



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 7*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #: _____

NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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. **Refer to Appendix 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 **Refer to Appendix B**

1. What stage is the project starting at? Investigation Remediation

2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see [DER-10 / Technical Guidance for Site Investigation and Remediation](#) for further guidance).

3. 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, Final RIR not completed.

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

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

Section III. Property's Environmental History Refer to Appendix C

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish 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).

2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum			
Chlorinated Solvents			
Other VOCs			
SVOCs			
Metals			
Pesticides			
PCBs			
Other*			

*Please describe: _____

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

- SAMPLE LOCATION
- DATE OF SAMPLING EVENT
- 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):

Coal Gas Manufacturing	Manufacturing	Agricultural Co-op	Dry Cleaner
Salvage Yard	Bulk Plant	Pipeline	Service Station
Landfill	Tannery	Electroplating	Unknown

Other: _____

Section IV. Property Information - See Instructions for Further Guidance Refer to Appendix D				
PROPOSED SITE NAME				
ADDRESS/LOCATION				
CITY/TOWN			ZIP CODE	
MUNICIPALITY(IF MORE THAN ONE, LIST ALL):				
COUNTY			SITE SIZE (ACRES)	
LATITUDE (degrees/minutes/seconds) ° ' "			LONGITUDE (degrees/minutes/seconds) ° ' "	
COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.				
Parcel Address		Section No.	Block No.	Acreage
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach a metes and bounds description of the property.			Yes	No
2. Is the required property map attached to the application? (application will not be processed without map)			Yes	No
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information)			Yes	No
If yes, identify census tract : _____				
Percentage of property in En-zone (check one):		0-49%	50-99%	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)?				
			Yes	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?			Yes	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? If yes, attach relevant supporting documentation.			Yes	No
7. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.			Yes	No

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) **NONE**

Type

Issuing Agency

Description

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

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

Yes

No

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits? **Not Applicable.**
If yes, requestor must answer questions on the supplement at the end of this form.

Yes

No

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? **Not Applicable.**

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? **Not Applicable.**

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)

Section V. Additional Requestor Information See Instructions for Further Guidance		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF REQUESTOR'S CONSULTANT			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF REQUESTOR'S ATTORNEY			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
Section VI. Current Property Owner/Operator Information – if not a Requestor Refer to Appendix E			
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	
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. 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".			
Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)			
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? Yes No			
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? Yes No			
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. Yes No			

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

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 Refer to Appendix F

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.

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
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 Refer to Appendix G

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:

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). In addition, attach a copy of an acknowledgement from the repository indicating that it agrees to act as the document repository for the property.
8. Any community board located in a city with a population of one million or more, if the proposed site is located within such community board's boundaries.

Section X. Land Use Factors Refer to Appendix H

1. What is the current zoning for the site? What uses are allowed by the current zoning?
Residential Commercial Industrial
If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply)

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.

3. Reasonably anticipated use Post Remediation: Residential Commercial Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing?

Yes No

4. Do current historical and/or recent development patterns support the proposed use?

Yes No

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.

Yes No

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.

Yes No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I acknowledge and agree to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. 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)

I hereby affirm that I am Managing Member (title) of 250 East Main Street, LLC (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 to execute a BCA within 60 days of the date of DEC's approval letter. 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: 4/3/17

Signature: Peter O'Hara - Managing Member

Print Name: Peter O'Hara, Managing Member

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in 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

FOR DEC USE ONLY

BCP SITE T&A CODE: _____ **LEAD OFFICE:** _____

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

BCP App Rev 7

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	Yes	No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	Yes	No
Please answer questions below and provide documentation necessary to support answers.		
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information.	Yes	No
2. Is the property upside down or underutilized as defined below?	Upside Down?	Yes No
	Underutilized?	Yes No
<p>From ECL 27-1405(31):</p> <p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p> <p>From 6 NYCRR 375-3.2(I) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p> <p>375-3.2:</p> <p>(I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or</p> <p>(c) there are no structures.</p> <p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.</p>		

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

Project is an Affordable Housing Project - Regulatory Agreement Attached;

Project is Planned as Affordable Housing, But Agreement is Not Yet Available*
(*Checking this box will result in a “pending” status. The Regulatory Agreement would need to be provided to the Department prior to issuance of the CoC in order for a positive determination to be made.);

This is Not an Affordable Housing Project.

From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(a) “Affordable housing project” means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants’ households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) “Area median income” means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

BCP Application Summary (for DEC use only)**Site Name:****City:****Site Address:****County:****Zip:****Tax Block & Lot****Section (if applicable):****Block:****Lot:****Requestor Name:****City:****Requestor Address:****Zip:****Email:****Requestor's Representative (for billing purposes)****Name:****Address:****City:****Zip:****Email:****Requestor's Attorney****Name:****Address:****City:****Zip:****Email:****Requestor's Consultant****Name:****Address:****City:****Zip:****Email:****Percentage of site within an En-Zone:** **0%** **<50%** **50-99%** **100%****Requestor's Requested Status:****Volunteer****Participant**

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM (BCP)
INSTRUCTIONS FOR COMPLETING A BCP APPLICATION**

The New York State Department of Environmental Conservation (DEC) strongly encourages all applicants to schedule a pre-application meeting with DEC staff to review the benefits, requirements, and procedures for completing a project in the BCP. Contact your [Regional office](#) to schedule a meeting. To add a party to an existing BCP Agreement and/or Application, use the [BCP Agreement Amendment Application](#). **See guidance at the end of these instructions regarding the determination of a complete application.**

SECTION I REQUESTOR INFORMATION

Requestor Name

Provide the name of the person(s)/entity requesting participation in the BCP. (If more than one, attach additional sheets with requested information. If an LLC, the members/owners names need to be provided on a separate attachment). The requestor is the person or entity seeking DEC review and approval of the remedial program.

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 in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to DEC with the application, to document that the requestor is authorized to do business in NYS.

Address, etc.

Provide the requestor's mailing address, telephone number; fax number and e-mail address.

Document Certification

All documents, which are prepared in final form for submission to DEC for approval, are to be prepared and certified in accordance with Section 1.5 of [DER-10](#). Persons preparing and certifying the various work plans and reports identified in Section 1.5 include:

- New York State licensed professional engineers (PEs), as defined at 6 NYCRR 375-1.2(aj) and paragraph 1.3(b)47. Engineering documents must be certified by a PE with current license and registration for work that was done by them or those under their direct supervision. The firm by which the PE is employed must also be authorized to practice engineering in New York State;
- qualified environmental professionals as defined at 6 NYCRR 375-1.2(ak) and DER-10 paragraph 1.3(b)49;
- remedial parties, as defined at 6 NYCRR 375-1.2(ao) and DER-10 paragraph 1.3(b)60; or
- site owners, which are the owners of the property comprising the site at the time of the certification.

SECTION II PROJECT DESCRIPTION

As a separate attachment, provide complete and detailed information about the project, including the purpose of the project, the date the remedial program is to start, and the date the Certificate of Completion is anticipated..

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION III

PROPERTY'S ENVIRONMENTAL HISTORY

Please follow instructions on application form.

SECTION IV

PROPERTY INFORMATION

Proposed Site Name

Provide a name for the proposed site. The name could be an owner's name, current or historical operations (i.e. ABC Furniture) or the general location of the property. Consider whether the property is known by DEC by a particular name, and if so, use that name.

Site Address

Provide a street address, city/town, zip code, and each municipality and county in which the site is located. .

Site Size

Provide the approximate acreage of the site.

GIS Information

Provide the latitude and longitude for the approximate center of the property. Show the latitude and longitude in degrees, minutes and seconds.

Tax Parcel Information

Provide the tax parcel address/section/block/lot information and map. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5 minute quad map on which the property appears and clearly indicate the proposed site's location.

1. Tax Map Boundaries

State whether the boundaries of the site correspond to the tax map boundaries. If no, a metes and bounds description of the property must be attached. The site boundary can occupy less than a tax lot or encompass portions of one or more tax lots and may be larger or smaller than the overall redevelopment/reuse project area. A site survey with metes and bounds will be required to establish the site boundaries before the Certificate of Completion can be issued.

2. Map

Provide a property base map(s) of sufficient detail, clarity and accuracy to show the following: i) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways; and ii) proposed brownfield property boundary lines, with adjacent property owners clearly identified.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION IV (continued)

3. En-zone

Is any part of the property in an En-zone? If so, what percentage? For information on En-zones, please see [DEC's website](#).

4. Multiple applications

Generally, only one application can be submitted, and one BCA executed, for a development project. In limited circumstances, the DEC may consider multiple applications/BCAs for a development project where 1) the development project spans more than 25 acres; 2) the approach does not negatively impact the remedial program, including timing, ability to appropriately address areas of concern, and management of off-site concerns; and 3) the approach is not advanced to increase the value of future tax credits (i.e., circumvent the tax credit caps provided under New York State Tax Law Section 21).

10. Property Description Narrative

Provide a property description in the format provided below. Each section should be no more than one paragraph long.

Location

Example: "The XYZ Site is located in an {urban, suburban, rural} area." {Add reference points if address is unspecific; e.g., "The site is approximately 3.5 miles east of the intersection of County Route 55 and Industrial Road."}

Site Features:

Example: "The main site features include several large abandoned buildings surrounded by former parking areas and roadways. About one quarter of the site area is wooded. Little Creek passes through the northwest corner."

Current Zoning and Land Use: (Ensure the current zoning is identified.)

Example: "The site is currently inactive, and is zoned for commercial use. The surrounding parcels are currently used for a combination of commercial, light industrial, and utility right-of-ways. The nearest residential area is 0.3 miles east on Route 55."

Past Use of the Site: include source(s) of contamination and remedial measures (site characterizations, investigations, Interim Remedial Measures, etc.) completed outside of the current remedial program (e.g., work under a petroleum spill incident).

Example: "Until 1992 the site was used for manufacturing wire and wire products (e.g., conduit, insulators) and warehousing. Prior uses that appear to have led to site contamination include metal plating, machining, disposal in a one-acre landfill north of Building 7, and releases of wastewater into a series of dry wells."

When describing the investigations/actions performed outside of the remedial program, include the major chronological remedial events that lead to the site entering a remedial program. The history should include the first involvement by government to address hazardous waste/petroleum disposal. Do not cite reports. Only include remedial activities which were implemented PRIOR to the BCA. Do not describe sampling information.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION IV (continued)

Property Description Narrative (continued)

Site Geology and Hydrogeology:

As appropriate, provide a very brief summary of the main hydrogeological features of the site including depth to water, groundwater flow direction, etc.

Environmental Assessment

The goal of this section is to describe the nature and extent of contamination at the site. When describing the nature of contamination, identify just the primary contaminants of concern (i.e., those that will likely drive remedial decisions/actions). If there are many contaminants present within a group of contaminants (i.e., volatile organic compounds, semivolatile organic compounds, metals), identify the group(s) and one or two representative contaminants within the group. When addressing the extent of contamination, identify the areas of concern at the site, contaminated media (i.e., soil, groundwater, etc.), relative concentration levels, and a broad-brush description of contaminated areas/depths.

The reader should be able to know if contamination is widespread or limited and if concentrations are marginally or greatly above Standards, Criteria and Guidance (SGCs) for the primary contaminants. If the extent is described qualitatively (e.g., low, medium, high), representative concentrations should be given and compared with appropriate SCGs. For soil contamination, the concentrations should be compared with the soil cleanup objectives (SCOs) for the intended use of the site.

A typical Environmental Assessment would look like the following:

Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).

Soil - Cadmium is found in shallow soil, mostly near a dry well at the northeast end of the property. TCE is found in deeper soil, predominantly at the north end of the site. Concentrations of cadmium found on site (approximately 5 ppm) slightly exceed the soil cleanup objective (SCO) for unrestricted use (2.5 ppm). Concentrations of TCE found on site (5 ppm to 300 ppm) significantly exceed the soil cleanup objectives for the protection of groundwater (0.47 ppm).

Groundwater - TCE and its associated degradation products are also found in groundwater at the north end of the site, moderately exceeding groundwater standards (typically 5 ppb), with a maximum concentration of 1500 ppb. A moderate amount of TCE from the site has migrated 300 feet down-gradient off-site. The primary contaminant of concern for the off-site area is TCE, which is present at a maximum concentration of 500 ppb, at 10 feet below the groundwater table near Avenue A.

Soil Vapor & Indoor Air - TCE was detected in soil vapor at elevated concentrations and was also detected in indoor air at concentrations up to 1,000 micrograms per cubic meter.

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

SECTION V

ADDITIONAL REQUESTOR INFORMATION

Representative Name, Address, etc.

Provide information for the requestor's authorized representative. This is the person to whom all correspondence, notices, etc. will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative of Applications determined to be Participants unless another contact name and address is provided with the application.

Consultant and Attorney Name, Address, etc.

Provide requested information.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**SECTION VI CURRENT PROPERTY OWNER/OPERATOR INFORMATION
(IF NOT A REQUESTOR)**

Owner Name, Address, etc.

Provide requested information of the current owner of the property. List all parties holding an interest in the Property and, if the Requestor is not the current owner, describe the Requestor's relationship to the current owner.

Operator Name, Address, etc.

Provide requested information of the current operator (if different from the requestor or owner).

Provide a list of previous property owners and operators with names, last known addresses, telephone numbers and the Requestor's relationship to each owner and operator as a separate attachment

SECTION VII REQUESTOR ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to any eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that such information be summarized. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

SECTION VIII PROPERTY ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to the following eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that that information be summarized.

1. CERCLA / NPL Listing

Has any portion of the property ever been listed on the National Priorities List (NPL) established under CERCLA? If so, provide relevant information.

2. Registry Listing

Has any portion of the property ever been listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites established under ECL 27-1305? If so, please provide the site number and classification. See the Division of Environmental Remediation (DER) [website](#) for a database of sites with classifications.

3. RCRA Listing

Does the property have a Resource Conservation and Recovery Act (RCRA) TSDF Permit in accordance with the ECL 27-0900 *et seq*? If so, please provide the EPA Identification Number, the date the permit was issued, and its expiration date. Note: for purposes of this application, interim status facilities are not deemed to be subject to a RCRA permit.

4. Registry / RCRA sites owned by volunteers

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.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION VIII (continued)

5. Existing Order

Is the property subject to an order for cleanup under Article 12 of the Navigation Law or Article 17 Title 10 of the ECL? If so, please provide information on an attachment. Note: if the property is subject to a stipulation agreement, relevant information should be provided; however, property will not be deemed ineligible solely on the basis of the stipulation agreement.

6. Enforcement Action Pending

Is the property subject to an enforcement action under Article 27, Titles 7 or 9 of the ECL or subject to any other ongoing state or federal enforcement action related to the contamination which is at or emanating from the property? If so, please provide information on an attachment.

SECTION IX CONTACT LIST INFORMATION

Provide the names and addresses of the parties on the Site Contact List (SCL) and a letter from the repository acknowledging agreement to act as the document repository for the proposed BCP project.

SECTION X LAND USE FACTORS

In addition to eligibility information, site history, and environmental data/reports, the application requires information regarding the current, intended and reasonably anticipated future land use.

1. This information consists of responses to the "land use" factors to be considered relative to the "Land Use" section of the BCP application. The information will be used to determine the appropriate land use in conjunction with the investigation data provided, in order to establish eligibility for the site based on the definition of a "brownfield site" pursuant to ECL 27-1405(2).
2. This land use information will be used by DEC, in addition to all other relevant information provided, to determine whether the proposed use is consistent with the currently identified, intended and reasonably anticipated future land use of the site at this stage. Further, this land use finding is subject to information regarding contamination at the site or other information which could result in the need for a change in this determination being borne out during the remedial investigation.

SECTION XI SIGNATURE PAGE

The Requestor must sign the application, or designate a representative who can sign. The requestor's consultant or attorney cannot sign the application. If there are multiple parties applying, then each must sign a signature page.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DETERMINATION OF A COMPLETE APPLICATION

1. The first step in the application review and approval process is an evaluation to determine if the application is complete. To help ensure that the application is determined complete, requestors should review the list of [common application deficiencies](#) and carefully read these instructions.
2. DEC will send a notification to the requestor within 30 calendar days of receiving the application, indicating whether such application is complete or incomplete.
3. An application must include the following information relative to the site identified by the application, necessary for making an eligibility determination, or it will be deemed incomplete. **(Please note: the application as a whole requires more than the information outlined below to be determined complete).** The application must include:
 - a. for all sites, an investigation report sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data includes site drawings requested in Section III, #3 of the BCP application form.
 - b. for those sites described below, documentation relative to the volunteer status of all requestors, as well as information on previous owners or operators that may be considered responsible parties **and** their ability to fund remediation of the site. This documentation is required for:
 - i. real property listed in the registry of inactive hazardous waste disposal sites as a class 2 site, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP; or
 - ii. real property that was a hazardous waste treatment, storage or disposal facility having interim status pursuant to the Resource Conservation and Recovery Act (RCRA) program, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP.
 - c. for sites located within the five counties comprising New York City, in addition to (a) and if applicable (b) above, if the application is seeking a determination that the site is eligible for tangible property tax credits, sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a). **If this 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, using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.**
 - d. for sites previously remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law, relevant documentation of this remediation.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DETERMINATION OF A COMPLETE APPLICATION (continued)

4. If the application is found to be incomplete:
 - a. the requestor will be notified via email or phone call regarding minor deficiencies. The requestor must submit information correcting the deficiency to DEC within the 30-day review time frame; or
 - b. the requestor will receive a formal Letter of Incomplete Application (LOI) if an application is substantially deficient, if the information needed to make an eligibility determination identified in #4 above is missing or found to be incomplete, or if a response to a minor deficiency is not received within the 30-day period. The LOI will detail all of the missing information and request submission of the information. If the information is not submitted within 30 days from the date of the LOI, the application will be deemed withdrawn. In this case, the requestor may resubmit the application without prejudice.
5. If the application is determined to be complete, DEC will send a Letter of Complete Application (LOC) that includes the dates of the public comment period. The LOC will:
 - a. include an approved public notice to be sent to all parties on the Contact List included with the application;
 - b. provide instructions for publishing the public notice in the newspaper on the date specified in the letter, and instructions for mailing the notice to the Contact List;
 - c. identify the need for a certification of mailing form to be returned to DEC along with proof of publication documentation; and
 - d. specify the deadline for publication of the newspaper notice, which must coincide with, or occur before, the date of publication in the Environmental Notice Bulletin (ENB).
 - i. DEC will send a notice of the application to the ENB. As the ENB is only published on Wednesdays, DEC must submit the notice by the Wednesday before it is to appear in the ENB.
 - ii. The mailing to parties on the Contact List must be completed no later than the Tuesday prior to ENB publication. If the mailings, newspaper notice and ENB notice are not completed within the time-frames established by the LOC, the public comment period on the application will be extended to insure that there will be the required comment period.
 - iii. Marketing literature or brochures are prohibited from being included in mailings to the Contact List.

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2. VOCs in Groundwater
3. VOCs in Indoor Air
4. Site Location Map
5. Tax Map with BCP Boundary
6. Existing Site Conditions and Adjacent Property Owners

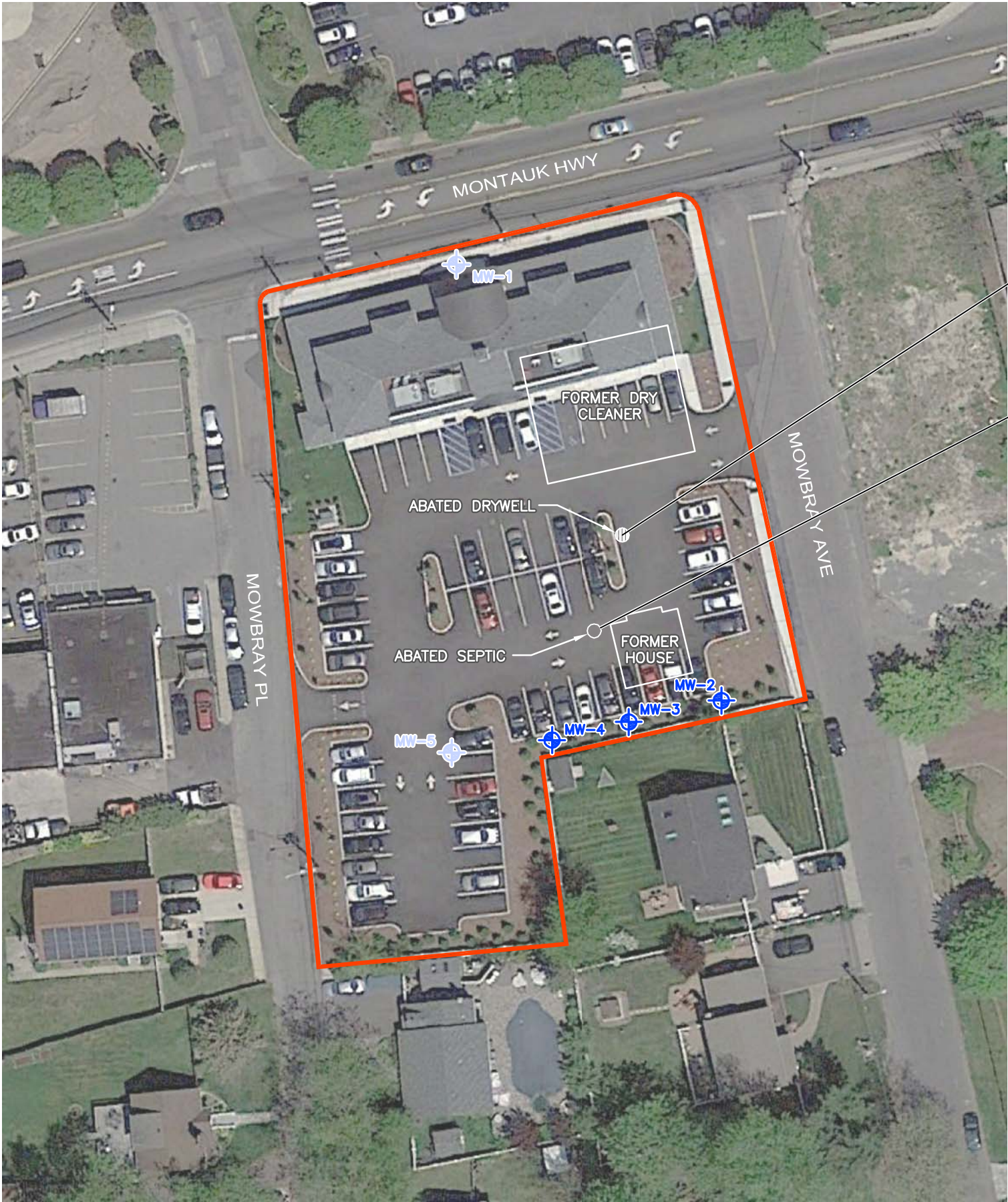
APPENDICES

- A. Requestor Information – *Section I*
- A2. Requestor Information – *Section I*
- B. Project Description – *Section II*
- C. Property’s Environmental History – *Section III*
- C-1. Historical Reports – *Section III (Provided on CD with Bound Application)*
 - A. Volumetric Reports
 - B. PWG 2013 Phase I
 - C. PWG SD – Septic Analytical
 - D. Brookside 2015 Spill Closure
 - E. NYSDEC Spill Closure Letters
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FIGURES

1. VOCs in Soil
2. VOCs in Groundwater
3. VOCs in Indoor Air
4. Site Location Map
5. Tax Map with BCP Boundary
6. Existing Site Conditions and Adjacent Property Owners

V:\CAD\PROJECTS\2874\0001\100\2874.0001Y100.01.DWG



SD001		NYSDEC Part 375 Unrestricted Use	NYSDEC Part 375 Protection of Groundwater
Date	3/12/14		
Cis-1,2-Dichloroethene	8000	250	250
Tetrachloroethene (PCE)	7800	1300	1300
Trichloroethene (TCE)	1300	470	470
Vinyl chloride	330	20	20

CP001-END POINT		NYSDEC Part 375 Unrestricted Use	NYSDEC Part 375 Protection of Groundwater
Date	1/27/14		
Cis-1,2-Dichloroethene	1100	250	250
Tetrachloroethene (PCE)	19000	1300	1300
Trichloroethene (TCE)	2500	470	470
Vinyl chloride	47 J	20	20

LEGEND

PROPOSED BCP SITE BOUNDARY

MW-2

LOCATION OF MONITORING WELL

MW-1

LOCATION OF FORMER MONITORING WELL

NOTES

CONCENTRATIONS IN $\mu\text{g/kg}$

$\mu\text{g/kg}$ – MICROGRAMS PER KILOGRAM

NYSDEC – NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

J – ESTIMATED VALUE

VOCs – VOLATILE ORGANIC COMPOUNDS

DATA COLLECTED BY P.W. GROSSER CONSULTING, INC.

BOLD INDICATES EXCEEDANCES OF BOTH NYSDEC PART 375 UNRESTRICTED USE AND PROTECTION OF GROUNDWATER SOIL CLEANUP OBJECTIVES

ONLY COMPOUNDS WITH AT LEAST ONE EXCEEDANCE ARE SHOWN

AERIAL SOURCE
GOOGLE EARTH: MAY 11, 2016

N

50'050'

Title:

VOCs IN SOIL

250 EAST MAIN STREET, BAY SHORE, NEW YORK

Prepared For:

250 EAST MAIN STREET, LLC

ROUX

ROUX ASSOCIATES, INC.

Environmental Consulting & Management

Compiled by: R.L.

Prepared by: J.A.D.

Project Mgr: K.S.

Date: 08MAR17

Scale: AS SHOWN

Project: 2874.0001Y000

File: 2874.0001Y100.01.DWG

FIGURE

1

V:\CAD\PROJECTS\2874\0001Y\100\2874.0001Y100.01.DWG



MW-1
No Detections

MW-5
No Detections

MW-4									NYSDEC AWQSGVs
Date	4/28/14	7/15/14	10/15/14	1/13/15	4/16/15	7/16/15	10/20/15	2/4/16	
Cis-1,2-Dichloroethene	<10	<10	<10	<10	<10	<10	<10	21	5

MW-2									NYSDEC AWQSGVs
Date	4/28/14	7/15/14	10/15/14	1/13/15	4/16/15	7/16/15	10/20/15	2/4/16	
1,1-Dichloroethene	<10	<10	<10	<10	<10	<10	<10	11	5
Cis-1,2-Dichloroethene	110	560	200	230	68	170	33	530	5
Tetrachloroethene (PCE)	34	40	17	18	24	63	30	3900	5
Trichloroethene (TCE)	38	89	14	14	13	39	15	2000	5
Vinyl Chloride	27	46	19	27	<10	<10	<10	36	2

MW-3									NYSDEC AWQSGVs
Date	4/28/14	7/15/14	10/15/14	1/13/15	4/16/15	7/16/15	10/20/15	2/4/16	
Cis-1,2-Dichloroethene	210	350	230	250	1300	4600	3300	1300	5
Tetrachloroethene (PCE)	71	<10	<10	<10	690	70	<500	<10	5
Trichloroethene (TCE)	110	<10	<10	13	920	520	1000	<10	5
Vinyl Chloride	<10	44	57	57	97	<400	<10	170	2
trans-1,2-Dichloroethene	<10	<10	<10	<10	<10	59	<10	16	5

LEGEND

- PROPOSED BCP SITE BOUNDARY
- LOCATION OF MONITORING WELL
- LOCATION OF FORMER MONITORING WELL

NOTES

- CONCENTRATIONS IN $\mu\text{g/L}$
- $\mu\text{g/L}$ – MICROGRAMS PER LITER
- NYSDEC – NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
- AWQSGVs – AMBIENT WATER-QUALITY STANDARDS AND GUIDANCE VALUES
- VOCs – VOLATILE ORGANIC COMPOUNDS
- <10 – NON DETECTED
- SAMPLES COLLECTED BY VOLUMETRIC TECHNIQUES
- BOLD INDICATES EXCEEDANCE ABOVE AWQSGVs
- ONLY COMPOUNDS WITH AT LEAST ONE EXCEEDANCE ARE SHOWN

AERIAL SOURCE

GOOGLE EARTH: MAY 11, 2016

Title:

VOCs IN GROUNDWATER

250 EAST MAIN STREET, BAY SHORE, NEW YORK

Prepared For:

250 EAST MAIN STREET, LLC

ROUX ASSOCIATES, INC.
Environmental Consulting & Management

Compiled by: R.L.	Date: 09MAR17
Prepared by: J.A.D.	Scale: AS SHOWN
Project Mgr: K.S.	Project: 2874.0001Y000
File: 2874.0001Y100.01.DWG	

FIGURE

2

V:\CAD\PROJECTS\2874\0001\100\2874.0001Y100.01.DWG



Dr Office Northwell Health	
Analyte	11/15/16
Acetone	29.5
Acrolein	3.65
Ethanol	1340
Isopropanol	399
2-Hexanone	4.75

House Basement	
Analyte	7/24/14
Acetone	9.98
Tetrachloroethene	2,890
Trichloroethene	66.6

LEGEND

MW-2

PROPOSED BCP SITE BOUNDARY

LOCATION OF MONITORING WELL

MW-1

LOCATION OF FORMER MONITORING WELL

APPROXIMATE LOCATION OF INDOOR AIR SAMPLE

NOTES

CONCENTRATIONS IN $\mu\text{g}/\text{m}^3$

$\mu\text{g}/\text{m}^3$ – MICROGRAMS PER CUBIC METER

VOCs – VOLATILE ORGANIC COMPOUNDS

SAMPLES COLLECTED BY VOLUMETRIC TECHNIQUES

BOLD INDICATES EXCEEDANCES OF NYSDOH AMBIENT AIR GUIDELINES

ALL DETECTIONS SHOWN

AERIAL SOURCE
GOOGLE EARTH: MAY 11, 2016

Title:
VOCs IN INDOOR AIR
250 EAST MAIN STREET, BAY SHORE, NEW YORK

Prepared For:
250 EAST MAIN STREET, LLC

ROUX
ROUX ASSOCIATES, INC.
Environmental Consulting & Management

Compiled by: R.L.

Prepared by: J.A.D.

Project Mgr: K.S.

Date: 08MAR17

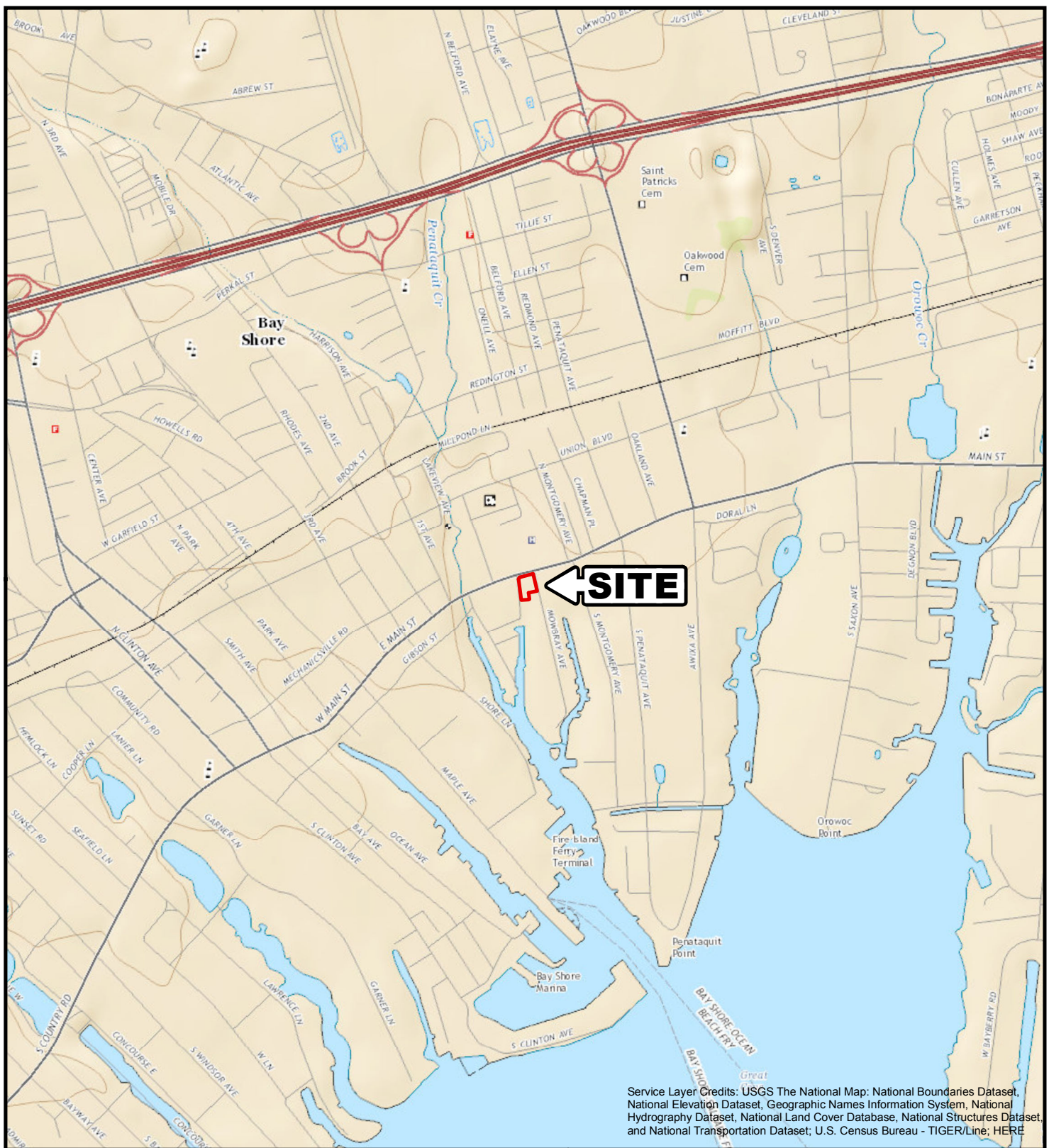
Scale: AS SHOWN

Project: 2874.0001Y000

File: 2874.0001Y100.01.DWG

FIGURE
3

V:\GIS\Projects\2874Y\0001Y\100\2874.0001Y100.4.mxd



QUADRANGLE LOCATION



750 0 750 1,500 Feet

Title:

SITE LOCATION MAP

250 EAST MAIN STREET, BAY SHORE, NEW YORK

Prepared For:

250 EAST MAIN STREET, LLC

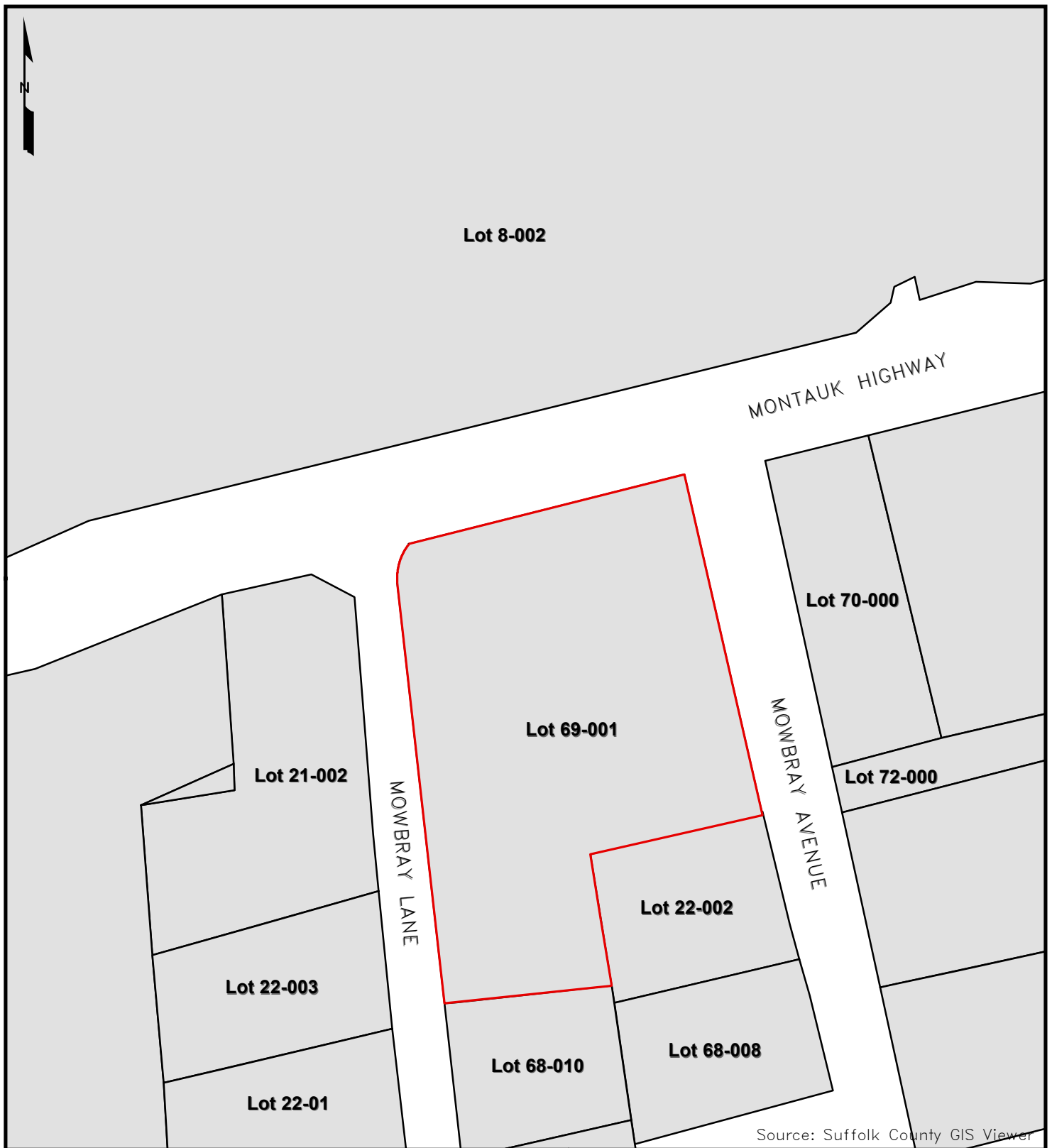
ROUX
ROUX ASSOCIATES, INC.
Environmental Consulting
& Management

Compiled by: K.S.	Date: 01MAR17
Prepared by: M.R.	Scale: AS SHOWN
Project Mgr: K.S.	Project: 2874.0001Y000
File: 2874.0001Y100.4.mxd	



FIGURE

4

V:\GIS\Projects\2874Y\0001Y\100\2874.0001Y100.5.mxd



LEGEND

-  PROPOSED BCP SITE BOUNDARY
-  SURROUNDING PROPERTIES

75 0 75 Feet

Title:

TAX MAP WITH BCP BOUNDARY

250 EAST MAIN STREET, BAY SHORE, NEW YORK

Prepared For:

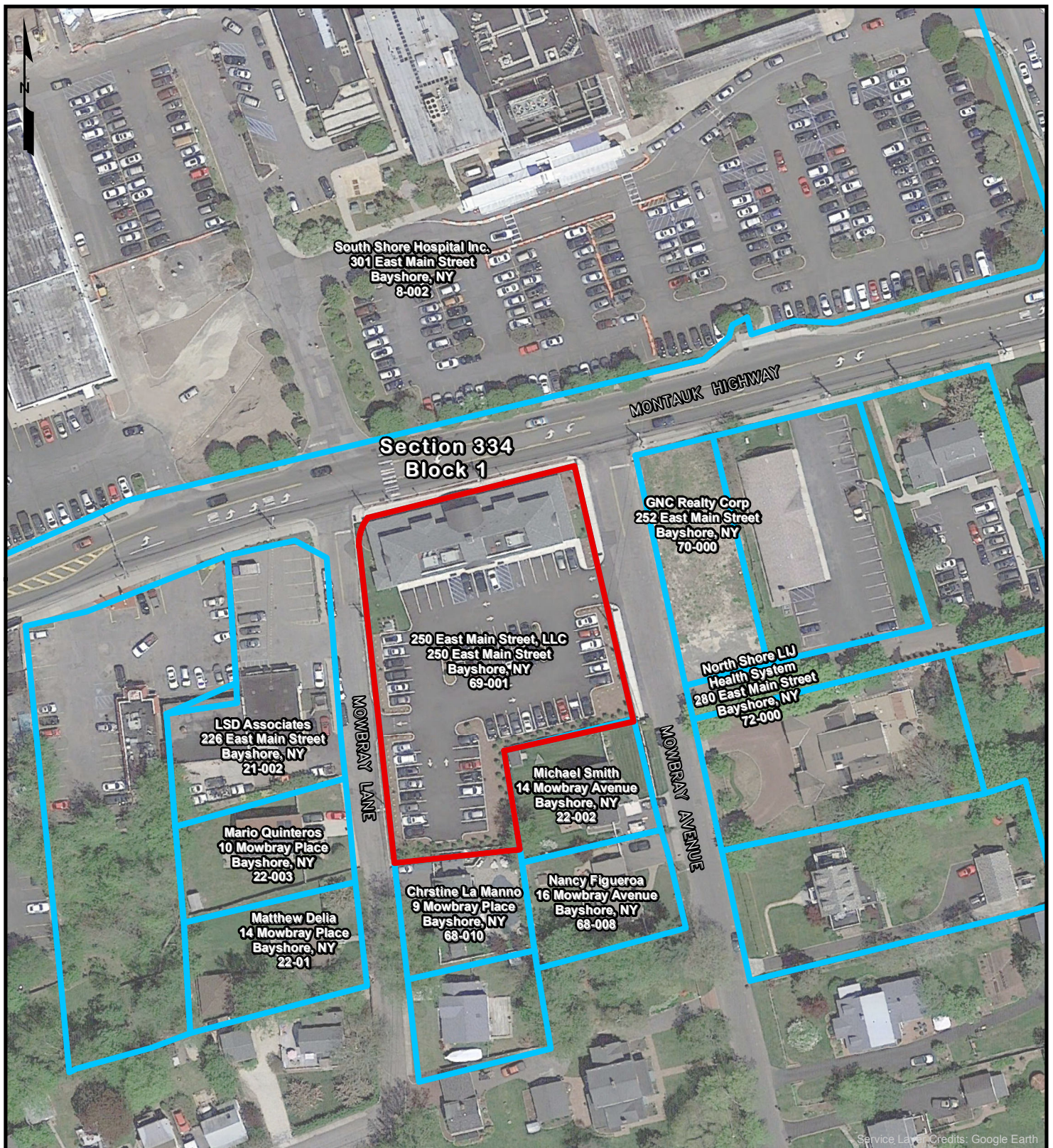
250 EAST MAIN STREET, LLC

ROUX
ROUX ASSOCIATES, INC.
Environmental Consulting
& Management

Compiled by: K.S.	Date: 01MAR17
Prepared by: M.R.	Scale: AS SHOWN
Project Mgr: K.S.	Project: 2874.0001Y000
File: 2874.0001Y100.5.mxd	

FIGURE

5

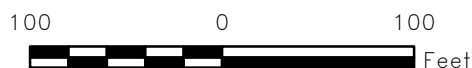


LEGEND

- PROPOSED BCP SITE BOUNDARY
- SURROUNDING PROPERTIES

KEY

Matthew Della ← Owner
14 Mowbray Place ← Address
Bayshore, NY ← City, State
22-01 ← Lot



Title:

EXISTING SITE CONDITIONS AND ADJACENT PROPERTY OWNERS

250 EAST MAIN STREET, BAY SHORE, NEW YORK

Prepared For:

250 EAST MAIN STREET, LLC

ROUX
ROUX ASSOCIATES, INC.
 Environmental Consulting & Management

Compiled by: K.S.	Date: 01MAR17	FIGURE 6
Prepared by: M.R.	Scale: AS SHOWN	
Project Mgr: K.S.	Project: 2874.0001Y000	
File: 2874.0001Y100.6.mxd		

APPENDICES

- A. Requestor Information – *Section I*
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APPENDIX A

Requestor Information – *Section I*

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through January 6, 2017.

Selected Entity Name: 250 EAST MAIN STREET, LLC

Selected Entity Status Information

Current Entity Name: 250 EAST MAIN STREET, LLC

DOS ID #: 4335610

Initial DOS Filing Date: DECEMBER 20, 2012

County: SUFFOLK

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

250 EAST MAIN STREET, LLC

80 ORVILLE DRIVE

BOHEMIA, NEW YORK, 11716

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate](#).

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
-------------	---------------	--------------------

No Information Available

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
DEC 20, 2012	Actual	250 EAST MAIN STREET, LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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[Homepage](#) | [Contact Us](#)

Requestor Information – *Section I*

Appendix A2 – Section I Requestor Information

250 East Main Street, Bay Shore

BCP Application - Section I

The current and only member of the entity 250 East Main Street, LLC is Peter O'Hara.

Mr. Peter O'Hara, Managing Member

80 Orville Drive

Bohemia, New York 11716

631-244-1644

cke165@aol.com

APPENDIX B

Project Description – *Section II*

Appendix B – Project Description

250 East Main Street, Bay Shore

BCP Application – Section II, Question 4

250 East Main Street, LLC obtained ownership of the property located at 250 East Main Street in Bay Shore on December 28, 2012. The property was redeveloped into a medical office building and parking lot between January 6 and November 20, 2015. Currently, there are no plans by 250 East Main Street, LLC for additional Site redevelopment.

Although there is no connection between 250 East Main Street, LLC and the past property use (Appendix E), 250 East Main Street, LLC has assumed responsibility for the environmental liability. In a letter dated October 19, 2016 the NYSDEC indicated that due to the levels of tetrachloroethylene (PCE) detected in groundwater by Suffolk County Department of Health Services (SCDHS), the Site would be listed on the Registry of Inactive Hazardous Waste Disposal Sites unless the property owner gains entry into the NYSDEC Brownfield Cleanup Program (BCP) and completes the necessary environmental remediation.

Projected Schedule

The remedial investigation is anticipated to commence upon acceptance into the BCP and approval of the Remedial Investigation Work Plan. The projection for the start of investigation is August 2017. The nature and extent of contamination will be characterized and the Certificate of Completion date has been projected to be on or about June 2018 .

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Region 1 Main Office

SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790

P: (631) 444-0200

www.dec.ny.gov

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Date: October 19, 2016

Mr. Peter O'Hara
80 Orville Drive
Bohemia, NY 11716

Re: 250 East Main Street
Bay Shore, NY 11706

Dear Mr. O'Hara:

This letter is to notify you that the subject property has been referred to the New York State Department of Environment Conservation's (DEC) Bureau of Hazardous Waste Remediation by the Suffolk County Department of Health Services (SCDHS) for further investigation and remediation.

As you are aware that SCDHS has conducted an investigation at the subject address and the results of the investigation revealed tetrachloroethene (PCE) levels which exceeded the New York State Standard.

Our record indicate that you are the owner or part owner of the referenced site above. Therefore, this letter constitutes notification of the intended inclusion of property to the Registry of Inactive Hazardous Waste Disposal Sites in New York State (Registry). The effective date of the registry listing shall be 20 days from the date of this letter. Once listed in the registry, the site becomes subject to certain restrictions prescribed by provisions of 6 NYCRR Part 375.

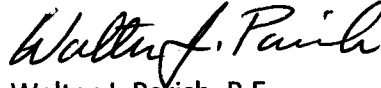
Prior to the property being included in the Registry, you do have the opportunity to apply for inclusion into the DEC's Brownfield Cleanup Program (BCP). If you are interested in applying for BCP, please contact the Department within 14 days of receipt of this letter to discuss your options.



Department of
Environmental
Conservation

If you have any questions regarding this matter, please feel free to contact me at (631) 444-0241.

Sincerely,

A handwritten signature in black ink, appearing to read "Walter J. Parish". The signature is fluid and cursive, with the first name "Walter" being more prominent.

Walter J. Parish, P.E.

Regional Hazardous Waste Remediation Engineer

cc: J. Harrington (DEC)
Jahan Reza (DEC)
James Meyers (SCDHS)

APPENDIX C

Property's Environmental History – *Section III*

Appendix C – Property’s Environmental History

250 East Main Street, Bay Shore

BCP Application - Section III

See enclosed CD for the following historical reports provided as Appendix C1:

- Volumetric Techniques, Ltd, Reports.
 - Quarterly Groundwater Sampling Reports;
 - Soil Vapor Intrusion Investigation & Indoor Air Sampling Results;
 - Environmental Report; and
 - Soil Vapor Gas Mitigation System.
- P.W. Grosser Consulting, Inc., Phase I Environment Site Assessment (ESA) Report;
- P.W. Grosser Consulting, Inc. Laboratory Analytical Reports;
 - Storm Drain & Septic Sampling
- Brookside Environmental, Spill Closure Request Letter Report;
- NYSDEC Spill Closure Letters;
 - Spill Number – 1113618.
 - Spill Number – 1409871.
- 1983 Suffolk County Department of Health Services (SCDHS) Field Inspection Report; and
- 2012 Tank Closure Documentation.

Presented below is a summary of the On-Site exceedances of the New York State Department of Environmental Conservation (NYSDEC) Part 375 Unrestricted Use Soil Cleanup Objectives (SCOs) (UU SCOs) and NYSDEC Part 375 Protection of Groundwater SCOs (PG SCOs) and groundwater exceedances of the NYSDEC Ambient Water Quality Standards and Guidance Values (AWQSGVs). The indoor air exceedances of the Table 3.1 Air Guideline values derived by the New York State Department of Health are also presented below.

Previous sampling performed by others identified impacts to soil and groundwater that required remediation. Multiple rounds of sampling and soil removal were performed in on Site drainage structures. Concentrations of chlorinated volatile organic compounds (CVOCs) were detected in

Appendix C – Property’s Environmental History

250 East Main Street, Bay Shore

BCP Application - Section III

soil in excess of the UU SCOs and PG SCOs and the highest concentrations detected are shown below and on Figure 1. The CVOC contamination appears to be linked to the former dry cleaning and rug cleaning operations that occurred between 1969 and until at least 1988. CVOCs were also detected in groundwater at concentrations in excess of the NYSDEC AWQSGVs.

Soil

The following CVOCs previously detected in the On-Site soil exceeded both the UU SCOs and PG SCOs, the maximum detected concentrations are provided below (sample locations and results are shown on Figure 1):

- Cis-1,2-Dichloroethene (8,000 micrograms per kilogram [µg/kg] in SD001);
- Tetrachloroethene (PCE) (19,000 µg/kg in CP001-END POINT);
- Trichloroethene (TCE) (2,500 µg/kg in CP001-END POINT); and
- Vinyl chloride (330 µg/kg in SD001).

Groundwater

The following CVOCs detected in groundwater beneath the Site exceed the AWQSGVs, the maximum detected concentrations are provided below (sample locations and results are shown on Figure 2):

- 1,1 Dichloroethene (11 micrograms per liter [µg/L] in MW-2);
- Cis-1,2-Dichloroethene (4,600 µg/L in MW-3);
- PCE (3,900 µg/L in MW-2);
- TCE (2,000 µg/L in MW-2);
- Vinyl chloride (97 µg/L in MW-3); and
- Trans-1,2-Dichloroethene (59 µg/L in MW-3).

Appendix C – Property’s Environmental History

250 East Main Street, Bay Shore

BCP Application - Section III

Vapor Intrusion Investigations

One soil vapor sample was previously collected at the Site; however, based upon the data results there were no constituents of concern identified. In addition, two indoor air samples were collected as part of previous investigation activities.

One indoor air sample was collected in the basement of the former on Site residence prior to building demolition. The following CVOCs were detected in the sample (basement of the former residence), the maximum detected concentrations are provided below (sample locations and results are shown on Figure 3):

- PCE (2,890 micrograms per cubic meter [$\mu\text{g}/\text{m}^3$]); and
- TCE (66.6 $\mu\text{g}/\text{m}^3$).

The detected analytes are in exceedance of the Table 3.1 Air Guideline values derived by the New York State Department of Health.

The second indoor air sample was collected within the current medical office facility and no CVOCs were detected.

APPENDIX C-1

Historical Reports – *Section III (Provided on CD with Bound Application)*

- A. Volumetric Reports
- B. PWG 2013 Phase I
- C. PWG SD – Septic Analytical
- D. Brookside 2015 Spill Closure
- E. NYSDEC Spill Closure Letters
- F. SCDHS 1983 Files
- G. 2012 Tank Closure Documentation

APPENDIX D

Property Information Question 10 – *Section IV*

Appendix D – Section IV Property Information, Question 10

250 East Main Street, Bay Shore

BCP Application - Section IV

Summary of Figures Provided:

- Figure 1: VOCs in Soil;
- Figure 2: VOCs in Groundwater;
- Figure 3: VOCs in Indoor Air;
- Figure 4: Site Location Map (USGS 7.5 minute quad map);
- Figure 5: Tax Map with BCP Boundary; and
- Figure 6: Existing Site Conditions and Adjacent Property Owners.

Location

The proposed BCP Site is located at 250 East Main Street within the Town of Islip in Bay Shore (Site). The Bay Shore area has both urban and suburban characteristics. East Main Street with its businesses and more densely populated residences is an urban area and the area south of East Main Street is suburban.

Site Features

There is one building on Site and the remainder of the Site is covered with an asphalt parking lot and some landscaping along the perimeter.

Current Zoning and Land Use

The Site is currently being used as a medical office facility. The property zoning is commercial – Business District (BD), this zoning is also applicable to the properties to the west, north and east. The zoning and land use to the south is residential. The Site is bordered to the north by Southside Hospital, to the south by residential properties, to the west by light commercial businesses and to the east by a vacant lot

Past Use of the Site

Previous uses of the Site included an automotive service station, a dry cleaner, a rug cleaner, and, a laundromat. During the Site redevelopment into a medical office facility, underground storage tanks (USTs) associated with previous operations were removed. Previous reports state that the Site operated as an auto service building around 1949 and as a dry cleaner around 1969. The Site was

Appendix D – Section IV Property Information, Question 10

250 East Main Street, Bay Shore

BCP Application - Section IV

listed in the city directory as Garden Cleaners from 1974 to 1988, Bay Shore Newspaper from 1974 to 1981, Kilarjian Rug Cleaners in 1981, Coastal Realty Company in 1988, and B-Sure /J&R Laundromat since 2002.

The following areas of concern (AOCs) were identified in historic documents:

1. Former Automotive Service Station
2. Former Dry Cleaner
3. Former USTs
4. Former Storm Water Drains
5. Former Residential Septic System

Based upon available documentation, the presence of chlorinated volatile organic compounds (CVOCs) within the on Site septic system of the former dry cleaner was first detected by Suffolk County Department of Health Services (SCDHS) in samples collected in 1983. A letter from SCDHS to the then owner indicated that “discharging of condensate water from your dry cleaning process has occurred or is being practiced.” It further stated that such discharges are in violation of New York State Environmental Conservation Laws and that all waste generated by the dry cleaning process must be held on Site and hauled away by a licensed “industrial waste scavenger”.

Past remedial actions included removal of USTs, sampling/abatement of the former septic system related to the dry cleaner and removal of the residential structure. During Site redevelopment in 2015, a vapor mitigation system was installed beneath the portion of the new medical building that lies within the former building footprint.

A total of 12 USTs were removed from the Site between 2012 and 2015. USTs ranged in size from 50 to 1,500 gallons and were constructed of single walled steel:

- two 1,000 gallon and two 1,500 gallon gasoline tanks
- one 550 gallon waste oil tank
- one 1,000 gallon diesel tank

Appendix D – Section IV Property Information, Question 10

250 East Main Street, Bay Shore

BCP Application - Section IV

- three #2 fuel oil tanks (500, 700 and 1,000 gallons)
- one 1,000 gallon “other petroleum” tank
- two 50 gallon “other oil” tanks

Tank removal activities in 2015 were documented in a report entitled Spill Closure Request (Spill No. 1409871) dated February 2, 2015, prepared by Brookside Environmental. During the removal of two #2 fuel oil USTs (500 and 700 gallons) in 2015, 43.14 tons of impacted soil were excavated and disposed off Site. Endpoint soil samples collected after completion of the soil excavation indicated no exceedances of applicable standards. Based upon the documentation provided, NYSDEC closed Spill No. 1409871 on February 12, 2015.

Between January and March 2014, the former on Site septic system related to the dry cleaner and the on Site residential structure (both now demolished), was abated. Abatement included pump out and off Site disposal of 3,500 gallons of water/sludge and excavation and off Site disposal of approximately 47.49 tons of impacted soil. Final endpoint soil samples collected after all abatement activities were complete indicated no exceedances of applicable standards. Abatement activities were deemed completed by SCDHS in November 2014.

As required by SCDHS in 2014, five groundwater monitoring wells were installed on Site (MW-1 through MW-5). The approximate locations of these wells are shown on Plate 2. Wells MW-1 and MW-5 were subsequently destroyed during construction activities. Monitoring wells MW-2, MW-3 and MW-4 were sampled quarterly between April 2014 and February 2016. Concentrations of one or more CVOCs in MW-2 and MW-3 consistently exceeded NYSDEC Ambient Water Quality Standards and Guidance Values (AWQSGVs) in all sampling rounds. An increase in CVOC concentrations in MW-2 was observed in the final sampling round conducted in February 2016. No CVOCs were detected in MW-4 until the February 2016 sampling round, when cis-1,2-Dichloroethene was detected above the AWQSGV.

Site Geology and Hydrogeology

Long Island geology is generally characterized by deep crystalline bedrock composed of schist and gneiss overlain by layers of unconsolidated deposits. The Raritan Formation overlays the bedrock

Appendix D – Section IV Property Information, Question 10

250 East Main Street, Bay Shore

BCP Application - Section IV

and forms the Lloyd sand layer and Raritan Clay layer. The Lloyd sand is an aquifer and consists of discontinuous layers of sand, silt, gravel, and clay. The Raritan Clay is a solid clay layer and consists minor lenses of sand and gravel. Above the Raritan Clay lie the Magothy Formation, which includes the Magothy aquifer, one of Long Island's main sources of drinking water. The Magothy Aquifer consists of layers of fine to coarse sand, with inter-bedded lenses of silts and clays. The Magothy aquifer is overlain by the Upper Glacial Aquifer, which is the water table aquifer at the Site. This aquifer consists of medium to coarse sand and gravel with interbedded lenses of fine sand and brown clay. This aquifer extends from land surface to the top of the Magothy and is hydraulically connected to the Magothy Aquifer.

Based on previous results by others, the average depth to groundwater is approximately 4.8 feet below land surface (bls). Groundwater flow is assumed to be in a southerly direction, towards canals leading to the Great South Bay. It is suspected that groundwater under the Site is tidally influenced based on the Site's close proximity to the canals as well as reports of tidal influence from Volumetric Techniques and Brookside Environmental. However, a tidal study was not performed in Site monitoring wells.

Environmental Assessment

Based upon previous investigations conducted by others, the primary contaminants of concern for the Site include CVOCs in groundwater and soil which appeared to emanate from the former dry cleaning operations. Soil contamination was present at the Site and remediation took place near the former residence septic system, in the areas surrounding the storm drain, behind the former dry cleaner building and former 12 underground storage tanks (USTs). The 12 USTs were associated with the former automotive use and subsequent building use. CVOCs were first detected in 1983 by the SCDHS when the Site was being occupied by Garden Cleaners. One soil vapor sample was collected at the Site near the former residence; however based upon the data results there were no constituents of concern identified.

Soil

CVOC contamination is present in the area of the Site behind the former dry cleaner building where storm drains were located as well as where the septic system was located near the former residence.

Appendix D – Section IV Property Information, Question 10

250 East Main Street, Bay Shore

BCP Application - Section IV

CVOCs that were detected in exceedance of the New York State Department of Environmental Conservation (NYSDEC) Part 375 Unrestricted Use Soil Cleanup Objectives (SCOs) (UU SCOs) and NYSDEC Part 375 Protection of Groundwater SCOs (PG SCOs) are shown on Figure 1 and include the following maximum detections:

- Cis-1,2-Dichloroethene (8,000 micrograms per kilogram ($\mu\text{g/kg}$) in SD001);
- Tetrachloroethene (PCE) (19,000 $\mu\text{g/kg}$ in CP001-END POINT);
- Trichloroethene (TCE) (2,500 $\mu\text{g/kg}$ in CP001-END POINT); and
- Vinyl chloride (330 $\mu\text{g/kg}$ in SD001).

Groundwater

CVOCs were detected at concentrations above the Ambient Water Quality Standards and Guidance Values (AWQSGVs) in two monitoring wells located at the downgradient portion of the Site. The CVOCs are shown on Figure 2 and include the following exceedances:

- 1,1 Dichloroethene (11 micrograms per liter ($\mu\text{g/L}$) in MW-2);
- Cis-1,2-Dichloroethene (4,600 $\mu\text{g/L}$ in MW-3);
- PCE (3,900 $\mu\text{g/L}$ in MW-2);
- TCE (2,000 $\mu\text{g/L}$ in MW-2);
- Vinyl chloride (97 $\mu\text{g/L}$ in MW-3); and
- Trans-1,2-Dichloroethene (59 $\mu\text{g/L}$ in MW-3).

Vapor Intrusion Investigations

One soil vapor sample was previously collected at the Site; however based upon the data results there were no constituents of concern identified. In addition, two indoor air samples were collected as part of previous investigation activities.

One indoor air sample was collected in the basement of the former residence prior to building demolition and CVOCs were detected in the sample.

Appendix D – Section IV Property Information, Question 10

250 East Main Street, Bay Shore

BCP Application - Section IV

The second indoor air sample was collected within the current medical office facility and no CVOCs were detected.

APPENDIX E

Previous Property Owners / Operators – *Section VI*

Appendix E – Previous Property Owners and Operators

250 East Main Street, Bay Shore

BCP Application – Section VI

The Requestor (250 East Main Street LLC) nor any of its corporate members have any relationship with the former owners and operators. Additional information is provided below.

FORMER OWNERS' INFORMATION**Lot 69-001 (formerly Lots 68, 68.2, 68.5, 68.9, and 69)**

Address: 250 East Main Street, Bay Shore, NY

Period	Lot	Owner	Relationship to Current Owner/Requestor
unknown to 8/7/1922	Part of Lot 69.001	Leander C. Homan & Aletta Homan <i>Bay Shore, NY</i>	None
8/7/1922 to 3/9/1929	Part of Lot 69.001	Leander C. Homan <i>Bay Shore, NY</i>	None
8/7/1922 to unknown	Part of Lot 69.001	Frances Pokorny <i>Bay Shore, NY</i>	None
3/9/1929 to 12/1/1947	Part of Lot 69.001	William Pokorny, Jr., Libby Pokorny & Richard Pokorny (under the last will & testament of Frances Pokorny & William Pokorny deceased party) <i>Bay Shore, NY</i>	None
12/1/1947 to 10/25/1973	Part of Lot 69.001 (f/k/a 68. 2)	Alice M. Inglis (under the last will & testament of Mary M. McEwan deceased party James Mc Ewan deceased party) <i>39 Shore Lane, Bay Shore, NY</i>	None
10/25/1973 to 12/2/1982	Part of Lot 69.001 (f/k/a 68. 2)	Bay Shore Foreign Cars, Inc. <i>228 East Main Street, Bay Shore, NY</i>	None
12/2/1982 to 12/2/1982	Part of Lot 69.001 (f/k/a 68. 2)	Jacob Stein <i>20 Jerusalem Avenue, Hicksville, NY 11801</i>	None
12/2/1982 to unknown	Part of Lot 69.001 (f/k/a 68. 2)	Smithbrook Associates <i>c/o Jacob Stein, 20 Jerusalem Avenue, Hicksville, NY 11801</i>	None
unknown to 5/12/1986	Part of Lot 69.001 (f/k/a 68. 5)	Richard Nelin <i>508 North Bicycle Path, Port Jefferson Station, NY 11766</i>	None
5/12/1986 to 12/15/1986	Part of Lot 69.001 (f/k/a 68. 5)	Smithbrook Associates <i>c/o Jacob Stein, 20 Jerusalem Avenue, Hicksville, NY 11801</i>	None

Appendix E – Previous Property Owners and Operators

250 East Main Street, Bay Shore

BCP Application – Section VI

Period	Lot	Owner	Relationship to Current Owner/Requestor
12/15/1986 to 12/30/1991	Part of Lot 69.001 (f/k/a 68. 9)	Cassata Enterprises, Inc <i>200 West Main Street, Babylon, NY 11702</i>	None
12/30/1991 to 5/3/1993	Part of Lot 69.001 (f/k/a 68. 9)	Realty Group of L.I., Inc. <i>200 West Main Street, Babylon, NY 11702</i>	None
5/3/1993 to 5/21/1999	Part of Lot 69.001 (f/k/a 68. 9)	Jacqueline Dimalante <i>17 North Montgomery Avenue, Bay Shore, NY 11706 / 720 Udall Road, West Islip, NY 11785</i>	None
5/21/1999 to 2/28/2011	Part of Lot 69.001 (f/k/a 68. 9)	240 Realty Co, <i>280 Montauk Highway, Bay Shore, NY 11705</i>	None
2/28/2011 to 12/28/2012	All of Lot 69.001 (f/k/a 68. 9 and 69)	240 Realty Holding Co., LLC and 250 Realty Holding Co., LLC <i>77 Medford Avenue (Route 112), Patchogue, NY 11772</i>	None
12/28/2012 to Present	69.001	250 East Main Street, LLC	Present Owner

Notes:

f/k/a = formerly known as

Appendix E – Previous Property Owners and Operators

250 East Main Street, Bay Shore

BCP Application – Section VI

FORMER OPERATORS' INFORMATION**Lot 69**

Address: 250 East Main Street, Bay Shore, NY

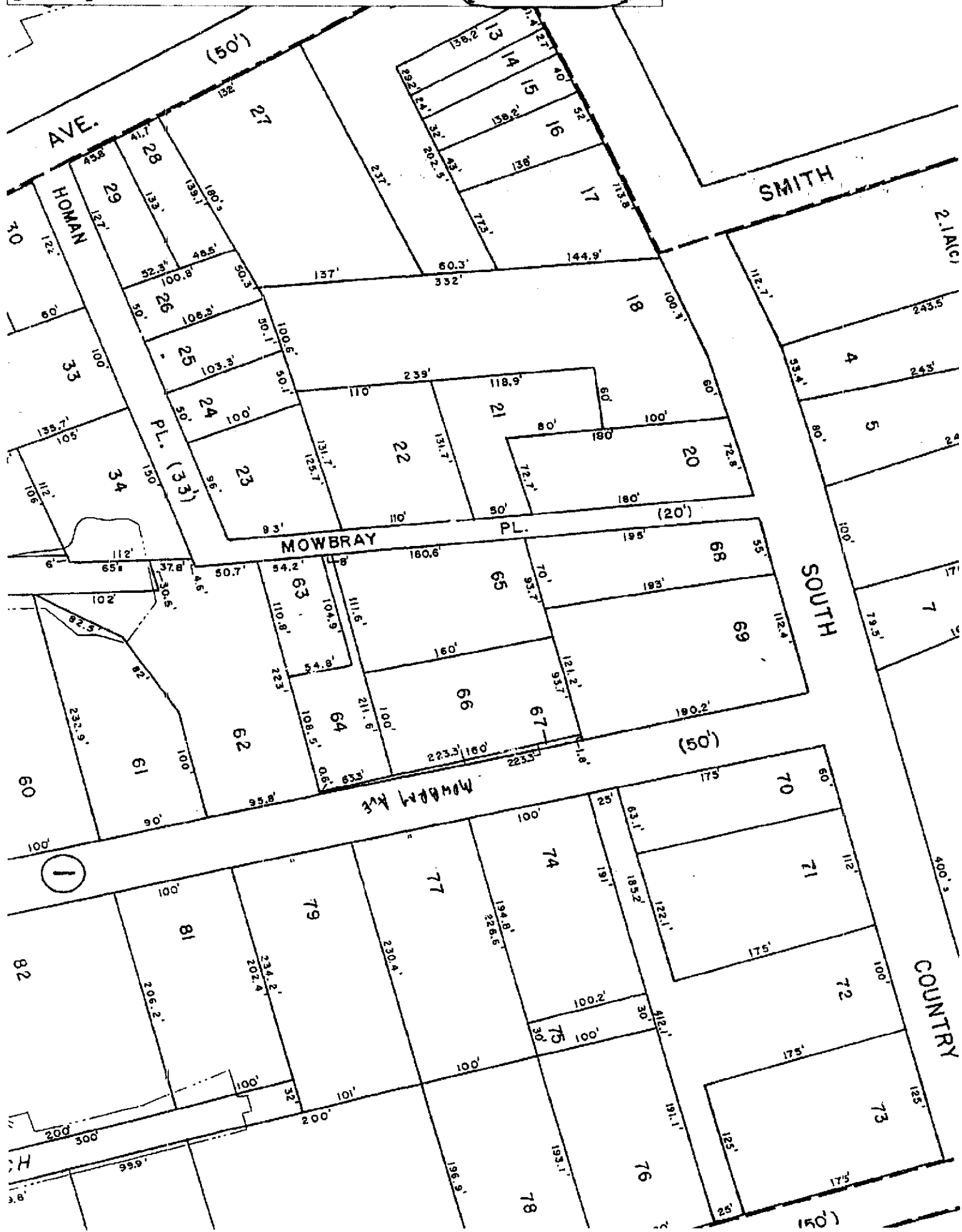
Year	Operator	Source	Relationship to Current Owner/Requestor
1897-1925	Single Family Residential Housing –Name of Operators unknown	Historical Aerials & Sanborn maps	None
1949	1. Auto Service Station – Operator name unknown 2. One Single Family Home	Historical Aerials & Sanborn maps	None
1969	1. Auto Service Station – Operator name unknown 2. Dry Cleaner– Operator name unknown	Sanborn maps	None
1974	1. Bay Shore Newspaper Contact information not available 2. Bucci Garden Drive In Cleaners Inc Joseph Bucci Ph: 212-555-1212	Cole Criss Cross Directory	None
1981	1. Bay Shore Newspaper Lee B Crain Contact information not available 2. Bucci Garden Drive In Cleaners Inc Joseph Bucci Ph: 212-555-1212 3. Kilarjian Rug Cleaners	Cole Criss Cross Directory	None
1988	1. Coastal Realty Co 2. Bucci Garden Drive In Cleaners Inc Joseph Bucci Ph: 212-555-1212	Cole Criss Cross Directory	None
1995	No Listings	Cole Criss Cross Directory	None
2000-2001	B Sure Laundromat Contact information not available	Cole Criss Cross Directory & EDR Historical Cleaners	None
2006 - 10/2014	J&R Laundromat Inc.	Cole Criss Cross Directory & EDR Historical Cleaners	Current Owner was landlord of property as of date of ownership on 12/28/2012
10/2014 – 01/2015	Vacant	Current Owner Communication	Present Owner (250 East Main St., LLC)

Appendix E – Previous Property Owners and Operators

250 East Main Street, Bay Shore

BCP Application – Section VI

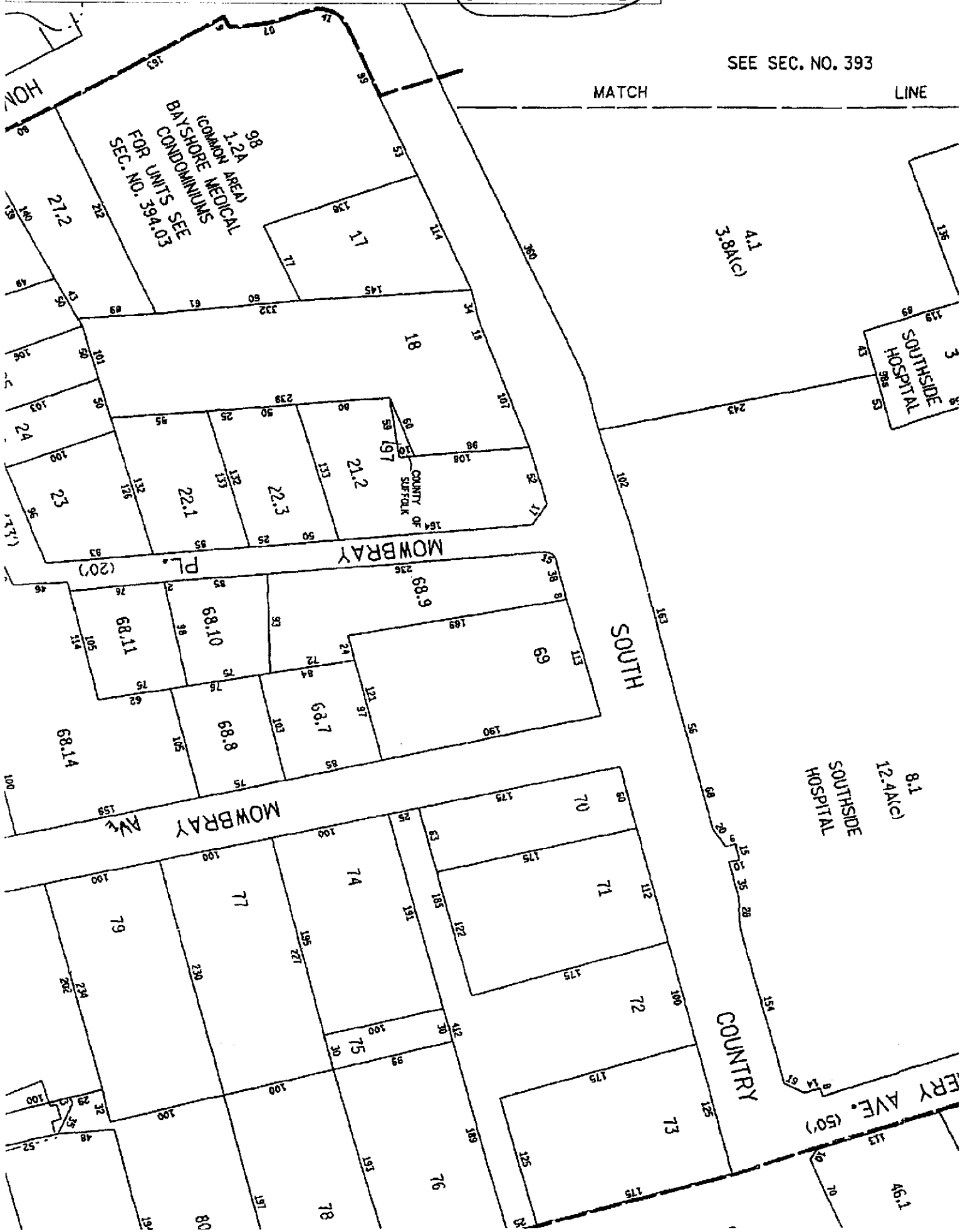
01/2015 to 11/2015	Site under construction for redevelopment	Current Owner Communication	Present Owner (250 East Main St., LLC)
12/2015	Northwell Health	Current Owner Communication	Present Operator



[illegible]

SEE SEC. NO. 393

MATCH LINE



[illegible]

APPENDIX F

Volunteer Statement – *Section VII*

Appendix F – Volunteer Statement

250 East Main Street, Bay Shore

BCP Application – Section VII

Requestor Qualification as Volunteer

250 East Main Street, LLC (the Requestor) was not the owner of the Site at the time of the disposal or discharge of contaminants. In addition, the Requestor has and continues to take reasonable steps to stop any continuing release, prevent any future release, and prevent or limit exposure to any previously released contamination. Accordingly, and based on the facts set forth below, the Requestor is a “Volunteer” and not a “Participant” pursuant to the definition of those terms in ECL 27-1405(1)(a) and (b).

The Requestor took ownership of the Property in 2012. At that time, the Site was occupied by 240 Realty Co, and was being utilized as a laundromat. The Site has since been redeveloped into medical office space and none of the existing tenants generate, store, or transport hazardous waste. During redevelopment, the Requestor took several steps to perform remediation at the Site including numerous UST removals and soil was cleaned out of the drywell and residential septic systems. The Requestor also performed quarterly groundwater monitoring. There are no open spill numbers or enforcement actions pending and the Site is not currently in any environmental program.

All storage, use, and disposal of hazardous substances occurred prior to the date the Requestor acquired title, and the Requestor does not have any affiliation with any of the responsible parties that may have managed hazardous substances. The contamination identified at the Site includes chlorinated volatile organic compounds (CVOCs) and this material was handled, stored and produced as a waste by former Site owners and/or operators. The Requestor’s liability arises solely as a result of ownership of the Site subsequent to the disposal of hazardous waste by a previous Site owner.

Based on the above information, the Requestor should be considered a **Volunteer** as defined in ECL 27-1405(1)(b).

APPENDIX G

Contact List Information – *Section IX*

Appendix G – Contact List Information

250 East Main Street, Bay Shore
BCP Application, Section IX

1. The Chief Executive Officer and Planning Board Chairperson of each County, City, Town and Village in which the Property is located:

Honorable Charles Schumer
United States Senate
780 Third Avenue, Suite 2301
New York, New York 10017

Honorable Kirsten E Gillibrand
United States Senate
780 Third Avenue, Suite 2601
New York, New York 10017

House of Representatives District 02
Congressman Pete King
1003 Park Boulevard
Massapequa Park, New York 11762

New York State Assembly District 007
Assembly Member Andrew R. Garbarino
859 Montauk Hwy
Suite 1
Bayport, New York 11705

NYS Senate District 4
Senator Phil Boyle
69 W Main Street Suite B
Bay Shore, New York 11706

Suffolk County Legislature District 11
Thomas F. Barraga
187 Sunrise Highway, Suite C
West Islip, New York 11795

Suffolk County Executive
Steven Bellone
H. Lee Dennison Building,
11th Floor,
100 Veterans Memorial Highway,
Hauppauge, New York 11788

Appendix G – Contact List Information

250 East Main Street, Bay Shore
BCP Application, Section IX

Suffolk County Commissioner, Economic Development and Planning
Theresa Ward
H. Lee Dennison Building,
11th Floor,
100 Veterans Memorial Highway,
Hauppauge, New York 11788

Town of Islip
Supervisor
Angie M. Carpenter
Town Hall
655 Main St
Islip, New York 11751

Town of Islip
Commissioner Planning & Development
Ron Meyer
Town Hall
655 Main St
Islip, New York 11751

2. Residents, Owners, and Occupants of properties adjacent to the Property (Mailing address provided):

To the North

Block 1 Lot 8-002
SSH Inc.
301 East Main Street
Bay Shore, New York 11706

To the South

Block 1 Lot 68-007
Michael Smith
14 Mowbray Avenue
Bay Shore, New York 11706

Block 1 Lot 68-008
Nancy Figueroa
16 Mowbray Avenue
Bay Shore, New York 11706

Appendix G – Contact List Information

250 East Main Street, Bay Shore
BCP Application, Section IX

Block 1 Lot 68-010
Christine LaManno
9 Mowbray Place
Bay Shore, New York 11706

To the West

Block 1 Lot 21-002
LSD Associates
226 East Main Street
Bay Shore, New York 11706

Block 1 Lot 22-003
Mario Quinteros
10 Mowbray Place
Bay Shore, New York 11706

Block 1 Lot 22-001
Matthew Delia
14 Mowbray Place
Bay Shore, New York 11706

To the East

Block 1 Lot 70-000
GNC Realty Corp
252 East Main Street
Bay Shore, New York 11706

Block 1 Lot 72-000
North Shore LIJ Health System
280 East Main Street
Bay Shore, New York 11706

3. Local News Media from which the Community typically obtains information:

News 12 Long Island
1 Media Crossways
Woodbury, New York 11797

Long Island Newsday
235 Pinelawn Road
Melville, New York 11747

Appendix G – Contact List Information

250 East Main Street, Bay Shore
BCP Application, Section IX

4. The Public Water Supplier which services the area in which the Property is located:

Kevin Durk
Director of Water Quality & Laboratory Services
Suffolk County Water Authority
4060 Sunrise Highway
Oakdale, New York 11769

5. Any Person who has requested to be placed on the Contact List:

We are unaware of any requests for inclusion on the contact list.

6. The Administrator of any School or Day Care Facility located on or near the Property:

None. There are no schools located within ¼ mile of the property.

7. Location of the Document Repository (*note: please see attached copy of acknowledgement):

Michael Squillante
Reference Director
Bay Shore-Brightwaters Public Library
1 S Country Rd
Brightwaters, New York 11718

8. Any community board located in a city with a population of one million or more, if the proposed site is located within such community board's boundaries.

Not Applicable

• Other Identified Community Groups

Kiwanis International Inc.
156 Newbrook Lane
Bay Shore, New York 11706

Kathryn Sommo

From: Michael Squillante <michael@bsbwlibrary.org>
Sent: Monday, February 27, 2017 6:03 PM
To: Kathryn Sommo
Subject: document repository

The library will be happy to serve as a repository. Prefer hard copy.

Michael Squillante, Director
Bay Shore-Brightwaters Public Library
1 South Country Road
Brightwaters, NY 11718
631-665-4350
director@bsbwlibrary.org

Michael

Roux Associates is an environmental consulting firm that is currently in the process of applying to the NYSDEC on behalf of our client for site acceptance into the New York State Brownfield Cleanup Program (BCP).

The site is located at 250 East Main Street, Bay Shore. The NYSDEC requires that a document repository is established for the reports at the local library. This is completed as part of the mandated Community Participation Plan which is a component of every BCP project in the state.

Roux Associates is requesting permission to use Bay Shore-Brightwaters Public Library as a document repository for the project. A total of six to eight reports (including but not limited to: BCP Application, Remedial Investigation Work Plan, Remedial Investigation Report, Remedial Action Work Plan, Remedial Action Report, Final Engineering Report) will be produced over the course of the project. We will send the reports on CD's or by hard copy whichever version is preferred.

Please confirm if this will be acceptable to Bay Shore-Brightwaters Public Library.

Best Regards,

Kathryn Sommo, CPESC, ISA Arborist
Senior Scientist

Ecological Services & Natural Resources Management

Direct: (631) 630-2392

Mobile: (631) 445-0585

APPENDIX H

Land Use Factors – *Section X*

Appendix H – Land Use Factors

250 East Main Street, Bay Shore

BCP Application – Section X

2. Summary of current business operations or uses and possible contaminant source areas.

Response: The property is currently used for medical offices and facilities. The property was historically occupied by various commercial establishments, including dry cleaner, carpet cleaner, and car service station. Historical Sanborn maps are included in this appendix. Additional information regarding specific areas of concern associated with the former Site operations are described in Appendix D.

3. Reasonably anticipated use Post Remediation:

Response: The property has already been redeveloped for use as medical offices and facilities.

1969 Certified Sanborn Map



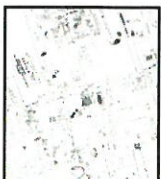
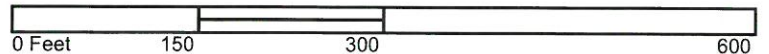
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Client: P.W. Gresser Consulting
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1949 Certified Sanborn Map



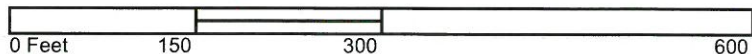
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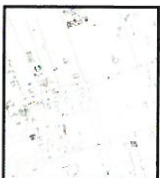
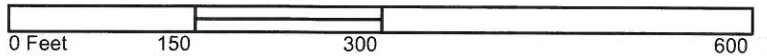
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1925 Certified Sanborn Map



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0 Feet 150 300 600

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EDR Inquiry: 3740097.3
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Certification #: C64E-4223-BD8F

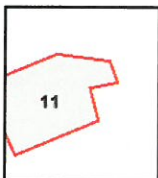
Copyright: 1909



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Volume 1, Sheet 11

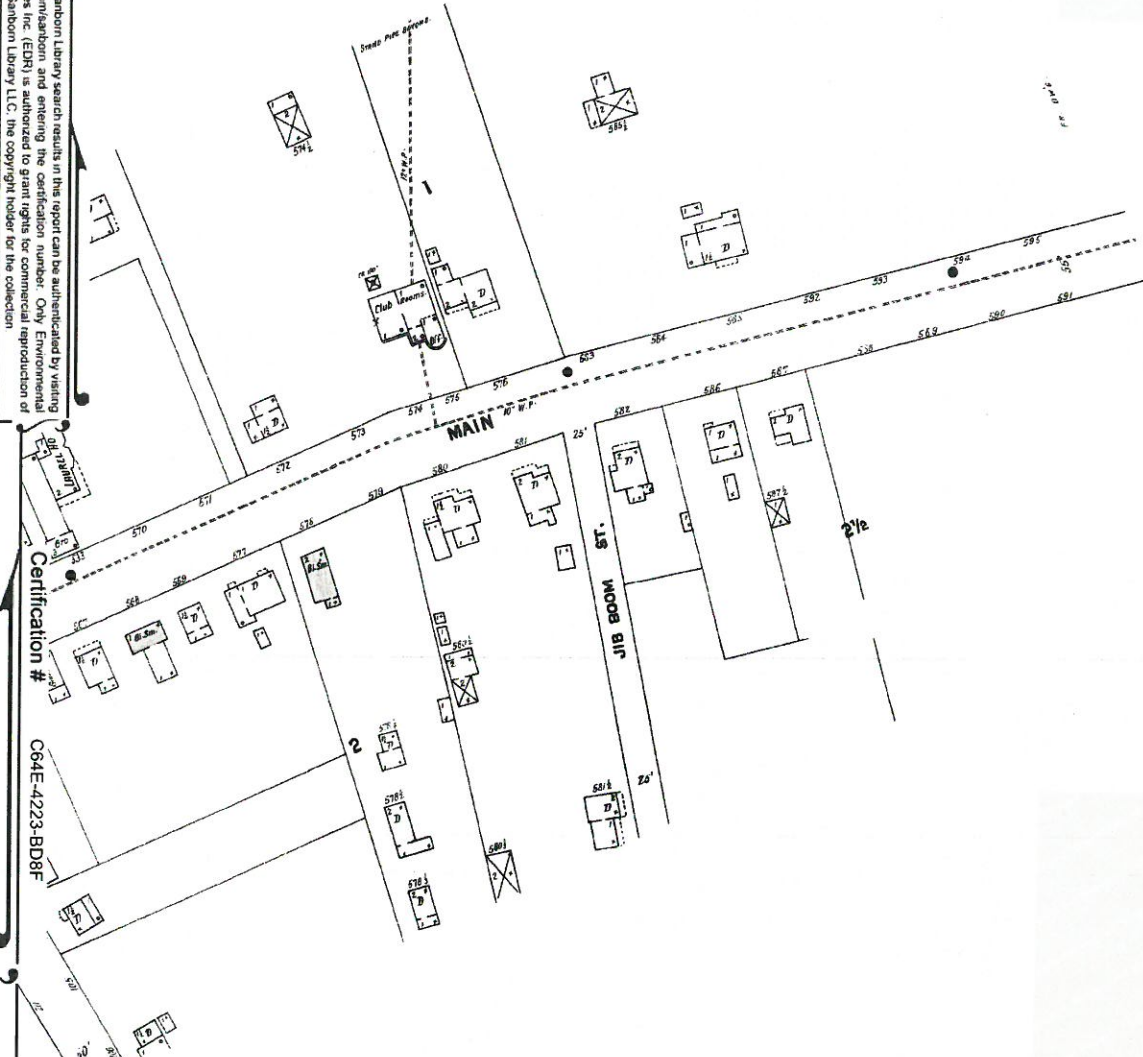


1902 Certified Sanborn Map

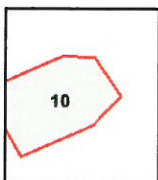
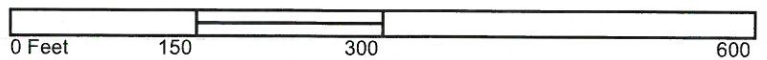
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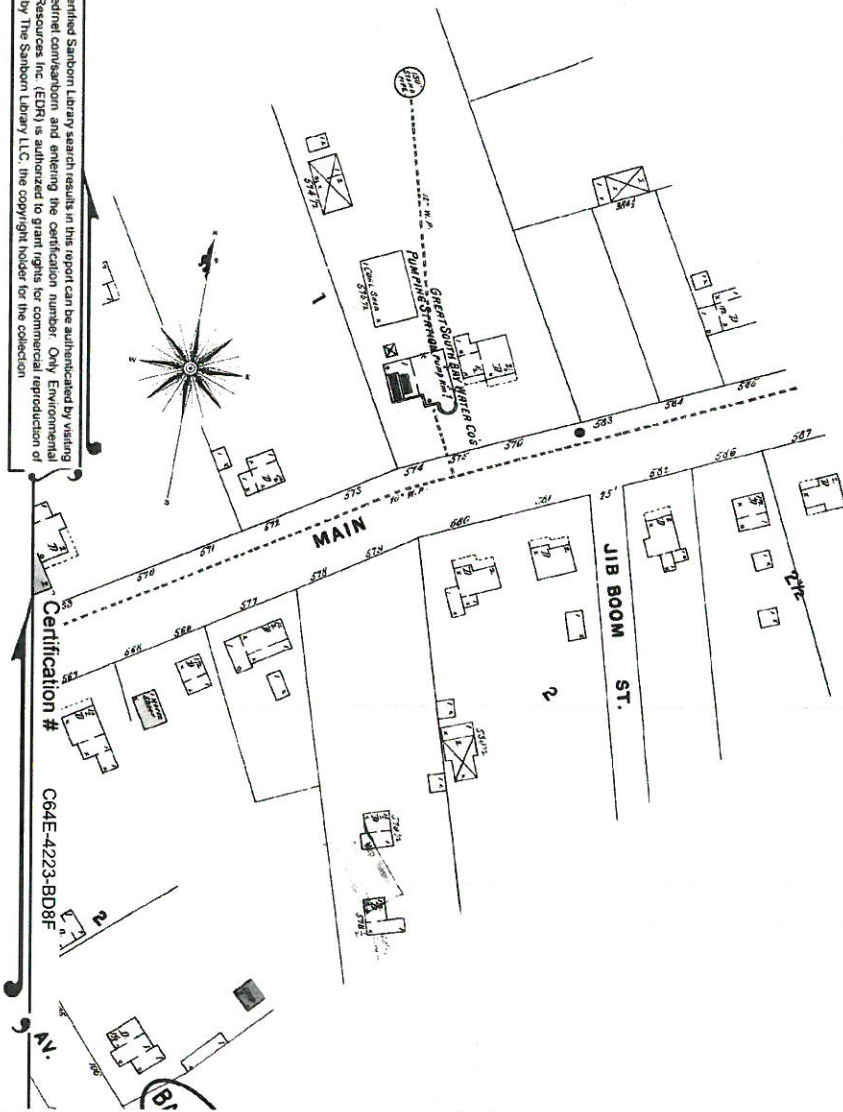


Volume 1, Sheet 10



1897 Certified Sanborn Map

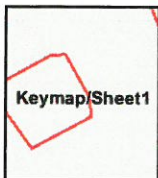
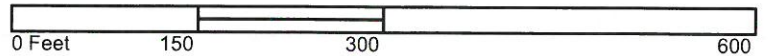
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Volume 1, Sheet Keymap/Sheet1

