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April 22, 2005

Mr. Paul Mandel
Midwood Management Corporation
430 Park Avenue, Suite 505
New York, New York 10022

Re: Ground Penetrating Radar Survey of Underground Storage Tanks
Cross County Mall in Yonkers, New York

Dear Mr. Mandel:

Roux Associates has completed the first phase of the Cross County Mall underground storage tank (UST) management plan as described in our February 18, 2005 proposal to Midwood. This letter summarizes the results of the geophysical investigation conducted on April 19 and 20, 2005. This letter also presents our recommendations for each tank based on the outcome of the geophysical survey and the Westchester County Department of Health (WCDH) UST regulations.

Geophysical Test Results
Presented below are the results of the geophysical testing conducted at the Cross County Mall. The testing included the use of both ground penetrating radar (GPR) and magnetometer technology. The purpose of the testing included verifying the orientation and size of known USTs and associated utility lines. At the former car rental location and the former service station, the purpose of the testing was to determine whether USTs existed and if so how many tanks remain in the ground. The results at the six UST locations are discussed separately below.

UST No. 1 (by China City Restaurant)
This UST was used to store diesel fuel for use in an emergency generator. The GPR survey successfully confirmed the location and configuration of the tank and its related appurtenances (i.e., vent lines) and nearby underground utility lines. Based on the results of the GPR survey, the UST is estimated to be 1,000-gallons in capacity. This UST is able to be integrity tested because it has an intact fill port and vent line.

UST Area No. 2 (by Bank of America)
The GPR survey confirmed the location and orientation of this former fuel oil storage tank and the associated lines and utilities. Based on the results of the GPR survey, the UST is estimated to be 6,000 gallons in capacity. Although the fill and vent lines are intact, a hole in the top of the tank prevents this UST from being integrity tested.

UST Area No. 3 (by Applebee's Restaurant)
The presence of this UST was confirmed, as was its location, configuration, appurtenances, and nearby underground utility lines. Based on the results of the GPR survey, the UST is estimated to be 2,500 gallons in capacity. Due to the lack of fill and vent lines, this UST cannot be integrity tested.

UST Area No. 4 (by Sizzler Restaurant)
The exact location and configuration of this fuel oil storage tank was confirmed along with its appurtenances and nearby underground utility lines. Based on the results of the GPR survey, the UST is estimated to be 2,500 gallons in capacity. This UST is able to be integrity tested because its fill port and vent line are both intact.

Suspect UST Area No. 5 (by former car rental operation)
The GPR survey identified subsurface anomalies consistent with underground storage tanks at three locations in the area of the former car rental operation. A potential fourth UST was also identified in this area but could not be confirmed. Based on the results of the GPR survey, each of the tanks is estimated to be 500 gallons in capacity. No fill or vent lines associated with the USTs were found; therefore, these USTs cannot be integrity tested.

Suspect UST Area No. 6 (by Chase Bank, former gasoline station)
Both GPR and a magnetometer were used to evaluate the areas in front of the current bank branch and the area at the base of the retaining wall behind the bank building for remaining USTs. No subsurface anomalies consistent with underground storage tanks were identified on either side of the bank building. It is, therefore, concluded that former USTs have been removed from this site.

Recommendations
As we have previously discussed, tanks over 1,100 gallons must comply with WCDH UST regulations. USTs over 1,100 gallons that will continue in service at the Mall must be registered, comply with all current regulatory requirements (spill prevention and detection, inventory monitoring, etc.) and have passed an integrity test that verifies the tank and associated pipelines are not leaking. If a tank over 1,100 gallons is out of service it must be registered and then removed or closed in place if removal is not feasible. USTs under 1,100 gallons that are not in commercial use do not have to comply with WCDH tank regulations.

Presented below are the recommendations for each UST at the Mall based on the results of the geophysical survey.

UST No. 4 (Sizzler)
The UST at this restaurant is over 1,100 gallons and is viable and available for continued usage. The UST should be registered and integrity tested if further usage is a possibility. The cost for integrity testing the of this UST was included in our proposal and will be

conducted upon consultation with Midwood in accordance with the existing Professional Services Agreement dated April 1, 2005.

If the UST is found to be tight and is going to be put back in service, it will have to be upgraded to meet current corrosion protection, overfill prevention, and leak detection requirements or replaced with new tanks meeting current regulatory requirements.

If further usage of the UST is not envisioned, the tank has to be registered prior to removal.

UST No. 1 (China City)
The UST adjacent to China City was estimated to have a capacity of 1,000 gallons and as such does not have to comply with WCDH tank regulations. The estimate was based on the apparent dimensions of the UST as determined by the GPR survey. This estimate is approximate and the UST could be 1,100 gallons or slightly higher.

Midwood has a choice in how this UST is handled. The choices are as follows:

- The UST can be assumed to be 1,000 gallons and therefore not subject to registration requirements. It can continue to be used with no additional work required.
- The UST can be treated as if it were 1,100 gallons. Testing and registration are then necessary assuming it passes the integrity test. Closure is required if it does not pass the test.
- A tank contractor using specialized equipment can be used to firmly establish the UST dimensions and capacity. Depending on its capacity, one of the alternatives outlined above can be implemented.

UST Nos. 2 and 3
These tanks are larger than 1,100 gallons and cannot be tested; therefore, they have to be closed through removal or closure-in-place. After registering the tanks, they can be excavated, cleaned, rendered non-usable, and disposed of. Post excavation samples have to be collected to determine whether a release has previously taken place. If evidence of tank leakage (stained soil or groundwater sheen) is identified, a spill has to be reported to NYSDEC. Investigation and remediation, as appropriate will be required by WCDH and NYSDEC. Depending on the extent of environmental impact, remediation could range from removal and disposal of localized areas of stained soil to groundwater treatment and/or monitoring.

UST Area 5
The three 550-gallon USTs are not subject to regulation based on their capacity. Midwood does not have to remove or register the USTs. If these tanks are removed, however, post excavation sampling is required to evaluate whether a release has occurred.

UST Area No. 6
No further environmental investigation is recommended.

Please contact us following your review of this letter to discuss the alternatives that are available to Midwood and your preferences for proceeding with the UST management plan.

Sincerely,

ROUX ASSOCIATES, INC.

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