

BLOCK 108 LOT 6 QUALIFICATION CODE 0488-16 ADDRESS (SITE) 113 UNION STREET ST PERMIT NO. 16-483



CONSTRUCTION PERMIT APPLICATION

Applicant completes: Sections I, II, III (optional), IV, VI, and VII

I. IDENTIFICATION

1. Proposed Work Site at: 113 UNION STREET

2. Name of Owner in Fee: 113 UNION STREET LLC

Tel. [REDACTED] e-mail [REDACTED]

Address 21 GRAND AVE, PALMARES PARK, NJ

3. Ownership in Fee: Public Private Municipality Zip code

4. Principal Contractor: Russell W. Anderson Inc. Tel. () () () () () ()

Address P.O. Box 757 Ramsey, NJ 07446 e-mail [REDACTED]

License No. OR, if new home, provide Reg. # 8327796 Exp. Date [REDACTED]

Home Improvement Contractor Registration No. or Exemption Reason (if applicable): [REDACTED]

Federal Emp. ID No. [REDACTED] FAX: () () () () () ()

5. Architect or Engineer [REDACTED] Contact [REDACTED]

Address [REDACTED] e-mail [REDACTED]

Tel. () () () () () () FAX: () () () () () ()

6. Responsible Person In Charge once Work has Begun Russ Anderson

Tel. [REDACTED] FAX: () () () () () ()

IIa. PROPOSED WORK

☒ Minor Work ☐ New Building ☐ Addition ☐ Demolition

☐ Repair ☐ Alteration ☐ Renovation ☐ Reconstruction

☐ Asbestos Abat. -Subch. 8 ☐ Lead Hazard Abatement ☐ Radon Remediation ☐ Annual Permit

IIb. SUBCODES (Check all that apply)

Est. Cost	Plans Rec'd by	Date Rec'd	Rejection Date	Approval Date	Re-viewer	Approval	Rejection	Re-viewer
<u>5000</u>								
☒ Building								
☐ Electrical								
☐ Plumbing								
☐ Fire Protection								
☐ Elevator								
TOTAL COST <u>5,000</u>								

III. PLAN REVIEW (optional)

DO YOU WANT:

1. ☐ Partial Releases

2. ☐ Prototype Processing

U.C.C. F100-1 (rev. 808)

IV. DOES OR WILL YOUR BUILDING CONTAIN ANY OF THE FOLLOWING?

1. ☐ Elevators/Escalators/Lifts/ Dumbbells/Moving Walks	4. ☐ Refrigeration Systems	8. ☐ Smoke Control Systems in Open Wells	12. ☐ Fire Alarm
2. ☐ High Pressure Boilers	5. ☐ Cross-Connections/Backflow Preventers	9. ☐ Underground Storage Tanks	
3. ☐ Pressure Vessels	6. ☐ Hazardous Uses/Places of Assembly	10. ☐ Swimming Pools, Spas and Hot Tubs	
7. ☐ Sprinklers/Standpipes		11. ☐ LPG Gas Tanks	

V. FEE SUMMARY (for office use only)

	Update	Update
1. Building	\$	
2. Electrical		
3. Plumbing		
4. Fire Protection		
5. Elevator Devices		
6. Subtotal		
7. Less 20% for State Plan Review	\$	
8. Subtotal	\$	
9. State Permit Surcharge Fee	\$	
10. Subtotal	\$	
11. Cert. of Occupancy		
12. Other		
13. TOTAL	\$	

VI. BUILDING/SITE CHARACTERISTICS

	(office use only)
1. Number of Stories	
2. Height of Structure	ft.
3. Area — Largest Floor	sq. ft.
4. New Building Area	sq. ft.
5. Volume of New Structure	cu. ft.
6. Max. Live Load	
7. Max. Occupancy Load	
8. If Industrialized Building: State Approved	HUD
9. Total Land Area Disturbed	sq. ft.
10. Flood Hazard Zone	
11. Base Flood Elevation	ft.
12. Wetlands	yes ☐ no ☐

VII. DESCRIPTION OF BUILDING USE

A. RESIDENTIAL (primary use)

1. State Specific Use: _____

2. Use Group, Proposed: _____

3. Change in Use Group, Indicate Present: _____

4. No. of dwelling units: Total Units Income-restricted

 Gained, Sale _____

 Gained, Rental _____

 Lost, Sale _____

 Lost, Rental _____

B. NON-RESIDENTIAL (primary use)

1. State Specific Use: _____

2. Use Group, Proposed: _____

3. Change in Use Group, Indicate Present: _____

C. MIXED USE - (List secondary use(s)): _____

D. Construct. Classification: Present _____ Proposed _____



CERTIFICATION IN LIEU OF OATH

I. OWNER SECTION (to be completed if the applicant is the owner in fee)

I hereby certify that I am the owner in fee of the property listed on Page 1.

Mark the following applicable boxes:

A. () I further certify that a new home (private residence) will be constructed on this property for my own use and occupancy. This dwelling is to be occupied by myself and is not to be used for any purpose other than single family residential use. I attest that all construction, plumbing, or electrical work will be done, in whole or in part, by me or by subcontractors under my supervision, in accordance with all applicable laws; and, I further acknowledge that said new home is not covered under the New Home Warranty and Builders Registration Act (N.J.S.A. 46:3B-1 et seq.) and that such fact shall be disclosed to any person purchasing this property within ten years of the date of issuance of a certificate of occupancy.

I UNDERSTAND THAT IN MARKING BOX A, I ACKNOWLEDGE THAT I AM ASSUMING RESPONSIBILITY FOR THE WORK DONE ON SAID PROPERTY, THE CONDITION OF THE PROPERTY PRIOR TO, DURING, AND AFTER ANY WORK PERFORMED, AND FOR THE PERFORMANCE OF THE SUBCONTRACTORS I HIRE, EMPLOY, OR OTHERWISE CONTRACT OR WITH WHOM I MAKE AGREEMENTS TO PERFORM WORK. I AM VOLUNTARILY AND KNOWINGLY ASSUMING THIS RESPONSIBILITY.

B. () I further certify the following as required by the New Jersey Uniform Construction Code, N.J.A.C. 5:23-2.15(f)1.ix:

I personally prepared the plans submitted for: (1) the new home referred to in A.; or, (2) an addition, alteration, renovation, or repair to an existing single family residence owned and occupied by myself and located on the property listed on Page 1; or, (3) a new structure that will be physically separate from, but that will be deemed part of, an existing single family residence that is owned and occupied by myself and located on the property listed on Page 1.

C. () I further certify that I will perform or supervise the following work:

C.1. () Building C.2. () Fire Protection

I further certify that I will perform the following work:

C.3. () Electrical C.4. () Plumbing

D. () I agree to advise all contractors on this project that they are required to be registered with the New Jersey Division of Taxation and to comply with all New Jersey tax laws.

I further certify the following as required by the Uniform Construction Code, N.J.A.C. 5:23-2.15(a)5: All required State, county, and local prior approvals have been given, including such certification as the construction official may require.

I understand that if any of the above statements are willfully false, I am subject to punishment.

Signature

Date

II. AGENT SECTION (to be completed if the applicant is not the owner in fee)

I hereby certify the following as required by the Uniform Construction Code, N.J.A.C. 5:23-2.15(d): the proposed work is authorized by the owner in fee; and I have been authorized by the owner in fee to make this application as his agent.

I further certify the following as required by the Uniform Construction Code, N.J.A.C. 5:23-2.15(a)5: All required State, county, and local prior approvals have been given, including such certification as the construction official may require.

I agree to advise all contractors on this project that they are required to be registered with the New Jersey Division of Taxation and to comply with all New Jersey tax laws.

I understand that if any of the above statements are willfully false, I am subject to punishment.

() Check if contractor.

Agent Name

Russell W Anderson Inc.
P.O. Box 757
Ramsey, NJ 07446

Address

NJ D.P.F. # 0500904 Exp
Fed ID # 22-3327796

Telephone ()

Signature

III. () LEAD HAZARD ABATEMENT: Include Homeowner or Building Owner Affidavit as per N.J.A.C. 5:17.

OFFICE DATE RECEIVED: _____

VIII. PRIOR APPROVALS CHECKLIST (office use only)	LOCAL APPROVAL		COUNTY APPROVAL		REGIONAL APPROVAL		STATE APPROVAL		COMMENTS
	Prelimin. Initial	Final Date	Prelimin. Initial	Final Date	Prelimin. Initial	Final Date	Prelimin. Initial	Final Date	
☐ Zoning Officer									
☐ Planning Board									
☐ Zoning Board									
☐ Sewer Authority									
☐ Water Authority									
☐ Police Department									
☐ Health Department									
☐ Soil Conservation									
☐ N.J. Department of Community Affairs									
☐ N.J. Department of Transportation									
☐ N.J. Department of Environmental Protection									
☐ Utility Dig No.									
☐									
☐									

IX. SUBCODES AND SPECIAL REGULATIONS APPLICABLE (office use only—optional)

Name of Code & Edition	Name of Code & Edition	Other
Building _____	Energy _____	
Electrical _____	Barrier Free _____	
Plumbing _____	Flood Hazard _____	
Fire Protection _____	As Built Elevation Cert. _____	
Mechanical _____	Other _____	

X. CERTIFICATES ISSUED (office use only)

	DATE ISSUED	DATE EXPIRED	DATE REISSUED	DATE EXPIRED
☐ Temporary Certificate of Occupancy	No. _____	_____	_____	_____
☐ Temporary Certificate of Compliance	No. _____	_____	_____	_____
☐ Continued Certificate of Occupancy	No. _____	_____	_____	_____
☐ Certificate of Compliance	No. _____	_____	_____	_____
☐ Certificate of Occupancy	No. _____	_____	_____	_____
☐ Certificate of Approval	No. _____	_____	_____	_____
☐ Lead Abatement Clearance Certificate	No. _____	_____	_____	_____

Building Department
275 Broad Avenue
Palisades Park NJ 07650
(201)585-4108



CERTIFICATE

0245 - PALISADES PARK BORO

Date Issued: 09/05/2017
Permit # 16-00483
Certificate: 1600483.1

IDENTIFICATION

Block 108 Lot 6 Qualifier
Work Site Location 113 UNION ST, 117 UNION STREET
Palisades Park, NJ 07650

Owner in Fee HEIDI LEE
Address 21 GRAND AVENUE, # 601
PALISADES PARK, NJ 07650

Telephone [REDACTED]
Contractor RUSSELL W. ANDERSON INC
Address PO BOX 757
RAMSEY, NJ 07446

Telephone [REDACTED] FAX [REDACTED]

Lic No/Bidrs Reg No. US00904 Fed. Emp. No. [REDACTED]

Home Imprv. Reg No. / Exempt Reason -

☐ CERTIFICATE OF OCCUPANCY

This serves notice that said building or structure has been constructed in accordance with the New Jersey Uniform Construction Code and is approved for occupancy.

☒ CERTIFICATE OF APPROVAL

This serves notice that the work completed has been constructed or installed in accordance with the New Jersey Uniform Construction Code and is approved. If the permit was issued for minor work, this certificate was based upon what was visible at the time of the inspection.

☐ TEMPORARY CERTIFICATE OF OCCUPANCY/COMPLIANCE

If this is a temporary Certificate of Occupancy or Compliance, the following conditions must be met no later than _____ or will be

Home Warranty No.

Type of Warranty Plan [] State [] Private

Use Group ICC/U

Maximum Live Load

Construction Class

Max. Occupancy Load

Description of Work/Use

3000 GAL UST REMOVAL

☐ CERTIFICATE OF CLEARANCE - LEAD ABATEMENT 5:17

This serves notice that based on written certification, lead abatement was performed as per NJAC 5:17, to the following extent:

[] Total removal of lead-based paint hazards in scope of work
[] Partial or limited time period (0 years); see file

☐ CERTIFICATE OF CONTINUED OCCUPANCY

This serves notice that based on a general inspection of the visible parts of the building there are no imminent hazards and the building is approved for continued occupancy.

☐ CERTIFICATE OF COMPLIANCE

This serves notice that said potentially hazardous equipment has been installed and/or maintained in accordance with the New Jersey Uniform Construction Code and is approved for use until _____

CONSTRUCTION OFFICIAL _____

PermitsNJ

Fee \$0.00
Paid [] \$0.00 []
Collected by: Check No.



CONSTRUCTION PERMIT

Date Issued 9/27/16
Permit # 16-483

IDENTIFICATION Block 108 Lot 6 Qualification Code _____
Work Site Location 113 UNION ST.
PALISADES PARK
Owner in Fee 113 UNION ST. LLC
Address 21 GRAND AVE. SUITE 601 Tel. (____) 212 611 0500 Exp. _____
PALISADES PARK, N.J. Lic. No. or Bldgs. Reg'd # _____
Tel. _____

- Is hereby granted permission to perform the following work:
- ☐ BUILDING ☐ PLUMBING ☐ LEAD HAZARD ABATEMENT
 - ☐ ELECTRICAL ☐ FIRE PROTECTION ☐ DEMOLITION
 - ☐ ELEVATOR DEVICES ☒ ASBESTOS ABATEMENT ☐ OTHER Oil Tank
- (Subchapter 8 only)

DESCRIPTION OF WORK: 3,000 GAL OIL REMOVAL

NOTE: If construction does not commence within one (1) year of date of issuance, or if construction ceases for a period of six (6) months, this permit is void.
Estimated Cost of Work \$5,000.00

Construction Official [Signature] Date 9/26/16

PAYMENTS (Office Use Only)	
Building	<u>300</u>
Electrical	_____
Plumbing	_____
Fire Protection	_____
Elevator Devices	_____
Other	_____
DCA State Permit Fee	_____
Cert. of Occupancy	_____
Other	_____
Total	<u>300</u>
Check No.	<u>10307</u>
Cash	_____
Collected by	<u>[Signature]</u>

REQUIRED INSPECTIONS

Construction work must be inspected in accordance with the State Uniform Construction Code Regulations N.J.A.C. 5:23-2.18. This agency will carry out such periodic inspections during the progress of work as are necessary to insure that work installed conforms with the requirements of the Uniform Construction Code.

The owner or other responsible person in charge of work must notify this agency when work is ready for any required inspections specified below. Requests for inspections must be made at least 24 hours prior to the time the inspection is desired. Inspections will be performed within three business days of the time for which they are requested. The work must not proceed in a manner which will preclude the inspection until it has been made and approval given.

☐ Required inspections for all subcodes for one- and two-family dwellings are as follows:

1. The bottom of footing trenches before placement of footings, except that in the case of pile foundations, inspections shall be made in accordance with the requirements of the building subcode.
2. Foundations and all walls up to grade level prior to back filling.
3. Utility services, including septic.

4. All structural framing, connections, wall and roof sheathing and insulation; electrical rough wiring, panel and service installation; rough plumbing. The framing inspection shall take place after the rough electrical and plumbing inspections and after the installation of the heating, ventilation and/or air conditioning duct system. The insulation inspection shall be performed after all other subcode rough inspections and prior to the installation of any interior finish material.

☐ Additional required inspections for all subcodes of construction, for other than one- and two-family dwellings, are fire suppression systems, heat producing devices and Barrier Free subcode accessibility, if applicable.

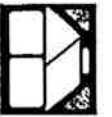
☐ Required special inspections. The applicant by accepting the permit will be deemed to have consented to these requirements:

☐ A final inspection is required for each applicable subcode area before a final Certificate of Occupancy or Approval may be issued. The final inspections include the installation of all interior and exterior finish materials, sealing of exterior joints, mechanical system and other required equipment; electrical wiring, devices and fixtures; plumbing pipes, trim and fixtures; tests required by any provision of the adopted subcodes, Barrier Free accessibility, if applicable; and verification of compliance with NJAC 5:23-3.5, "Posting structures".

☐ A complete copy of released plans must be kept on the job site.



BUILDING SUBCODE TECHNICAL SECTION



A. IDENTIFICATION—APPLICANT: COMPLETE ALL APPLICABLE INFORMATION, WHEN CHANGING CONTRACTORS, NOTIFY THIS OFFICE. CALL UTILITY DIG NO: 1-800-272-1000.

Block 108 Lot 8 Qualification Code

Work Site Location 113 UNION ST.

PALISADES PARK

Owner In Fee: 113 UNION STREET LLC

Tel. () e-mail

Address 21 GDAV Municipality Tel. () e-mail zip code

Contractor: Russell W Anderson Inc. Tel. () e-mail zip code

Address P.O. Box 757 Ramsey NJ 07446

Tel: NA DEP # US00904 Exp

Contractor License Fed. ID# 2293337786 Exp. Date

Home Improvement Contractor Registration No. or Exemption Reason (if applicable):

Federal Emp. ID No. FAX: ()

JOB SUMMARY (Office Use Only)

PLAN REVIEW	Date	Initial	INSPECTIONS	Failure	Dates (Monthly/Day)	Approval	Initial
☒ No Plans Required	9/1/16	N	Footings				
☒ All			Footings/Bonding				
☒ Footings/Foundations			Foundation				
☒ Structural/Framework			Slab				
☒ Exterior			Frame				
☒ Interior			Truss/Sys/Bracing				
☒ Joint Plan Review Required			Barrier-Free				
☒ Elec./Plumb./Fire/Elevator			Insulation				
☒ SUBCODE APPROVAL FOR PERMIT			Finishes-Base Layer				
☒ Date:			Finishes-Final				
☒ Approved by:			Energy				
☒ SUBCODE APPROVAL FOR CERTIFICATE			Mechanical				
☒ CO			TCO				
☒ CCO			Other				
☒ CA			Final				
☒ Date:			Barrier-Free				
☒ Approved by:							

B. BUILDING CHARACTERISTICS

Use Group Present	Proposed	Constr. Class Present	Proposed
No. of Stories <u> </u>	<u> </u>	If Industrialized Building:	<u> </u>
Height of Structure <u> </u> ft.	<u> </u> ft.	State Approved <u> </u>	HUD <u> </u>
Area — Largest Floor <u> </u> sq. ft.	<u> </u> sq. ft.	Est. Cost of Bldg. Work:	
New Bldg. Area/All Floors <u> </u> sq. ft.	<u> </u> sq. ft.	1. New Bldg. <u>\$ 5,000.-</u>	
Volume of New Structure <u> </u> cu. ft.	<u> </u> cu. ft.	2. Rehabilitation <u>\$ 5,000.-</u>	
Max. Live Load <u> </u>	<u> </u>	3. Total (1+2) <u>\$ 5,000.-</u>	
Max. Occupancy Load <u> </u>	<u> </u>		

C. CERTIFICATION IN LIEU OF OATH

I hereby certify that I am the (agent of) owner of record and am authorized to make this application.

Signature Russell W Anderson

D. TECHNICAL SITE DATA

DESCRIPTION OF WORK

3000 GAL UST REMOVAL

Date Received 9/27/16

Control # 16-483

Date Issued

Permit #

TYPE OF WORK:

- ☐ New Building
- ☐ Addition
- ☐ Rehabilitation
- ☐ Roofing
- ☐ Siding
- ☐ Fence Height (exceeds 6') Sq. Ft.
- ☐ Sign Sq. Ft.
- ☐ Pool
- ☐ Retaining Wall Sq. Ft.
- ☐ Asbestos Abatement Subchapter 8
- ☐ Lead Haz. Abatement NJAC 5:17
- ☐ Radon Remediation
- ☒ Other UST
- ☐ Demolition

FEE (Office Use Only)

Administrative Surcharge \$	
Minimum Fee \$	
State Permit Surcharge Fee \$	
TOTAL FEE \$	<u>300</u>

1 Write = Inspector Copy

3 Print = Office Copy

2 Canary = Office Copy

4 Hard = Applicant Copy



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Certifies That

RUSSELL W ANDERSON INC
1 FYKE RD
Mahwah, NJ 07430

*Having duly met the requirements of the
Underground Storage Tank Certification Program
N.J.S.A. 58:10A-24.1-8*

Is hereby approved to perform the following services:

CATHODIC PROTECTION TESTER
CLOSURE
INSTALLATION-ENTIRE UST SYSTEM

04/30/2017
EXPIRATION DATE

TO BE CONSPICUOUSLY DISPLAYED AT THE FACILITY

US00904
CERTIFICATION NUMBER



LUMEN

Architectural Engineering, P.C.

Do Robert Lee, P.E., LEED, Assoc. AIA,
Principal

* Phillip Rabinowitz, AIA, *

Bernard J. Goz.

September 23, 2016

OFFICE OF THE BUILDING DEPARTMENT

Attention: Thomas O'Malley Construction Code Official

275 Broad Avenue,
Palisades Park, NJ 07650

Re: 113 Union Street, Palisades Park, NJ
Underground storage tank.

Dear Mr. O'Malley,

Please be advised that we have found underground storage tank yesterday, Thursday, 9/22/2016, and I called the Steve Rich Environmental Contractors to visit the site and requested for help. They were in process of scheduling the visit. I have personally described the situation thoroughly regarding this matter yesterday with Beth, the personnel working for the company, promised to get back to me yesterday (9/22/2016), but I did not get a call from her.

On 23rd of September 2016, the specialist advised me that they will initiate the permitting process once DEP and State of NJ clears the issue. We were instructed by you on 23 of September 2016 to preserve the subject premises until further instruction from you. Meanwhile, please review our environmental assessment report indicating that the subject property did not have any environmental issues and we were not made aware of any environmental issues until the 22nd, yesterday.

On page 18, subject property reconnaissance, Underground Storage tank says "Not observed" and we were not informed of this matter until yesterday when I visited the site. Also attached is our request for field inspection by Rich Environmental Contractors.

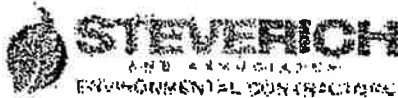
Please feel free to call me if you have any questions or concerns at 917-715-4899.

Very truly yours,

Do Robert Lee, P.E., LEED, Assoc. AIA
Principal

9/23/2016

Oil Tank Removal NJ - Abandonment, Testing, Installation, Soil Remediation

**(973) 458.1188**Licensed • Bonded • Insured
24-HOUR EMERGENCY SERVICES**Expert NJ oil tank removal services. Fast, free estimates.**

Heating oil tank removal, abandonment, installation, soil remediation and more in Bergen, Essex, Passaic, Hudson, Union County, lower New York State and beyond. Residential and commercial. New Jersey & New York's most trusted oil tank company. Call or click today for a free, on-site evaluation.

Spoke with
Beth 9/22/2016
REQUEST FOR PRICE
QUOTE & PROCESS
of permit if required

Steve Rich Environmental Contractors (SREC) is your complete, hometown environmental contracting company. Since 1981, we have provided reliable, comprehensive residential environmental services to the New Jersey-New York metropolitan area. Small enough to give each project our full attention, large enough to get any job done efficiently our experienced professionals are committed to providing cost-effective solutions for all environmental needs.

SREC specializes in oil tank testing, removal and abandonment, heating oil tank installation, soil and groundwater testing and soil remediation, vacuum truck services and much more.

We invite you to peruse our services in more detail - testimonials from satisfied customers, our signature projects in and around the northern N.J. area, and our extensive FAQ page to answer your questions.

Contact us today for immediate service, to get a price quote, or schedule an appointment for a no-cost, on-site evaluation.

HOW CAN WE HELP?

Subject (required *)

Background fuel oil tank

Your First Name *

Robert

Your Last Name *

Lee

Your Email *

rlee@steve-rich.com

Street Address *

203 Wood Ave 2nd floor suite 201

City, State, ZIP *

Passaic, NJ

Telephone (optional)

NJ

What do you need done? *

Need help as fuel tank discovered, the excavator already took it out of the ground as there was no oil in place, but would like to know where it should be disposed of and how, please call at 973-733-4894 or my cell phone, Robert Lee

Verification required. Check the checkbox below.

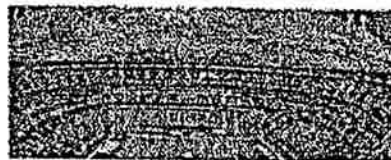
I'm not a robot

reCAPTCHA
Never Give Up

Send Information

OTHER SERVICES

We offer a variety of expert services including construction, utility installation, vacuum truck services, hazardous waste disposal, and much more. Being a leading company, we have complete oil tank services that help you dispose safely and quickly.

SIGNATURE PROJECTS

Proud as we are to service our New Jersey and New York homeowners in their oil tank removals, repairing septic systems and in all our work as environmental contractors with our sister companies we've also enjoyed being an integral

STEVE RICH IN THE NEWS

The presence of underground oil tanks creates a substantial challenge for many homeowners. Leaks from older tanks cause environmental hazards like water and soil contamination, which translate into liability

PHASE I ENVIRONMENTAL SITE ASSESSMENT

Subject Property Address

Commercial Property
321 Commercial Ave
Palisades Park, NJ 07650

PROJECT #2129213-PI

Report Date:

August 15, 2014

Prepared for:

New Bank
146-01 Northern Blvd
Flushing, NY 11354



Odelphi
Environmental, Inc.

ENVIRONMENTAL RISK MANAGEMENT & CONSULTING

76A W RUBY AVE, UNIT A
PALISADES PARK, NJ 07650

www.odelphi.com

(201) 943-5000, FAX (201) 943-5003



Odelpi
Environmental, Inc.

Environmental Risk Management & Consulting

76A W Ruby Ave, Palisades Park, NJ 07657
(201) 943-5000, Fax: (201) 943-5003 www.odelpi.com

August 15, 2014

Mr. Yong Sung Park
NewBank
146-01 Northern Blvd
Flushing, NY 11354

Subject: Phase I Environmental Site Assessment Report
321 Commercial Ave, Palisades Park, NJ 07650
ODELPHI Project #2129213-PI

Dear Mr. Park:

Attached please find our *Phase I Environmental Site Assessment Report*, (the *Report*) for the above-mentioned Subject Property. During the property investigation and research, our property surveyor met with agents representing the Subject Property, or agents of the owner, and reviewed the property and its history. The *Report* was completed according to the terms and conditions authorized by you. This *Report* has been completed in general conformance with the ASTM Practice E 1527-05.

The purpose of this *Report* is to assist the lender, in its transaction of the Subject Property described herein.

The assessment was conducted in a manner consistent with the level of care and skill ordinarily exercised by members of the profession, and in accordance with generally accepted practices of other consultants currently practicing in the same locality under similar conditions. No other representation, expressed or implied, and no warranty or guarantee is included or intended. The *Report* speaks only as of its date, in the absence of a specific written update of the *Report*, signed and delivered by ODELPHI.

There are no intended or unintended third party beneficiaries to this *Report*, unless specifically named. ODELPHI is an independent contractor, not an employee of either the issuer or the borrower, and its compensation was not based on the findings or recommendations made in the *Report* or on the closing of any business transaction. Thank you for the opportunity to prepare this *Report*, and assist you with this project. Please call us if you have any questions or if we may be of further assistance.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Casey Oh'.

Casey Oh,
Project Manager
Ph. D., CRS, CEM

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EXECUTIVE SUMMARY

The subject property (APN 4500104-00000-00-030001 (321 Commercial Ave, B/L: 104 / 3.01), 4500104-00000-00-03 (329 Commercial Ave, B/L: 104 / 3), 4500107-00000-00-02 (312 Commercial Ave, B/L: 107 / 2), 4500107-00000-00-05 (112 Union St, B/L: 107 / 5), 4500108-00000-00-06 (113 Union St, B/L: 108 / 6), 4500108-00000-00-07 (117 Union St, B/L: 108 / 7)) at 321 Commercial Ave, Palisades Park, NJ 07650 consists of a three-story approximately 18,000 sq. ft. rectangular shaped King Sauna Building consisting of kitchen, dining area, utility rooms, sauna rooms, restrooms, and offices on a 22,000 sq. ft. rectangular shaped lot, a residential dwelling of approximately 3,000 sq. ft. on approximately 8,000 sq. ft. lot, and two parking lot of approximately 25,000 sq. ft. for 321 NJ Commercial Realty, LLC, within Commercial Miscellaneous Zone, situated on the northwestern block of Commercial Ave and along Union St in the Borough of Palisades Park, the County of Bergen, and the State of New Jersey.

The subject King Sauna building had been residential dwellings, warehouse and office building in 1960s according to historical Sanborn Fire Insurance Map. Parking lots along Union St had been residential dwellings, and the residential dwelling on 312 Commercial Ave has been residential dwelling since the construction of the building. The subject property is situated in Commercial Miscellaneous Zone where properties were found to be commercial retail, warehouse and residential buildings. Currently the subject buildings are a sauna building, a residential dwelling, and two parking lots. Sanborn Fire Insurance Map has coverage for the subject area from 1911 to 1968 and depicts the subject property as residential dwellings and warehouse and offices. City Directories does list the subject property as commercial property. Approximately 100% of the property was improved with building and parking lot. Porous surface was not observed.

Overall setting of the vicinity is commercial/residential use such as local road (Commercial Ave) to the southeast and the northwest, local road (Union St) to the southwest and the northeast, office buildings to the southwest and northeast, and residential buildings to the southeast of the subject property.

ODELPHI performed site inspection on August 5, 2014 and observed that the subject property was a sauna and a residential dwelling with two parking lots. The property representative, Mr. Yun Kim, was accompanied site inspection and interviewed. According to Mr. Kim, the subject property used to be a warehouse building prior to the purchase of the property. The current building was converted from a warehouse to a spa/sauna building in 2003. He also stated that the source of heating was gas and HVAC units are on the roof. Mr. Kim stated that the subject property does not pose any environmental concern or hazardous in nature to the general public.

ODELPHI requested the Borough of Palisades Park for the search of public records and filed a request to review records on the subject property. The agency has not responded at the time of this report writing. Any significant finding will be added as an addendum to this report.

The subject property is a sauna building, which sits as a rectangular-shaped building occupying entire frontage toward Commercial Ave and is a three-story building with concrete block structure on concrete slab foundation. It contains kitchen, dining area, utility rooms, sauna rooms, restrooms, and offices with no basement and parking lot. ODELPHI field inspector observed two (2) gas-fired

hot water heater, seven (7) gas-fired furnaces, and ten (10) HVAC systems on the roof. The subject property does not show visual and olfactory concerns. Utilities to the subject property were PSE&G for gas and electric and United Water and Borough of Palisades Park for water and sewer, respectively.

Government environmental records have information on the subject property, which is listed in NJ SHWS and NJ VCP of the government records with active case (# 06-06-13-1522-54) assigned. No information as to environmental quality at the subject site was identified from the lists other than fact that MOA was executed on 12/8/2006. The case was assigned when subsurface impact from historic fill material was identified through geotechnical investigation for renovation and expansion of the sauna in 2006. Sunbeam Consultants LLC performed remedial investigation on behalf of the King Spa Sauna and concluded and recommended to establish Deed Notice as Institutional Control, Remedial Action Permit, and Classification Exception Area (CEA). NJ DEP issued Soil Remedial Action Permit, dated May 20, 2013. Based on the finding, ODELPHI consider the case no Recognized Environmental Condition that warrants further subsurface investigation. Considering its regulatory status and property condition, an adjacent property at 319 Commercial Ave (case # 02-09-13-1519-26) that pose risk of contamination to the subject property was identified. However, regulatory agencies do not hold the subject property owner liable for contamination by off-site migration. Therefore, the risk was mitigated.

ODELPHI's assessment has revealed no Recognized Environmental Condition, but a historical Recognized Environmental Condition in connection with the Subject Property in accordance with ASTM E1527-05 as followed:

- According to an environmental consultant who worked on the case in 2008, the subject property has an on-going case (# 06-06-13-1522-54) with historic fill material. ODELPHI interviewed the project director, Mr. Aliqur Rahman of Sunbeam Consultant, LLC ('Sunbeam'). Mr. Rahman stated that contamination at the subject property pose mitigated risk because it came from historic fill materials and approximately 20 tons of fill material was excavated. Based on the finding, Sunbeam performed remediation action and applied for soil remedial action permit for institutional control for the subject property. NJDEP issued Soil Remedial Action Permit, dated May 20, 2013. Mr. Rahman issued a RAO letter for the subject property (Appendix H).

Considering the historical and the current use of the subject property, no further action or subsurface investigation is recommended based on the historical uses of the subject property due to the minimal risk of contamination at the subject property.

REPORT COMPONENT	RECOMMENDED ACTIONS	ESTIMATED COST
Subject Property Characteristics (Current Tenant or Property Use Concerns)	The subject property had been commercial building since the development of the current structure. No environmentally sensitive business occupies the subject property. No further action.	N/A

Subject Property Reconnaissance	ODELPHI field inspector observed two (2) gas-fired hot water heater, seven (7) gas-fired furnaces, and ten (10) HVAC systems on the roof. The subject property does not show visual and olfactory concerns. No further action	N/A
Potential Asbestos Containing Material (ACM)	None observed (out of scope). No further action.	N/A
Lead-based Paint	None observed (out of scope). No further action.	N/A
Other Non-CERCLA Items	Non-detect	N/A
Historical Use of Subject Property and Vicinity	The subject property had been historically commercial building. No further action	N/A
Potential Off-site Sources	Adjacent properties were appeared to impact the subject property considering their distance, geology, and regulatory status. However, regulatory agencies do not hold the property owner liable for off-site contamination migration. No further action	N/A
Federal, State and Local Agency Concerns	Government environmental records have information on the subject property, which is listed in NJ Release of the government records with active case (# 13-07-05-1240-19) assigned. No information as to environmental quality at the subject site was identified from the list except the release location as manhole and incident type as sewage. Considering its regulatory status, property use and property condition, ODELPHI do not consider the listing a Recognized Environmental Condition that warrant further investigation. No further action	N/A

INACCESSIBLE OR UN-SURVEYED PORTIONS OF SUBJECT PROPERTY

There were no other notable portions of the Subject Property excluded from this survey.

1.0 SCOPE OF WORK & LIMITATIONS

The primary purpose of this *Phase I Environmental Site Assessment Report (the Report)* is to assist Client, in its underwriting of a proposed mortgage loan on the Subject Property, and to identify *recognized environmental conditions* in connection with the Subject Property described in this Report. The investigation was prepared in accordance with the Client's Environmental Site Assessment scope of work for the use and benefit of the Client, its successors, and assignees, and US SBA if financing is to be authorized by US SBA. It is based, in part, upon documents, writings, and information owned, possessed, or secured by the Client. Neither this report, nor any information contained herein shall be used or relied upon for any other person or entity without the express written permission of the Client.

This report has been prepared by ODELPHI for the Client under the professional supervision of the principal and/or senior staff whose seal(s) and signatures appear hereon. Neither ODELPHI, nor any staff member assigned to this investigation has any interest or contemplated interest, financial or otherwise, in the subject or surrounding properties, or in any entity which owns, leases, or occupies the subject or surrounding properties or which may be responsible for environmental issues identified during the course of this investigation, and has no personal bias with respect to the parties involved.

ODELPHI's liability to Client or any other person or entity with the express written permission of the Client wishing to use this Report is limited to the cost of the Report. Amendments to ODELPHI's limitations as stated herein that may occur after issuance of the Report are considered to be included in this Report. Payment for the Report is made by, and ODELPHI's contact and Report extends to Client only, in accordance with our Standard Conditions For Engagement, Authorization Letter and Agreement for Environmental Services.

The additional purpose of this Report is to assess a parcel of real estate with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and petroleum products. As such, this practice is intended to permit Client to satisfy one of the requirements to qualify for the innocent landowner defense to CERCLA liability; that is, the practices that constitute "all appropriate inquiry into the previous ownership and uses of the property consistent with good industrial or customary practice" as defined in 42 USC § 9601(35)(B).

In defining a standard of good industrial and customary practice for conducting an environmental site assessment of a parcel of property, the goal of the processes established by this practice is to identify recognized environmental conditions. The term recognized environmental conditions (RECs) means the present or likely presence of any hazardous substance or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to de minimis conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis are not RECs.

ODELPHI has performed this Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-05.

SCOPE OF WORK

This Report was prepared for the exclusive use of Client. This Report has been prepared in accordance with our Standard Conditions For Engagement and Authorization Letter and Agreement for Environmental Services approved and signed by Client, and with the limitations described below, all of which are integral parts of this Report. A copy of the signed Standard Conditions For Engagement and Authorization Letter and Agreement for Environmental Services is maintained at the ODELPHI Environmental, Inc., Orange, New Jersey office.

The information reported was obtained through sources deemed reasonably ascertainable, as defined in ASTM E 1527-05: a visual site survey of areas readily observable, easily accessible or made accessible by the property contract and interviews with owners, agents, occupants, or other appropriate persons involved with the Subject Property. Municipal information was obtained through file reviews of reasonably ascertainable standard government record sources, and interviews with the authorities having jurisdiction over the property. Findings, conclusion and recommendations included in the Report are based on our visual observations in the field, the municipal information reasonably obtained, information provided by the Client, and/or a review of readily available and supplied documents. ODELPHI renders no opinion as to the property condition at un-surveyed and/or inaccessible portions of the Subject Property, which are described below. ODELPHI relies completely on the information, whether written, graphic or verbal, provided by the property contact or as shown on any documents reviewed or received from the property contact, owner or agent, or municipal source, and assumes that information to be true and correct. The observations in this Report are valid on the date of the survey. ODELPHI uses the reported date of construction to establish the Subject Property age.

The observations in this Report are valid on the date of the investigation. Where access to portions of the Subject Property or to structures on the Subject Property was unavailable or limited, ODELPHI renders no opinion as to the presence of petroleum products or hazardous substances in that portion of the Subject Property or structure. In addition, ODELPHI renders no opinion as to the presence of, or indirect evidence relating to, petroleum products or hazardous substances where direct observation of the interior walls, floor, or ceiling of a structure was obstructed by objects or coverings on or over these surfaces.

The conclusions provided by ODELPHI are based on the information obtained by visual survey of the Subject Property, and information provided by agents representing the Subject Property, or agents of the owner. In addition, ODELPHI has relied on certain information provided by state and other referenced parties, and on information contained in the files of federal, state and/or local agencies available to ODELPHI at the time of the assessment. Although there may have been some degree of overlap in the information provided by these various sources, ODELPHI did not attempt to independently verify the accuracy or completeness of all information reviewed or received during the course of these *Environmental Services*.

It is acknowledged that ODELPHI judgments shall not be based on scientific or technical tests or procedures beyond the scope of the Services or beyond the time and budgetary constraints imposed by the Client. It is acknowledged further that ODELPHI conclusions shall not rest on pure science but on such considerations as economic feasibility and available alternatives. Client also acknowledges that, because geologic and soil formations are inherently random, variable, and indeterminate in nature, the Services and opinions provided under this Agreement with respect to such Services, are not guaranteed to be a representation of actual conditions on the Subject Property, which are also subject to change with time as a result of natural or man-made processes, including water permeation. In performing the Services, ODELPHI shall use that degree of care and skill ordinarily exercised by environmental consultants or engineers performing similar services in the same or similar locality. The standard of care shall be determined solely at the time the Services are rendered and not according to standards utilized at a later date. The Services shall be rendered without any other warranty, expressed or implied, including, without limitation, the warranty of merchantability and the warranty of fitness for a particular purpose.

Client and ODELPHI agree that to the fullest extent permitted by law, ODELPHI shall not be liable to Client for any special, indirect or consequential damages whatsoever, whether caused by ODELPHI'S negligence, errors, omissions, strict liability, breach of contract, breach of warranty or other cause of causes whatsoever.

The ASTM Standard E1527-05 does not encompass analytical testing to evaluate Asbestos Containing Materials (ACM), radon, lead-based paint (LBP), drinking water quality, indoor air quality, stored chemicals, debris, fill materials, surface water, or subsurface samples (soil and groundwater) as part of a Phase I ESA. Such additional information of non-ASTM 1527-05 are merely extra contents, and cannot be used to bind this report as a whole to the compliance and conformance to ASTM guideline. *No disassembly of systems or building components or physical or invasive testing is to be performed unless Contract Engagement specifically called for such testing as an additional scope of work.* ODELPHI has performed this *Phase I Environmental Site Assessment* in conformance with the scope and limitations of ASTM Practice E 1527-05. *This Report may not include all environmental conditions which can materially impact the subject property other than those defined as REC in ASTM E1527-05.*

The assessment was conducted in a manner consistent with the level of care and skill ordinarily exercised by members of the profession, and in accordance with generally accepted practices of other consultants currently practicing in the same locality under similar conditions. No other representation, expressed or implied, and no warranty or guarantee is included or intended. The *Report* speaks only as of its date, in the absence of a specific written update of the Report, signed and delivered by ODELPHI.

Additional information that becomes available after our survey and draft submission concerning the Subject Property should be provided to ODELPHI so that our conclusions may be revised and modified if necessary, at additional cost. This *Report* has been prepared in accordance with our *Standard Conditions for Engagement*, which is an integral part of this *Report*.

Adjoining sites, neighboring sites or surrounding properties mentioned in this report are defined only up to one parcel immediately next to the subject property, and ODELPHI will only check

immediately adjoining properties to identify historical use of the surrounding areas via historical source or data on such adjoining properties, and/or walk-through along subject property's perimeters to find obvious signs of environmental concerns.

It is often not possible (under "reasonably ascertainable" clause of ASTM guideline) to identify every single historical business tenants or occupants on the subject property. ODELPHI cannot be liable for not identifying all such past tenants or occupants of the project site.

INDEPENDANT CONTRACTOR STATUS

In performing Services under the mutually agreed contractual agreement and verbal engagement, ODELPHI shall operate as, and have the status of, an independent contractor.

PROFESSIONAL RESPONSIBILITY

Subject to any limitations established by the Client as to the degree of care and amount of time and expenses to be incurred and any other limitations contained in the mutually agreed contractual agreement and verbal engagement, ODELPHI shall perform the Services consistent with that level of care and skill ordinarily exercised by other professional consultants under similar circumstances at the time the Services are performed. Client hereby acknowledges that whenever a Project involves hazardous or toxic materials there are certain inherent risk factors involved (such as limitations on laboratory analytical methods, variations in subsurface conditions, economic loss to Client or property owner, a potential obligation for disclosure to regulatory agencies, a potential for a decrease in market value of real property, and the like) that may adversely affect the results of the Project, even though the Services are performed with such skill and care. No other representation, warranty, or guarantee, express or implied, is included or intended by the mutually agreed contractual agreement and verbal engagement.

LIMITATION OF LIABILITY

Client agrees that the liability of ODELPHI and all officers, employees, agents, and subcontractors of ODELPHI (the "ODELPHI Parties") to Client for all claims, suits, arbitration, or other proceedings arising from the performance of the Services under the mutually agreed contractual agreement and verbal engagement, including, but not limited to, ODELPHI's professional negligence, errors and omissions, or other professional acts, shall be limited to the Fee amount. ODELPHI Parties are not liable for any indirect, incidental or consequential damages, lost profits, lost revenue, or loss of property value based on the Services provided as part of the mutually agreed contractual agreement and verbal engagement.

ABBREVIATIONS

ODELPHI may use various abbreviations to describe various site, building or system components or legal descriptions. Not all abbreviations may be applicable to all reports. The abbreviations most often utilized are defined below:

ACM	Asbestos-containing material	LUST	Leaking underground storage tank
ACT	Acoustic Ceiling Tile	MCL	Maximum contaminant level
ADA	Americans with Disabilities Act	MDP	Main Distribution Panel
AHU	Air Handling Unit	mg/L	Milligrams per Liter
APA	American Plywood Association	MSDS	Material safety data sheet
APCD	Air Pollution Control District	MSSL	Maximum Soil Concentration Limit
AQMD	Air Quality Management District	MTBE	Methyl Tertiary Butyl Ether
AS	Air Sparging	NFA	No Further Action (letter)
AST	Aboveground storage tank	NPDES	National Pollutant Discharge Elimination System
ASTM	American Society for Testing and Materials	NPL	National Priorities List
bgs	Below Ground Surface	O&M	Operating and maintenance
BOD	Biochemical oxygen demand	OVA	Organic vapor analyzer
BTEX	Benzene-toluene-ethylbenzene-xylene	PCB	Polychlorinated biphenyl
BTU	British Thermal Unit (a measurement of heat)	PEC	Potential Environmental Concerns
BTU/H	British Thermal Units per Hour	PEL	Permissible airborne exposure level
CERCLA	Comprehensive Environmental Response Compensation and Liability Act	PID	Photoionization detector
CFR	Code of Federal Regulations	POTW	Publicly owned treatment works
CMU	Concrete Masonry Unit	ppb	Parts per Billion
COCs	Chemicals of Concern	ppm	Parts per Million
DEC	Department of Environmental Conservation (NY)	PRG	Preliminary Remedial Goal
DEP	Department for Environmental Protection (NJ, NYC)	PRP	Potentially responsible parties
DEQ	Department of Environmental Quality	PTAC	Packaged Through-wall Air Conditioning (Unit)
DOE	Department of Ecology (WA)	QA/QC	Quality assurance/Quality control
DTSC	Department of Toxic Substance Control (CA)	RAP	Remedial Action Plan
EIFS	Exterior Insulating Finishing System	RCRA	Resource Conservation and Recovery Act
EP	Extraction procedure	REC	Recognized environmental condition
EPA	Environmental Protection Agency	RI/FS	Remedial Investigation & Feasibility Study
EPDM	Ethylene Propylene Diene Monomer (rubber membrane roof)	RQ	Reportable quantity
EUL	Expected Useful Life, Effective Useful Life	RTU	Roof Top Unit
FCU	Fan Coil Unit	RWQCB	Regional Water Quality Control Board (CA)
FEMA	Federal Emergency Management Agency	SPCC	Spill Prevention Control and Countermeasure Plan
FHA	Forced Hot Air	SQG	Small quantity generator
FIHW	Forced Hot Water	SVE	Soil Vapor Extraction
FID	Flame ionization detector	SVOC	Semi-Volatile organic compound
FIRM	Flood Insurance Rate Map	SWRCB	State Water Resource Control Board (CA)
FOIA	Freedom Of Information Act	TAT	Turn-around time
FRT	Fire retardant treated plywood	TCEQ	Texas Commission of Environmental Quality (TX)
GC/MS	Gas chromatography/mass spectrometry	TCLP	Toxicity characteristic leaching procedure
GFI	Ground Fault Interrupt (circuit)	TOC	Total organic carbon
GPR	Ground-penetrating radar	UBC	Uniform Building Code
GWB	Gypsum Wall Board	UEL	Upper explosive limit
HCP	Handicapped Person	ug/L	Micrograms per Liter
HID	High Intensity Discharge (lighting)	USGS	United States Geological Survey
HVAC	Heating, Ventilating and Air Conditioning	UST	Underground storage tank
HWH	Hot Water heater	VAV	Variable Air Volume box
LBP	Lead-based paint	VCT	Vinyl Composition Tile
LDL	Laboratory Detection Limit	VOC	Volatile organic compound
LEL	Lower explosive limit	VWC	Vinyl Wall Covering

1.1. AUL SEARCH AND REVIEW OF LAND TITLE RECORDS

The information reported herein was obtained through sources deemed reliable; a visual site survey of areas readily observable, easily accessible or made accessible by the property contact and interviews with owners, agents, occupants, or other appropriate persons involved with the Subject Property.

Under ASTM E1527-05, Section 6 – User Responsibilities – User (“Client, Lender, Purchaser, Owner”) has to search for environmental liens in the Land Title Records. This is a mandatory requirement in order to get the CERCLA protections under ASTM E1527-05 and All Appropriate Inquiries.

According to ASTM E1527-05, search for environmental liens and AULs from review of Land Title Records shall be performed by the user (“Client, Lender, Purchaser”) that will help identify the possibility of *recognized environmental conditions* in connection with the property. These tasks do not require the technical expertise of an *environmental professional* and are generally not performed by *environmental professionals* performing a *Phase I Environmental Site Assessment*. We understand that as our standard procedure, customer has completed *User Questionnaire* to assist the user and ODELPHI Environmental in gathering information from the user that may be material to identifying *recognized environmental conditions*.

Review Title and Judicial Records for Environmental Liens or Activity and Use Limitations (AULs)—Reasonably ascertainable recorded land title records and lien records that are filed under federal, tribal, state, or local law should be reviewed to identify *environmental liens or activity and use limitations*, if any, that are currently recorded against the property. *Environmental liens and activity and use limitations* that are imposed by judicial authorities may be recorded or filed in judicial records, and, where applicable, such records should be reviewed. Any *environmental liens or activity and use limitations* so identified shall be reported to ODELPHI Environmental conducting a *Phase I Environmental Site Assessment*.

Unless added by a change in the scope of work to be performed by ODELPHI Environmental, this practice does not impose on ODELPHI the responsibility to undertake a review of *recorded land title records* and judicial records for *environmental liens or activity and use limitations*. The user should either (1) engage a title company or title professional to undertake a review of *reasonably ascertainable recorded land title records* and lien records for *environmental liens or activity and use limitations* currently recorded against or relating to the property, or (2) negotiate such an engagement of a title company or title professional as an addition to the scope of work to be performed by ODELPHI.

CLIENT-PROVIDE INFORMATION

According to ASTM Standards E-1527-05 and the USEAP AAls, in order to qualify for the Landowner Liability Protection (LLPs) offered by the Small Business Liability Relief and Brownfield's Revitalizations Act of 2001, User must provide the following information (if available) to the

environmental professional. Failure to provide this information could result in a determination that "all appropriate inquiry" is not complete.

USER QUESTIONNAIRE for AUL

In order to qualify for one of the *Landowner Liability Protections* (*Landowner Liability Protections*, or *LLPs*, is the term used to describe the three types of potential defenses to Superfund liability in EPA's *Interim Guidance Regarding Criteria Landowners Must Meet in Order to Qualify for Bona Fide Prospective Purchaser, Contiguous Property Owner, or Innocent Landowner Limitations on CERCLA Liability* ("Common Elements" Guide) issued on March 6, 2003.) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the "Brownfields Amendments"), the user must provide the following information (if available) to the environmental professional. Failure to provide this information could result in a determination that "all appropriate inquiry" is not complete.

USER/CUSTOMER QUESTIONNAIRE	
QUESTION	CUSTOMER TO ANSWER
(1.) Environmental cleanup liens that are filed or recorded against the site (40 CFR 312.25). Are you aware of any environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law?	No
(2.) Activity and land use limitations that are in place on the site or that have been filed or recorded in a registry (40 CFR 312.26). Are you aware of any AULs, such as <i>engineering controls</i>, land use restrictions or <i>institutional controls</i> that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state or local law?	No
(3.) Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28). As the user of this ESA do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?	Yes
(4.) Relationship of the purchase price to the fair market value of the property if it were not contaminated (40 CFR 312.29). Does the purchase price being paid for this property reasonably reflect the fair market value of the property? If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property?	N/A

(5.) Commonly known or reasonably ascertainable information about the property (40 CFR 312.30). Are you aware of commonly known or reasonably ascertainable information about the property that would help the environmental professional to identify conditions indicative of releases or threatened releases? For example, as user, (a.) Do you know the past uses of the property? (b.) Do you know of specific chemicals that are present or once were present at the property? (c.) Do you know of spills or other chemical releases that have taken place at the property? (d.) Do you know of any environmental cleanups that have taken place at the property?	a) Yes b) No c) No d) Yes
(6.) The degree of obviousness of the presence of likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31). As the user of this ESA, based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of contamination at the property?	No

ADDITIONAL USER QUESTIONNAIRE

In addition, certain information should be collected by the User, if available, and provided to the environmental professional selected to conduct the Phase I. This information is intended to assist the environmental professional but is not necessarily required to qualify for one of the LLPs. The information includes:

QUESTION	ANSWER
(a) the reason why the Phase I is required	Mortgage Loan
(b) the type of property and type of property transaction	commercial building, Re-finance
(c) the complete and correct address for the property (a map or other documentation showing property location and boundaries is helpful)	321 Commercial Ave, Palisades Park, NJ 07650
(d) the scope of services desired for the Phase I (including whether any parties to the property transaction may have a required standard scope of services on whether any considerations beyond the requirements of Practice E 1527-05 are to be considered)	Due diligence (ASTM 1527-05)
(e) identification of all parties who will rely on the Phase I report	321 NJ Commercial Realty, LLC., NewBank
(f) identification of the site contact and how the contact can be reached	Mr. Yun Kim, [REDACTED]

(g) any special terms and conditions which must be agreed upon by the <i>environmental professional</i>	No
(h) any other knowledge or experience with the <i>property</i> that may be pertinent to the <i>environmental professional</i> (for example, copies of any available prior <i>environmental site assessment reports</i> , documents, correspondence, etc., concerning the <i>property</i> and its environmental condition)	No

User that provides above information: Mr. Yun Kim _____

2.0 SUBJECT PROPERTY CHARACTERISTICS

2.1 PROJECT INFORMATION & PROPERTY LOCATION

ITEM	PROJECT INFORMATION
ODELPHI Project Number	2129213-PI
Client Project Number	N/A
Subject Property Address	321 Commercial Ave, Palisades Park, NJ 07650
Subject Property Name	King Sauna
Property Inspection Date	August 5, 2014
Environmental Assessor's Name	Casey Oh, Certified Environmental Engineer
QAQC Reviewer's Name	Casey Oh, Certified Environmental Assessor

The subject property (APN 4500104-00000-00-030001 (321 Commercial Ave, B/L: 104 / 3.01), 4500104-00000-00-03 (329 Commercial Ave, B/L: 104 / 3), 4500107-00000-00-02 (312 Commercial Ave, B/L: 107 / 2), 4500107-00000-00-05 (112 Union St, B/L: 107 / 5), 4500108-00000-00-06 (113 Union St, B/L: 108 / 6), 4500108-00000-00-07 (117 Union St, B/L: 108 / 7)) at 321 Commercial Ave, Palisades Park, NJ 07650 consists of a three-story approximately 18,000 sq. ft. rectangular shaped King Sauna Building consisting of kitchen, dining area, utility rooms, sauna rooms, restrooms, and offices on a 22,000 sq. ft. rectangular shaped lot, a residential dwelling of approximately 3,000 sq. ft. on approximately 8,000 sq. ft. lot, and two parking lot of approximately 25,000 sq. ft. for 321 NJ Commercial Realty, LLC, within Commercial Miscellaneous Zone, situated on the northwestern block of Commercial Ave and along Union St in the Borough of Palisades Park, the County of Bergen, and the State of New Jersey.

2.2 PROPERTY IMPROVEMENT & BUILDING/LAND DESCRIPTION

The subject King Sauna building had been residential dwellings, warehouse and office building in 1960s according to historical Sanborn Fire Insurance Map. Parking lots along Union St had been residential dwellings and the residential dwelling on 312 Commercial Ave has been residential dwelling since the construction of the building. The subject property is situated in Commercial Miscellaneous Zone where properties were found to be commercial retail, warehouse and residential buildings. Currently the subject buildings are a sauna building, a residential dwelling, and two parking lots. Sanborn Fire Insurance Map has coverage for the subject area from 1911 to 1968 and depicts the subject property as residential dwellings and warehouse and offices. City Directories does list the subject property as commercial property. Approximately 100% of the property was improved with building and parking lot. Porous surface was not observed.

Overall setting of the vicinity is commercial/residential use such as local road (Commercial Ave) to the southeast and the northwest, local road (Union St) to the southwest and the northeast, office buildings to the southwest and northeast, and residential buildings to the southeast of the subject property.

The subject property is a sauna building, which sits as a rectangular-shaped building occupying entire frontage toward Commercial Ave and is a three-story building with concrete block structure on concrete slab foundation. It contains kitchen, dining area, utility rooms, sauna rooms, restrooms, and offices with no basement and parking lot. ODELPHI field inspector observed two (2) gas-fired hot water heater, seven (7) gas-fired furnaces, and ten (10) HVAC systems on the roof. The subject property does not show visual and olfactory concerns. Utilities to the subject property were PSE&G for gas and electric and United Water and Borough of Palisades Park for water and sewer, respectively.

The subject properties are measured by ODELPHI to be approximately 50,000 SF rectangular-shaped lands. Reported zoning is under Commercial Miscellaneous Zone.

2.3 CURRENT OCCUPANTS & USE OF THE PROPERTY

ITEM	
Present Occupant/Business Operation	King Sauna
Number of Occupants/Units	1

2.4 MUNICIPAL SERVICES & UTILITIES

ITEM	
Portable Water	Borough of Palisades Park (Municipality)
Gas/Oil Source for Heating	PSE & G (Public Utility) / Natural gas / Heating oil
Electrical	PSE & G
Sewage Disposal System	Borough of Palisades Park (Municipality)
Solid Waste Disposal	Borough of Palisades Park (Municipality)

3.0 SUBJECT PROPERTY RECONNAISSANCE

3.1 LIMITING CONDITIONS

The information reported herein was obtained through sources deemed reliable, a visual site survey of areas readily observable, easily accessible or made accessible by the property contact and interviews with owners, agents, occupants, or other appropriate persons involved with the Subject Property.

No disassembly of systems or building components or physical or invasive testing was performed. ODELPHI renders no opinion as to the property condition at un-surveyed and/or inaccessible portions of the Subject Property. ODELPHI relies completely on the information, whether written, graphic or verbal, provided by the property contact or as shown on any documents reviewed or received from the property contact, owner or agent, or municipal source, and assumes that information to be true and correct. The observations in this Report are valid on the date of the survey.

The contents of the Report are not intended to represent an in-depth analysis of the Subject Property. The extent of the physical inspection for the production of this Report has been limited, by contract and agreed upon Scope of Work, to a brief "walk through" of the property. Assumptions regarding the overall condition of the property have been developed based upon a survey of "representative" areas of the building.

3.2 SUBJECT PROPERTY RECONNAISSANCE

SUBJECT PROPERTY RECONNAISSANCE		
ITEM	NOTED	LOCATION AND DESCRIPTION
Processes that generate or handle Petroleum Products or Hazardous Substances		None observed
Underground Storage Tank		None observed
Aboveground Storage Tank		None observed
Fuel Islands / Dispensers		None observed
Any type of fueling systems		None observed
Containers of Hazardous Material & Petroleum Products related to subject operation/process		None observed
Other containers of suspicious hazardous materials in drums, barrels, or other storage or unlabeled/unidentified containers on site		None observed
Containers not attributed to current use of the Subject Property		None observed
Surface staining either on unpaved or paved land		None observed
Areas of asphalt patch or surface depressions		None observed
Stockpiled Soils with visual contamination		None observed

Fill material of questionable origin/ Piles		None observed
Stressed vegetation		None observed
Any type of heavy equipments or machinery of environmental concern on site		
Hydraulic equipment or machine of environmental concern (PCB-oil / hydraulic oil) such as hydraulic lift, compactor		None observed
Drains for Machinery/Equipment Cleaning or Flushing		None observed
Wastewater Treatment Units & Clarifiers		None observed
Pools of liquid		None observed
Drains and Sumps	✓	Drains in the kitchen were noted with no visual concern.
Any regulated surface wastewater discharges		None observed
Storm water or surface-water drainage system having any abnormal accumulation of petroleum or chemical run-off or foreign materials, any unusual blockage of the storm-water control system		None observed
Any stained catch basins, drip pads, or sumps		None observed
Visual indication of Herbicides & Pesticides use to pose environmental concern		None observed
Visual evidence of leak or contamination from septic systems or Cesspools		None observed
Wells (any irrigation wells, injection wells, abandoned wells, groundwater-monitoring wells, dry wells, septic wells, oil wells, gas wells, domestic water wells, vapor wells or other-monitoring wells)		None observed
Railroad tracks or spurs		None observed
Visual evidence of improper handling / disposal of solid wastes		None observed
Other visual evidence of spills, leakage, staining, corrosion, soil/groundwater contamination		None observed

3.3 DETAILED DESCRIPTION OF ANY RECONNAISSANCE ITEMS OF CONCERN

ODELPHI performed site inspection on August 5, 2014 and observed that the subject property was a sauna and a residential dwelling with two parking lots. The property representative, Mr. Yun Kim, was accompanied site inspection and interviewed. According to Mr. Kim, the subject property used to be a warehouse building prior to the purchase of the property. The current building was converted from a warehouse to a spa/sauna building in 2003. He also stated that the source of heating was gas

and HVAC units are on the roof. Mr. Kim stated that the subject property does not pose any environmental concern or hazardous in nature to the general public.

3.4 BUSINESS ENVIRONMENTAL RISK

Business Environmental Risk is defined as a risk, which can have material environmental impact, or environmentally driven impact on the business associated with the current or planned use of a parcel of Industrial real estate, not necessarily limited to the issues requiring investigation. Activity and Use Restriction arising from Business Environmental Risk or Compliance Violation is defined as restrictions on the use of, or access to, a site/facility to (1) reduce or eliminate exposure to hazardous substance onsite; or (2) prevent activities that could interfere with a response action either as Engineering Controls or Institutional Controls. ODELPHI also searched for compliance records, permits and plans, etc. in relation to the subject business operation in the past and present, which includes but not limited to, Environmental Permits, Equipment Operation Permits, NPDES, Hazardous Material/Waste Inventory or Management Plans, etc., Non-Compliance, Violation, Notices, Correspondences, Community Right-to-Know Plan, Health & Safety Plan, HIPP, SPCC, MSDS, Waste Ticket, Generator ID, etc.

Business environmental risk was not observed at the subject property.

3.5 NON-CERCLA ITEMS

The following table summarizes issues on which the survey of interior areas of the Subject Property focused:

NON-CERCLA ITEMS		
ITEM	NOTED	LOCATION AND DESCRIPTION
Suspicious asbestos-containing materials in damaged condition if the structure is built prior to 1978		None observed
Suspicious lead-based paint in damaged condition if the structure is built prior to 1978		None observed
Lead in drinking water		N/A
Radon gas concern		N/A
Visual evidence of Urea Formaldehyde		N/A
Suspicious PCB-oil concern with hydraulic equipment, ballasts, transformers, etc.		None observed
Wetland, creeks, swale, pits, ponds, lagoons, or any other water bodies		N/A
Visual evidence of mold problems from wet areas, roof leaks, moisture around air conditioning or plumbing units		None observed
Air quality problems (unusual smells, obnoxious odors, or visual emissions, air emission stacks)		N/A
Is the property under flood zone (Federal		N/A



LAW OFFICE OF
DANIEL K. LEE, LLC

21 Grand Avenue, Suite 601
Palisades Park, New Jersey 07650
Tel. 201-945-2800 Fax 201-945-2811

Daniel K. Lee *
danielklee@hotmail.com
Jennifer J. Rhee *
jenrheelaw@gmail.com

* NY and NJ Bar

October 20, 2016

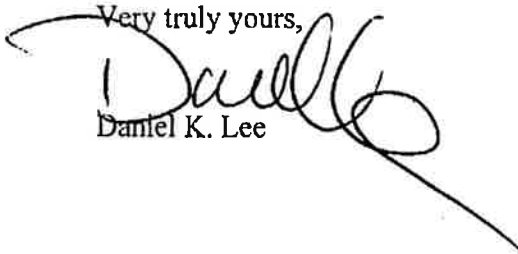
Mr. Tom O'Malley
Borough of Palisades Park
Building Department
275 Broad Avenue
Palisades Park, NJ 07650

RE: 113 Union Street, Palisades Park, NJ 07650
"NO FURTHER ACTION REQUIRED" Letter Attached

Dear Mr. O'Malley:

Attached please find no further action required letter regarding the oil tank removed from 113 Union Street, Palisades Park, NJ 07650.

Very truly yours,


Daniel K. Lee

SUNBEAM

CONSULTANTS

Engineering and Environmental Services

PO Box 299

Fair Lawn, NJ 07410

Tel: 1-800-544-3660

Fax: 201-608-7700

Email: sunbeam.consultant@gmail.com

October 20, 2016

Mr. Daniel Lee
113 Union Street LLC.
21 Grand Avenue, Suite 601
Palisades Park, NJ 07650

Re: Response Action Outcome

Remedial Action Type: *Unrestricted Use*

Scope of Remediation: *Area of Concern:*

AOC-1: One (1)-3000 Gallon #2 Heating Oil Underground Storage Tank And No Other Areas

Case Name: 113 Union Street

Address: 113 Union Street

Municipality: Palisades Park

County: Bergen

Block: 108; **Lot:** 6.02

Preferred ID: 739818

Communication Center # 16-09-27-1156-42

UST Closure Approval # N739818UCL160002

Dear Mr. Lee:

As a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey, I hereby issue this Response Action Outcome for the remediation of the *area of concern* specifically referenced above. I personally reviewed and accepted all of the referenced remediation and based upon this work, it is my professional opinion that this remediation has been completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C), that is protective of public health, safety and the environment. Also, full payment has been made for all Department fees and oversight costs pursuant to N.J.A.C. 7:26C-4.

This remediation includes the completion of a *Remedial Action* as defined pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E),

Response Action Outcome
Case Name: 113 Union Street
Address: 113 Union Street
Municipality: Palisades Park
Preferred ID: 739818
Page 2

My decision in this matter is made upon the exercise of reasonable care and diligence and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals in good standing practicing in the State at the time these professional services are performed.

As required pursuant to N.J.A.C. 7:26C-6.2(b)2ii, a copy of all records related to the remediation that occurred at this location is being simultaneously filed with the New Jersey Department of Environmental Protection (Department). These records contain all information upon which I based my decision to issue this Response Action Outcome.

By operation of law a Covenant Not to Sue pursuant to N.J.S.A. 58:10B -13.2 applies to this remediation. The Covenant Not to Sue is subject to any conditions and limitations contained herein. The Covenant Not to Sue remains effective only as long as the real property referenced above continues to meet the conditions of this Response Action Outcome.

CONDITIONS

Pursuant to N.J.S.A. 58:10B-12o, 113 Union Street LLC and any other person who is liable for the cleanup and removal costs, and remains liable pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. shall inform the Department in writing, on a form available from the Department, within 14 calendar days after its name or address changes. Any notices you submit pursuant to this paragraph shall reference the above case numbers and shall be sent to:

New Jersey Department of Environmental Protection
Bureau of Case Assignment and Initial Notice
Mail Code 401-05H
401 East State Street, 5th floor
PO Box 420
Trenton, New Jersey 08625-0420

Response Action Outcome
Case Name: 113 Union Street
Address: 113 Union Street
Municipality: Palisades Park
Preferred ID: 739818
Page 3

NOTICES

Building Interiors Not Addressed (Non-Child Care)

Please be advised that the remediation that is covered by this Response Action Outcome does not address the remediation of hazardous substances that may exist in building interiors or equipment, including, but not limited to, radon, asbestos and lead. As a result, any risks to human health presented by any building interior or equipment remains. A complete building interior evaluation should be completed before any change in use or re-occupancy is considered.

End Applicable Notices

In concluding that this remediation has been completed, I am offering no opinions concerning whether either primary restoration (restoring natural resources to their pre-discharge condition) or compensatory restoration (compensating the citizens of New Jersey for the lost interim value of the natural resources) has been completed.

Pursuant to N.J.S.A. 58:10C-25, the Department may audit this Response Action Outcome and associated documentation up to three years following issuance. Based on a finding by the Department that a Response Action Outcome is not protective of public health, safety and the environment, the Department can invalidate the Response Action Outcome. Other justifications for the Department's invalidation of this Response Action Outcome are listed in the Administrative Requirements for the Remediation of Contaminated Sites at N.J.A.C. 7:26C-6, including, but not limited to, a Department audit following issuance of this document may be initiated at any time if: a) undiscovered contamination is found that was not addressed by the Response Action Outcome, b) if the Licensed Site Remediation Professional Board conducts an investigation of the Licensed Site Remediation Professional issuing the Response Action Outcome or, c) if the license of that person is suspended or revoked.

Thank you for your attention to these matters. If you have any questions, please contact me at (201) 873-7258.

Sincerely,



Atiqur Rahman
Licensed Site Remediation Professional #594962

Response Action Outcome
Case Name: 113 Union Street
Address: 113 Union Street
Municipality: Palisades Park
Preferred ID: 739818
Page 4

Enclosed: AOC Map

cc: Bergen County Department of Health
Municipal Clerk, Palisades Park Township
Health Department, Palisades Park Township
NJDEP Bureau of Case Assignment and Initial Notice



FAX
(3) Sheets w/cover

Russell W. Anderson, Inc.
Fuel Tank & Environmental Services
N.J.D.E.P. Lic.# US00804
P.O. Box 757, Ramsey, NJ 07448
Ph. (201) 625-2092

October 22, 2016

Building Department
Borough of Palisades Park

FAX # 201-585-4110

Re: Permit # 16-483
113 Union St. LLC
113 Union St
3000 gal UST Removal

To Whom It May Concern:

Enclosed please find documentation related to the above-referenced job.

- ☒ Bill of Lading
- ☒ Tank disposal receipt

Thank you,

A handwritten signature in cursive script that reads "Yvonne" followed by a small circular mark.

Yvonne Anderson
Russell W. Anderson, Inc.

John 3:16 "For God so loved the world that he gave his one and only Son, that
Whoever believes in him shall not perish but have eternal life."

UNIFORM STRAIGHT BILL OF LADING		Original-Not Negotiable-Domestic	
RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading Construction site - 113 Union Street LLC at 113 Union Street, Palisades Park, NJ 07650 10/3/2016 from Russell W. Anderson, Inc.			
Consigned to		Wm. S. Lauer Corp. Recycling Services	
Destination		Staten Island	State of NY Zip Code 10303
Routing		Delivering Carrier Vehicle Initial No.	
Qty. Gallons	Description of Material	Weight	Class
55-gal.	Sludge		
Russell W. Anderson, Inc. Shipper, Per Permanent post office address of shipper, P.O. Box 757, Ramsey, NJ 07448		Agent <i>Russell W. Anderson</i>	
(This Bill of Lading is to be signed by the shipper and agent of the carrier issuing same.) Bill of Lading			

**PAYMENT RECEIPT**

Teplitz Metal Processing
108 West Nyack Road
Nanuet, NY 10954
845-623-0040

DMV#7104668

Receipt: 0248041

Date: 10/03/2016

Customer: 26245

Time: 15:24

ANDERSON ENVIORMENTAL
EULOGIO LOZANO SACOTO
32 HEMPSTEAD RD
SPRING VALLEY, NY 10977

Driver's License [REDACTED] NY

Ticket: 247845

Weigh In: 10/03/2016 15:14

Operator: 9

Weigh Out: 10/03/2016 16:24

All weights in pounds. M Indicates manual weight

Commodity	Gross	Tare	Net	Price	TOTAL \$
Unp. Tanks	33000	30180	2820	95.000/GT	\$119.60
Ticket Total					\$119.60

of Tickets: 1

Total Paid

\$120.00

Paid by EZCash

Rounded upto nearest \$1.00

TEPLITZ METAL PROCESSING
NYS DMV# 7104668

October 20, 2016

Mr. Daniel Lee
113 Union Street LLC.
21 Grand Avenue, Suite 601
Palisades Park, NJ 07650

Re: Response Action Outcome

Remedial Action Type: *Unrestricted Use*

Scope of Remediation: *Area of Concern:*

AOC-1: One (1)-3000 Gallon #2 Heating Oil Underground Storage Tank And No Other Areas

Case Name: 113 Union Street

Address: 113 Union Street

Municipality: Palisades Park

County: Bergen

Block: 108; **Lot:** 6.02

Preferred ID: 739818

Communication Center # 16-09-27-1156-42

UST Closure Approval # N739818UCL160002

Dear Mr. Lee:

As a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey, I hereby issue this Response Action Outcome for the remediation of the *area of concern* specifically referenced above. I personally reviewed and accepted all of the referenced remediation and based upon this work, it is my professional opinion that this remediation has been completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C), that is protective of public health, safety and the environment. Also, full payment has been made for all Department fees and oversight costs pursuant to N.J.A.C. 7:26C-4.

This remediation includes the completion of a *Remedial Action* as defined pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E),

BOROUGH OF
PALISADES PARK N.J.
2016 OCT 24 A 11: 27

Response Action Outcome
Case Name: 113 Union Street
Address: 113 Union Street
Municipality: Palisades Park
Preferred ID: 739818
Page 2

My decision in this matter is made upon the exercise of reasonable care and diligence and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals in good standing practicing in the State at the time these professional services are performed.

As required pursuant to N.J.A.C. 7:26C-6.2(b)2ii, a copy of all records related to the remediation that occurred at this location is being simultaneously filed with the New Jersey Department of Environmental Protection (Department). These records contain all information upon which I based my decision to issue this Response Action Outcome.

By operation of law a Covenant Not to Sue pursuant to N.J.S.A. 58:10B -13.2 applies to this remediation. The Covenant Not to Sue is subject to any conditions and limitations contained herein. The Covenant Not to Sue remains effective only as long as the real property referenced above continues to meet the conditions of this Response Action Outcome.

CONDITIONS

Pursuant to N.J.S.A. 58:10B-12o, 113 Union Street LLC and any other person who is liable for the cleanup and removal costs, and remains liable pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. shall inform the Department in writing, on a form available from the Department, within 14 calendar days after its name or address changes. Any notices you submit pursuant to this paragraph shall reference the above case numbers and shall be sent to:

New Jersey Department of Environmental Protection
Bureau of Case Assignment and Initial Notice
Mail Code 401-05H
401 East State Street, 5th floor
PO Box 420
Trenton, New Jersey 08625-0420

Response Action Outcome
Case Name: 113 Union Street
Address: 113 Union Street
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Page 3

NOTICES

Building Interiors Not Addressed (Non-Child Care)

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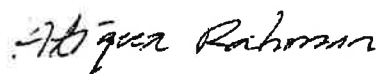
End Applicable Notices

In concluding that this remediation has been completed, I am offering no opinions concerning whether either primary restoration (restoring natural resources to their pre-discharge condition) or compensatory restoration (compensating the citizens of New Jersey for the lost interim value of the natural resources) has been completed.

Pursuant to N.J.S.A. 58:10C-25, the Department may audit this Response Action Outcome and associated documentation up to three years following issuance. Based on a finding by the Department that a Response Action Outcome is not protective of public health, safety and the environment, the Department can invalidate the Response Action Outcome. Other justifications for the Department's invalidation of this Response Action Outcome are listed in the Administrative Requirements for the Remediation of Contaminated Sites at N.J.A.C. 7:26C-6, including, but not limited to, a Department audit following issuance of this document may be initiated at any time if: a) undiscovered contamination is found that was not addressed by the Response Action Outcome, b) if the Licensed Site Remediation Professional Board conducts an investigation of the Licensed Site Remediation Professional issuing the Response Action Outcome or, c) if the license of that person is suspended or revoked.

Thank you for your attention to these matters. If you have any questions, please contact me at (201) 873-7258.

Sincerely,



Atiqur Rahman
Licensed Site Remediation Professional #594962

Response Action Outcome
Case Name: 113 Union Street
Address: 113 Union Street
Municipality: Palisades Park
Preferred ID: 739818
Page 4

cc: Bergen County Department of Health
Municipal Clerk, Palisades Park Township
Health Department, Palisades Park Township
NJDEP Bureau of Case Assignment and Initial Notice



Russell W. Anderson, Inc.
P.O. Box 757
Ramsey, NJ 07446-0757
www.andersontankco.com

1st Tank



LAW OFFICE OF
DANIEL K. LEE, LLC

21 Grand Avenue, Suite 601
Palisades Park, New Jersey 07650
Tel. 201-945-2800 Fax 201-945-2811

Daniel K. Lee *
danielklee@hotmail.com
Jennifer J. Rhee *
jenrheelaw@gmail.com

* NY and NJ Bar

October 20, 2016

Mr. Tom O'Malley
Borough of Palisades Park
Building Department
275 Broad Avenue
Palisades Park, NJ 07650

RE: 113 Union Street, Palisades Park, NJ 07650
"NO FURTHER ACTION REQUIRED" Letter Attached

Dear Mr. O'Malley:

Attached please find no further action required letter regarding the oil tank removed from 113 Union Street, Palisades Park, NJ 07650.

Very truly yours,

Daniel K. Lee

A handwritten signature in black ink, appearing to read "Daniel K. Lee", with a long, sweeping flourish extending from the end.

October 20, 2016

Mr. Daniel Lee
113 Union Street LLC.
21 Grand Avenue, Suite 601
Palisades Park, NJ 07650

Re: Response Action Outcome

Remedial Action Type: *Unrestricted Use*

Scope of Remediation: *Area of Concern:*

AOC-1: One (1)-3000 Gallon #2 Heating Oil Underground Storage Tank And No Other Areas

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Block: 108; **Lot:** 6.02

Preferred ID: 739818

Communication Center # 16-09-27-1156-42

UST Closure Approval # N739818UCL160002

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Response Action Outcome
Case Name: 113 Union Street
Address: 113 Union Street
Municipality: Palisades Park
Preferred ID: 739818
Page 2

My decision in this matter is made upon the exercise of reasonable care and diligence and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals in good standing practicing in the State at the time these professional services are performed.

As required pursuant to N.J.A.C. 7:26C-6.2(b)2ii, a copy of all records related to the remediation that occurred at this location is being simultaneously filed with the New Jersey Department of Environmental Protection (Department). These records contain all information upon which I based my decision to issue this Response Action Outcome.

By operation of law a Covenant Not to Sue pursuant to N.J.S.A. 58:10B -13.2 applies to this remediation. The Covenant Not to Sue is subject to any conditions and limitations contained herein. The Covenant Not to Sue remains effective only as long as the real property referenced above continues to meet the conditions of this Response Action Outcome.

CONDITIONS

Pursuant to N.J.S.A. 58:10B-12o, 113 Union Street LLC and any other person who is liable for the cleanup and removal costs, and remains liable pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. shall inform the Department in writing, on a form available from the Department, within 14 calendar days after its name or address changes. Any notices you submit pursuant to this paragraph shall reference the above case numbers and shall be sent to:

New Jersey Department of Environmental Protection
Bureau of Case Assignment and Initial Notice
Mail Code 401-05H
401 East State Street, 5th floor
PO Box 420
Trenton, New Jersey 08625-0420

Response Action Outcome
Case Name: 113 Union Street
Address: 113 Union Street
Municipality: Palisades Park
Preferred ID: 739818
Page 4

Enclosed: AOC Map

cc: Bergen County Department of Health
Municipal Clerk, Palisades Park Township
Health Department, Palisades Park Township
NJDEP Bureau of Case Assignment and Initial Notice

Do Robert Lee, P.E., LEED, Assoc. AIA,
Principal

* Phillip Rabinowitz, AIA,

*

Bernard J. Goz

September 23, 2016

OFFICE OF THE BUILDING DEPARTMENT

Attention: Thomas O'Malley Construction Code Official

275 Broad Avenue,
Palisades Park, NJ 07650

Re: 113 Union Street, Palisades Park, NJ
Underground storage tank.

Dear Mr. O'Malley,

Please be advised that we have found underground storage tank yesterday, Thursday, 9/22/2016, and I called the Steve Rich Environmental Contractors to visit the site and requested for help. They were in process of scheduling the visit. I have personally described the situation thoroughly regarding this matter yesterday with Beth, the personnel working for the company, promised to get back to me yesterday (9/22/2016), but I did not get a call from her.

On 23rd of September 2016, the specialist advised me that they will initiate the permitting process once DEP and State of NJ clears the issue. We were instructed by you on 23 of September 2016 to preserve the subject premises until further instruction from you. Meanwhile, please review our environmental assessment report indicating that the subject property did not have any environmental issues and we were not made aware of any environmental issues until the 22nd, yesterday.

On page 18, subject property reconnaissance, Underground Storage tank says "Not observed" and we were not informed of this matter until yesterday when I visited the site. Also attached is our request for field inspection by Rich Environmental Contractors.

Please feel free to call me if you have any questions or concerns at 917-715-4899.

Very truly yours,



Do Robert Lee, P.E., LEED, Assoc. AIA
Principal

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Do Robert Lee, P.E., LEED, Assoc. AIA,
Principal

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Phillip Rabinowitz, AIA,

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Bernard J. Goz

September 23, 2016

OFFICE OF THE BUILDING DEPARTMENT

Attention: Thomas O'Malley Construction Code Official

275 Broad Avenue,
Palisades Park, NJ 07650

Re: 113 Union Street, Palisades Park, NJ
Underground storage tank.

Dear Mr. O'Malley,

We have met with SUNBEAM CONSULTANTS, NJDEP Certified, on September 23, 2016 who will be doing the filling for the underground storage tank. He and his consultants will be following up with you within this week to keep you updated on the progress. His business card is attached within.

Please feel free to call me if you have any questions or concerns at 917-715-4899.

Very truly yours,



Do Robert Lee, P.E., LEED, Assoc. AIA
Principal

SUNBEAM CONSULTANTS

PO BOX 299, FAIR LAWN, NJ 07410

NJDEP Certification # US268031

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Atiq Rahman, PE, LSRP

Fax: 201-608-7700

Email: sunbeam.consultant@gmail.com

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Menu

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*Spoke with
Beth 9/23/2016
REQUEST FOR PRICE
QUOTE & PROCESS
of permit if required*

Steve Rich Environmental Contractors (SREC) is your complete, hometown environmental contracting company. Since 1981, we have provided reliable, comprehensive residential environmental services to the New Jersey-New York metropolitan area. Small enough to give each project our full attention, large enough to get any job done efficiently our experienced professionals are committed to providing cost-effective solutions for all environmental needs.

SREC specializes in oil tank testing, removal and abandonment, heating oil tank installation, soil and groundwater testing and soil remediation, vacuum truck services and much more.

We invite you to peruse our services in more detail — testimonials from satisfied customers, our signature projects in and around the northern N.J. area, and our extensive FAQ page to answer your questions.

Contact us today for immediate service, to get a price quote, or schedule an appointment for a no-cost, on-site evaluation.

HOW CAN WE HELP?

Subject (required *)

underground fuel oil tank

Your First Name *

Robert

Your Last Name *

Lee

Your Email *

robert@lumen.us

Street Address *

263 Broad Ave 2nd floor suite 201

City, State, ZIP *

Palisades Park

Telephone (optional)

NJ

What do you need done? *

Need help as fuel tank discovered, the excavator already took it out of the ground as there was no oil in place, but would like to know where it should be disposed of and how. please call at [redacted] is my cell phone, Robert Lee

Verification expired. Check the checkbox again.

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Send Information

OTHER SERVICES



We offer a variety of expert services including construction, utility installations, vacuum truck services, hazardous waste disposal, and much more. Buying or selling a home? We have complete oil tank services that help you close safely and quickly.

SIGNATURE PROJECTS



Proud as we are to service our New Jersey and New York homeowners in their oil tank removals, repairing septic systems and in all our work as environmental contractors, with our sister companies we've also enjoyed being an integral

STEVE RICH IN THE NEWS



The presence of underground oil tanks creates a substantial challenge for many homeowners. Leaks from older tanks cause environmental hazards like water and soil contamination, which translate into liability