it appears that: the AS/SVE system will not achieve groundwater concentrations in the timeframes suggested in the April 2012 optimization plan; subsurface conditions have changed since the AS/SVE system installation; something was missed during the investigation and a source(s) of contamination still remains. Therefore, the Department requests a geophysical survey be performed to insure all tanks, piping and related appurtenances have been removed and the conceptual site model should be revisited/revised as appropriate and used to perform a feasibility analysis to support the most effective remedial approach for this site. Regarding your request to cease monitoring of wells OW-5, 7, 13 and 16, the Department will allow every fifth quarter for wells OW-13 and 16, while OW-5 and 7 shall remain in the quarterly sampling program. Please notify the Department in writing within 30 days of the date of this letter of your intent as per Section I, C, 2 of the Consent Order.

Letter from GES (Michael DeGloria) to DEC Sarnowicz-12/23/13. Letter notes that A geophysical survey will be completed as part of an interested third party's due diligence activities being completed as part of a potential property transaction. The results of the survey will be forward to ExxonMobil and GES for evaluation. Within 30 days of receipt of the survey results, GES will submit a response letter to the NYSDEC detailing the findings of the survey. Additional soil and groundwater data will be collected as part of an interested party's due diligence activities which are being completed as part of a potential property transaction. The results of these activities will be forwarded to ExxonMobil and GES for evaluation. Within 60 days of receipt of the activities results, GES will submit a response letter to the NYSDEC detailing the findings and will discuss potential next steps for the site.

Letter from DEC Post to ExxonMobil (McCarthy)-4/1/14. New York State Department of Environmental Conservation (Department) has received the "Chemical Oxidation Pilot Test Work Plan" (WP) dated February 14, 2014 for the above referenced site. The Department has reviewed the document and approves the plan as submitted. Immediately following the completion of the post-test groundwater sampling the existing remedial system shall be restarted, operated and maintained until the Department has commented on the Summary Report recommendations.

Site Status Update Report (GES Andreotto)-7/15/14. On May 28, 2014, a total of twelve monitoring wells were gauged and ten monitoring wells were sampled. Liquid-phase hydrocarbons were not detected in the monitoring wells gauged. Calculated water table elevations for the quarter indicate groundwater flow direction is to the west. Concentrations of BTEX in monitoring wells OW-6, OW-10 and OW-12 have decreased since the last reporting period, while concentrations of BTEX in monitoring well OW-18 have increased since the last reporting period. The SVE/AS system was shut down upon completion of the December 5, 2013 O&M site visit. The purpose of the shutdown was to allow an investigation of soil and groundwater by a third party interested in purchasing the property, under static conditions. The SVE/AS system will remain idle pending completion of Chemical Oxidation Work Plan activities which have been approved by the NYSDEC. Additional activities completed at the site during this monitoring period include: the installation of one chemical oxidation injection point on May 14, 2014 followed by a one day chemical

oxidation pilot test on June 17, 2014. These activities will be summarized and reported to the NYSDEC under separate cover. The next groundwater monitoring and sampling event (post chemical oxidation injection) will be completed during the 3rd quarter of 2014. In addition, the SVE/AS system will be restarted following the next groundwater sampling event. Groundwater analyses show up to: 19ppb toluene(OW-18), 2330ppb ethylbenzene(OW-18), and 14,000ppb xylene(OW-18).

Email from GES DeGloria to DEC Post-8/1/14. AS/SVE system restarted after post injection groundwater sampling was performed.

Email from GES DeGloria to DEC Post-8/19/14. AS/SVE system shutdown and GES does not know reason... which is due to presence of at least 6 homeless people who have occupied the site which is fenced and shuttered. DEC Post replied thanking for notice.

Site Status Update Report (GES Andreotto)-7/15/14. On July 30, 2014, a total of twelve monitoring wells were gauged and ten monitoring wells were sampled. Liquid-phase hydrocarbons were not detected in the monitoring wells gauged. Calculated water table elevations for the quarter indicate groundwater flow direction is to the west. Concentrations of BTEX in monitoring wells OW-6, OW-10, OW-12 and OW-18 have increased since the last reporting period. The SVE/AS system which was shut down upon completion of the December 5, 2013 O&M site visit was restarted subsequent to complete groundwater sampling activities on July 30, 2014. The SVE system shut down and could not be restarted due to trespassers living within the system compound on August 11, 2014. The police department has been notified and GES and ExxonMobil are currently in the process of installing additional security measures to ensure the protection of the system and safety of our employees. The SVE/AS system will be restarted once these measures are completed.

Email from GES DeGloria to DEC Post-10/8/14. Email that AS/SVE system was restarted as homeless people were not around .

Email from DEC Joe O'Connell to DEC Post-12/9/14. Email that Con Ed installed a well in the middle of East Broadway roughly in front of Hotel 91, which is about 150 feet west of the 2 Pike Street property, which now has product in it. More investigation is going to be needed, and Con Ed's consultant (Lee Fankhauser/Eric Rubin at BVNA) has inquired if they can use a sidewalk well from 2 Pike for groundwater elevation purposes to tie into further investigation. DEC Post forwarded email to GES DeGloria and request to determine if groundwater sampling was possible and how he wanted to coordinate data collection.

Email from DEC Post to GES DeGloria-12/15/14. Email that Con Edison well cannot be accessed as well is in street and within the construction embargo corridor.

Site Status Update Report (GES Andreotto)-12/23/14. On November 14, a total of twelve monitoring wells were gauged and ten monitoring wells were sampled. Liquid-phase hydrocarbons were not detected in the monitoring wells gauged. Calculated water table elevations for the quarter indicate groundwater flow direction is to the west. Concentrations of BTEX in monitoring wells OW-5, OW-10, OW-12, and OW-18 have increased since the last reporting period. Concentrations of BTEX in monitoring well OW-6 have decreased since the last reporting period. The SVE/AS system was restarted on October 14, 2014. Report notes that Groundwater Flow (Direction Inferred): Depth to water is 33-35'bg.

Email from GES DeGloria to DEC Post-2/23/15. Email that AS/SVE system shutdown the system in advance of sampling, then restarted system, then system shutdown again for unknown reasons. GES to complete troubleshooting the week the email was dated.

Email from GES DeGloria to DEC Post-3/5/15. Email that AS/SVE system was again operational and that GES was under the impression that the system shut down shortly after leaving the site on 2/23 but we have confirmed that it was operational. The issue or confusion being a delayed call from the telemetry system. Therefore, the only down time this past month, was the period before the sampling event. Sorry for the confusion.

Email from GES DeGloria to DEC Post-3/12/15. Email that The system continues to operate at the 2 Pike Street New York project

but without air sparge at this time. This was shut down yesterday and we have parts in route for repairs. Again, the SVE portion is operational. I will send an email once the air sparge component of the system is again running.

Email from GES DeGloria to DEC Post-3/30/15. Email that Please note that repairs to the air sparge compressor were made today at the former Mobil SS#17-JVK (NYSDEC SP#92-07898). Following repairs, the air sparge component of the system was restarted without issue. The SVE portion remained operational through this period.

Email from DEC Post to DEC Brown-3/31/15. DEC Post received a voicemail from ExxonMobil (Laurie McCarthy) noting that the property sale of the site is pending and she inquired about transfer of remedial system maintenance and remediation to the new owner. She noted that sale and transfer was scheduled for 4/6/15.

Email from GES DeGloria to DEC Post-4/3/15. Email that We are working through another air sparge compressor issue at Pike Street. We had replaced the vanes on Monday, but found operational issues over the course of the week. I have my electrician and Sr. tech onsite tomorrow (Saturday) to try to locate and correct the problem. The SVE portion of the system is operational.

Letter from Two Pike Street LLC to DEC Post-4/6/15. Property transfer to Two Pike LLC and 2 Pike recently assumed remedial obligations of ExxonMobil Oil Corporation for Consent Order 2-157864. ...Two Pike has assumed all responsibility for the remedial activities associated with the above-referenced Order on Consent. Contact for Two Pike LLC is:

Shing Wah Yeung Two Pike LLC 15 Pike Street, Basement New York, NY 10002

Site Status Update Report (GES Andreotto)-12/23/14. On February 20, 2015, a total of eleven monitoring wells were gauged and nine monitoring wells were sampled. Liquid-phase hydrocarbons were not detected in the monitoring wells gauged. Calculated water table elevations for the quarter indicate groundwater flow direction is to the west. Concentrations of BTEX in monitoring well OW-6 have increased since the last reporting period. Concentrations of BTEX in monitoring wells OW-5, OW-10, OW-12, and OW-18 have decreased since the last reporting period.

Site Status Update Report (GES Andreotto)-4/7/15. On February 20, 2015, a total of eleven monitoring wells were gauged and nine monitoring wells were sampled. Liquid-phase hydrocarbons were not detected in the monitoring wells gauged. Calculated water table elevations for the quarter indicate groundwater flow direction is to the west. Concentrations of BTEX in monitoring well OW-6 have increased since the last reporting period. Concentrations of BTEX in monitoring wells OW-5, OW-10, OW-12, and OW-18 have decreased since the last reporting period. The soil vapor extraction (SVE)/air sparge (AS) system, which was shut down upon completion of the February 17, 2015 O&M site visit, was restarted subsequent to completed groundwater sampling activities on February 20, 2015. Influent and effluent air samples were collected from the SVE/AS system during monthly site visits conducted on January 13, February 17, and March 3, 2015. Groundwater analyses show up to: 71ppb toluene(OW-18), 4190ppb ethylbenzene(OW-18), and 22,400ppb xylene(OW-18).

Revised Geotechnical Investigation Work Plan (Yu & Associates)-4/17/15. The purpose of the proposed subsurface exploration program is to collect subsurface information for the foundation design of a new 11 to 13-story mixed use building. Mobil purchased the property in October 1958 from St. Louis Sales & Export Company Inc., and began operation of the site as a filling and service station thereafter. The site has a history of soil and groundwater contamination associated with the historic operations, including 16 NYSDEC Spill Cases, only one of which is still open. Record discrepancies indicate that between 11 and 37 USTs containing gasoline, #2 fuel oil, and waste oil/used oil were present on the site. It is our understanding that the new building will be supported by a concrete mat foundation. The basement for underground parking and other uses will extend about 30 feet below street level. Excavation for removal of contaminated soil in the lot will extend to about 30 feet. Excavation support system (such as secant pile wall, steel sheet pile and etc) along the perimeter of lot will be required and designed by others. The secant pile wall or steel sheet pile wall will be installed with 10 feet offset along the western side lot line. The soil

between the western lot line and the secant pile wall or steel sheet pile wall will be treated in place to a depth about 30 feet.

We anticipate that four (4) borings designated as GB-1 to GB-4 will be completed at site area (GB-1 and GB-4 within site and GB-2 and GB-3 along sidewalk of Pike Street).

Email from DEC Post to Yu & Associates (Yeung) with cc to Yudelson and DEC Brown-4/16/15. The Department approves this work plan with the following modifications: – The work described in this work plan is primarily geotechnical in nature and is being performed on an active remediation site with known contamination. Please verify that Mr. Berry (the field team leader) is qualified and has prior experience working at active remediation sites. – Section 2.3 should be amended to include: 1) the NYS Spills Hot-line and 2) my contact information. – The PID measurements that will be collected as described in Section 3.2 shall be included on the soil boring logs. – The soil borings must be backfilled with material with a lower hydraulic conductivity than the surrounding soils to prevent the potential for vertical migration of contamination. Therefore, the Department requires that each of the borehole be grouted in place using a typical grouting method. – The CAMP should address the possibility of nuisance odors and how the situation will be handled. The section shall be revised to include the protocol when odor complaints are received. The Department requires that the work should be halted following the same protocol as if the PID measurements are exceeded. Additionally, the document shall state that any circumstance where: 1) odor complaints are received or 2) PID exceedances are observed, the Department must be notified immediately at the number and email address listed below. – No intrusive work shall be performed as part of this plan until: 1) the revised work plan is submitted to the Department and 2) the Department has received (no less than seven days) advance notice of start of the intrusive work.

Email Rivera to DEC Jane O'Connell-4/16/15. DEC Rivera received inquiry from Senator Squadron's office asking about development of this site and wanted to know if DEC was involved. Jane noted that site was being managed by DEC Post in Central Office. DEC Brown sent email summary of site history to O'Connell/Rivera/Post.

Email from Yu & Associates (Zhu) to DEC Post-4/17/15. Yu & Associates agrees to all modifications to Geotechnical Investigation Work Plan required by DEC Post and includes a summary of responses to his comments.

Email from DEC Post to Yu & Associates (Yeung)-4/27/16. Email that DEC approves revised Geotechnical Investigation Work Plan and requests a site meeting.

Email from DEC Post to Yu & Associates (Yeung)-5/14/16. Email that Given the conditions at the site boundary, how will the offsite portion be handled? Clearly there is a significant groundwater issue and it likely extends offsite beyond the limits of the excavation.

Consent Order-5/14/15. The Department maintains that Respondent, by taking ownership of the property is now one of the responsible parties required to remediate the site, as is the former owner and operator, ExxonMobil. The Respondent, without admitting or denying the allegations described herein, agrees to enter into this Consent Order to address petroleum contamination at and/or migrating from this Facility. Order also includes sections regarding Dispute Resolution, Spill Compensation Fund, The Department's Reservation of Rights, Access, Closure, Notices, Standard Provisions, and signatures.

Memorandum from DEC Shick to DEC Gorman and Conlon-5/20/15. Note that attached for their signature is a Consent Order and that Two Pike Street LLC will be added as a responsible party IN ADDITION to ExxonMobil.

Email from Shing to DEC Post and Sixuan Wang-5/23/15. Shing to schedule site construction meeting for all parties including DEC Post.

Site Status Update Report (Yu & Associates Wang)-6/12/15. A total of eleven monitoring wells were gauged and nine monitoring wells were sampled on May 29, 2015. Liquid-phase hydrocarbons were not detected in the monitoring wells gauged. Calculated water

table elevations for the 2nd quarter of 2015 indicate groundwater flow direction is to the west. Concentrations of BTEX in monitoring well OW-5, OW-6, OW-15, and OW-16 have increased since the last reporting period. Concentrations of BTEX in monitoring wells OW-10, OW-12, and OW-18 have decreased since the last reporting period. The soil vapor extraction (SVE)/air sparge (AS) system, which was shut down before the groundwater sampling activities and was restarted subsequent to completed groundwater sampling activities on May 29, 2015. Depth to water is 33-35'bg. Groundwater analyses show up to: 2,600ppb ethylbenzene(OW-18), and 15,000ppb xylene(OW-18). An Interim Remedial Measures Work Plan (IRM WP) include the approaches to achieve soil and groundwater remediation objectives was submitted on June 5, 2015. This IRM WP is pending due to the possible addition of soil solidification.

Letter from DEC Post to Yeung-8/3/15. The New York State Department of Environmental Conservation (Department) has received and reviewed the DRAFT 2 Pike Street ~ Interim Remedial Measure Report (DRAFT IRM) for the above referenced site dated July, 2015. The Draft IRM is acceptable to the Department with the following modifications: 1)All soil with visual or olfactory evidence of contamination shall be characterized in the field as contaminated and disposed of as such. Additionally, any soil not exhibiting visual of olfactory evidence of contamination shall be screened in the field using a photoionization detector. Any soil exhibiting a measurement of more than 5.0 ppm-v above the background concentration shall be considered contaminated and be handled and disposed of as such. 2)No fluids shall be discharged to the city sewer without prior approval from the city and the Department. 3)Routine groundwater monitoring and sampling of the offsite well shall continue during and after the construction detailed in this document. The sampling frequency will not change. However, sampling of all the offsite wells will be required during each sampling event so that offsite conditions can be confirmed prior to the anticipated application of ORC. Efforts must be taken to preserve all existing offsite well. Any offsite well damaged or destroyed will be replaced in kind. Notify the Department of any damage and schedule for replacement (typically within 60 days). Please note that it appears that a tieback beneath Pike Street would intersect a well at depth. 4)Within 30 days of the construction completion, a detailed work plan for the application of oxygen releasing compounds into the offsite groundwater shall be submitted to the Department for review. This work plan will be based on the routine sampling results of the offsite wells detailed above. 5)Daily construction activity reports will be submitted by 8:30 AM to report the prior day's activities and the anticipated goals for the day. These daily reports will be assembled into monthly reports and submitted as one electronic file. 6)The active remedial system at the site can be shut down provided that the system will be restarted within 180 days of this letter if this IRM construction has not been initiated. Please finalize this report and submit on electronic and one hard copy of the document for the Department's files. Further, please notify the Department within 15 days of your agreement with these modifications and your intention to complete this required work. Please update and resubmit the construction schedule with this notification.

Letter from DEC Post to Yeung-8/10/15. Same IRW Work Plan approval letter as 8/3/15 letter above however also includes well decommissioning statement as per CP-43 Policy.

Letter from DEC Post to Two Pike Street (Yeung) and ExxonMobil(McCarthy)- 12/21/15. The New York State Department of Environmental Conservation (the Department) has reviewed the soil and groundwater flow data for the above referenced Spill Number located along Broadway approximately 50-feet east of Forsyth Street in New York, NY. Attached to this letter are the soil boring logs, well logs and a site map depicting the well locations associated with this investigation. Separate phase petroleum hydrocarbons (gasoline) have been identified in monitoring well MW-5B in close proximity to the former gas station that was located at 2 Pike Street, New York, NY; the location of Spill #9207898. Based on historic groundwater flow directions submitted for Spill #9207898, monitoring well MW-5B may be (periodically) downgradient of the 2 Pike Street site. Given the known groundwater flow direction and the presence of separate phase petroleum hydrocarbons (SPH) the Department believes that the source may have originated at the 2 Pike St. address. Two Pike, LLC and ExxonMobil are being notified of these findings and the Department is offering to either/both party an opportunity to expand the investigation related to Spill # 9207898 to determine if the prior conditions at the 2 Pike St. facility were the source of the petroleum contamination identified in Spill #1406668. Letter requires implementation of interim remedial measures and delineation of soil and groundwater contamination via installation of monitoring wells. The Department will ultimately hold the responsible party(ies) liable for addressing any on-

or off-site contamination associated with Spill #1406668 under the New York State Environmental Conservation Law (ECL) and/or the New York State Navigation Law(NL). In the event that the Department investigates and determines that Two Pike St, LLC and/or ExxonMobil is responsible, the Department will hold Two Pike, LLC and/or ExxonMobil responsible for all costs associated with the investigation and cleanup through any/all existing and effective Consent Orders. Please respond in writing within 15 days to the Department and indicate your intention as to whether, or not, to expand the Spill 9207898 investigation to include the gasoline SPH identified in MW-5B. Copied on letter were DEC Conlon, Brown, Cozzy, Austin, OConnell, Yudelso, Leung, McCarthy.

Letter from ExxonMobil (McCarthy) to DEC Post-1/4/16. In Environmental Obligations Agreement executed on January 5, 2015, Two Pike LLC contractually assumed all environmental responsibilities related to property located at 2 Pike Street, NY, NY. In correspondence on 12/30/15, Two Pike LLC confirmed that they are investigating the offsite Spill #9207898... Since Two Pike is currently investigating the offsite Spill, ExxonMobil plans to take no further action at this point in time.

Email from DEC O'Connell to RSE and DEC Post-1/12/16. Two Pike requested to sample comingled Con Edison well and Con Edison wants a consultant to be present for split sampling. Consultant for Con Edison's consultant is Lee Frankhauser, BVNA. O'Connell also noted Con Edison Spill 1406668 is an Appendix B spill. Two Pike LLC inquired to O'Connell for information on investigations conducted by Con Edison and asked him if they could sample Con Edison well.

Email from Con Edison (Kevin Klesh) to Wang (Yu & Associates)-1/19/16. Email that understand that you are seeking access, on behalf of your client ExxonMobil, to a monitoring a well that Con Edison installed along East Broadway in Manhattan. In connection with such access, we would need to have an access agreement in place. I would be glad to discuss or please let me know who I should contact.

Email from Wang (Yu & Associates) to Con Edison (Kevin Klesh)-1/22/16. Email that Good Morning Kevin, As we discussed on Tuesday that you are going to send me the access agreement for us to do the groundwater sampling from Con Edison's monitoring well at East Broadway, NY. Just want to check with you for the status of the access agreement.

Email from Con Edison (Kevin Klesh) to Wang (Yu & Associates)-1/28/16. Email that As a follow-up to the below, please see attached a Draft letter agreement. Please let me know if you have any questions.

Email from Wang (Yu & Associates) to Con Edison (Kevin Klesh)-2/9/16. Email that We have reviewed the access agreement, and we have a couple of questions regarding the insurance requirements. Please see below: 1. Auto insurance- YU do not have owned auto coverage since we does not own any autos. We do have non-owned & hired coverage as requested. Just want to check with you this should be ok? 2. Contractors Pollution Liability - Our insurance is for occurrence based coverage which will be effective on February 23, 2016. Can you please check if the occurrence based coverage is acceptable by Con Edison and what is required coverage amount? 3. We need a wavier for the additional insured on the workers compensation or the Professional Liability 4. Cancellation ~ notice will not be sent if coverages are altered. We will need waiver for this. Please let me know if we can add the wavier into the access agreement and also if occurrence based coverage contractors pollution liability insurance is acceptable.

Email from Wang (Yu & Associates) to Con Edison (Kevin Klesh)-2/19/16. Email that Attached please find our insurance certificate. If you are ok with our insurance, can you please add the wavier that I listed in the previous email below to the access agreement and send us a copy to sign? Klesh replied that I have forwarded your insurance certificates to our risk management department for review. In the meantime, there were blanks in the contract for the names, addresses, etc. for notification at both YU and Two Pike LLC. Can you please provide that information? Wang replied with contact information for Two Pike and Yu & Associates.

Email from Con Edison (Kevin Klesh) to Wang (Yu & Associates) and Yudelso-2/21/16. Please find attached a redline of the

agreement that should reflect your last set of comments. Please let us know any final comments. The COIs are under review by our risk management department. Thanks, Kevin

Email from Con Edison (Mariela Gonzalez) to Fankhauser (lee.fankhauser@usbureauveritas.com) and DEC O'Connell-2/24/16. Email that Joe/Lee, it seems like we getting closer to have an access agreement. It is matter of signing it by both parties now, but they have agreed on the final version and Con Ed accepted the insurance coverage, etc.

Site Status Update Report (Yu & Associates)-4/1/16. A total of ten groundwater monitoring wells were gauged and eight monitoring wells were sampled on March 23, 2016. Liquid-phase hydrocarbons were not detected in the monitoring wells gauged. Calculated water table elevations for the 1st quarter of 2016 indicate groundwater flow direction is to the west. Concentrations of BTEX in monitoring wells OW-10, OW-15, and OW-16 have increased since the last reporting period. Concentrations of BTEX in monitoring wells OW-5, OW-6, and OW-18 have decreased since the last reporting period. Depth to water is 33-35'bg. **Groundwater analyses show up to: 1,600ppb ethylbenzene(OW-18), and 6,600ppb xylene(OW-18).** The onsite buildings were demolished between October 12, 2015 and December 8, 2015.

Email from DEC Post to DEC O'Connell and RSE-4/7/16. Email that The owners of 2 Pike Street (former Exxon Mobil site) completed forensics analysis of the petroleum that ConEd found at the East Broadway site. They identified the MW-5B NAPL as: a mixture of gasoline, at least a portion of which was leaded, and an alkylbenzene/polybutene oil. The alkylbenzene/polybutene oil was likely an electrical cable oil. The gasoline was substantially weathered, leaded, premium grade, and likely was released prior to about 1995 or earlier.

Environmental Forensic Report (Meta Environmental)-04/7/16. Report notes same as 4/7/16 email above.

Response to NYSDEC Letter Regarding East/Broadway/Forsyth Street (Yu & Associates)-5/4/16. This memorandum and enclosed files are in response to the NYSDEC Letter dated December 21, 2015. On behalf of 2 Pike, LLC, YU & Associates (YU) performed investigation activities at Con Edison Well MW-5B located on East Broadway, near the intersection of East Broadway and Forsyth Street. This memorandum summarizes field sampling activities performed at MW-5B, sample analysis results, records review, and provides conclusions and recommendations regarding the source of the contamination identified in MW-5B.

According to the Environmental Forensics Report prepared by META Environmental, Inc (META), dated April 7, 2016, the analytical results indicated that the product sample from MW-5B contained a light non-aqueous phase liquid (LNAPL) that was a mixture of products including gasoline and a heavier unidentified product, likely an alkylbenzene/polybutene dielectric fluid. The total petroleum hydrocarbon (TPH) concentration was 761,000 mg/kg (76.1%); indicating that about 76% of the mass was analyzable by GC. According to an e-mail received from META on April 19, 2016, an estimated 72% of the analyzable mass was the unidentified product, and 28% of the mass was gasoline. According to the City Directory Search, the property at 90 East Broadway, located approximately 25 feet north of MW-5B, was used as a Gulf Service Station from 1942 to 1988. Based on the records review, the USTs that were at the former Gulf Station (90 East Broadway) were operated from 1938 to 1988, and the distance from 90 East Broadway to MW-5B is approximately 25 ft. Previous tanks at the former Mobil Service Station (2 Pike Street) were operated between 1960 and 2009, and the distance from the hot spot area at 2 Pike Street to MW-5B is approximately 200 ft. There is no record indicating that remediation was conducted at 90 East Broadway, and petroleum-related residual contamination was left at on-site after UST removal. The former Mobil Service Station at 2 Pike Street, however, has undergone extensive remediation. Based on the sample results and records review, it is concluded that the former Gulf Station at 90 East Broadway is the likely source of impact to the soil and groundwater at the location of MW-5B, and not the former Mobil Service Station at 2 Pike Street. Based on the sample results and records review, the former Gulf Station at 90 East Broadway should be subject to further investigation. Soil and groundwater samples are recommended to be collected at the former location of the tanks in question, and between the location of the former tanks at 90 East Broadway and MW-5B to determine if contamination still exists at the property, and to determine if contamination at 90 East Broadway caused the impact to MW-5B.

9/15/16–Vought–Received email from Yudelson on 9/14/16 that Jeff. Excavation is proceeding rapidly (at – 25 now) and we expect to be close to final grade (–+35) by tuesday. I think it is very usefull and important for you to see this. Despite constant inspections and field screening there has been no sign of any contamination so far. When can you come out? Dave . Vought replied with cc to OGC Urda and Yu & Associates that Dave, How about Thursday at 10:30am? Yudelson replied Ok .

10/11/16–Vought–Received email from Yudelson with cc to OGC Urda on 9/27/16 that 2 pike This is the proposed test pit plan for the first area. The pits may not be as big as the whole area identified. Vought added attached site plan to D2. Vought sent reply with additional cc to Wang that Dave, The Department has reviewed the proposed test pit site plan dated 7/10/15 and has no objections to the locations of the test pits as proposed. As noted during our call today, please notify us as well if product is noted during the installation and please ensure that if it is encountered, it is recovered before backfill. Thanks. Vought and OGC Urda called and spoke to Yudelson, as Yudelson returned call by OGC Urda. Yudelson noted that: test pits were installed and soil was stained at smear zone ; test pits filled in quickly due to unconsolidated sands; groundwater at 26'bg; engineer said they could and they will perform, excavation to 2' below the water table thereby ensuring complete soil source removal; proposal for application of Regenox with ORC;test pits have to be backfilled as soon as installed due to cave–in from sides; and sorbent pads will be on hand to recover free product, if found. Vought noted to Yudelson that Vought would send replied to emails regarding Regenox and test pits.

10/11/16–Vought–Received email from Wang with cc Leung on 9/27/16 that Good Afternoon Jeffery,I have called your office earlier this morning and left a message. I would like to check with you to see if we can delay for the 2016 3rd quarter O&M until we have the entire site excavated to the groundwater table level. Thank you. Vought sent reply with additional cc to Yudelson and Urda that Sixuan, The Department has no objections to the delay of the submission of the 2016 Third Quarter OM&M report (the Report) until the entire site is excavated to groundwater. Please ensure that the previous daily observations you sent via separate email as well as the future daily observations are also included in the Report. Please also note that the Department is no longer requiring submission of the daily reports via email on a frequent basis and will review them as part the Report. In lieu of sending us the emails with the daily observation reports, please keep us notified via email on any significant issues and milestones that may arise during the remedial excavation such as encountering free product, vapor complaints, collection of endpoint samples, backfill, and installation of foundation etc. Thanks!

10/11/16–Vought–Received email from Wang on 10/3/16 that Good Morning Jeffrey, Attached please find the Daily Observation Report from August 31, 2016 to September 30, 2016. Vought sent reply with additional cc to Yudelson/Urda that Sixuan, As noted in my separate email to you today, please ensure that the above attached daily observation reports are included in the Third Quarter OM&M Report. Thanks.

10/11/16–Vought–Received email from Wang on 10/7/16 that Hi Jeffery, Attached please find the Daily Observation Report for this week. I will send you today's daily report on Monday. Thanks. Vought replied with additional cc to Yudelson and Leung that Sixuan, As noted in my separate email to you today, please ensure that the above attached daily observation reports are included in the Third Quarter OM&M Report. Thanks,

10/11/16–Vought–Received email from Wang on 10/10/16 that Good Morning Jeffrey, Attached please find the Daily Observation Report for October 07, 2016. Please let me know if you have any questions. Vought replied with additional cc to Yudelson and Leung that Sixuan, As noted in my separate email to you today, please ensure that the above attached daily observation report is included in the Third Quarter OM&M Report. Thanks,

10/11/16–Vought–Received email from Wang on 10/10/16 with cc to Yudelson, Leung and Shing that Hi Jeffrey, We would want to add RegenOX with ORC pellet to treat the smear zone for 2 Pike Street site. Please let me know if you have any questions or you need any documents to approve this. Thanks. Vought sent reply that Sixuan, The Department approves the conceptual plan of ORC

application at the above referenced site. Please provide more details on the application, including but not limited to: –The amount of ORC being applied to each test pit –Groundwater monitoring parameters to measure its effectiveness (e.g. ~ BTEX and petroleum VOC concentrations, pH, dissolved oxygen, oxidation–reduction potential), –Site plan with test pits and application amounts at each pit. –Groundwater sampling schedule of monitoring wells to examine results of application. Vought received call from and spoke to Sixuan who noted that ORC and Regenox was proposed in last work plan approved by DEC and that she would send a memo with additional details of RegenOx and ORC application as Vought required. Vought received email from Wang with cc to all that Hi Jeffrey, As we have just discussed on the phone, we proposed using ORC mix with the soil at the groundwater table level and extend 2 feet below in the approved IRMWP submitted. Now, we would want to add RegenOX for the hotspot area. I will send you the details on application shortly. Thanks.

10/20/16–Vought–Returned phone message left by Sixuan inquiring as if to DEC required an active or passive SSDS. Vought returned call and Sixuan confirmed that proposed use of basement is still a ventilated parking garage and mechanical rooms. Vought requested she confirm this info and also noted that as per prior guidance from NYSDOH, no active system was warranted. Sixuan also noted that Regenox and ORC injections had begun and additional test pits were installed along East Broadway and no smear zone was noted, compared to test pits in the impacted smear zone at site adjacent to Division Street (Vought noted as confirmed by site data on file). DEC Brown forwarded email to DEC Oliva, Conlon and Cozzy.

11/22/16–Vought–Email review by Vought:

Email from Yu & Associates(Wang) to Vought–6/24/16. Email that Good Afternoon Jeffrey, ttached please find the 2016 2nd quarter O&M report for 2 Pike Street, I have also attached the 1st quarter O&M report for your reference. lease feel free to contact me if you have any questions or comments. Have a good weekend. Vought added 2nd Quarter report to D2 and 1st Quarter Report was already in D2.

Site Status Report (Yu & Associates Wang)–6/24/16. A total of ten groundwater monitoring wells were gauged and eight monitoring wells were sampled on June 17th, 2016. Liquid–phase hydrocarbons were not detected in the monitoring wells gauged. Calculated water table elevations for the 2nd quarter of 2016 indicate groundwater flow direction is to the west. Concentrations of BTEX in monitoring wells OW–6 and OW–15, have increased since the last reporting period. Concentrations of BTEX in monitoring wells OW–5, OW–10, OW–16, and OW–18 have decreased since the last reporting period. Depth to water is 33–35'bg. Groundwater analyses show up to: 390ppb ethylbenzene(OW–18), and 2,300ppb xylene(OW–18).

Email from Shing (WellComeHoldings) to Vought–6/29/16. Email that Jeff,Exxon Mobil submitted a Station upgrade activity report to DEC on August 25, 2005 --- would you happen to have copy of this report to share? Thanks Shing

12/2/16–Vought–Sent reply to Shing email dated 6/29/16 that Shing, My apologies for such a long delay in response. Unfortunately the Department does not have a copy of the Station Upgrade Report on file. Thanks.

Email from Wang (Yu & Associates) to Vought–6/29/16. Email that Good Afternoon Jeffrey, We have started excavation yesterday. Attached please find the Daily Observation Report for the 06–28–16 field work. Please feel free to contact me if you have any questions or comments.

Email from Wang (Yu & Associates) to Vought–7/5/16. Email that Hi Jeffrey, Attached please find the daily observation report for July 1st, 2016 field work.

Email from Wang (Yu & Associates) to Vought–7/6/16. Email that Hi Jeffrey, Attached please find the daily observation report for July 5th, 2016 field work.

Email from Wang (Yu & Associates) to Vought–7/14/16. Email that Good Morning Jeffrey, Attached please find the daily observation report for 2 Pike street. We have encountered 2 550–gallon USTs during excavation, these two USTs are likely previous abandoned USTs since the tanks are fill with concrete and gravel. We also took the post excavation samples. Please free feel to contact me if you have any questions.

Email from Wang (Yu & Associates) to Vought–7/14/16. Email that Good Afternoon Jeffrey, I have called your office today and left a message. Attached please find the daily observation report, now we have excavated the site to approximately 23 feet below ground surface. I have a couple of questions would like to check with you. Please see below. 1. We have encountered two 550 ~ gallon USTs when we excavate to approximately 12 feet and those two USTs are previously closed in place by Exxon. The USTs are filled with concrete, we have collected the post excavation samples around the UST excavation area. Do you want us to prepare a separate report for the UST closure or we can include in the RAR. Also, can we close the USTs under the existing PBS number? 2. We have just ordered ORC product, I would like to see if you have any questions in regarding the ORC application. Thank you. Attached to email were Daily Observation Reports from 8/5/16 through 8/30/16.

12/6/16–Vought–Combined Daily Observation Reports from 6/28/16 through 8/30/16 into one document and added to D2 and reviewed:

Daily Observation Reports (Yu & Associates)–6/28/16 thru 8/30/16. Site development excavation activities including removal of asphalt and concrete begin on 6/28/16. Third UST was removed on 7/13, endpoint samples collected, tank was located in center of site as per photos, and was filled with concrete/grout. Pile walls begin installation on 8/1/16. On 8/22/16, four endpoint sidewall samples collected from western wall adjacent to neighboring building. Excavation and foundation installation activities associated with development continue until 8/30/16.

12/7/16–Continued email summary to date by Vought:

Email from Wang (Yu & Associates) to Vought–10/11/16. Email that Hi Jeffrey, Attached please find the 2016 3rd quarter O&M report text part for 2 Pike Street, please click below Dropbox link to download the full report including laboratory report and Daily Observation Report. The sample results showing a decrease of contaminant concentrations in the downgradient monitoring wells compare to 2nd quarter data, and the side–gradient data is the same as 2nd quarter. Please feel free to contact me if you have any questions or comments. Vought added full report to D2 and reviewed:

Site Status Update Report (Yu & Associates)–10/11/16. A total of five groundwater monitoring wells were gauged and sampled on October 10th, 2016. Groundwater flow direction is inferred to be generally to the west based on previous O&M gauging data; since the monitoring wells on–site were destroyed due to excavation, inferred direction of groundwater flow and groundwater contours cannot be generated based only on gauging data from the perimeter wells. Downgradient wells (OW–15 and OW–16) have decreased concentrations of BTEX since the last reporting period. Two underground storage tanks (USTs) were encountered during excavation at the depth of approximately 15 ft bgs. No evidence of leaks or spills were encountered during removal of the USTs. Daily Observation Reports also in Appendices which note the following: 8/31/16– A test pit was excavated along the northern side of the site. Contaminated soil and groundwater were encountered at approximately 37.5´ below the ground surface. Soil PID levels reached a max of 3.5 ppm. The soil was gray in color. 9/21/16– Upon arrival to the site, adjacent to the northwest corner, at around 33´ depth, contaminated soil was uncovered. There were no PID readings within the breathing zone. Upon disturbing the contaminated soil, PID readings read up to 546 PPM. 10/4/16– Before installation of tieback adjacent to the northeast corner. During the excavation of this small pit, contaminated soil was encountered. The soil was encountered at 32.5´ bgs. 10/5/16– A soil auger was uncovered adjacent to the northeast corner at around elevation 32´. **The auger had a petroleum odor** and had a PID reading of 13.9 ppm for outer soil and 4.9 within the interior of the auger. 10/6/16– 2 test pits were excavated along the northern portion of the site to determine the depth of the smear zone of contamination. It was determined that the smear zone is 2´ in depth, from 34´ to 36´. Ground water began at 36´.

Email from Wang (Yu & Associates) to Vought–10/14/16. Email that Hi Jeffrey, Attached please find the memorandum in response to your questions for application of the ORC Advanced Pellets and RegenOx at 2 Pike Street site. Please let me know if you have any questions. Vought added memorandum to D2 and reviewed:

Memorandum regarding ORC Application (Yu & Associates)–10/14/16. Once the entire site is excavated to approximately 34–35 feet below ground surface (groundwater level), 1 foot over–excavation will begin using a grid by grid approach (5? by 5? or 3? by 3?). ORC Advanced Pellets will be applied at a dose of 0.2 lbs/sq ft in each of the excavation pits (5? by 5?), and will be mixed with the soil extending 1–2 feet down to the bottom of the excavation depth (37 feet below ground surface). Upon completion of ORC and Regenox application, groundwater monitoring and sampling to be performed one month after application at perimeter wells located side–gradient and down–gradient. Groundwater to be sampled and monitored for: VOCs, pH, DO, ORP, dissolved iron, TOC, COD, BOD, SOD, sodium. Groundwater monitoring and sampling then to be performed every three months after for VOCs, pH, DO, ORP, total iron, total manganese, dissolved iron, sulfate, nitrate, COD, BOD and alkalinity. If sampling shows increase in contaminant concentrations then ORC socks to be installed.

2/1/17–Vought–Received email from Yu& Associates (Wang)dated 1/9/17 that Good Afternoon Jeffrey, Attached please find the 2016 4rd quarter O&M report text part for 2 Pike Street, please click below Dropbox link to download the full report including soil end–point sample results, laboratory report, and Daily Observation Report.

<https://www.dropbox.com/s/kly8v6k6i3udhad/Report.SP%2392–07898.2017–01–06.Fr%20Mobil%20SS%2317–JVK%20%28SSUR%29.pdf?dl=0>

The soil end–point sample results showed that BETX and MTBE were detected at the level below the criteria. Petroleum–related volatile organic compounds (VOCs) including: Benzene, Toluene, EthylBenzene, & Xylenes (BTEX) and Methyltert–butyl ether (MTBE), were not detected at concentrations exceeding the Unrestricted Use Criteria in the soil end–point samples. And the groundwater sample results indicated a similar level of detection as compare to 3rd quarter sample results. Methyl tertiary butyl ether (MTBE) was not detected in groundwater samples collected from the monitoring wells during this quarter. Total benzene, toluene, ethylbenzene, and xylenes (BTEX) compounds were not detected in monitoring wells OW–13 and OW–14. Downgradient well (OW–15) has decreased concentrations of BTEX since the last reporting period. Observation well OW–16 has a slightly increased BTEX concentration and OW–11 has an increased BTEX concentration since last reporting period. Based on the end–point sample and groundwater sample results, YU is proposing No Further Action (NFA) in association with NYSDEC Spill No. 92–07898. We will have the vapor barrier installation and the perimeter concrete wall complete within a month. We will submit the Remedial Action Report in February. Vought uploaded the attached Site Status Update Report to D2 and reviewed:

Site Status Update Report (Yu & Associates)–2/1/17. This report includes the summary of the activities completed at the above–referenced site during the 4rd quarter of 2016. A total of five groundwater monitoring wells were gauged on December 22nd, 2016; two wells were sampled on December 22nd, 2016 and three wells were sampled on December 23rd, 2016. Groundwater flow direction is inferred to be generally to the west based on previous O&M gauging data. Downgradient well (OW–15 and) has decreased concentrations of BTEX since the last reporting period. Observation well OW–11 has an increased BTEX concentration and OW–16 has a slightly increased BTEX concentration since last reporting period. End–point samples were collected from a depth just above the smear–zone (approximately 32–33 ft bgs) at 25 locations at the Site. Petroleum–contaminated soil exposed during excavation was treated with a combination of RegenOx and ORC Advanced pellets as approved by NYSDEC. Vapor barrier installation and concrete capping of the Site has been completed to the cellar level on each perimeter of the Site. Daily Observation Report notes An example of a test pit dug on site. **This test pit shows evidence of contaminated soil within it.** This particular test pit was dug along the west wall, around the mid point of the site.

2/9/17–Vought–Sent email to Shing Yeung with cc to Yudelson, OGC Urda, RSE, DEC Rivera, Con Ed (O’Halloran) and Yu (Wang) that Dear Mr. Yeung, Please see the Department’s attached letter regarding the above referenced spill. An original of the letter has

also been sent to you in the US Mail. Note that as per the letter, a Remedial Investigation Work Plan is to be submitted to the Department by March 9, 2017. Thank you, Attached letter noted eleven bulleted reasons for denial of NFA status and also required the following to be submitted by 3/9/17 as per the Consent Order 1)IRM Recovery of free gasoline product in Con Edison Well MW-5B 2)Delineation of free gasoline product at well MW-5B 3)Confirmation of Absence of Sidewalk Remote Fill Ports at 2 Pike Street 4)Submission of scaled surrounding area site map including well MW-5B as well as possible inclusion of additional Con Edison delineation wells. Vought added letter to D2.

2/13/17-Vought-DEC Yudelson called and left message for OGC Urda that he wanted to discuss DEC letter dated 2/9/17.

DEC Requires as per DEC letter dated 2/9/17: 1)IRM Recovery of free gasoline product in Con Edison Well MW-5B 2)Delineation of free gasoline product at well MW-5B 3)Confirmation of Absence of Sidewalk Remote Fill Ports at 2 Pike Street 4)Submission of scaled surrounding area site map including well MW-5B as well as possible inclusion of additional Con Edison delineation wells. 5)Yu and Associates (Wang), OGC Urda, Yudelson, RSE, Con Edison (O'Halloran) and DEC Rivera due to prior inquiry by Senator Squadron on 4/16/15.

DEC may also perform the following: 1)Possible eventual transfer to DER Section B as site is Appendix B site as per DEC O'Connell email dated 1/12/16. 2)Collection of split samples and joint well monitoring by Con Edison/Two Pike/Exxon Mobil (if both parties on site for one time sampling event access agreement for Two Pike may not be needed) 3)Possible status of Con Edison/Two Pike Access agreement so that Two Pike may access Con Edison wells.