

**NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**BROWNFIELD CLEANUP PROGRAM (BCP)  
APPLICATION FORM, Revision 12**

**HEMPSTEAD HOUSE  
301-309 PENINSULA BLVD  
HEMPSTEAD, NASSAU COUNTY, NEW YORK**


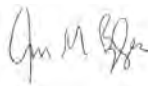
Submitted For:

**STEL, Inc.**  
715 Central Avenue  
Dunkirk, NY 14048

Prepared By:



September 2021

<b>Prepared By:</b> Jesse Zientek	<b>Signature:</b> 	<b>Date:</b> Sept 1 , 2021	<b>Title:</b> Engineer
<b>Reviewed By:</b> Jason Brydges, P.E.	<b>Signature:</b> 	<b>Date:</b> Sept 1 , 2021	<b>Title:</b> PM

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Section III: Property's Environmental History – Investigation Report (Subsurface ESA)



## BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

☐

Yes

☒

No

If yes, provide existing site number: \_\_\_\_\_

### PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 12*

#### Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY  
BCP SITE #:

NAME SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC.

ADDRESS 715 CENTRAL AVENUE

CITY/TOWN DUNKIRK

ZIP CODE 14048

PHONE 716.366.3200

FAX 716.366.7840

E-MAIL alds@stel.org

Is the requestor authorized to conduct business in New York State (NYS)?

☒

Yes

☐

No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment. **See Attachment A**

Do all individuals that will be certifying documents meet the requirements detailed below? ☒ Yes ☐ No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](#) and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

#### Section II. Project Description

1. What stage is the project starting at?

☒

Investigation

☐

Remediation

NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.

2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): ☐ Yes ☐ No **Not Applicable**

3. Please attach a short description of the overall development project, including:

**See Attachment B**

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.



### Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that the site requires remediation and contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property. To the extent that existing information/studies/reports are available to the requestor, please attach the following (*please submit the information requested in this section in electronic format only*):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF). Please do not submit paper copies of supporting documents.** **See Investigation Report on DVD**

2. **SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED, WITH LABORATORY REPORTS REFERENCED AND ALSO INCLUDED. See Tables 1 and 2 in Attachment J**

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum	xlenes, ethylbenzene, toluene	4 benzenes and naphthalene	
Chlorinated Solvents		TCE, methylene chloride	
Other VOCs			
SVOCs	5 PAHs		
Metals	6 metals		
Pesticides			
PCBs			
Other*			

\*Please describe: \_\_\_\_\_

3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:

- SAMPLE LOCATION
- DATE OF SAMPLING EVENT **See Figure 4 in Attachment J**
- KEY CONTAMINANTS AND CONCENTRATION DETECTED
- FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE
- FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5
- FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?\*

(\*answering No will result in an incomplete application)

☒ Yes ☐ No

4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> Coal Gas Manufacturing | <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input checked="" type="checkbox"/> Dry Cleaner     |
| <input type="checkbox"/> Salvage Yard           | <input type="checkbox"/> Bulk Plant    | <input type="checkbox"/> Pipeline           | <input checked="" type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill               | <input type="checkbox"/> Tannery       | <input type="checkbox"/> Electroplating     | <input type="checkbox"/> Unknown                    |

Other: Commercial building for automotive and laundering



<b>Section IV. Property Information - See Instructions for Further Guidance</b>				
PROPOSED SITE NAME Hempstead House				
ADDRESS/LOCATION 301-309 Peninsula Blvd				
CITY/TOWN Hempstead		ZIP CODE 11550		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Hempstead				
COUNTY Nassau		SITE SIZE (ACRES) 0.39		
LATITUDE (degrees/minutes/seconds) 40 ° 42 ' 14.25 "		LONGITUDE (degrees/minutes/seconds) 73 ° 37 ' 26.25 "		
<b>Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed , please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the <u>tax parcel in the corresponding far right column.</u> ATTACH REQUIRED MAPS</b>				
<b>PER THE APPLICATION INSTRUCTIONS. <span style="color: red;">[See Attachment C and Figure 1 in Attachment J]</span></b>				
Parcel Address	Section No.	Block No.	Lot No.	Acreage
301-309 Peninsula Blvd	34	358	89	0.39
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach an accurate map of the proposed site.				
2. Is the required property map attached to the application? <span style="color: red; border: 1px solid red; padding: 2px;">See Attachment D</span> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (application will not be processed without map)				
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See <a href="#">DEC's website</a> for more information) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>  If yes, identify census tract : 4070 _____  Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 100%				
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If yes, identify name of properties (and site numbers if available) in related BCP applications: _____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach relevant supporting documentation.				
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, these lands should be clearly delineated on the site map.				

#### Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?  
If yes, identify here and attach appropriate information. ☐ Yes ☒ No

Easement/Right-of-way Holder

Description

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

Description

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

**See Attachment E**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**?

☒ Yes ☐ No

**Note:** Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? ☐ Yes ☐ No

If yes, requestor must answer questions on the supplement at the end of this form.

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? ☐ Yes ☐ No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? ☐ Yes ☐ No

**NOTE:** If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: \_\_\_\_\_



**BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)**

<b>Section V. Additional Requestor Information</b> <b>See Instructions for Further Guidance</b>		<div style="text-align: right; font-size: small;">DEC USE ONLY</div> BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE <b>Steve Ald</b>			
ADDRESS <b>715 Central Avenue</b>			
CITY/TOWN <b>Dunkirk</b>		ZIP CODE <b>14048</b>	
PHONE <b>716.366.3200</b>	FAX <b>716.366.7840</b>	E-MAIL <b>alds@stel.org</b>	
NAME OF REQUESTOR'S CONSULTANT <b>BE3corp</b>			
ADDRESS <b>960 Busti Avenue</b>			
CITY/TOWN <b>Buffalo</b>		ZIP CODE <b>14213</b>	
PHONE <b>716.362.6533</b>	FAX <b>NA</b>	E-MAIL <b>jbrydges@be3corp.com</b>	
NAME OF REQUESTOR'S ATTORNEY <b>Steve Ricca</b>			
ADDRESS <b>200 Delaware Avenue, Suite 900</b>			
CITY/TOWN <b>Buffalo</b>		ZIP CODE <b>14202</b>	
PHONE <b>716.416.7047</b>	FAX	E-MAIL <b>sricca@bsk.com</b>	
<b>Section VI. Current Property Owner/Operator Information – if not a Requestor</b>			
CURRENT OWNER'S NAME		OWNERSHIP START DATE:	
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
CURRENT OPERATOR'S NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE". <div style="text-align: center; border: 1px solid red; padding: 2px; color: red; font-weight: bold;">See Attachment F</div> IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.			
<b>Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)</b>			
If answering "yes" to any of the following questions, please provide an explanation as an attachment.			
1. Are any enforcement actions pending against the requestor regarding this site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>			
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>			
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>			



## Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☒ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. ☐ Yes ☒ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☒ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☒ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ Yes ☒ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☒ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☒ No
11. Are there any unregistered bulk storage tanks on-site which require registration? ☐ Yes ☒ No

**Based upon current knowledge, no.**

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

### ☐ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

### ☒ VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

**If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.**

**See Attachment G**



## Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

☐ Previous Owner ☒ Current Owner ☐ Potential /Future Purchaser ☐ Other \_\_\_\_\_

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?

☐ Yes

☐ No

**Not Applicable**

**Note: a purchase contract does not suffice as proof of access.**

## Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?  
If yes, please provide relevant information as an attachment. ☐ Yes ☒ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305?  
If yes, please provide: Site # \_\_\_\_\_ Class # \_\_\_\_\_ ☐ Yes ☒ No
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?  
If yes, please provide: Permit type: \_\_\_\_\_ EPA ID Number: \_\_\_\_\_  
Date permit issued: \_\_\_\_\_ Permit expiration date: \_\_\_\_\_ ☐ Yes ☒ No
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. ☐ Yes ☒ No  
**Not Applicable**
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?  
If yes, please provide: Order # \_\_\_\_\_ ☐ Yes ☒ No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?  
If yes, please provide explanation as an attachment. ☐ Yes ☒ No

## Section IX. Contact List Information

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following: **See Attachment H**

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

## Section X. Land Use Factors

<p>1. What is the current municipal zoning designation for the site? <u>Business C</u></p> <p>What uses are allowed by the current zoning? (Check boxes, below)</p> <p><input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial</p> <p>If zoning change is imminent, please provide documentation from the appropriate zoning authority.</p>	
<p>2. Current Use: <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Vacant <input type="checkbox"/> Recreational (check all that apply)</p> <p><b>See Attachments B, E, and I</b></p> <p><b>Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.</b></p>	
<p>3. Reasonably anticipated use Post Remediation: <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial (check all that apply) <b>Attach a statement detailing the specific proposed use. See Attachments B, E, and I</b></p> <p>If residential, does it qualify as single family housing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>4. Do current historical and/or recent development patterns support the proposed use?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.</p> <p>Although the proposed use is Residential and current zoning is Business, the future use is consistent with the surrounding areas to the east and south. Furthermore, there is residential zoning within the same block on Peninsula Blvd.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.</p> <p>Two documents that were reviewed are related to master plans and revitalization of the subject area. They include the Village of Hempstead Code Book and Nassau County Master Plan. The proposed development does not appear to contrast with either of these plans significantly.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>



## XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

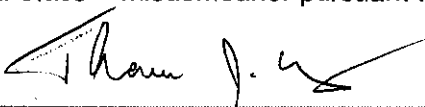
Print Name: \_\_\_\_\_

(By a requestor other than an individual)

Sothorn Tier Environments

I hereby affirm that I am Executive Director (title) of for Living, Inc. (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 08/25/2021

Signature:  \_\_\_\_\_

Print Name: Thomas J. Whitney

## SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable Portable Document Format (PDF), must be sent to:
  - Chief, Site Control Section
  - New York State Department of Environmental Conservation
  - Division of Environmental Remediation
  - 625 Broadway
  - Albany, NY 12233-7020

**PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS.** Please provide a hard copy of **ONLY** the application form and a table of contents.

**FOR DEC USE ONLY**

**BCP SITE T&A CODE:** \_\_\_\_\_ **LEAD OFFICE:** \_\_\_\_\_

**BCP Application Summary (for DEC use only)**

**Site Name:** Hempstead House  
**City:** Hempstead

**Site Address:** 301-309 Peninsula Blvd  
**County:** Nassau **Zip:** 11550

**Tax Block & Lot**  
**Section (if applicable):** 34 **Block:** 358 **Lot:** 89

**Requestor Name:** SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC. **Requestor Address:** 715 CENTRAL AVENUE  
**City:** DUNKIRK **Zip:** 14048 **Email:** alds@stel.org

**Requestor's Representative (for billing purposes)**

**Name:** Steve Ald **Address:** 715 Central Avenue  
**City:** Dunkirk **Zip:** 14048 **Email:** alds@stel.org

**Requestor's Attorney**

**Name:** Steve Ricca **Address:** 200 Delaware Avenue, Suite 900  
**City:** Buffalo **Zip:** 14202 **Email:** sricca@bsk.com

**Requestor's Consultant**

**Name:** BE3corp **Address:** 960 Busti Avenue  
**City:** Buffalo **Zip:** 14213 **Email:** jbrydges@be3corp.com

**Percentage claimed within an En-Zone:** ☐ 0% ☐ <50% ☐ 50-99% ☒ 100%

**DER Determination:** ☐ Agree ☐ Disagree

**Requestor's Requested Status:** ☒ Volunteer ☐ Participant

**DER/OGC Determination:** ☐ Agree ☐ Disagree

Notes:

**For NYC Sites, is the Requestor Seeking Tangible Property Credits:** ☐ Yes ☐ No

**Does Requestor Claim Property is Upside Down:** ☐ Yes ☐ No

**DER/OGC Determination:** ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

**Does Requestor Claim Property is Underutilized:** ☐ Yes ☐ No

**DER/OGC Determination:** ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

**Does Requestor Claim Affordable Housing Status:** ☐ Yes ☐ No ☐ Planned, No Contract

**DER/OGC Determination:** ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

## ATTACHMENT A

### SECTION I: REQUESTOR INFORMATION

#### NYSDOS Corporation & Business Entity Printout

## Department of State Division of Corporations

### Entity Information

[Return to Results](#)[Return to Search](#)

#### Entity Details

<b>ENTITY NAME:</b> SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC.	<b>DOS ID:</b> 668442
<b>FOREIGN LEGAL NAME:</b>	<b>FICTITIOUS NAME:</b>
<b>ENTITY TYPE:</b> DOMESTIC NOT-FOR-PROFIT CORPORATION	<b>DURATION DATE/LATEST DATE OF DISSOLUTION:</b>
<b>SECTION OF LAW:</b> -	<b>ENTITY STATUS:</b> Active
<b>DATE OF INITIAL DOS FILING:</b> 12/24/1980	<b>REASON FOR STATUS:</b>
<b>EFFECTIVE DATE INITIAL FILING:</b> 12/24/1980	<b>INACTIVE DATE:</b>
<b>FOREIGN FORMATION DATE:</b>	<b>STATEMENT STATUS:</b> PAST DUE DATE
<b>COUNTY:</b> Erie	<b>NEXT STATEMENT DUE DATE:</b> 12/31/1982
<b>JURISDICTION:</b> New York, United States	<b>NFP CATEGORY:</b> CHARITABLE

[ENTITY DISPLAY](#)[NAME HISTORY](#)[FILING HISTORY](#)[MERGER HISTORY](#)[ASSUMED NAME HISTORY](#)

#### Service of Process Name and Address

**Name:** THE CORPORATION**Address:** 715 CENTRAL AVENUE, DUNKIRK, NY, United States, 14048



## ATTACHMENT B

### SECTION II: PROJECT DESCRIPTION

#### Short Description of Development

The purpose of the project is to redevelop the site to create a new seven story apartment building with affordable housing units and first floor amenities to support the tenants, which include parking, offices, a kitchen, exercise room, etc. The top 6 floors will contain 65 apartments with 52 apartments for persons with disabilities. All apartments will be affordable at or below 60% of AMI.

It is anticipated that the remedial action portion of the project will start in April 2022 with completion 9 months later for a certificate of completion (COC) accepted and approved by end of 2022.

## ATTACHMENT C

### SECTION IV: PROPERTY INFORMATION

Tax Map

Project Location Maps  
including parcel map with ownership

N 174,900

80' 40' 0' 80' 160'

SCALE: 1" = 80'

BCP Site



INC. VILLAGE OF HEMPSTEAD PARKING FIELD  
LOT NOS: 11,40,127,136,137,138,139,140,141,142

SALEM CHURCH OF CHRIST DISCIPLES INC.  
LOT NO: 2

LEGEND

COUNTY LINE  
TOWN LINE  
VILLAGE LINE  
SCHOOL DISTRICT LINE  
PROPERTY LINE  
SPECIAL DISTRICT LINE  
BLOCK LIMIT  
LOCATOR POINT  
TAX MAP PARCEL NO.  
CALCULATED ACREAGE  
DEED ACREAGE  
SCALED DIMENSION  
DEED DIMENSION

REFERENCE MAPS  
MAP NO.

CODE  
300 1 202 X

POLICE  
WATER  
LIGHTING  
LIBRARY  
FIRE

DIST

FIRE PROTECTION  
SANITARY  
REFUSE & GARBAGE  
REFUSE DISPOSAL  
Town of Hempstead  
SEWAGE COLLECTION

DIST

SPECIAL DISTRICTS  
PUBLIC PARKING  
SEWER  
Nassau County Sewage Disposal District #2  
PARK  
IMPROVEMENT  
SIDEWALK

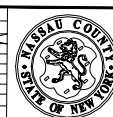
DIST

DRAINAGE  
FIRE HYDRANT RENTAL  
GARBAGE  
ESCALATOR  
WATER POLLUTION CONTROL  
Town, County, College, Police HQ

DIST

MUNICIPALITIES  
TOWN OF:  
HEMPSTEAD  
NORTH HEMPSTEAD  
OYSTER BAY  
CITY OF:  
GLEN COVE  
LONG BEACH  
VILLAGE OF:  
Incorporated Village of Hempstead  
SCHOOL DISTRICT  
Hempstead

DIST



Nassau County  
Department of Assessment  
Charles O'Shea, Chairman  
Land & Tax Map

Map Last Revised: September 28 2003

SEC. 34  
BLK. 358

SHEET 1 OF 1

SPECIAL DISTRICT WITHIN

CODE

CODE

SPECIAL DISTRICT WITHIN

CODE

SPECIAL DISTRICT WITHIN

CODE

SPECIAL DISTRICT WITHIN



## ATTACHMENT D

### SECTION IV: PROPERTY INFORMATION

#### Property Base Map

252, 270, 280 Peninsula Blvd  
34-351-222  
HVCA LLC  
151 Irving Pl  
Woodmere, NY 11598

307 Peninsula Blvd  
34-358-108-161  
Cracker King Inc  
307 Peninsula Blvd  
Hempstead, NY 11550

295 Peninsula Blvd -  
34-358-10  
DJSC Trust #1  
C/O Stephen M Cohen  
2233 Broadhollow Rd  
Farmingdale, NY 11735

285 Peninsula Blvd -  
34-358-11-40  
Public Storage  
701 Western Ave  
Glendale, CA 91201

319-321 Peninsula Blvd  
34-358-5  
319 Realty Corp  
C/O Peter Barniak  
319 Peninsula Blvd  
Hempstead, NY 11550

309-311 Peninsula Blvd  
34-358-162  
SDRJ Development Group  
46 Redbrook Road  
Great Neck, NY 11024

Project Location: 301-309 Peninsula Boulevard



Image provided by Nassau County LRV Viewer (NYS 2013 Map)

[Nassau County LRV Viewer \(nassaucountyny.gov\)](http://nassaucountyny.gov)



Figure – Project Basemap

Hempstead House  
301-309 Peninsula Boulevard  
Hempstead, New York

Revisions

1

08-24-2021

SCALE: 1" =115.2'

SHEET 1 of 1

## ATTACHMENT E

### SECTION IV: PROPERTY INFORMATION

#### Property Description and Environmental Assessment

##### Location

The future Hempstead House is in an urban setting on the southern side of Peninsula Boulevard in the Town of Hempstead in the county of Nassau. The property access is off Peninsula Boulevard, approximately 460 feet from the South Franklin Street and Peninsula Boulevard intersection.

##### Site Features

The main site feature is a rectangular-shaped building that extends from lot line to lot line around the entire perimeter of the parcel. Being the only site feature, this three-story, vacant, and dilapidated commercial building occupies the entirety of the 0.39-acre parcel. The building is attached to adjacent structures on the east and west sides, whereas the north side is the Peninsula Boulevard entrance, and the south side is an alley that leads to Grove Street. Structures attached to both sides of the building appear to be semi-vacant commercial structures.

##### Current Zoning and Land Use

The site is currently zoned Business C. It is bordered to the north across Peninsula Blvd. by Hempstead Village Commons that is Business B also commercially zoned and contains a variety of retail businesses. To the west also across Peninsula Blvd. of the subject site is the only industrial zoning proximate to the subject site. To the south and east is more Business B zoning for community services, which contains Prospect School and the Nassau Rehabilitation & Nursing Center. Within the same block to the east and 2 blocks away to the south is zoned residential.

##### Past Use of the Site

Ascertainable historical records document that the property was in use for commercial purposes as early as 1909 and that the property was in use as a laundry from as early as 1925 until at least 1970. On-site dry-cleaning operations were noted on a building plan from 1962 and an attached garage (located on the southwestern adjoining property) was in use for automotive repair activities as early as 1950. The property has reportedly been vacant for over a decade. A 2,000-gallon fuel-oil underground storage tank (UST) was removed from the property in 1996. The recent investigation described in the attached Report is the only known site characterization performed on the property, and the sources of contamination appear to be related to site and adjacent site past commercial activities.

### Site Geology and Hydrogeology

Information provided by Natural Resources Conservation Service (NRCS) indicates soil types in the vicinity of the subject property to be Urban land/Urban land-Hempstead complex that are somewhat poorly drained. Local area topography is generally flat with overall gentle downward slopes to the southwest, towards Hempstead Lake, which is approximately 1 mile to the southwest. The USGS Topographic map indicates an approximate on-site surface elevation of 50 feet above mean sea level. The borings indicate that subsurface conditions generally consisted of minimal fill material near the surface under asphalt/building floor with red-brown coarse sand and gravel to about 18 feet below bgs. Light brown-tan less coarse sand was observed at between 18-20-feet bgs and this interval was also moist-wet indicating a water bearing zone. There is no frequency of flooding or ponding in the immediate area. According to USGS New York State Geology Online Spatial Data, this area consists of silty clay, glauconitic sandy clay, and gravel.

### Environmental Assessment

Based upon the recent site assessments at the subject site (i.e., 2020 and 2021) that are described in the attached Investigation Report, the results indicated soil and groundwater impacts above NYSDEC restricted residential SCOs for soil (e.g., metals, SVOCs, and VOCs) and TOGS for groundwater (VOCs). Contaminants of concern for soil are arsenic (90 vs. 16 ppm), cadmium, copper (4500 vs 270 ppm), lead (980 vs 400 ppm), and mercury for metals; benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, and indeno(1,2,3-cd)pyrene for SVOCs; and xylenes for VOCs. Most contaminants in soil were in shallow subsurface not exceeding 3 feet bgs, although there was also some VOCs detected 5-10 feet bgs. Contaminants of concern for groundwater are primarily petroleum related including 1,2,4-trimethylbenzene (270 vs 5 ppm), 1,3,5-trimethylbenzene, n-butylbenzene, sec-butylbenzene, and naphthalene (400 vs 10 ppm), although some solvents were also detected (e.g., methylene chloride 160 vs. 5 ppm and TCE).



## ATTACHMENT F

### SECTION VI: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

#### Previous Property Owners

Property ownership information based on Nassau County online property records is summarized below. Dates marked with an asterisk (\*) indicate an approximate date of ownership based on owner's names identified on building permits. Note that in some cases only the type of owner or transaction is listed in these records and both the Nassau County Assessor's office and the Village of Hempstead Assessor's office report that no other information is available for review. According to the current owner, the owner circa 2007 was likely to be AJM, Inc. and a "church group" likely owned the building prior to that time.

#### **Current Owner**

Southern Tier Environments for Living (STEL, Inc.)  
715 Central Avenue  
Dunkirk, NY 14048  
Ownership date – 12-26-2018

**Past Owners – Every attempt was made to find additional ownership and address information including contacting the Village and County Assessor. The following represents the information that could be found.**

1. Three Hundred and One Realty Co. – last known address 301-307 Pennsula Blvd, Hempstead, NY – ownership date- 1995\*
2. Morton Levitan – last address unknown – ownership date - 1988\*
3. Peninsula Boulevard Realty Corp. last address unknown – ownership date - 1987\*
4. Kenneth Rivlin - last address unknown – ownership date - 1984\*
5. Redi Industries Corp.- last address unknown – ownership date - 1982\*
6. Improved Services Corp.- The Registered Agent on file for this company is Improved Laundry Service, Inc. and is located at 56 Prospect St., Hempstead, NY 11550. The company's mailing address is 56 Prospect St., Hempstead, NY 11550.

Improved Services Inc is a New York Domestic Business Corporation filed On Nov. 5, 1925. The company's filing status is listed as Inactive - Dissolution (Nov 30, 1983) and its File Number is 21476.

– ownership date - 1970\*

7. Capitol Coal and Apron Supply Co. - last address unknown – ownership date 1962\*

8. Improved Laundry Services, Inc – see 6 above – last date of known ownership 1927\*

**There is no relationship between any past property owners and the current owner/requestor.**

## List of Previous Operators

OPERATOR NAME	Date	Last Known Address	Telephone	Relationship to Requestor
- Word of Faith Church Innovative Contract Services	2000-2005	301-309 Peninsula Blvd, Hempstead, N Y*	Unknown	None
Integrated Control Systems Brooklyn Hairnet Package Corp	1995	301-309 Peninsula Blvd, Hempstead, N Y*	Unknown	None
41 Decker Realty Brooklyn Hairnet Package Corp	1992	301-309 Peninsula Blvd, Hempstead, N Y*	Unknown	None
G, Feinstein Knitting Gourmet Pet Graph-X REDI Industry Corp S&B Conveyors	1987	301-309 Peninsula Blvd, Hempstead, N Y*	Unknown	None
Sam Ash Music S&B Conveyors	1977-1982	385 Old Country Road, Carie Place, NY 11514	516-333-8700	None
Sam Ash Education Edgewood Knitwear Sparnit Mills	1972	301-309 Peninsula Blvd, Hempstead, N Y*	Unknown	None
Prompt Improved Laundries Knitting	1950-1970	56 Prospect St., Hempstead, NY 11550	Unknown	None
Nassau-Suffolk Lighting Co- Street Lighting	1919	The Long Island Lighting Company, or LILCO - Long Island Power Authority	(516) 222-7700	None

**\* Attempt was made to find additional address and telephone information but none could be located.**

## ATTACHMENT G

### SECTION VII: REQUESTOR ELIGIBILITY INFORMATION

#### Volunteer Statement

The requestor is certifying that they are volunteers and their liability arises solely because of their ownership and involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum. They took ownership of this vacant property in 2018 and had no involvement with the prior operation of the property or any contamination associated with it. Their only involvement in the property after obtaining ownership was to complete Phase II ESA investigations as part of exercising appropriate care to determine reasonable steps to mitigate any (1) continuing discharge of, (2) threatened future release of, and (3) human or environmental exposure to hazardous materials from the Site. The requestor should be considered as a volunteer, as it is anticipated hazardous material mitigation will be achieved at the site by utilizing the following approach:

- Knowing the potential historical site environmental impacts via previous assessments, identify extent of recognized environmental conditions performing a thorough investigation of the site including soil, water, and air.
- Utilizing results of investigation, perform remedial measures that could include soil removal, construction and demolition debris removal, soil vapor mitigation, groundwater treatment, abatement of building materials, installation of barriers, etc.
- Establish administrative controls at the site, as necessary, to protect human health and the environment during future activities and occupation at the site.

Furthermore, it should be noted that the requestor has not initiated any operations or property use that would contribute to environmental impacts; was not the owner of the site at the time of release of any contamination; and has no legal relationship with past owners beyond the real estate contract to purchase the property.

## ATTACHMENT H

### SECTION IX: CONTACT LIST INFORMATION

#### Site Contact List and Document Repository Letter

#### **1. Chief executive officer and planning board chairperson for municipalities property is located**

##### **Nassau County**

**County Executive:** Laura Curran  
Office of County Executive  
1550 Franklin Avenue  
Mineola, NY 11501  
Phone: (516) 571-3131

**County Environment and Planning Commissioner:** Sean Sallie, AICP  
Nassau County Planning Agency  
100 County Seat Drive  
Mineola, NY 11501

##### **Village of Hempstead**

**Mayor –** Waylyn Hobbs Jr  
99 Nichols Ct  
Hempstead, NY 11550

**Director of Planning: Kenneth A Pettus**  
Office of Housing  
40 Main St. 1<sup>st</sup> Floor  
Hempstead, NY 11550

#### **2. Residents, owners, and occupants of the property and properties adjacent to the property.**

##### **Property**

Southern Tier Environments for Living, Inc.  
301-309 Peninsula Blvd  
Hempstead, NY 11550

##### **Adjacent Properties**

DJSC Trust #1  
C/O Stephen M. Cohen  
2233 Broadhollow Road  
Farmingdale, NY 11735

Redline NY (active commercial property)  
293C Peninsula Blvd  
Hempstead, NY 11550



Public Storage (active commercial property)

285 Peninsula Blvd  
Hempstead, NY 11550

&

Public Storage  
701 Western Ave  
Glendale, CA 91201

Cracker King Corporation (active commercial property)

307 Peninsula Blvd  
Hempstead, NY 11550

SDRJ Development Group

46 Redbrook Road  
Great Neck, NY 11024

HQ Auto Body (active commercial property)

309R Peninsula Blvd  
Hempstead, NY 11550

Hempstead Village Commons (active commercial property)

340 Peninsula Blvd  
Hempstead, NY 11550

Peninsula Collision (active commercial property)

319 Peninsula Blvd  
Hempstead, NY 11550

&

319 Realty Corp  
C/O Peter Barniak  
319 Peninsula Blvd  
Hempstead, New York 11550

HVCA LLC (adjacent mall/plaza across Peninsula Blvd)

151 Irving Pl  
Woodmere, NY 11598

### **3. Local news media from which the community typically obtains information**

WABC-TV

7 Lincoln Square  
New York, NY 10023

WCBS-TV

524 W. 57<sup>th</sup> Street  
New York, NY 10019

WNBC-TV  
30 Rockefeller Plaza  
New York, NY 10112

WNYW-FOX 5 NEWS  
205 E 67<sup>th</sup> Street  
New York, NY 10021

**4. The public water supplier which services the area in which the property is located.**

Village of Hempstead Water Department  
450 Milburn Avenue  
Hempstead, NY 11550

Town of Hempstead Water Department  
1995 Prospect Ave.  
East Meadow, NY 11554

Water Authority of Western Nassau County  
1580 Union Tpke,  
New Hyde Park, NY 11040

**5. Any person requested to be placed on the list**

None.

**6. The administrator of any school or day care facility located on or near the property.**

Prospect School  
265 Peninsula Blvd  
Hempstead, NY 11550

**7. The location of a document repository for the project (e.g., local library). In addition, attach a copy of a letter sent to the repository acknowledging that it agrees to act as the document repository for the property.**

Hempstead Public Library  
115 James A. Garner Way  
Hempstead, NY 11550



960 Busti Avenue, Suite B-150  
Buffalo, NY 14213  
716.249.6880 [be3corp.com](http://be3corp.com)

8/24/2021

8/27/21

Hempstead Public Library  
115 James A. Garner Way  
Hempstead, NY 11550

Re: BCP Project – Hempstead House – 301-309 Peninsula Boulevard

To Whom it may concern,

Southern Tier Environments for Living, Inc. (STEL), is in the process of applying to the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) for a project at 301-309 Peninsula Boulevard. On behalf of the project applicant, I am requesting that a branch of Hempstead Public Library function as the document repository for the public documents associated with this project. The project documentation may include the application, work plans, investigation reports and management plans etc. associated with the project. Currently the project is anticipating initiating activities in spring 2022.

The process requires that we receive formal acknowledgment that your library agrees to function as a document repository for this project. Your acceptance of the use of a branch of Hempstead Public Library as a document repository for the project may be indicated by signing in the space provided below or by providing a letter indicating acceptance.

Thank you for agreeing to function in this capacity. If you have any question, please call me at 716-830-8636.

Sincerely,

Jason M. Brydges, PE  
President

Accepted by:

Name

IRENE A. DUSZKIEWICZ

Library Name

HEMPSTEAD PUBLIC LIBRARY

Title

LIBRARY DIRECTOR

Date

8/25/21



## ATTACHMENT I

### SECTION X: LAND USE FACTORS

#### Current Use

Current use of the property is vacant, dilapidated, commercial building. The three-story, vacant, and dilapidated commercial building occupies the entirety of the 0.39-acre parcel. The building is attached to adjacent structures on the east and west sides, whereas the north side is the Peninsula Boulevard entrance, and the south side is an alley that leads to Grove Street. Structures attached to both sides of the building appear to be semi-vacant commercial structures.

Possible sources of contamination at the property include a combination of historical backfill which may include impacts from heavy metals and semi-volatile organic compounds (PAHS), contaminants associated with historical use as a dry cleaner including impacts from chlorinated solvent compounds, and historical use for car repair and heating to include impacts from petroleum use and storage.

The property was in use for commercial purposes as early as 1909 and was used as a laundry from as early as 1925 until at least 1970. On-site dry-cleaning operations were noted on a building plan from 1962 and an attached garage (located on the southwestern adjoining property) was in use for automotive repair activities as early as 1950. The property has reportedly been vacant for over a decade. A 2,000-gallon fuel-oil underground storage tank (UST) was reportedly removed from the property in 1996 although the Phase II environmental assessment results indicate the potential of another tank in the building and impacts of petroleum at the soil/groundwater interface.

Based upon the recent site assessments at the subject site (i.e., 2020 and 2021) as described in the attached Investigation Report, the results indicated soil and groundwater impacts above NYSDEC restricted residential SCOs for soil (e.g., metals, SVOCs, and VOCs) and TOGS for groundwater (VOCs). Contaminants of concern for soil are arsenic (90 vs. 16 ppm), cadmium, copper (4500 vs 270 ppm), lead (980 vs 400 ppm), and mercury for metals; benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, and indeno(1,2,3-cd)pyrene for SVOCs; and xylenes for VOCs. Most contaminants in soil were in shallow subsurface not exceeding 3 feet bgs, although there was also some VOCs detected 5-10 feet bgs. Contaminants of concern for groundwater are primarily petroleum related including 1,2,4-trimethylbenzene (270 vs 5 ppm), 1,3,5-trimethylbenzene, n-butylbenzene, sec-butylbenzene, and naphthalene (400 vs 10 ppm), although some solvents were also detected (e.g., methylene chloride 160 vs. 5 ppm and TCE).

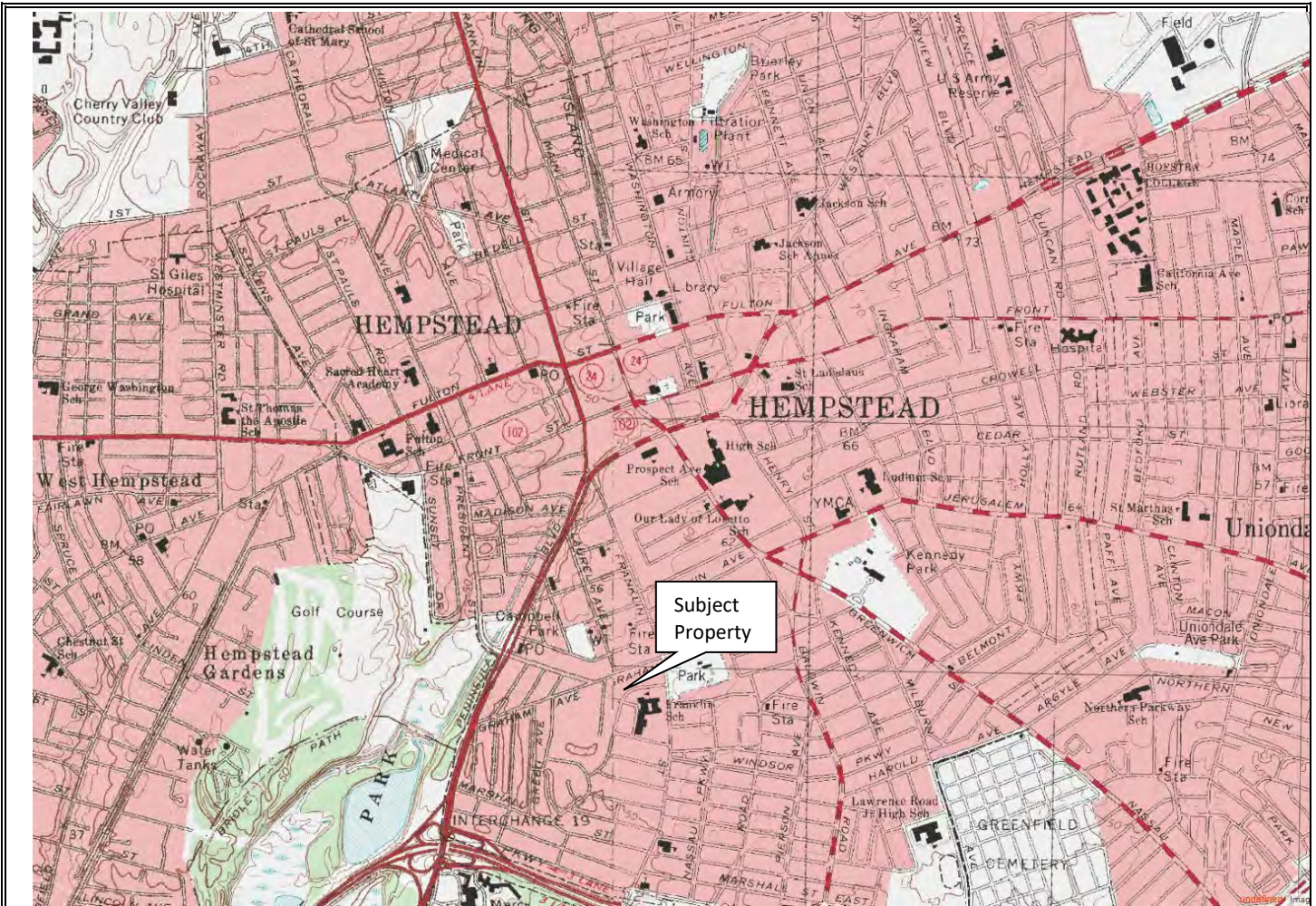
Proposed use of the new development is for affordable housing after the current structure is demolished. The plan is to redevelop the site to create a new seven story apartment building with affordable housing units. Mixed-use commercial will be located on the ground floor to support the tenants and area residents. including parking, offices, kitchen, exercise, etc. The top 6 floors will contain 65 apartments with 52 apartments for persons with disabilities. All apartments will be affordable at or below 60% of AMI.

It is anticipated that the remedial action portion of the project will start in April 2022 with completion 9 months later for a certificate of completion (COC) accepted and approved by end of 2022.

## ATTACHMENT J

### SECTION III and IV: PROPERTY'S ENVIRONMENTAL HISTORY AND PROPERTY INFORMATION

Figures 1 and 4 and Tables 1 and 2 from the Investigation Report



Source: USGS Topographic Map of the Lynbrook, New York Quadrangle, dated 1994, digital image provided by MyTopo.com

**U.S.G.S. Topographic Map**  
301-309 Peninsula Boulevard  
Village of Hempstead  
Nassau County, New York



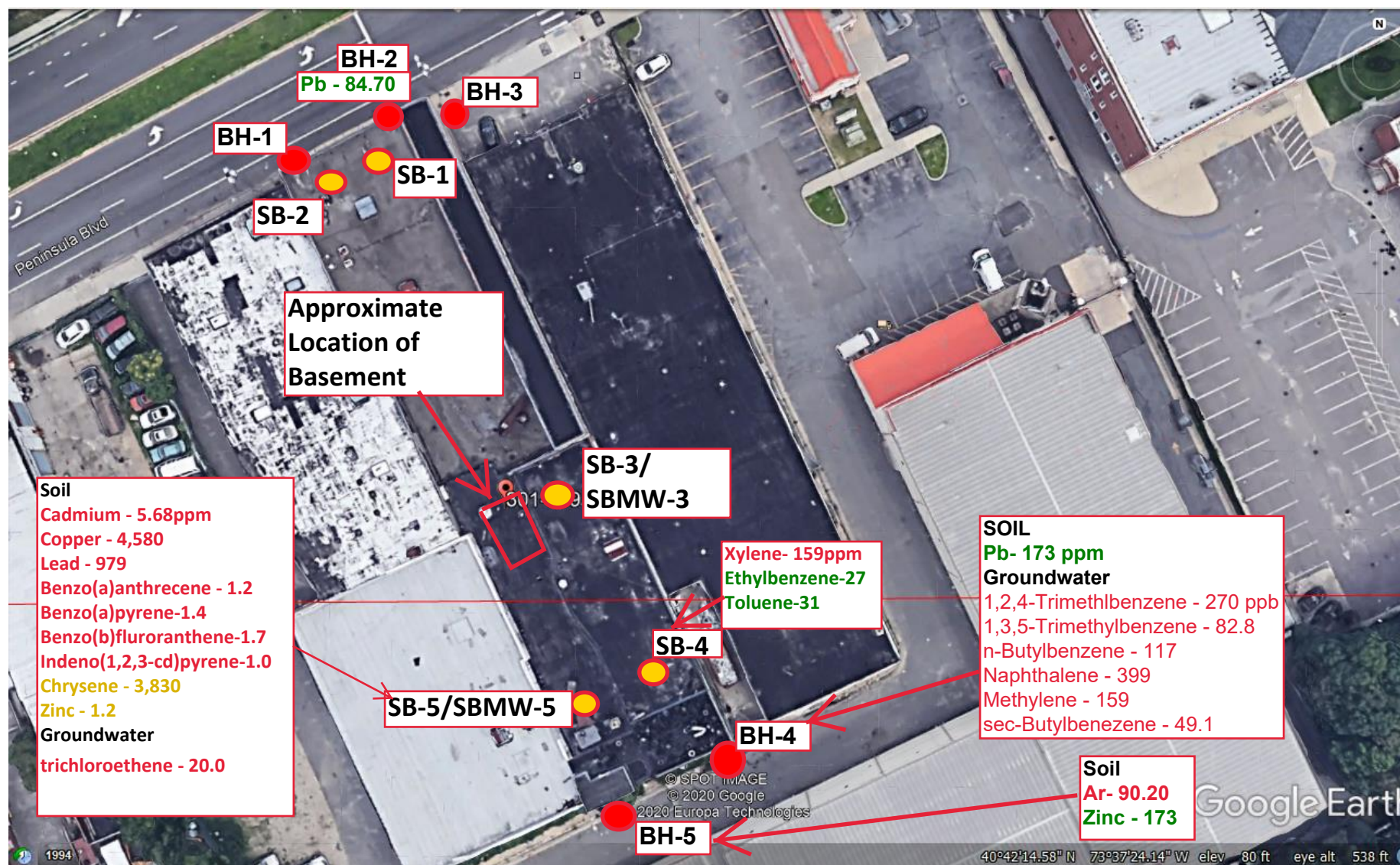
File No: SH19052.10

December 2019

Scale: 1:24000



FIGURE 4: INVESTIGATION DATA FROM 6-19-20 AND 6-30-21



**FIGURE: Boring Locations**  
**Green- Above unrestricted SCOs**  
**Yellow -Above residential SCOs**  
**Red - Above restricted residential SCOs**  
 ● Borings Inside building  
 ● Borings outside the building

**TABLE 1**  
**SUMMARY OF SOIL ANALYTICAL RESULTS**

Parameter Tested	Sample Identification, Approximate Sample Depth in Feet Below Ground Surface, and Sample Date					NYSDEC Soil Cleanup Objectives (SCOs)		
	BH-1 0.5-4	BH-2 0.5-3	BH-3 0.5-2	BH-4 0.5-2	BH-5 0-3	Unrestricted	Residential	Restricted Residential
	6/19/2020							
METALS/INORGANICS								
Arsenic, Total	1.50	2.45	1.15	4.58	90.2	13	16	16
Barium, Total	137	33.2	13.0	90.9	44.2	350	350	400
Beryllium, Total	ND	ND	ND	ND	ND	7.2	14	72
Cadmium, Total	0.370	0.480	ND	0.350	0.44	2.5	2.5	4.3
Chromium, Total	5.78	8.23	7.46	11.0	12.3	30	36	180
Copper, Total	7.68	19.3	5.53	102	14.1	50	270	270
Lead, Total	28.9	84.7	7.68	173	29.3	63	400	400
Manganese, Total	110	141	121	162	223	1,600	2,000	2,000
Mercury, Total	0.0130	0.119	ND	0.0800	0.170	0.18	0.81	0.81
Nickel, Total	5.25	6.86	8.60	8.76	8.76	30	140	310
Selenium, Total	1.64	ND	2.05	2.94	2.89	3.9	180	1,500
Silver, Total	ND	ND	ND	ND	ND	2	180	1,500
Zinc, Total	48.7	98.4	21.4	82.6	173	109	2,200	10,000
SEMI-VOLATILE ORGANIC COMPOUNDS (SVOCs)								
SVOCs	ND	ND	ND	ND	ND	Various	Various	Various

Notes: All units in parts per million (ppm)

ND Analyte not detected

1.15 Analyte detected

173 Reported concentration greater than or equal to the NYSDEC Unrestricted SCO

90.2 Reported concentration greater than or equal to the NYSDEC Restricted Residential SCO

- Sample not tested for this analyte or not applicable

**TABLE 1**  
**SUMMARY OF SOIL ANALYTICAL RESULTS**

Parameter Tested	Sample Identification, Approximate Sample Depth in Feet Below Ground Surface, and Sample Date						NYSDEC Soil Cleanup Objectives (SCOs)		
	SB-1	SB-2	SB-3	SB-4	SB-4	SB-5	Unrestricted	Residential	Restricted Residential
	0-2	0-2	0-2	0-2	5-10	0-3			
	6/30/2021								
METALS/INORGANICS									
Arsenic, Total	2.9	1.4	1.4	3.1	-	8.9	13	16	16
Barium, Total	28.8	14.4	20.0	17.0	-	60.4	350	350	400
Beryllium, Total	ND	ND	ND	ND	-	0.42	7.2	14	72
Cadmium, Total	ND	ND	ND	ND	-	5.68	2.5	2.5	4.3
Chromium, Total	7.9	6.8	98.6	6.7	-	15.5	30	36	180
Copper, Total	16.7	16.5	19.1	20.0	-	4,580	50	270	270
Lead, Total	61.5	8.3	ND	ND	-	979	63	400	400
Manganese, Total	109	150	189	922	-	306	1,600	2,000	2,000
Mercury, Total	0.049	0.047	ND	ND	-	0.830	0.18	0.81	0.81
Nickel, Total	6.7	9.6	12.1	15.6	-	ND	30	140	310
Selenium, Total	ND	ND	ND	ND	-	ND	3.9	180	1,500
Silver, Total	ND	ND	ND	ND	-	ND	2	180	1,500
Zinc, Total	46.5	15.3	14.1	12.0	-	3,830	109	2,200	10,000
SEMI-VOLATILE ORGANIC COMPOUNDS (SVOCs)									
2-Methylnaphthalene	ND	ND	ND	ND	750	ND	-	-	-
Benzo(a)anthracene	ND	ND	ND	ND	ND	1.2	1	1	1
Benzo(a)pyrene	ND	ND	ND	ND	ND	1.4	1	1	1
Benzo(b)fluoranthene	ND	ND	ND	ND	ND	1.7	1	1	1
Benzo(g,h,i)perylene	ND	ND	ND	ND	ND	0.82	100	100	100
Benzo(k)fluoranthene	ND	ND	ND	ND	ND	0.51	0.8	1	3.9
Chrysene	ND	ND	ND	ND	ND	1.2	1	1	3.9
Fluoranthene	ND	ND	ND	ND	ND	2.5	100	100	100
Indeno(1,2,3-cd)pyrene	ND	ND	ND	ND	ND	1	0.5	0.5	0.5
Phenanthrene	ND	ND	ND	ND	ND	0.69	100	100	100
Pyrene	ND	ND	ND	ND	ND	2.3	100	100	100
Other SVOCs	ND	ND	ND	ND	ND	ND	Various	Various	Various
VOLATILE ORGANIC COMPOUNDS (VOCs)									
Acetone	-	-	-	ND	ND	0.0086	0.05	100	100
Ethylbenzene	-	-	-	ND	27	ND	1	30	41
Tetrachloroethene (PCE)	-	-	-	0.019	ND	ND	1.3	5.5	19
Toluene	-	-	-	ND	31	ND	0.7	100	100
Trichloroethene (TCE)	-	-	-	ND	ND	0.058	0.47	10	21
Xylenes, mixed	-	-	-	ND	159	ND	0.26	100	100
Other VOCs	-	-	-	ND	ND	ND	Various	Various	Various
POLYCHLORINATED BIPHENYLS (PCBs)									
PCBs	-	-	-	-	ND	-	0.1	1	1
DIESEL RANGE ORGANICS (DRO)/FUEL RELATED ANALYSIS									
DRO	-	-	-	-	280,000	-	-	-	-
Fuel Oil No. 2, No. 4, and No. 6	-	-	-	-	ND	-	-	-	-
Gasoline	-	-	-	-	Absence	-	-	-	-
Kerosene	-	-	-	-	ND	-	-	-	-
Lube Oil	-	-	-	-	Absence	-	-	-	-
n-Dodecane	-	-	-	-	203,000	-	-	-	-

Notes: All units in parts per million (ppm)

ND Analyte not detected

10.3 Analyte detected

27 Reported concentration greater than or equal to the NYSDEC Unrestricted SCO

1.2 Reported concentration greater than or equal to the NYSDEC Residential SCO

159 Reported concentration greater than or equal to the NYSDEC Restricted Residential SCO

- Sample not tested for this analyte or not applicable



**TABLE 2**  
**SUMMARY OF GROUNDWATER ANALYTICAL RESULTS**

Parameter Tested	Sample Identification and Sample Date				NYSDEC TOGS 1.1.1 GA
	BH-3	BH-4	SB-3	SB-5	
	6/19/2021		6/30/2021		
VOLATILE ORGANIC COMPOUNDS (VOCs)					
1,2,4-Trimethylbenzene	ND	270	ND	ND	5
1,3,5-Trimethylbenzene	ND	82.8	ND	ND	5
n-Butylbenzene	ND	117	ND	ND	5
sec-Butylbenzene	ND	49.1	ND	ND	5
Methylene Chloride	ND	159	ND	ND	5
Naphthalene	ND	399	ND	ND	10
Trichloroethene (TCE)	ND	ND	ND	20	5
Other VOCs	ND	ND	ND	ND	Various

Notes: All units in micrograms per liter (µg/L)  
 NYSDEC New York State Department of Environmental Conservation  
 TOGS Technical and Operational Guidance Series  
 ND Analyte not detected

**20** Analyte exceeds NYSDEC TOGS guidance value