

# **EXHIBIT K**



FUSS & O'NEILL

January 30, 2024

Jim Holiber  
General Counsel  
20 Rewe Street, Ltd.  
885 Conklin Street  
Farmingdale, NY 11735

RE: 171 Lombardi Street  
Brooklyn, NY

Dear Mr. Holiber:

This letter is regarding your request for Fuss & O'Neill to review airborne concentration data for your property located at 171 Lombardy Street in Brooklyn, New York. We understand the air sampling was performed by an independent consultant retained to assess a range of environmental conditions associated with the site in 2022. The following provides our interpretation and opinion of the airborne concentration information for re-occupancy for non-residential purposes.

We understand that air samples were collected within five designated areas of the property. Samples were collected at a height between 4½ to 6½ feet above floor level which would replicate the normal breathing zone of building occupants. Evacuated Summa canisters were used to collect ambient air over an 8-hour period which is representative of a normal workday. The analytical results are summarized in the table below:

Chemical of Concern	OSHA PEL (ppm)	LOC-1		LOC-2		LOC-3	
		ppbV	ppm	ppbV	ppm	ppbV	ppm
Vinyl chloride	1	ND	ND	ND	ND	ND	ND
1,1-Dichloroethene	-	ND	ND	ND	ND	ND	ND
trans-1,2-Dichloroethene	-	ND	ND	ND	ND	ND	ND
1,1-Dichloroethane	100	ND	ND	ND	ND	ND	ND
cis-1,2-Dichloroethene	-	0.146	0.0001	0.336	0.0003	0.501	0.0005
1,2-Dichloroethane	50	ND	ND	ND	ND	ND	ND
1,1,1-Trichloroethane	350	ND	ND	ND	ND	ND	ND
Trichloroethene	100	0.131	0.0001	0.248	0.0002	0.398	0.0003
Tetrachloroethene	100	5.86	0.0058	11.3	0.01132	22.2	0.022

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Chemical of Concern	OSHA PEL (ppm)	LOC-4		LOC-5	
		ppbV	ppm	ppbV	ppm
Vinyl chloride	1	ND	ND	ND	ND
1,1-Dichloroethene	-	ND	ND	ND	ND
trans-1,2-Dichloroethene	-	ND	ND	0.03	ND
1,1-Dichloroethane	100	ND	ND	ND	ND
cis-1,2-Dichloroethene	-	0.134	0.0001	1.06	0.001
1,2-Dichloroethane	50	ND	ND	ND	ND
1,1,1-Trichloroethane	350	ND	ND	ND	ND
Trichloroethene	100	0.136	0.0001	0.645	0.0006
Tetrachloroethene	100	6	0.0060	19.9	0.0199

Two columns were added into the table for comparison purposes. The first column added was the Federal Occupational Safety and Health Administrative (OSHA) Permissible Exposure Limit (PEL) and the second column recalculated the analytical data from parts per billion (ppb) to parts per million (ppm) for comparison to each PEL. Based on this information, the airborne concentration for each Chemical of Concern is well be below the OSHA PEL.

Sincerely,



Robert F. Levandoski, CSP, CIH, CHMM  
President