

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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In the Matter of the Development and Implementation of
a Remedial Program under the Inactive Hazardous
Waste Disposal Site Remedial Program, pursuant to
Article 27, Title 13, and Article 71 of the Environmental
Conservation Law for the Hudson Dry Cleaners Site,

-by-

Z H CONTROL CO., LLC,

Respondent.

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**AMENDMENT TO
ORDER ON CONSENT
AND ADMINISTRATIVE
SETTLEMENT**

Site # 231085

**NYSDEC File No.
R2-20180619-196**

WHEREAS:

1. Z H CONTROL CO., LLC ("Respondent") consented to the issuance of Order on Consent and Administrative Settlement Index No. R2-20180619-196 (the "Order"), which was signed by a representative of the New York State Department of Environmental Conservation ("Department") on January 25, 2019.

2. The Order was entered into for the purpose of appropriately characterizing and investigating the contamination at and emanating from the Site and providing a mechanism for Respondent to implement any necessary interim remedial measures and associated Site management.

3. During this Amendment process, on February 3, 2025, Respondent submitted to the Department a formal request to modify boundary of the Hudson Dry Cleaners Site. The original Site boundary encompassed the entirety of New York County, Block 00584, Tax Lot 1, which comprises an area of 0.575 acres. This lot is developed into two six-story apartment buildings—one located on the northern portion of the Site and one on the southern portion—with commercial uses on the ground floor and basement levels of each building. A shared courtyard separates the two structures.

4. The Site corresponds to the Morton Barrow Condominium, which consists of the two buildings and the courtyard located on Hudson Street between Barrow and Morton Streets. The condominium is subdivided into two recorded parcels: Parcel A, which includes the northern building and northern half of the courtyard, and Parcel B, which includes the southern building and the southern half of the courtyard.

5. The condominium is further divided into two legal units:

- a. the Commercial Unit, legally described as Block 584, Lot 1001, which comprises the basement and ground-floor commercial spaces of both buildings; and
- b. the Residential Unit, legally described as Block 582, Lot 1002, which consists of common elements of the buildings and the individual residential cooperative apartments located on the first and upper floors of both buildings.

6. The source of chlorinated volatile organic compounds (“CVOCs”) is in the northwest corner of the northern building. A sub-slab depressurization system has been installed in the northern building to mitigate soil vapor intrusion. The results of the Site Characterization completed in November 2022 did not identify migration of CVOCs from the north building to the south building.

7. Based on the findings in Paragraph 6 of this Amendment, the Department and New York State Department of Health determined that no further Site Characterization efforts are required.

8. On June 23, 2025, the Department granted Respondent’s Site boundary modification request to include only Parcel A. The new Site area is 0.2875 acres.

9. Accordingly, the Department and Respondent desire to amend the language in the Order to reflect the Site’s modified boundary. The Department and Respondent also wish to update “Exhibit A” of the Order to reflect the Site’s modified boundary. Lastly, the Department and Respondent wish to update the DEC Project Attorney contact.

10. Respondent consents to the issuance of this Amendment without (i) an admission or finding of liability, fault, wrongdoing, or violation of any law, agreement, regulation, permit, order (including without limitation the Order), requirement, or standard of care of any kind whatsoever; (ii) an acknowledgement that there has been a release or threatened release of hazardous waste at or from any site; and/or (iii) an acknowledgement that a release or threatened release of hazardous waste at or from any site constitutes a significant threat to the public health or environment.

11. Solely with regard to the matters set forth below, Respondent hereby waives any right to a hearing as may be provided by law, consents to the issuance and entry of this Amendment, and agrees to be bound by its terms. Respondent consents to and agrees not to contest the authority or jurisdiction of the Department to issue or enforce this Amendment and agrees not to contest the validity of this Amendment or its terms or the validity of data submitted to the Department by Respondent pursuant to this Amendment.

12. All capitalized terms in this Amendment shall have the same meaning as defined in the Order, unless specified otherwise in this Amendment.

NOW, being duly advised and having considered this matter, the Commissioner of the Department of Environmental Conservation hereby **ORDERS** that:

I. The Order shall be amended as indicated herein on the date this Amendment is signed by the Commissioner of the Department or their designee.

II. Paragraph 2 of the Order is replaced in its entirety with the following language: "The Site is defined as New York County Tax Block 584, portions of lots 1, 1001, and 1002 with an acreage of 0.2875 acres, located at 438-462 Hudson Street, New York, NY 10014 (also known as 63-69 Morton Street, New York, NY 10014). The Site excludes individual residential dwelling units. A metes and bounds legal description of the Site can be found at Exhibit "A." The Site is currently not listed in the Registry of Inactive Hazardous Waste Disposal Sites in New York State."

III. Section I of the Order is replaced in its entirety with the following language:

"The Site subject to this Order has been assigned number 231085 and is as follows:

Tax Map/Parcel No.: New York County Tax Block 584, Portion of Lots 1, 1001 and 1002

Address: 438-462 Hudson Street, New York, NY 10014 (also known as 63-69 Morton Street, New York, NY 10014)

Owner: Z H Control Co., LLC"

IV. The Department Project Attorney contact in Section IV.A.1 is replaced with the following language:

"Grace Nam, DEC Project Attorney (electronic copy)
New York State Department of Environmental Conservation
Office of General Counsel
47-40 21st Street, 4th Floor
Long Island City, NY 11101
Grace.nam@dec.ny.gov"

V. "Exhibit A" of the Order is replaced by "Exhibit A" of this Amendment.

VI. All other provisions of the Order remain unchanged, in full force and effect and shall be binding on Respondent.

DATED: Long Island City, New York
October 2, 2025

AMANDA LEFTON
Commissioner, NYSDEC

By: Janet E. Brown
Janet E. Brown
Assistant Director
Division of Environmental
Remediation

CONSENT BY RESPONDENT

Respondent, Z H CONTROL CO., LLC, hereby consents to the issuing and entering of this Order, waives the right to a hearing herein, and agrees to be bound by the terms, conditions and provisions of this Order.

Z H CONTROL CO., LLC

By [signature]: Edward D. Antorion

Print name: Edward Antorion

Title: Authorized Signatory

Date: 9/8/25

ACKNOWLEDGEMENT

STATE OF PA)
COUNTY OF Chester) ss:

On this 9 day of August, 2025, before me, the undersigned, personally appeared Edward Antorion, personally known to me, or who being properly identified on the basis of satisfactory evidence, did depose and say that s/he/they is/are Authorized Signatory of Z H CONTROL CO., LLC and that s/he/they signed this instrument as duly authorized by Z H CONTROL CO., LLC.

Brandon Miller
NOTARY PUBLIC

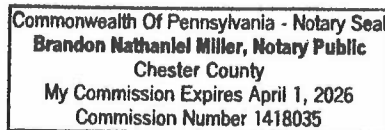


EXHIBIT A

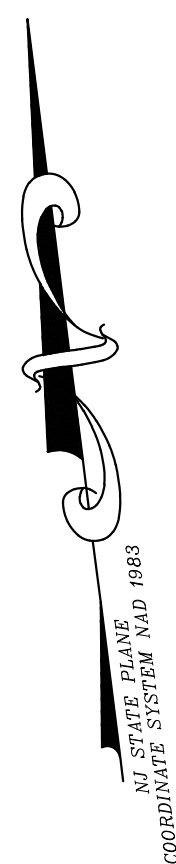
EXHIBIT A

Tax Block 584, Portion of lots 1, 1001 and 1002, but not including individual residential dwelling units

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE, LYING AND BEING IN THE BOROUGH OF MANHATTAN, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF BARROW STREET (65 FEET WIDE RIGHT OF WAY PER SECTION MAP) WITH THE EASTERLY SIDE OF HUDSON STREET (90 FEET WIDE RIGHT OF WAY PER SECTION MAP); AND RUNS THENCE

1. ALONG THE SOUTHERLY SIDELINE OF BARROW STREET, SOUTH 83 DEGREES 00 MINUTES 39 SECONDS EAST, 125.00 FEET TO A POINT; THENCE
2. ALONG THE DIVIDING LINE BETWEEN TAX LOT C743 (FORMERLY LOT 1), BLOCK 584 AND TAX LOT 17, BLOCK 584, SOUTH 06 DEGREES 56 MINUTES 25 SECONDS WEST, 200.58 FEET TO A POINT; THENCE
3. ACROSS TAX LOT C743 (FORMERLY LOT 1), BLOCK 584, NORTH 82 DEGREES 50 MINUTES 20 SECONDS WEST, 125.00 FEET TO A POINT; THENCE
4. ALONG THE SAID EASTERLY SIDE OF HUDSON STREET, NORTH 06 DEGREES 56 MINUTES 25 SECONDS EAST, 200.20 FEET TO A POINT AND PLACE OF **BEGINNING**.



AS-SURVEYED DESCRIPTION

ENVIRONMENTAL EASEMENT AREA EXHIBIT

SCALE: 1"=20'

BARROW STREET
(65' WIDE R.O.W. PER SECTION MAP)

HUDSON STREET
(90' WIDE R.O.W. PER SECTION MAP)

PARCEL A
ENVIRONMENTAL EASEMENT AREA
PORTION OF TAX LOT 584
FORMERLY LOT 1
BLOCK 584
SF 12,584
AC 0.2875

PARCEL B

TAX LOT 17
BLOCK 584
N/P JEFFREY E. LEVINE
AND RANDI LEVINE
CFRN. 2011000004920

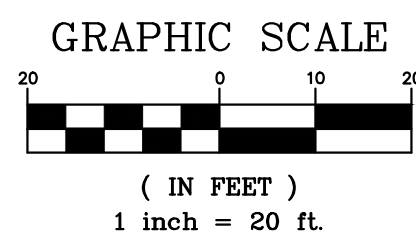
TAX LOT 50
BLOCK 584
N/P 61 MORTON STREET
ASSOCIATES LLC
CFRN. 2004000067083

583°00'39"E
125.00'
89°57'04"
30°02'56"
100.00'(D)
100.10'
100.29'
100.00'(D)
N06°56'25"E
30°08'10"
89°51'50"
N82°55'26"W
125.00'

P.O.B.
ENVIRONMENTAL
EASEMENT
AREA

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 INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN 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 "DERWEB@DEC.NY.GOV."

ENVIRONMENTAL EASEMENT AREA DESCRIPTION

 ENVIRONMENTAL EASEMENT BOUNDARY

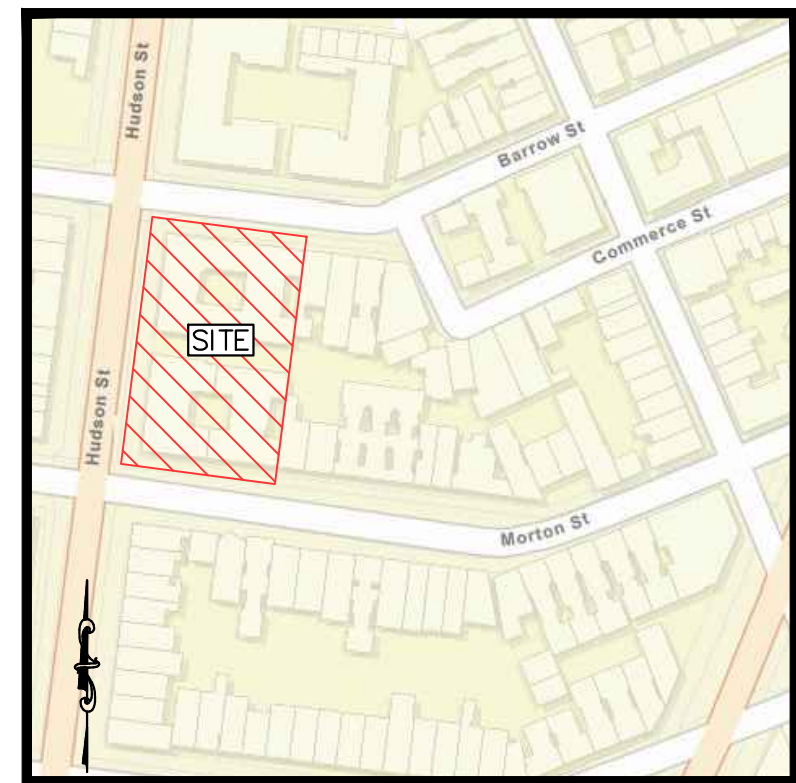
UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY
MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A
VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE
NEW YORK STATE EDUCATION LAW.

IF THIS DOCUMENT DOES NOT CONTAIN A VALID
SEAL OF THE UNDERSIGNED PROFESSIONAL, IT IS
NOT AN AUTHORIZED ORIGINAL DOCUMENT.

DRAFT

James J. Heiser
Professional Land Surveyor
JHEISER@DPKCONSULTING.NET

PROJECT NUMBER: 23-10183		DRAWING FILE: 23-10183LS00		SHEET 1 1
DATE: 05/08/2024	SCALE: 1" = 20'	DRAWN BY: J.J.H.	CHK'D BY: E.S.	
				REV. 0



VICINITY MAP
SCALE: N.T.S.

SURVEYOR'S NOTES

1. THIS SURVEY IS PREPARED IN ACCORDANCE WITH DOCUMENTS SUPPLIED BY THE CLIENT AND THOSE OBTAINED THROUGH SUPPLEMENTAL RESEARCH BY DP&K LAND SURVEYING. THE DOCUMENTS UTILIZED MAY OR MAY NOT REPRESENT ALL THE TITLE DOCUMENTS RELEVANT TO THE PROJECT. THE CLIENT REPRESENTS AND WARRANTS THAT A COMPLETE TITLE SEARCH BE SUPPLIED TO THE SURVEYOR FOR REVIEW PRIOR TO THE PLACEMENT OF OR ALTERATION TO IMPROVEMENTS ON THE PROPERTY.
2. THIS SURVEY IS SUBJECT TO ANY RECORDS, DEEDS AND ANY OTHER PERTINENT FACTS THAT A COMPLETE TITLE SEARCH MIGHT DISCLOSE.
3. THIS SURVEY REPRESENTS FIELD CONDITIONS AS OF MAY 1, 2024.
4. THE UTILITIES SHOWN HAVE BEEN LOCATED FROM EVIDENCE OBSERVED ON THE SURFACE ONLY AND HAVE BEEN FIELD VERIFIED. UNDEGROUND MATERIALS, DP&K LAND SURVEYING MAKES NO GUARANTEES THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. DP&K LAND SURVEYING FURTHER WARRANTS THAT THE UTILITIES SHOWN ARE NOT PHYSICALLY IN THE EXACT LOCATION INDICATED. DP&K LAND SURVEYING HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
5. PREMISES ARE COMMONLY KNOWN AS 469 MORTON STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK, NEW YORK.
6. ALSO KNOWN AS A PORTION OF LOT TAX LOT C743 FORMERLY LOT 1, IN BLOCK 584 AS SHOWN ON THE OFFICIAL TAX MAPS OF THE BOROUGH OF MANHATTAN, CITY AND STATE OF NEW YORK.
7. THE PROJECT HORIZONTAL DATUM IS BASED UPON NAVD 88 DERIVED USING RTK RECEIVERS AND KEYNET.
8. IF THIS DOCUMENT DOES NOT CONTAIN A VALID SEAL OF THE UNDERSIGNED PROFESSIONAL, IT IS NOT AN AUTHORIZED ORIGINAL DOCUMENT.

MAP REFERENCES

MAP REFERENCES:

1. MAP ENTITLED "SECTION MAP, BOROUGH OF MANHATTAN", PREPARED BY THE CITY OF NEW YORK, PRESIDENT OF THE BOROUGH OF MANHATTAN, TOPOGRAPHICAL BUREAU, SHEET 18.

FLOOD INFORMATION

BY GRAPHIC PLOTTING ONLY, THE PREMISES IS LOCATED IN FIRM ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS PER MAP NUMBER 3604970182F, REVISED SEPTEMBER 5, 2007. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE. AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

REV	DATE	DESCRIPTION	BY CHKD

BOUNDARY SURVEY
TAX LOT C743
FORMERLY LOT 1
BLOCK 584
63-69 MORTON STREET
BOROUGH OF MANHATTAN
NEW YORK COUNTY NEW YORK

DPK LAND SURVEYING
 DPKLAND SURVEYING, LLC
 200 METROPOLIX DRIVE • 6TH, 285, EDISON, NJ 08817
 P: 732-764-4100 F: 732-764-4900
 NEW YORK CERTIFICATE OF AUTHORIZATION NO. 0012585