

**PHASE I
ENVIRONMENTAL SITE ASSESSMENT REPORT
72 RAILROAD STREET PROPERTY
NEW MILFORD, CONNECTICUT**

Prepared for:

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1.0 INTRODUCTION

In September 2006, CCA, LLC (CCA) was retained by Mr. Steve Schappert of Buyers Trust Waterbury LLC to perform a Phase I environmental site assessment (ESA) at the property located at 72 Railroad Street, New Milford, Connecticut. Figure 1 (see Appendix A) illustrates the location of the study site. The primary purpose of this assessment was to evaluate historic and current on-site activities relative to potential adverse environmental impacts on or adjacent to the study site, as well as to determine the status of the study site relative to the property transfer law of Connecticut (Connecticut General Statutes (CGS) Sections 22a-134 through 22a-134e, as amended by various Public Acts).

1.1 PHASE I SCOPE OF SERVICES

This Phase I environmental site assessment included the following scope of services:

A. In-House Site Background Review

CCA performed a detailed review of in-house background information on the site history, general features, and environmental setting.

B. On-Site Inspection

CCA conducted a visual inspection of the site for presence of existing and/or potential sources of environmental degradation and regulatory compliance concerns.

C. Computer Database Search and Local/State Regulatory Agency File Review

Standard environmental record sources (i.e., publications, databases, etc.) were reviewed in accordance with State of Connecticut Department of Environmental Protection (CTDEP) guidelines and ASTM E 1527-05, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (8.2.1; 8.2.2).

A federal/state database search was performed by CCA prior to visiting local and state regulatory agency offices using New England DataMap Technology Corporation's on-line environmental database service.

CCA visited or contacted the Town of New Milford municipal offices, the Connecticut Department of Environmental Protection (CTDEP) public file room, and the Connecticut State Library (CSL) archives collection for the purpose of reviewing available files and other pertinent materials relevant to environmental conditions at the subject site and surrounding properties.

Town of New Milford municipal offices visited or contacted included the following:

- Tax Assessor

- Town Clerk
- Fire Marshall
- Health Department
- Building Department
- Planning & Zoning

State of Connecticut DEP bureaus/file desks visited included the following:

- PCB Program Office files.
- Bureau of Water Management File Desk:
 - Superfund (CERCLA);
 - Site Remediation;
 - Site Transfer Program; and
 - Water Permit List & Files.
- Bureau of Waste Management File Desk:
 - Solid Waste Management;
 - Underground Storage Tank (UST) and Leaking Underground Storage Tank (LUST) Lists & Files
 - Oil and Chemical Spill Reports (pre-January 1, 1991/post-July 26, 2006) & Correspondence (all years)
 - RCRA.
- Waste Management logbooks (recent entries only; checked WEED List 5.2 L for historical entries where applicable)
 - Site Remediation NOV's and AO's;
 - Hazardous Waste Orders; and
 - Hazardous Waste Notice of Violations, NOV's.

The following sections of this report summarize data collected during the assessment and CCA's derived conclusions/recommendations regarding the subject site.

1.2 SUMMARY OF PREVIOUS ENVIRONMENTAL REPORTS

CCA reviewed a Phase I and Phase II ESA report prepared by NorthStar Environmental Management (NorthStar) of Guilford, Connecticut, dated December 7, 1998, for the site located 76 and 78 Railroad Street. This site (76-78 Railroad Street) abuts the subject site to the north-northwest. The report was provided to CCA by the client, and was not on-file in the State or local municipal public records. The abutting site has been an active dry cleaning establishment since circa 1960, which in of itself presents a risk of off-site groundwater contamination to the subject site; and, in fact, the Phase II portion of the report indicates the presence of soil and groundwater contamination commonly associated with dry cleaning operations on that site above the applicable clean-up standards. The 76-78 Railroad Street site is apparently hydraulically side gradient relative to the subject site, thus mitigating such risk; and in fact, the groundwater quality data in the report for the aquifer in the unconsolidated geologic formation nearest the subject site indicates that the subject site should not be significantly affected from contamination originating from the 76-78 Railroad Street site.

2.0 PROPERTY DESCRIPTION

2.1 SITE LOCATION

(See Appendix A, Figure 1 for Location Map.)

A. *Site Address:*

72 Railroad Street, New Milford, Connecticut 06776

B. *Tax Assessor's Property Reference:*

Map 35.2, Lot 237

C. *Zoning Map Classification of Property:*

VC (Village Center)

D. *United States Geological Survey (USGS) Quadrangle:*

New Milford, Connecticut Quadrangle (1955, last photo-revised in 1984)

2.2 SITE DESCRIPTION AND ADJACENT PROPERTIES

(See Appendix B for copy of Assessor's Field Card & latest Title Deed.)

A. *Total Acreage:*

0.08+/- acres

B. *Topographic Gradient Description:*

The subject site is mostly flat, with a slight rise at the rear portion of the site upwards to the east.

C. *Site Buildings, Roadways, and Parking Areas:*

The subject site is an undeveloped, vacant lot; there are no buildings, roadways or parking areas.

D. *Current Site Occupants/Use:*

The subject site is currently unoccupied.

E. *Utilities:*

The subject site is not serviced by any utilities at this time. A public water supply, municipal sanitary sewers, and electricity appear readily available, however.

F. On-Site Drainage, Surface Water, Wetlands or Lagoons (current and historical):

On-site drainage would follow surface topography. It was noted that the site abutting the subject site to the south-southeast appears to drain storm water onto the subject site (per observation of an apparent storm water outfall). There were no water bodies observed on the subject site.

G. Flood Insurance Rating Classification, FIRM (090049 0011 D, 6/4/87):

The subject site appears to be located within “Zone X”, an area determined to be outside the 500-year flood plain.

H. Adjacent Property Usage:

- North-northwest: A privately owned parcel used for local municipal parking; Tommy’s Cleaners (a dry cleaning establishment).
- East-northeast: Parking area at rear of commercial plaza containing CVS pharmacy, Village Green Cleaners, et als., and a post office.
- South-southeast: Miscellaneous unidentified office/commercial building, with possible residential apartments on upper floors (identified as the “Humeston Building” on the subject site Title Deed).
- West-southwest: Railroad Street; Connecticut Memories Country Store; Dolly’s Wine Boutique; municipal parking area.

3.0 ENVIRONMENTAL SETTING

3.1 SURFICIAL AND BEDROCK GEOLOGY

The surficial geologic materials of the subject property have been mapped as a glacial ice-laid thick till deposit (Surficial Materials Map of Connecticut, Janet Radway Stone, et. al., 1992). Thick till consists of non-sorted, generally non-stratified mixtures of grain sizes ranging from clay to large boulders, but is mostly predominantly sand and silt; the deposit is generally greater than ten to fifteen feet thick.

Bedrock Geology of the study site is mapped as the Stockbridge Marble, a white to gray dolomite (Bedrock Geologic Map of Connecticut, John Rogers, 1985).

3.2 WATER QUALITY CLASSIFICATION

A. *Drainage Basin Reference:*

6000 Housatonic River Basin; 60 Housatonic Main Stem Regional Basin; 6 Housatonic Major Basin.

B. *Inferred Groundwater and/or Surface Water Flow Direction:*

Preliminary estimates of groundwater flow directions usually consider surface topography and nearby surface water bodies, although it is noted that other physical conditions may also affect groundwater flow (i.e., aquifer hydraulic characteristics, pumping wells, recharge/discharge effects, etc.). Based upon topographic gradients (see Figure 1, Appendix A), the inferred natural direction of groundwater flow for the subject site is predominantly to the west-southwest, towards the Housatonic River.

C. *Groundwater Classification:*

The Connecticut Department of Environmental Protection (CTDEP) developed a system by which they have evaluated and classified all groundwater in the State. The CTDEP also set goals for maintaining the quality level of groundwater. Groundwater at the site is classified as "GA" (Water Quality Classifications, Housatonic River, Hudson River, and Southwest Coastal Basins, April 8, 1997). Based on CTDEP's Water Quality Standards (May 15, 1992, revised April 12, 1996), the "GA" classification corresponds with the following:

GA - Groundwater Quality Standards (WQS):

GW1 standard: The policy of the CTDEP in areas that are classified as GAA, GAA_s, or GA is to maintain or restore all groundwater in

such areas to its natural quality.

GW2 standard:

If the Commissioner determines that, with respect to a specific pollutant, restoring or maintaining natural quality at a GAA, GAA_s, or GA level is not technically practicable, the CTDEP's policy is to:

- a) Maintain or restore quality such that groundwater is suitable for drinking uses without treatments, and
- b) Maintain or restore quality such that the groundwater will not adversely affect surface water quality or prevent the maintenance or attainment of any designated uses of surface waters to which that groundwater discharges, and
- c) Eliminate sources of pollution to such groundwater to the extent that the Commissioner determines to be technically practicable, and regulate discharges to such groundwater so as to prevent pollution.

GA - Groundwater Uses & Classification:

Designated Uses:

Existing private and potential public or private supplies of water suitable for drinking without treatment, base flow for hydraulically connected surface water bodies. Chemical constituent criteria for dissolved oxygen, pH & chemical constituents are "as naturally occurs". Criteria for oils & grease, color & turbidity, coliform bacteria and taste & odor as "none other than of natural origin".

Classification:

Groundwater within the area of existing private water supply wells or an area with the potential to provide water to public or private water supply wells. The CTDEP presumes that groundwater in such an area is, at a minimum, suitable for drinking or other domestic uses without treatment.

D. Inland Surface Waters Classification:

Overland water runoff originating from the site ultimately drains to the Housatonic River, located approximately 800 feet away from the subject site to the west-southwest of the subject site. The stream is a class "D/B" designated water body. This classification indicates surface waters that are presently not meeting water quality criteria for one or more designated uses due to severe pollution.

E. Coastal and Marine Surface Waters Classification:

Not Applicable.

4.0 SITE INSPECTION - OBSERVED EXTERIOR AND INTERIOR CONDITIONS

Site Reconnaissance (site walkover and observation) was performed on Wednesday, September 27, 2006. (See Appendix A for photographs of selected subject site features.)

4.1 EXTERIOR CONDITIONS

A. *Evidence of Soil Contamination:*

No direct evidence of significant soil contamination was observed during the site inspection. It was noted, however, that the subject site apparently contains fill with construction demolition debris; and that such fill might be impacted with lead, asbestos, or other substances of concern associated with demolition materials.

B. *Evidence of Surface Water Contamination:*

No evidence of surface water contamination was observed during the site inspection.

C. *Odors:*

No unusual odors were noted on the subject site during the inspection.

D. *Seeps or Leachate Outbreaks:*

No seeps or leachate outbreaks were observed on the subject site during the inspection.

E. *Evidence of Soil Disturbance:*

As noted above in Section 4.1.A, the site appears to be filled with material containing demolition debris. Additionally, there are visible remnants of a building foundation on the subject site. Reportedly, a foundation of a building that once occupied the subject site still remains, and has been filled in (i.e. with the observed material).

F. *Evidence of Oil or Chemical Waste Dumping/Spills:*

There was no direct evidence of significant oil or chemical waste dumping or spills observed on the subject site during the inspection.

G. *Virgin Product or Hazardous Waste Storage:*

There was no virgin product or hazardous waste storage observed on the subject site on the day of the inspection.

H. *Transformers and Capacitors:*

There were no grade-level electrical transformers or capacitors observed on the subject site during the site inspection.

I. Monitoring Wells:

There were no monitoring wells observed on the subject site during the inspection.

J. Summary of Exterior Conditions:

The subject site apparently contains fill with construction demolition debris. Such fill might be impacted with lead, asbestos, or other substances of concern associated with demolition materials. Reportedly, a foundation of a building that once occupied the subject site still remains, and has been filled in (i.e. with the observed material).

Otherwise, no observation that in of itself would necessarily indicate a significant negative environmental impact to subject site soils, surface waters, or groundwater was made at the subject site exterior during the inspection.

5.0 SITE HISTORY

5.1 SITE OWNERSHIP AND HISTORICAL USE

The subject site is currently owned by Buyers Trust Waterbury LLC (since circa May 2005 - see copies of assessor's property card and the most recent referenced title deed for the subject site in Appendix B). Previous ownership was traced back to July 1958 and included (in descending order with approx. date of acquisition): Nutmeg Mortgage Company (August 1994); Peter A. DiMasi (January 1961); Thomas G. & Elfreida Griffin (July 1958); and Anne G. Dube, Norma G. Perlstein, & Sybil G. Cohen (acquisition date undetermined). Historical property descriptions in the deeds have referred to the subject site as the "Times Block". Determination of historical site use was based upon an examination of available records and reference materials (municipal street directories, property assessment cards, land records, aerial photographs, historical maps, etc.). The following is a summary of the available historical municipal street directory listings for the subject site addresses, indications of historic apparent site usage, which were reviewed at the CSL:

YEAR(S)	STREET ADDRESSE(S)	LISTED OCCUPANTS
1966, 1969, 1971, 1974/75, 1976, 1978, 1983, 1985, 1987, 1988, 1989, & 1990		No apparent listing for subject site; assumed vacant
1960	70-72	The Rest Coffee Shop; Army & Navy Store – clothing
1950*	None*	New Milford Times; The Times Publishing Company

*Note: Street address number scheme is different than on later directories; listing extrapolated based upon relative position in occupant listings.

5.2 **SANBORN MAPS, TOPOGRAPHIC MAPS, AND AERIAL PHOTOS REVIEW SUMMARY**

Historical Sanborn maps, topographic maps, and aerial photographs available for the study area from the CSL are described below:

SANBORN MAPS

MAP YEAR	DESCRIPTION & COMMENTS
1969	The subject site is depicted as undeveloped. The surrounding area building footprints and site usages are depicted as similar to what is currently observed (i.e. primarily miscellaneous retail), including a cleaning establishment and an automotive repair facility nearby to the north-northwest.
1945	The subject site is depicted with a building, covering what appears to be nearly the entire subject site area. The building is indicated as “The Times Pub Co. Newspaper Prints”. The site abutting the subject site to the north-northwest that is currently used for municipal parking is depicted as having a building indicated as an automobile repair garage. Site use to the east of the subject site appears to be residential (1969 edition map indicated commercial use and buildings). An automobile sales and service facility is indicated for the building indicated as being used as a cleaning facility in the 1969 edition map, and there is a gasoline filling station depicted just to the north of that building.
1931	The gasoline station shown to the north-northwest of the subject site in the 1945 edition map is not depicted. Otherwise, there are no significant differences noted as compared to 1945 edition map.
1909	The building that is depicted on the subject site in the 1931 and 1945 edition maps not depicted; instead there is a small building addition on the subject site that appears to be part of the building on the site abutting the subject site to the north-northwest, which is indicated as a being a plumbing and heating shop. Buildings depicted in the area to the north-northwest of the subject site are significantly different that on the 1931 edition map.
1904	No significant differences noted as compared to 1909 edition map.
1897	No significant differences noted as compared to 1904 edition map.
1892	The building on the site abutting the subject site to the north-northwest (that includes the building addition that is on the subject site) indicated as a tobacco warehouse. Site abutting the subject site to the south-southeast depicted as undeveloped (depicted as miscellaneous commercial in later edition maps).
1887	No significant differences noted as compared to 1892 edition map.

TOPOGRAPHIC MAPS

TOPO MAP YEAR	DESCRIPTION & COMMENTS
1955, photo-revised 1984	The site abutting the subject site to the north-northwest appears to be depicted as having a building. Otherwise, in general, the roads, buildings, topographic contours, and other features depicted in subject site area appear representative of current observed conditions
1955, photo-revised 1971	The subject site appears to be covered by a building that is part of a contiguous cluster of buildings along Railroad Street, located on and to the south-southeast of the subject site. Otherwise, no significant differences noted compared to 1984 photo-revision map.
1955	No significant differences noted compared to 1971 photo-revision map.
1951	No significant differences noted compared to 1955 edition map.
Surveyed 1889, edition of 1904, reprint of 1947	Feature detail conventions are different than on later edition maps and photo-revisions, but there does not appear to be any notable significant differences except that Boardman Terrace, an east-west running street located north of the subject site, is not depicted.

AERIAL PHOTOGRAPHS

PHOTO DATE	PHOTO Nos.	DESCRIPTION & COMMENTS
4-15-96	14-53	Subject site and immediate surrounding area appear to be similar to current observed conditions.
4/13/90	14-2640	No significant differences from 1996 photo noted.
3/19/85	14-734	No significant differences from 1990 photo noted.
4/21/80	15-5669	No significant differences from 1985 photo noted.
3/28/75	28-1119	No significant differences from 1980 photo noted.
3/9/70	28-2911	No significant differences from 1975 photo noted.
3/31/65	24-2599	No significant differences from 1970 photo noted.
10/20/51	DPC-5H-88	A building appears to be present on the subject site that corresponds to the building depicted on the subject site in the 1931 and 1945 edition Sanborn Maps. A building is apparently present on the site abutting the subject site to the north-northwest that is currently used for municipal parking, corresponding with the automotive repair garage building depicted in historical Sanborn Maps (e.g. 1945). Otherwise, no significant differences from 1965 photo noted
1934		No significant differences from 1951 photo noted.

5.3 HISTORICAL WASTE HANDLING/DISPOSAL

It has been reported that the subject site area has been serviced by municipal sanitary sewers since circa 1958. Since the building that was formerly on the subject site (i.e. the “The Times Pub Co. Newspaper Prints”) existed prior to that date, an on-site or nearby subsurface septic disposal system might have been used, or there might have been discharge pipes to a local surface water body.

5.4 HISTORICAL UTILITIES USAGE

No specific historical utilities use documentation for the subject site was readily available for review.

5.5 OBSERVATIONS RELATED TO HISTORICAL PROPERTY USE

It appears that the subject site has been vacant since circa the early 1960s. Prior to this, a commercial building was present on the site since sometime between 1909 and 1931 (per Sanborn Maps) that was used by a newspaper publisher for most of this time, but apparently later usage included a coffee shop and a clothing store. Prior to the site’s use by the newspaper publishing company (et als), a building addition was located on the subject site that was connected to a historic building on the abutting site to the north-northwest, which was used as an auto repair shop, a plumbing and heating shop, and a tobacco warehouse.

6.0 REGULATORY AGENCY DATABASE SEARCH AND FILES REVIEW

6.1 COMPUTER DATABASE SEARCH

Per ASTM specifications, the New England DataMap database search included, at a minimum, the following data:

- list of National Priority List (NPL) sites within 1.0 mile of the site;
- lists of RCRA corrective action sites (COR) within 1.0 mile of the site;
- Bureau of Waste Management list of state sites inventoried as suspected or known hazardous waste sites within 1.0 mile of the site;
- list of Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) sites within 0.5 mile of the site,
- list of Resource Conservation and Recovery Act (RCRA) Treatment, Storage, and Disposal (TSD) facilities within 0.5 mile of the site;
- list of reported leaking underground storage tanks (LUSTs) within 0.5 mile of the site;
- list of solid waste landfills (SWLs) within 0.5 mile of the site;
- list of RCRA large and small quantity generators within 0.25 mile of the site;
- list of Emergency Response Notification System (ERNS) sites within 0.25 mile of the site, and;
- list of registered underground storage tanks (USTs) and above-ground storage tanks (ASTs) within 0.25 mile of the site.

In addition, the database search included the following:

- CERCLIS sites for which no further remedial action is planned (NFRAP) within 0.25 mile of the site;
- list of USEPA's Toxic Release Inventory System (TRIS) sites within 0.25 mile of the site;
- list of the United States Environmental Protection Agency's (USEPA's) Facility Index System (FINDS) sites within 0.25 mile of the site;

- list of former RCRA regulated sites (NLR) within 0.25 mile of the site;
- list of oil and chemical spills registered with the State of Connecticut from January 1, 1991 to July 26, 2006 within 0.25 mile of the site;
- list of National Pollutant Discharge Elimination System (NPDES) permitted facilities within 0.25 mile of the site;
- list of Connecticut DEP permitted facilities within 0.25 mile of the site (obtained from the CT Permit Order and Compliance System - CPOS);
- list of public drinking water supply sources (PWS) (i.e. "State Wells") within 1.0 mile of the site;
- list of "receptors" (1995 TIGER census of schools and hospitals) within 1.0 mile of the site;
- list of "Nuclear Permits" sites within 0.5 mile of the site;
- list of Federal "Brownfield" sites within 0.5 mile of the site; and
- list of Federal "Other" sites and "Other" sites within 0.25 mile of the site.

A complete presentation of the data obtained via New England DataMap Corporation's on-line computer database service is presented in Appendix D.

6.2 CTDEP RECORDS DATABASE/FILE REVIEW

In addition to the on-line computer database search, CCA reviewed the CTDEP standard environmental record sources (inventory lists, logbooks, etc.) and miscellaneous correspondence/city files, oil and chemical spill reports, and the Bureau of Waste Management, Bureau of Water Management, and PCB Program individual file listings to determine whether the subject site or surrounding sites had generated activity or were the subject of incidences concerning CTDEP enforcement, response or permitting.

Selected CTDEP documents or certain portions thereof related to incidences or conditions on the subject site and in the area immediately surrounding the subject site are presented in Appendix C.

6.3 SUMMARY OF COMPUTER DATABASE AND CTDEP STANDARD ENVIRONMENTAL RECORDS SOURCES REVIEW FOR THE SUBJECT SITE AND SURROUNDING VICINITY

- A. *Federal National Priorities List (NPL) for Uncontrolled Hazardous Waste Sites (8/8/06):*

Site: Not listed.
Within 1-mile Radius: None.

- B. *Federal Comprehensive Environmental Response Compensation and Liability Information Systems (CERCLIS) List (6/8/06) (including NFRAP CERCLIS sites within 0.25 mile (6/8/06)):*

Site: Not listed.
Within 1/2-mile Radius: None.

- C. *Federal former RCRA regulated sites (NLR) list (4-16-06):*

Site: Not listed.
Within 1/4-mile Radius:

H&H Taylor & Sons, 85 Railroad Street, New Milford CT
Housatonic Valley Publishing Co., 11 Boardman Terrace, New Milford CT
Village Green Cleaners, 47 Main Street, New Milford CT
Village Laundry & Dry Cleaning, 38 Bridge Street, New Milford CT
Southern New England Telephone Co., 44 Bridge Street, New Milford CT
New Milford Hospital, 21 Elm Street, New Milford CT

- D. *Federal RCRA corrective action sites (COR) list (4-16-06):*

Site: Not listed.
Within 1-mile Radius:

Century Brass Products, 12 Scovill Street, New Milford CT

- E. *Federal RCRA Treatment/Storage/Disposal Facility (TSD) list (4/16/06):*

Site: Not listed.
Within 1-mile Radius: None.

- F. *Federal RCRA Generators List (4/16/06):*

Site: Not listed.
Within 1/4-mile Radius:

Tommy's Cleaners, 78 Railroad Street, New Milford CT
Mobil Oil Corp. Service Station, 59 Bridge Street, New Milford CT
A-1 Autobody Works of New Milford, Bridge Street, New Milford CT

- G. *Federal Emergency Response Notification System (ERNS) List (12/31/05):*

Site Only: Not listed.

- H. *Bureau of Waste Management Inventory of Known and Suspected Hazardous Waste Sites (i.e. "State Sites") (8/11/06) & "An Inventory of Hazardous Waste Sites in Connecticut and Recommendations for Continuing Action" (dated January, 1987, as amended 4/27/95)*

Site: Not listed.

Within 1-mile Radius:

Tommy's Cleaners, 78 Railroad Street, New Milford CT
Village Green Cleaners, 43-47 Main Street, New Milford CT
Former State Police Barracks, 421 Bantam Road, New Milford CT
Mobil Service Station, 59 Bridge Street, New Milford CT
A-1 Autobody Works, Inc., 22-26 Bridge Street, New Milford CT
SNET, 44 Bridge Street, New Milford CT
Former Home Oil Co., Spring Street, New Milford CT
Kinsella Auto, Ltd., 12-14 Bridge Street, New Milford CT
Diventco Inc., 30 West Street, New Milford CT
New Milford Gulf, 16 Danbury Road, New Milford CT
Smoke & Mirrors LLC, 30 Kent Road, New Milford CT
Food Ingredients Specialties, 201 Housatonic Avenue, New Milford CT
Mark Ford Mercury Inc., 55 Danbury Road, New Milford CT
Century Brass Products Inc., Aspetuck Road, New Milford CT
Winchester Electronics Corp., 130 Grove Street, New Milford CT
Balder Electric Co., 285A Wellsville Avenue, New Milford CT
Fischell Marina, West Street, New Milford CT
RMS/Farrell, 27 Picket District Road, New Milford CT
Cerberus technologies, 48 Anderson Avenue, New Milford CT

- I. *State Landfill (1/91) and Bulky Waste Landfill (1987) Lists:*

Site: Not listed.

Within 1/2-mile Radius: None.

- J. *State Active Solid Waste Landfill List (1/1/06):*

Site: Not listed.

Within 1/2-mile Radius: None.

- K. *Active Permitted Bulky Waste Disposal Areas (2/22/95):*

Site: Not listed.

Within 1/2-mile Radius: None.

- L. *Permitted Municipal Solid Waste/Residue Disposal Areas (10/28/94):*

Site: Not listed.

Within 1/2-mile Radius: None

M. Permitted Special Waste Disposal Areas (1/12/94):

Site: Not listed.

Within 1/2-mile Radius: None

N. Disposal of Solid Wastes on CT Map (1978):

Site: Not listed.

Within 1/2-mile Radius: None.

O. "Leachate and Wastewater Discharges" Map (Housatonic River, Hudson River, & Southwest Coastal Basins, 1997):

Site: Not listed.

Within 1/2-mile Radius:

Town of New Milford – Salt Storage

Conn. D.O.T. – Salt Storage

Town of New Milford – Waste Water Treatment Discharge

Texaco – Gasoline Spill

Diventco – Metal Finishing Discharge

P. CT. Superfund Priority List (SPL) List (8/93):

Site: Not listed.

Within 1-mile Radius: None.

Q. Federal Agency Hazardous Waste Compliance Docket (Update #9, 4/7/95):

Site: Not listed.

Within 1/2-mile Radius: None.

R. EPA Environmental Priorities Initiative (EPI) (3/27/92):

Site Only: Not listed.

S. CTDEP Waste Engineering & Enforcement Div. Enforcement (Active & Inactive) Action List (2/25/97):

Site Only: Not listed.

T. CTDEP Water Permit Holder Listing (4/8/94) and list of National Pollutant Discharge Elimination System (NPDES) permitted sites (3-26-06):

Site: Not Listed.

Adjacent Properties: Not listed.

U. *CTDEP Leaking Underground Storage Tank (LUST) New England Datamap Technology Corporation Database List (7/18/06):*

Site: Not Listed.

Within 1/2 mile radius:

EB Leili, 51-67 Bank Street, New Milford CT
Taylor House, Main Street, New Milford CT
Mrs. Morand, 31 Bank Street, New Milford CT
Susan Powers, 46 Main Street, New Milford CT
New Mil Bank, 19 Main Street, New Milford CT
Mitchel Fuel, Youngs Field Road, New Milford CT
Shirley Wagenseil, 12 Main Street, New Milford CT
Homestead Inn, 5 Elm Street, New Milford CT
Olivia LLC, 10 Railroad Street, New Milford CT
New Milford Public Works, 6 Youngs Field Road, New Milford CT
SAA, 7 Youngs Field Road, New Milford CT
Bridge Street Mobil, 57-59 Bridge Street, New Milford CT
Graham Wagenseil, 17 Whittlesey Avenue, New Milford CT
Lyn Buffington, 15 Terrace Place, New Milford CT
Town of New Milford, Main & Bridge Streets, New Milford CT
Lindstedt Oil Co., Youngs Field Road, New Milford CT
Atchinson, 19 Terrace Place, New Milford CT
Gene Marino, 13 Aspetuck Avenue, New Milford CT
Home Fuel Oil Terminal, Spring & Bridge Streets, New Milford CT
New Milford Hospital, 21 Elm Street, New Milford CT
"Same", 7 Treadwell Avenue, New Milford CT
Michael Morrissey, 11 Treadwell Avenue, New Milford CT
Robert Witamore, 16 Aspetuck Avenue, New Milford CT
Daryll Ann Carter, 44 East Street, New Milford CT
Kelly Burns, 20 Treadwell Avenue, New Milford CT
Robin Sherwood, 37 Treadwell Avenue, New Milford CT
New Milford Internal Medicine, 11 Grove Street, New Milford CT
Michael Wodjenski, 60 West Street, New Milford CT
Jeff Bailot, 21 Paylor Street, New Milford CT
New Milford Gulf, 16 Danbury Road, New Milford CT
William Dahl, 23 Grove Street, New Milford CT
Texaco/Motiva Enterprises, 6 Danbury Road, New Milford CT
Merit New Milford, 20 Danbury Road, New Milford CT
Former Car Bazaar, 24-28 Danbury Road, New Milford CT
Diane's Amoco, 28 Danbury Road, New Milford CT
Canterbury School, 77 Marwick Manor, New Milford CT
Joanne Lillis, 44 Marwick Manor, New Milford CT
Canterbury School, 31 Marwick Manor, New Milford CT

V. *CTDEP Registered Underground Storage Tank (UST) and Above-ground Storage Tank (AST) New England DataMap Technology Corporation Database List (7/17/06):*

Site: Not listed.

Within 1/4-mile Radius:

H&H Taylor & Sons, 85 Railroad Street, New Milford CT
New Milford Post Office, 37 Main Street, New Milford CT
First Congregational Church, 36 Main Street, New Milford CT
Senior Center, 40 Main Street, New Milford CT
New Milford Public Library, 24 Main Street, New Milford CT
Bulk Plant, Youngs Field Road, New Milford CT
Cuddy's Service Station Inc., 45 Bridge Street, New Milford CT
Bridge Street, 47 Bridge Street, New Milford CT
Highway Garage, Youngs Field Road, New Milford CT
Mobil Oil Service Station, 59 Bridge Street, New Milford CT
New Milford Co. Office, 44 Bridge Street, New Milford CT
A-1 Autobody, 22 Bridge Street, New Milford CT
Conn. D.O.T., 24 Bridge Street, New Milford CT
New Milford Terminal, 10 Bridge Street, New Milford CT
New Milford Hospital, 21 Elm Street, New Milford CT

W. *USEPA Facility Index System (FINDS) (9/12/05):*

Site: Not listed.

Adjacent Properties:

Tommy's Cleaners Inc., 78 Railroad Street, New Milford CT
Village Green Cleaners, 47 Main Street, New Milford CT

X. *USEPA Toxic Release Inventory System (TRIS) (6/9/06):*

Site: Not listed.

Adjacent Properties: None.

Y. *"Federal Other" & "Other" lists (9/12/06 & 8/11/06):*

Site: Not listed.

Within 1/4-mile Radius:

Tommy's Cleaners, 78 Railroad Street, New Milford CT.
Village Green Cleaners, 43-47/47C Main Street, New Milford CT
Housatonic Publications, 65 Bank Street, New Milford CT
New Milford Hospital, 21 Elm Street, New Milford CT
Linstedt Oil Co. Inc., 7 Youngs Field Road, New Milford CT
SNET, 44 Bridge Street, New Milford CT
A-1 Autobody Works Inc., 22-26 Bridge Street, New Milford CT

Kinsella Auto Ltd., 12-14 Bridge Street, New Milford CT

Z. *Federal "Brownfield" list (8/11/06):*

Site: Not listed.

Within 1/2-mile Radius:

Village Green Cleaners, 43-47 Main Street, New Milford CT
Century Enterprise Center, 12 Scovill Street, New Milford CT
Diventco Inc., 30 West Street, New Milford CT

AA. *New England DataMap Technology Corporation computer database list of Nuclear Permits (4/30/99) and "CT Generators that Shipped Low Level Radioactive Wastes (LLRW) Off-Site for Management and to Disposal Facilities in 1993" (4/95):*

Site: Not listed.

Adjacent Properties: None.

BB. *Public Water Supply(s) within 1/2-mile Radius of Site (from the "Atlas of the Public Water Supply Sources and Drainage Basins of Connecticut," dated June 1982, and New England DataMap Technology Corporation computer database, 3/20/06 update):*

Site: Not listed.

Within 1/2 mile radius:

United Water Co. Inc., New Milford

CC. *"Receptors" within 1/2-mile Radius of Site (from the 1995 TIGER Census of schools and hospitals) (1/1/95):*

Site: Not listed.

Within 1/2 mile radius: None

DD. *Aquifer Protection Area:*

The subject property **does** lie within a State of Connecticut stratified drift aquifer protection area (Connecticut Aquifer Protection Areas Map, 2001)

EE. *Site Well Records Reviewed:*

None available.

FF. *CTDEP Property Transfer Program Status (site only):*

Based upon site observations and information reviewed for the ESA described herein, the subject site **does not** appear to meet the definition of a hazardous waste "establishment" under the property transfer law (CGS Sections 22a-134 through 22a-

134e, as amended by various Public Acts).

6.4 SUMMARY OF CTDEP AND LOCAL FILES REVIEWED

Copies of the following selected items are enclosed in Appendix C:

Selected Bureau of Waste Management Oil & Chemical Spill reports and correspondence items for releases in the vicinity of the subject property that were not catalogued (i.e. pre-1990s & post July 2006) in the New England DataMap Technology Corporation database (Appendix D).

Selected contents of the CTDEP PTP file (Bureau of Water Management) for the notification of a transfer of a hazardous waste “establishment” in February 1992 under the Connecticut property transfer law for the Tommy’s Cleaners site, located to the north-northwest of the subject site,. The PTP notification was submitted as a “Form I – Negative Declaration”, which is an assertion by the transferor that there has not been any known release of hazardous waste to the site soils or groundwater.

Selected portions of a 1999 subsurface investigation report (including “Phase III” delineations) prepared by HRP Associates Inc. of Plainville, Connecticut for the property at 41-47 Main Street, New Milford, Connecticut. The 41-47 Main Street property contained a dry cleaning establishment (i.e. Village Green Cleaners) and was also the site of a release(s) of petroleum products to the subsurface environment attributable to LUSTs. The 41-47 Main Street site is hydraulically upgradient of the subject site and was demonstrated by the investigation (and previous investigations) to have impacted the soils and groundwater with halogenated volatile organic compounds (VOCs), including PCE, and with petroleum constituents. Remedial measures and groundwater monitoring (in addition to those previously initiated) were recommended.

Selected portions of a May 2002 groundwater monitoring report prepared by HRP Associates Inc. for the 41-47 Main Street property (apparently the latest groundwater monitoring report available).

Additional items reviewed (historical maps and aerial photographs, land ownership records, etc.) are discussed in the pertinent sections of this report.

6.5 EVALUATION OF STATE/FEDERAL/LOCAL DATA RELATIVE TO POTENTIAL CONTAMINANT SOURCES AND REGULATORY COMPLIANCE CONCERNS

A. Site:

There was no documentation identified during this ESA that would categorically indicate soil or groundwater contamination at the subject site that would be attributable to current or historical conditions or incidences on the

subject site.

B. Off-Site:

The cumulative effect of the off-site numerous areas of environmental concern (spills, LUSTs, USTs, inventory listings, etc.) identified in the area of the subject site during this assessment can be expected to have degraded the groundwater in the vicinity of the subject site, thus constituting one or multiple potential off-site sources of contamination to the groundwater beneath the subject site (i.e. a background pollution condition). The most significant of these off-site areas of concern is the documented impact by PCE and other VOCs, and petroleum constituents, at the site hydraulically upgradient from the subject site (i.e. 41-47 Main Street, New Milford).

7.0 CONCLUSIONS AND RECOMMENDATIONS

This Phase I Environmental Site Assessment of 72 Railroad Street, New Milford, Connecticut (the property) has been performed in conformance with the scope and limitations of ASTM Practice E 1527-05. Any exceptions to, or deletions from, this practice are described in appropriate sections of this report. This assessment has revealed evidence of recognized environmental conditions in connection with the property as follows:

7.1 POTENTIAL ON-SITE SOURCES OF CHEMICAL CONTAMINATION

The subject site apparently contains fill with construction demolition debris. Such fill might be impacted with lead, asbestos, or other substances of concern associated with demolition materials. Reportedly, the fill is contained within an old building foundation that occupies all or nearly all of the subject site, and the building foundation rests upon the bedrock surface. It is understood that this fill is to be removed, and the existing foundation is to be used in the future development of the site.

The building that formerly occupied the subject site might have been serviced by an on-site or nearby subsurface septic disposal system, or there might have been discharge pipes to a local surface water body. Whether a potential former on-site septic disposal system should be considered a potential source of contamination is dependent upon past use of the former subject site building, which though uncertain might have been used for the actual printing of newspapers.

7.2 POTENTIAL OFF-SITE SOURCES OF CHEMICAL CONTAMINATION

Records reviewed and observations made during the assessment indicate a fairly substantial risk that the groundwater beneath the subject site has been negatively impacted from an off-site source(s). However, liability for and concerns associated with impacted groundwater at a given site are not typically associated with off-site source(s) of contamination when a public water supply is available and the groundwater is not to be used as a resource.

7.3 REGULATORY COMPLIANCE CONCERNS

Disposal of the above-described fill, if it is to be excavated from the subject site, might require analytical characterization for acceptance by a disposal facility.

7.4 RECOMMENDATIONS

CCA recommends that the above-described fill be removed from the subject site, as is intended. CCA offers no recommendations for further study of the subject site, as the plan of development for the site calls for removal of onsite soils that are most likely to be impacted.

8.0 LIMITATIONS

The conclusions and recommendations presented herein are based solely on the information reviewed by CCA, LLC and described within this submittal. CCA has performed this Environmental Assessment in accordance with standard professional practice using the degree of skill and care exercised for similar projects by similar firms under similar conditions. CCA shall not be held responsible for conditions or consequences resulting from relevant information not fully disclosed at the time of this study. CCA is not responsible for independently verifying the accuracy or completeness of any information provided by the client, client's agents, or third parties including state and local employees. In addition, future events at the site or surrounding properties may alter these findings. The project staff, listed below, certifies that they have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. All appropriate inquiries have been developed and performed in conformance with the standards and practices set forth in 40 CFR Part 312.

Paul J. Connelly
Environmental Field Supervisor

Auditor

I declare that to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312.

Ralph A. Klass, P.E., L.E.P.
Dir. of Environmental Engineering

Project Manager