



VIA ELECTRONIC MAIL

February 2, 2026

Andrew Guglielmi, Director
NYSDEC, Division of Environmental Remediation
625 Broadway, 12th Floor
Albany, New York 12233-7011

**Re: Coventry Commons– DEC “P” Site No 859036 – Newark, NY
Brownfield Cleanup Program (BCP)**

Dear Mr. Guglielmi:

I write on behalf of Coventry Commons, LLC (“Coventry”), regarding the above-referenced Site and the pending Brownfield Cleanup Program (“BCP”) Application submitted to the Department pursuant to 6 NYCRR § 365-3.4. This application was deemed complete by letter from the Department’s Site Control Section by letter dated October 27, 2025. After extensive discussions with the Department regarding the application, and in the interest of expeditiously moving forward to protect the viability of this project, Coventry hereby elects to withdraw the pending BCP Application, without prejudice. Such withdrawal shall take effect immediately.

Nonetheless, Coventry remains strongly committed to working with the Department to address on-Site environmental conditions. Pursuant to recent discussions with the Department, Coventry’s withdrawal of its BCP Application is undertaken with an understanding that the parties will negotiate and enter into an Administrative Order on Consent for on-Site remedial actions and “cashout” provisions extending liability protection for State costs exceeding \$200,000 cumulatively for on-Site and off-Site costs.

Thank you in advance for your attention to this matter.

Very truly yours,

Gregory J. Allen, Esq.

cc: Ben Lockwood, Coventry
Michael Cruden, NYSDEC
David Pratt, NYSDEC
Michael Murphy, NYSDEC
Clayton Hale, NYSDEC
Joshuah Klier, NYSDEC
Len Zinoman, NYSDEC
Kelly Lewandowski, NYSDEC