

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director

625 Broadway, 12th Floor, Albany, New York 12233-7011

P: (518) 402-9706 | F: (518) 402-9020

www.dec.ny.gov

JUL 14 2020

Mark Wieboldt
3 Chase Lane
Bethpage, Nassau County 11714

Re: Certificate of Completion and Registry Reclassification from 2 to 4
Love Cleaners
416 Clinton Street
Hempstead, Nassau County, NY 11550

Dear Mr. Wieboldt:

Congratulations on having satisfactorily completed the remedial program at the Love Cleaners site. Enclosed please find an original, signed Certificate of Completion. The New York State Department of Environmental Conservation (Department) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the Certificate of Completion (COC) to be issued for the above-referenced site. This also results in the reclassification of the site on the Registry of Inactive Hazardous Waste Disposal Sites ("Registry") for Class 2 to Class 4.

Please note that you are required to perform the following tasks:

- If you are the site owner, you must record a notice of the COC in the recording office for the County (or Counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record a notice of the COC within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the notice of COC is recorded within the time frame specified. In all cases, proof of filing must be provided to the Department within 30 days of receipt. A standard notice form is attached to this letter.
- Place the notice of the COC in the document repository for the site within 10 days of issuance of the COC; and
- Implement the Department-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program. You must report the results of these activities to the Department in a Periodic Review Report (PRR) which also includes any required IC/EC certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to the Department in October 2021.

The Department will prepare and distribute to the Site Contact List a fact sheet describing the institutional and engineering controls that are required at the site, and notifications relating to the reclassification or delisting of the site on the Registry.



Department of
Environmental
Conservation

If you have any questions regarding the reclassification or any of the above tasks, please contact Jared Donaldson at 518-402-9176.

Sincerely,



Michael J. Ryan, P.E.
Director
Division of Environmental Remediation

Enclosure

ec w/ enclosure:

C. Vooris – NYSDOH
Steven Berninger
Charlotte Bethoney

ec w/o enc:

Jared Donaldson
Bob Corcoran
Rick Mustico
Chris Engelhardt
Kelly Lewandowski
Andrew Guglielmi

NYSDEC STATE SUPERFUND PROGRAM (SSF)
CERTIFICATE OF COMPLETION

Name

Mark Wieboldt

Address

3 Chase Lane, Bethpage, NY 11714

SITE INFORMATION

Site No.: 130187 **Site Name:** Love Cleaners

Order on Consent: Index No. AI-0780-11-11 **Order Execution Date:** 12/02/2012

Site Owner: Mark Wieboldt

Street Address: 416 Clinton Street

Municipality: Hempstead **County:** Nassau **DEC Region:** 1

Site Size: 0.195 Acres

Tax Map Identification Number(s): 34-J-540, 34-J-541

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

CERTIFICATE ISSUANCE

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to 6 NYCRR §375-1.9.

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Order on Consent as well as any other relevant information regarding the Site, that the applicable remediation requirements set forth in the Environmental Conservation Law (ECL) and 6NYCRR Part 375 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses:

Allowable Uses under the SSF: Residential, Restricted-Residential, Commercial, and Industrial

The remedial program includes use restrictions or reliance on the long-term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Nassau County Recording Office with a document number of 2018-00060039.

LIABILITY LIMITATION

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in 6NYCRR §375-2.9. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in 6NYCRR §375-2.9(d). The liability limitation shall be subject to all rights reserved to the State by ECL §27-1321 and any other applicable provision of law.

CERTIFICATE TRANSFERABILITY

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by 6NYCRR §375-1.9(f)-(g).

CERTIFICATE MODIFICATION/REVOCATION

This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with 6NYCRR §375-1.9(e)(2) upon a finding that:

- (1) the remedial party has failed to manage the controls or monitoring in full compliance with the terms of the approved remedial program;
- (2) there has been a failure to comply with the terms and conditions of the order;
- (3) there was a misrepresentation of a material fact tending to demonstrate that the cleanup levels were reached;
- (4) the terms and conditions of any environmental easement have been intentionally violated or found to be not protective or enforceable;
- (5) for good cause;
- (6) environmental contamination at, on, under, or emanating from the site if, in light of such conditions, the site is no longer protective of public health or the environment, and the remedial party is not in good faith negotiating, and/or following its approval by the Department, implementing a work plan to achieve conditions at the site which are protective of public health and the environment;
- (7) non-compliance with the terms of the order, the remedial work plan, site management plan, or the certificate of completion after notice of the failure and reasonable opportunity to cure has been afforded to the remedial party by the Department as provided for at paragraph 375-1.9(e)(2);
- (8) fraud related to the remedial program for the site committed by the certificate holder;
- (9) a finding by the Department that a change in an environmental standard, factor, or criterion upon which the remedial work plan was based renders the remedial program implemented at the site no longer protective of public health or the environment, and the remedial party is not in good faith negotiating, and/or following its approval by the Department, implementing a work plan to achieve conditions at the site which are protective of public health and the environment; or
- (10) a change in the site's use subsequent to the Department's issuance of the certificate of completion, unless additional remediation is undertaken which shall meet the standard for protection of the public health and environment that applies to this site.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Basil Seggos
Commissioner
New York State Department of Environmental Conservation

By:  Date: 2/17/20
Michael J. Ryan, P.E., Director
Division of Environmental Remediation

NOTICE OF CERTIFICATE OF COMPLETION
Inactive Hazardous Waste Disposal Site Program
Pursuant to 6 NYCRR Part 375-1.9(d)

Love Cleaners, Site ID No. 130187
416 Clinton Street, Hempstead, NY 11550
Town of Hempstead, Nassau County, Tax Map Identification Numbers Section 34 Block J Lots
540 and 541

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to 6 NYCRR Part 375 to Mark Wieboldt for a parcel approximately 0.195 acres located at 416 Clinton Street in Hempstead, Nassau County.

PLEASE TAKE NOTICE, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Order on Consent, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 27, Title 13 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

PLEASE TAKE NOTICE, the remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- ☐ Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1) i
- ☒ Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2) i.
- ☒ Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2) ii.
- ☒ Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2) iii.
- ☒ Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2) iv.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by the Department as not inconsistent with the remedy.

PLEASE TAKE NOTICE, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Nassau County with a document number of 2018-00060039.

PLEASE TAKE NOTICE, the Environmental Easement requires that the approved site management plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

PLEASE TAKE NOTICE, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in 6 NYCRR Part 375-2.9. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in 6 NYCRR Part 375-2.9. The liability limitation shall be subject to all rights reserved to the State by 6 NYCRR Part 375-2.9 and any other applicable provision of

Love Cleaners, Site # 130187, 416 Clinton Street, Hempstead, NY 11550

law.

PLEASE TAKE NOTICE, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

PLEASE TAKE NOTICE, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

PLEASE TAKE NOTICE, the Certificate may be only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

PLEASE TAKE NOTICE, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 1 located at 50 Circle Road, Stony Brook, NY 11790, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/130187/>.

WHEREFORE, the undersigned has signed this Notice of Certificate

Mark Wieboldt

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 20__, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Signature and Office of individual
taking acknowledgment

Please record and return to:
Mark Wieboldt
3 Chase Lane
Bethpage, Nassau County 11714

SCHEDULE "A" PROPERTY DESCRIPTION

LEGAL DESCRIPTION AND ENVIRONMENTAL EASEMENT DESCRIPTION

SITE #130187 CONSENT INDEX #A1-0780-11-11

ALL THAT CERTAIN PLOT PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE INCORPORATED VILLAGE OF HEMPSTEAD, COUNTY OF NASSAU AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF LINCOLN BOULEVARD AND THE EASTERLY SIDE OF CLINTON STREET;

RUNNING THENCE ALONG THE EASTERLY SIDE OF CLINTON STREET, NORTH 09 DEGREES 23 MINUTES, 20 SECONDS EAST 83.13 FEET;

RUNNING THENCE NORTH 83 DEGREES 37 MINUTES 20 SECONDS EAST 95.03 FEET;

RUNNING THENCE SOUTH 06 DEGREES 22 MINUTES 40 SECONDS EAST 80.00 FEET TO THE NORTHERLY SIDE OF LINCOLN BOULEVARD;

RUNNING THENCE ALONG THE NORTHERLY SIDE OF LINCOLN BOULEVARD SOUTH 83 DEGREES 37 MINUTES 20 SECONDS WEST 117.62 FEET TO THE CORNER, THE POINT OR PLACE OF BEGINNING.

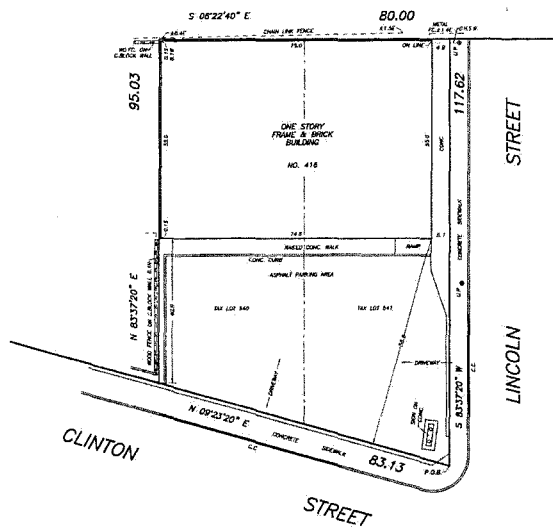
LOT AREA = 8,505.90 SQ.FT. = 0.19527 ACRES.

SITE #132187 CONSTANT INDEX #A1-0780-11-13

ALL THAT CERTAIN PLOT PRIZE ON PARCELS OF LAND, SITE, LIVING AND
DEAD TREES, BUSHES AND VILLAGES OF NEWHAMPSHIRE, COUNTY OF WINDSOR
AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE
OF CLAYTON STREET AND THE EASTERLY SIDE OF CLAYTON STREET,
RUNNING THENCE ALONG THE EASTERLY SIDE OF CLAYTON STREET NORTH
ON DECEASES 23 MINUTES, 20 SECONDS EAST 83.13 FEET,
RUNNING THENCE NORTH 83 DEGREES 37 MINUTES 20 SECONDS EAST 80.03 FEET
TO THE NORTHERLY SIDE OF LINCOLN BOULEVARD,
RUNNING THENCE SOUTH ON DECEASES 20 MINUTES 40 SECONDS EAST 80.03
FEET TO THE NORTHERLY SIDE OF LINCOLN BOULEVARD,
RUNNING THENCE ALONG THE NORTHERLY SIDE OF LINCOLN BOULEVARD
SOUTH ON DECEASES 37 MINUTES 20 SECONDS WEST 117.62 FEET TO THE
CORNER OF A PLOT OF LAND OF ABOUT 30 ACRES,
LOT AREA = 6,500.90 SQ. FT. = 0.18957 ACRES.

SURVEYORS' NOTES

1. THE ACCOMPANYING SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE DESCRIBED PREMISES.
2. THAT EXCEPT AS SHOWN, THERE ARE NO VISIBLE EASEMENTS OR RIGHT OF WAY ACROSS SAID PLATS.
3. THE PROPERTY HAS DIRECT, UNINTERRUPTED ACCESS TO A PUBLIC STREET KNOWN AS CLAYTON STREET AND LINCOLN STREET. THERE ARE NO CHANGES IN STREET RIGHT OF WAYS.
4. THE BEYOND DESCRIPTION OF THE PROPERTY FORMS A MATHEMATICALLY ACCURATE FIGURE.
5. THERE IS NO VISIBLE EVIDENCE OF EXISTING MASONRY WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS AT THE PREMISES.
6. THERE IS NO VISIBLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, DUMP OR SANITARY LANDFILL.
7. THERE IS NO VISIBLE EVIDENCE OF CULVERTS.
8. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A WETLANDS AREA.



15. PHONE	
TRAFFIC LIGHT	NE 1/2
TRUCK MOUNT	TR. MOUNT
LAKE POLE	52-64
CATCH BASIN	CR
TRUCK	20
UTILITY POLE	Q 1/2
WALLET	WALLET
OVERHEAD BEAMING WARE	40-50
TRAFFIC SIGN	40-50
LEGAL ADVISOR	1/2
POSTER/PAINT	1/2
TRUCK MOUNT	1/2
STAND AND CURB CUT	CR
DRINK	DR
PAVING METER	P.M.
TELEPHONE	TEL
WARRANT	WARRANT
WARRANT	WARRANT

SITE #130187 CONSENT INDEX #41-0780-11-11

THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 38 ARTICLE 71 OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW.

ENVIRONMENTAL EASEMENT AREA ACCESS
THE DEC OR THEIR AGENT MAY ACCESS THE ENVIRONMENTAL EASEMENT AREA AS SHOWN HEREON THROUGH AND EXISTING STREET ACCESS OR BUILDING INGRESS/EGRESS ACCESS POINT.

"THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 71 OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW. THE ENGINEERING AND ARCHITECTURAL CONSULTANTS ARE ADVISED THAT THE EASEMENT IS FILED WITH THE SITE MANAGEMENT PLAN (SMP). A COPY OF THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT DESIGNER@DEC.NY.GOV."

[illegible]

MAP OF PROPERTY BELONGING TO
HEMPSTEAD
NASSAU COUNTY, N.Y.
TAX SECT. 34 TAX BLOCK, "F" TAX LOT(S) 540 & 541

Empire State Land Surveyor, P.C.
Frank L. Gullotta Professional Land Surveyor
Reverend of the City of Nassau
Stephen J. Reid - Mr. Harry Curran - G. W. Harwood
J. Anderson & Lepp - Robert E. Clark - William J. Daly
1185 Glen Cove Avenue, Glen Cove, NY 11545
(516) 466-1100

EMPIRE STATE LAND SURVEYOR
JAMES H. HARRIS, LAND SURVEYOR



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Site Management Form

4/28/2020



SITE DESCRIPTION

SITE NO. 130187

SITE NAME Love Cleaners

SITE ADDRESS: 416 Clinton Street ZIP CODE: 11550

CITY/TOWN: Hempstead

COUNTY: Nassau

ALLOWABLE USE: Unrestricted, Residential, Restricted-Residential, Commercial, and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES:

IC/EC Certification Plan YES

Monitoring Plan YES

Operation and Maintenance (O&M) Plan YES

Periodic Review Frequency: 1 year

Periodic Review Report Submittal Date: 10/28/2021

Description of Institutional Control

Mr. Mark Wieboldt

416 Clinton Street

Environmental Easement

Block: J

Lot: 540

Sublot:

Section: 34

Subsection:

S_B_L Image: 34-J-540

IC/EC Plan

Monitoring Plan

O&M Plan

Site Management Plan

Lot: 541

Sublot:

Section: 34

Subsection:

S_B_L Image: 34-J-541

IC/EC Plan

Monitoring Plan
O&M Plan
Site Management Plan

Description of Engineering Control

Mr. Mark Wieboldt

416 Clinton Street

Environmental Easement

Block: J

Lot: 540

Sublot:

Section: 34

Subsection:

S_B_L Image: 34-J-540

Vapor Mitigation

Lot: 541

Sublot:

Section: 34

Subsection:

S_B_L Image: 34-J-541

Vapor Mitigation