

Consulting
Engineers and
Scientists

Brownfield Cleanup Program Application

1099 Webster Ave. Brownfield Development Site
1099-1135 Webster Avenue, Bronx, New York

Submitted to:

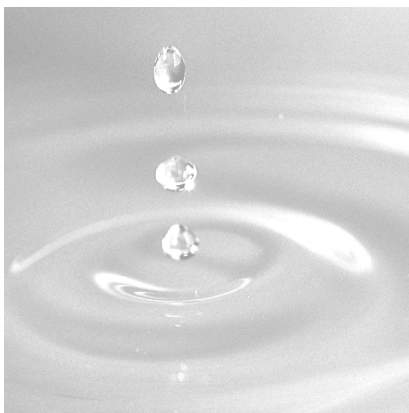
Chief, Site Control Section
New York State Department of Environmental Conservation
625 Broadway, 11th Floor
Albany, New York 12233-702

Submitted by:

GEI Consultants, Inc., P. C.
1000 New York Avenue, Suite B
Huntington Station, New York 11746
631.760.9300

For:

Webster 1099 Realty LLC
2432 Grand Conours
Bronx, New York 10458
917.939.1710



April 27, 2023

Table of Contents

NYSDEC Brownfield Cleanup Program (BCP) Application Form

Attachments

Attachment 1. Section I – Property Information

Attachment 2. Section II – Project Description

Attachment 3. Section III – Land Use Factors

Attachment 4. Section IV – Property’s Environmental History

Attachment 5. Section V – Requestor Information

Attachment 6. Section VI – Requestor Eligibility

Attachment 7. Section IX – Current and Historical Owner and Operator Information

Attachment 8. Section X – Property Eligibility Summary

Attachment 9. Section XI – Site Contact List and Repository Consent

Separate Files (provided on thumb drive)

1. Phase I ESA

2. Phase II ESA

3. Supplemental Investigation Report

4. Remedial Investigation Work Plan



Is this an application to amend an existing BCA with a major modification? Please refer to the application instructions for further guidance related to BCA amendments.
If yes, provide existing site number: _____ Yes No

Is this a revised submission of an incomplete application?
If yes, provide existing site number: C203167 Yes No

BCP App Rev 14 – January 2023

SECTION I: Property Information

PROPOSED SITE NAME: 1099 Webster Ave Brownfield Redevelopment Site

ADDRESS/LOCATION: 1099-1135 Webster Avenue

CITY/TOWN: Bronx ZIP CODE 10456

MUNICIPALITY (LIST ALL IF MORE THAN ONE): New York City

COUNTY: Bronx County SITE SIZE (ACRES) 0.85

LATITUDE: 40 ° 49 ' 47.23 " LONGITUDE: 73 ° 54 ' 41.04 "


Provide tax map information for all tax parcels included within the proposed site boundary below. If a portion of any lot is to be included, please indicate as such by inserting "p/o" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding acreage column.

ATTACH REQUIRED TAX MAPS PER THE APPLICATION INSTRUCTIONS. See Attachment 1

Parcel Address	Section	Block	Lot	Acreage
1099-1135 Webster Avenue	Bronx	2426	25	0.85

	Y	N
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site including a metes and bounds description.	<input checked="" type="radio"/>	<input type="radio"/>
2. Is the required property map provided in electronic format with the application? (Application will not be processed without a map) See Attachment 1	<input checked="" type="radio"/>	<input type="radio"/>
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) See Attachment 1 If yes, identify census tract: ¹⁴³ _____ Percentage of property in En-zone (check one): 0% <input type="radio"/> 1-49% <input type="radio"/> 50-99% <input type="radio"/> 100% <input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
4. Is the project located within a disadvantaged community? See application instructions for additional information.	<input checked="" type="radio"/>	<input type="radio"/>
5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>
6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)? If yes, identify names of properties and site numbers, if available, in related BCP applications: _____	<input type="radio"/>	<input checked="" type="radio"/>
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?	<input type="radio"/>	<input checked="" type="radio"/>
8. 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.	<input type="radio"/>	<input checked="" type="radio"/>

SECTION I: Property Information (CONTINUED)

<p>9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.</p>	<p>Y <input type="radio"/></p>	<p>N <input checked="" type="radio"/></p>						
<p>10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: _____</p>	<p><input type="radio"/></p>	<p><input checked="" type="radio"/></p>						
<p>11. Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? If yes, please provide the DEC site number: _____ Class: ____</p>	<p><input type="radio"/></p>	<p><input checked="" type="radio"/></p>						
<p>12. Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"><u>Easement/Right-of-Way Holder</u></td> <td style="width: 50%;"><u>Description</u></td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	<u>Easement/Right-of-Way Holder</u>	<u>Description</u>			<p><input type="radio"/></p>	<p><input checked="" type="radio"/></p>		
<u>Easement/Right-of-Way Holder</u>	<u>Description</u>							
<p>13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information):</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 30%;"><u>Type</u></td> <td style="width: 30%;"><u>Issuing Agency</u></td> <td style="width: 40%;"><u>Description</u></td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>				<p><input type="radio"/></p>	<p><input checked="" type="radio"/></p>
<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>						
<p>14. Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format? See Attachment 1</p>	<p><input checked="" type="radio"/></p>	<p><input type="radio"/></p>						
<p>Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.</p>								
<p>15. Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 10-12 of this form.</p>	<p>Y <input checked="" type="radio"/></p>	<p>N <input type="radio"/></p>						
<p>16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?</p>	<p><input type="radio"/></p>	<p><input checked="" type="radio"/></p>						
<p>17. If you have answered YES to Question 16 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?</p>	<p><input type="radio"/></p>	<p><input type="radio"/></p>						
<p>NOTE: If a tangible property tax credit determination is not being requested at the time of application, 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.</p>								
<p>If any changes to Section I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions. Initials of each Requestor:  _____</p>								

SECTION II: Project Description

1. The project will be starting at: Investigation Remediation

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

2. If a final RIR is included, does it meet the requirements in ECL Article 27-1415(2)?
 Yes No N/A

3. Have any draft work plans been submitted with the application (select all that apply)?
 RIWP RAWP IRM No

4. Please provide a short description of the overall project development, including the date that the remedial program is to begin, and the date by which a Certificate of Completion is expected to be issued.
 Is this information attached? Yes No [See Attachment 2](#)

SECTION III: Land Use Factors

1. What is the property's current municipal zoning designation? <u>R7X/C2-4</u>		
2. What uses are allowed by the property's current zoning (select all that apply)? Residential <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/>		
3. Current use (select all that apply): Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Recreational <input type="checkbox"/> Vacant <input type="checkbox"/>		
4. Please provide 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 by which the site became vacant. Is this summary included with the application? See Attachment 3	<input checked="" type="radio"/> Y	<input type="radio"/> N
5. Reasonably anticipated post-remediation use (check all that apply): Residential <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> If residential, does it qualify as single-family housing? <input checked="" type="radio"/> N/A	<input type="radio"/>	<input type="radio"/>
6. Please provide a statement detailing the specific proposed post-remediation use. Is this summary attached? See Attachment 3	<input checked="" type="radio"/>	<input type="radio"/>
7. Is the proposed post-remediation use a renewable energy facility? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>
8. Do current and/or recent development patterns support the proposed use?	<input checked="" type="radio"/>	<input type="radio"/>
9. Is the proposed use consistent with applicable zoning laws/maps? See Attachment 3 Please provide a brief explanation and additional documentation if necessary.	<input checked="" type="radio"/>	<input type="radio"/>
10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? See Attachment 3 Please provide a brief explanation and additional documentation if necessary.	<input checked="" type="radio"/>	<input type="radio"/>

SECTION IV: Property's Environmental History [See Attachment 1](#)

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

- 1. Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard ([ASTM E1903](#)). **Please submit a separate electronic copy of each report in Portable Document Format (PDF). Please do NOT submit paper copies of ANY supporting documents.**
- 2. SAMPLING DATA: INDICATE (BY SELECTING THE OPTIONS BELOW) KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED AS AN ATTACHMENT, WITH LABORATORY REPORTS REFERENCED AND INCLUDED.** [See Attachment 4](#)

CONTAMINANT CATEGORY	SOIL	GROUNDWATER	SOIL GAS
Petroleum	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Chlorinated Solvents	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other VOCs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SVOCs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Metals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pesticides	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PFAS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,4-dioxane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other – indicated below	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Please describe other known contaminants and the media affected: At least one historical and current leaking UST was identified in a test pit soil, soil vapor and groundwater, Spill No. 2207384 assigned to the site, which is currently open.

- For each impacted medium above, include a site drawing indicating:
 - Sample location
 - Date of sampling event
 - Key contaminants and concentration detected
 - For soil, highlight exceedances of reasonably anticipated use
 - For groundwater, highlight exceedances of 6 NYCRR part 703.5
 - For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation

These drawings are to be representative of all data being relied upon to determine if the site requires remediation under the BCP. Drawings should be no larger than 11"x17" and should only be provided electronically. These drawings should be prepared in accordance with any guidance provided.

Are the required drawings included with this application? [See Attachment 4](#) YES NO

4. Indicate Past Land Uses (check all that apply):

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

Other: Based on review of the January 2018 Phase I ESA, the identified uses at the property since the early 1920s include auto repair garages, automotive machine shops, auto body repair shops, Sheffield Farms Dairy (garage, storage and fleet repair shop), a retail auto parts store, restaurants, and retail stores.

In addition, the property was briefly owned by "dyeing and finishing" companies.

It should also be noted that the building initially covered the entire property until the southern one-third of the building was destroyed by fire and demolished in the late 1990s.

SECTION V: Requestor Information		
NAME: Webster 1099 Realty LLC		
ADDRESS: 2432 Grand Concourse		
CITY/TOWN: Bronx		ZIP CODE 10458
PHONE: (917) 939-1710	EMAIL: billy@schurmgmt.com	
	Y	N
1. Is the requestor authorized to conduct business in New York State (NYS)?	<input checked="" type="radio"/>	<input type="radio"/>
2. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS DOS 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 with this application to document that that requestor is authorized to conduct business in NYS. Is this attached? See Attachment 5	<input checked="" type="radio"/>	<input type="radio"/>
3. If the requestor is an LLC, the names of the members/owners need to be provided on a separate attachment. Is this attached? See Attachment 5 N/A <input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
4. Individuals that will be certifying BCP documents, as well as their employers, must 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. Do all individuals that will be certifying documents meet these requirements? Documents that are not properly certified will not be approved under the BCP.	<input checked="" type="radio"/>	<input type="radio"/>

SECTION VI: Requestor Eligibility		
If answering "yes" to any of the following questions, please provide appropriate explanation and/or documentation as an attachment.		
	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
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.	<input type="radio"/>	<input checked="" type="radio"/>
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 or regulation of the State or Federal government?	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
7. Has the requestor been convicted of a criminal offence (i) involving the handling, storing, treating, disposing or transporting or contaminants; or (ii) that involved 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?	<input type="radio"/>	<input checked="" type="radio"/>
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 a false statement in connection with any document or application submitted to DEC?	<input type="radio"/>	<input checked="" type="radio"/>

SECTION VI: Requestor Eligibility (CONTINUED)			
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?	<input type="radio"/>	Y	N
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?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration? <small>See Attachment 6</small>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
12. 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. <input checked="" type="checkbox"/>	VOLUNTEER A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum. <input type="checkbox"/>		
NOTE: By selecting this option, 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; and, (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.			
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached? Yes <input type="radio"/> No <input type="radio"/> N/A <input checked="" type="radio"/>			
14. Requestor relationship to the property (check one; if multiple applicants, check all that apply): <input type="checkbox"/> Previous Owner <input checked="" type="checkbox"/> Current Owner <input type="checkbox"/> Potential/Future Purchaser <input type="checkbox"/> Other: _____			
If the requestor is not the current owner, proof of site access sufficient to complete remediation must be provided. 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 environmental easement on the site.			
Is this proof attached? <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A			
Note: A purchase contract or lease agreement does not suffice as proof of site access.			

SECTION VII: Requestor Contact Information

REQUESTOR'S REPRESENTATIVE: William Schur		
ADDRESS: 2432 Grand Concourse		
CITY: Bronx		ZIP CODE: 10458
PHONE: (917) 939-1710	EMAIL: billy@schurmgmt.com	
REQUESTOR'S CONSULTANT (CONTACT NAME): Steve Tauss / Nicholas J. Recchia		
COMPANY: GEI Consultants, Inc. P.C.		
ADDRESS: 1000 New York Avenue, Suite B		
CITY: Huntington Station, New York		ZIP CODE: 11746
PHONE: (631) 760-9300	EMAIL: Stauss@geiconsultants.com / Nrecchia@geiconsultants.com	
REQUESTOR'S ATTORNEY (CONTACT NAME): George C. Duke		
COMPANY: Connell Foley LLP		
ADDRESS: 875 Third Avenue, 21st Floor		
CITY: New York, NY		ZIP CODE: 10022
PHONE: (212) 736-0948	EMAIL: gduke@connelloley.com	

SECTION VIII: Program Fee

Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor is required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver based on demonstration of financial hardship.

	Y	N
1. Is the requestor applying for a fee waiver based on demonstration of financial hardship?	<input type="radio"/>	<input checked="" type="radio"/>
2. If yes, appropriate documentation to demonstrate financial hardship must be provided with the application. See application instructions for additional information.		
Is the appropriate documentation included with this application? N/A	<input checked="" type="radio"/>	<input type="radio"/>

SECTION IX: Current Property Owner and Operator Information [See Attachment 7](#)

CURRENT OWNER: Webster 1099 Realty LLC		
CONTACT NAME: William Schur		
ADDRESS: 2432 Grand Concourse		
CITY: Bronx		ZIP CODE: 10458
PHONE: (917) 939-1710	EMAIL: billy@schurmgmt.com	
OWNERSHIP START DATE: 2005		
CURRENT OPERATOR: William Schur		
CONTACT NAME: William Schur		
ADDRESS: 2432 Grand Concourse		
CITY: Bronx		ZIP CODE: 10458
PHONE: (917) 939-1710	EMAIL: billy@schurmgmt.com	
OPERATION START DATE: 2005		

SECTION X: Property Eligibility Information

	Y	N
1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information.	<input type="radio"/>	<input checked="" type="radio"/>
2. Is/was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: _____ Class: _____	<input type="radio"/>	<input checked="" type="radio"/>
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: _____	<input type="radio"/>	<input checked="" type="radio"/>
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? If yes, attach any available information related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filings and corporate dissolution documents. <div style="text-align: right;">N/A <input checked="" type="radio"/></div>	<input type="radio"/>	<input type="radio"/>
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide the order number: _____ See Attachment 8	<input type="radio"/>	<input checked="" type="radio"/>
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information.	<input type="radio"/>	<input checked="" type="radio"/>

SECTION XI: Site Contact List [See Attachment 9](#)

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 mailing addresses of the following:

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

SECTION XII: Statement of Certification and Signatures

(By requestor who is an individual)

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

Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Managing Member (title) of 1099 Webster Realty LLC (entity); that I am authorized by that entity to make this application and execute a Brownfield Cleanup Agreement (BCA) and all subsequent documents; that this application was prepared by me or under my supervision and direction. If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the DER-32, Brownfield Cleanup Program Applications and Agreements; and (3) that in the event of a conflict between the general terms and conditions of participation and terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: 4/26/2023 Signature: 

Print Name: William Schur

SUBMITTAL INFORMATION

- Two (2) copies, one unbound paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable Portable Document Format (PDF) on an external storage device (such as thumb drive or CD), must be sent to:
Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway, 11th Floor
Albany, NY 12233-7020

PLEASE DO NOT SUBMIT SUPPORTING DOCUMENTS WITH THE HARD COPY APPLICATION FORM.
Please provide a hard copy of ONLY the application form and a table of contents.

FOR DEC USE ONLY
BCP SITE T&A CODE: _____ LEAD OFFICE: _____

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 14

Please respond to the questions below and provide additional information and/or documentation as required.	Y	N
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?	<input checked="" type="radio"/>	<input type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input checked="" type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? See Attachment 1	<input checked="" type="radio"/>	<input type="radio"/>
4. Is the property upside down or underutilized as defined below?		
Upside down	<input type="radio"/>	<input checked="" type="radio"/>
Underutilized	<input type="radio"/>	<input checked="" type="radio"/>

From ECL 27-1405(31):

“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.

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):

375-3.2:

- (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
 - (1) the proposed use is at least 75 percent for industrial uses; or
 - (2) at which:
 - (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;
 - (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and
 - (iii) one or more of the following conditions exists, as certified by the applicant:
 - (a) property tax payments have been in arrears for at least five years immediately prior to the application;
 - (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
 - (c) there are no structures.

“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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

5. 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*
*Selecting this option will result in a “pending” status. The regulatory agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended 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’ household’s 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 homeowners 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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

6. Is the site a planned renewable energy facility site as defined below?

Yes – planned renewable energy facility site with documentation

Pending – planned renewable energy facility awaiting documentation

*Selecting this option will result in a “pending” status. The appropriate documentation will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.

No – not a planned renewable energy facility site

If yes, please provide any documentation available to demonstrate that the property is planned to be developed as a renewable energy facility site.

From ECL 27-1405(33) as of April 9, 2022:

“Renewable energy facility site” shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.

From Public Service Law Article 4 Section 66-p as of April 23, 2021:

(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and plans to meet the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?

Yes - *Selecting this option will result in a “pending” status, as a BOA conformance determination has not yet been made. Proof of conformance will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.

No

From ECL 75-0111 as of April 9, 2022:

(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.

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, use the [BCP Agreement Amendment Application](#).

For further information regarding the determination of a complete application, please refer to the guidance following these instructions, as well as the [NYSDEC BCP website](#).

SUBMITTAL INSTRUCTIONS

Please submit **one unbound paper copy of ONLY the application form and a table of contents** to the address below:

Chief, Site Control Section
New York State Department of Environmental Conservation
625 Broadway, 11th Floor
Albany, NY 12233-7020

Additionally, please submit an electronic (Portable Document Format [PDF]) version of the application as follows, provided on an external storage device (e.g., flash drive, CD, etc.):

- One file containing the application form, table of contents, and supporting documentation, excluding historical environmental reports and draft work plans
- One file for each historical environmental report (not merged with each other or with the application file)
- One file for each draft work plan, if applicable

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

SECTION I: Property Information

PLEASE NOTE	If any changes to SECTION I are required prior to application approval, a new page 2, initialed by each requestor, must be submitted with the revisions.
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.

SECTION I: Property Information (continued)	
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.
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.
Site 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.
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 . Note that new En-zone boundaries are effective January 1, 2023.
Disadvantaged Communities	For additional information on disadvantaged communities, please refer to the Climate Leadership and Community Protection Act website .
Brownfield Opportunity Area (BOA)	For more information on designated BOAs, please refer to the NYS DOS website . Additional information on BOA conformance determinations can be found at the Office of Planning and Development website . A BOA conformance determination cannot be made until a Decision Document has been issued for the site.
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).
Previous BCP Applications	If all or part of the proposed site has been the subject of a previous BCP application (whether accepted, denied or withdrawn), please provide the assigned DEC site number from the previous application as well as any relevant information regarding why the property is not currently in the program.

SECTION I: Property Information (continued)

<p>Registry Listing and P-site Status</p>	<p>If all or part of the proposed site is now or ever was listed on the Registry of Inactive Hazardous Waste Disposal Sites, or is currently the subject of investigation as a Potential Site, please provide the assigned DEC site number.</p>
<p>Property Description Narrative</p>	<p>Provide a property description in the format provided below. Each section should be no more than one paragraph long.</p> <p><u>Location:</u></p> <p>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."}</p> <p><u>Site Features:</u></p> <p>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."</p> <p><u>Current Zoning and Land Use:</u> (Ensure the current zoning is identified)</p> <p>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 rights-of-way. The nearest residential area is 0.3 miles east on Route 55."</p> <p><u>Past Use of the Site:</u> 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).</p> <p>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."</p> <p>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.</p> <p><u>Site Geology and Hydrogeology:</u></p> <p>As appropriate, provide a very brief summary of the main hydrogeological features of the site including depth to water, groundwater flow direction, etc.</p>

SECTION I: Property Information (continued)

<p>Environmental Assessment</p>	<p>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, semi-volatile 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.</p> <p>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.</p> <p>A typical Environmental Assessment would look like the following:</p> <p>Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).</p> <p><i>Soil</i> - 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).</p> <p><i>Groundwater</i> - 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.</p> <p><i>Soil Vapor & Indoor Air</i> - 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.</p>
<p>Questions 15-17: New York City Sites</p>	<p>These questions pertain ONLY to sites located within the five counties comprising New York City. If the requestor is seeking a determination that the site is eligible for tangible property tax credits, this section and the <i>Supplemental Questions for Sites Seeking Tangible Property Credits in New York City</i> must be completed.</p>

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 issuance of the Certificate of Completion is anticipated.

SECTION III: 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.

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).

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.

Zoning and Current Use	Provide the current municipal zoning designation and uses permitted by that designation. Provide a summary of the current use of the site, including identifying possible contaminant source areas. If the site is no longer in use, provide the date by which operations ceased.
Anticipated Use	Identify the anticipated post-remediation use of the site and provide a detailed description of the specific anticipated post-remediation use as an attachment.
Renewable Energy Facility Site	Indicate if the post-remediation use of the site is proposed to be a renewable energy facility. A “renewable energy facility site” shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system. Section 66-p of the Public Service Law: "Renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity. Provide any detailed plans or documentation to support this. Appropriate documentation must be provided as follows: for planned renewable energy facilities generating/storing less than twenty-five (25) megawatts, a local land use approval must be provided. For planned renewable energy facilities generating/storing twenty-five (25) megawatts or greater, a permit issued by the Office of Renewable Energy Siting must be provided
Compliance with Zoning Laws, Recent Development, and Community Master Plans	Provide additional explanation and/or documentation as necessary to support the responses to these items.

SECTION IV: Property's Environmental History

For all sites, an investigation report is required that is 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 include site drawings and data summary tables requested in Section IV, #3 of the BCP application form. Specific instructions regarding the data summary tables are attached at the end of these instructions.

SECTION V: Requestor Information

Requestor Name	<p>Provide the name of the person(s)/entity requesting participation in the BCP (if more than one, attach additional sheets with requested information.) The requestor is the person or entity seeking DEC review and approval of the remedial program.</p> <p>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.</p>
Address, etc.	Provide the requestor's mailing address, telephone number and e-mail.
LLC Information	If the requestor(s) is/are an LLC, the names of the members/owners need to be provided on a separate attachment.
Document Certification	<p>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:</p> <ul style="list-style-type: none"> • New York State licensed professional engineers (P.E.s), as defined at 6 NYCRR 375-1.2(aj) and paragraph 1.3(b)47. Engineering documents must be certified by a P.E. with current license and registration for work that was done by them or those under their direct supervision. The firm by which the P.E. 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 VI: Requestor Eligibility

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.

Volunteer Statement	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.
Proof of Site Access	If a requestor is not the current owner of the entirety of the site, a site access agreement must be provided that demonstrates that the requestor will have access to the property before signing the BCA and throughout the BCP project. Additionally, the access agreement must include language allowing the requestor the ability to place an environmental easement on the site should the requestor not be the owner at the time remediation is complete and a Track 1 cleanup has not been achieved.

SECTION VII: Requestor Contact Information

Requestor's Representative	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.
Requestor's Consultant and Requestor's Attorney	Provide all requested information.

SECTION VIII: Program Fee

If the requestor is applying for a fee waiver, sufficient documentation must be provided to demonstrate financial hardship. To demonstrate financial hardship, the applicant must show that with the payment of the program fee, remediation of the brownfield site would not be economically viable. This documentation may be in the form of federal tax returns with applicable schedules, financial statements and balance sheets, proof that the applicant has waived its right to tax credits, or any other documentation deemed acceptable by the Department.

SECTION IX: Current Property Owner and Operator Information

Owner Information	Provide requested information of the current owner of the property. List <u>all</u> 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. If the property consists of multiple parcels, be sure to include the ownership start date of each.
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SECTION IX: Current Property Owner and Operator Information (continued)	
Operator Information	Provide requested information of the current operator(s). If multiple operators, attach the requested information for each operator, including the date each operator began utilizing the property.
Historical Owners and Operators	Provide a list of previous owners and a list of previous operators, including dates of ownership or operation and last-known addresses and phone numbers. Describe the requestor's relationship to each previous owner and operator; if no relationship, indicate "none". When describing the requestor's relationship to current and historical owners and operators, include any relationship between the requestor's corporate members and the previous owners and operators.

SECTION X: 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.	
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.
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.
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.
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.

SECTION X: Property Eligibility Information (continued)

<p>Existing Order</p>	<p>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.</p>
<p>Pending Enforcement Actions</p>	<p>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 as an attachment.</p>

SECTION XI: Site Contact List

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. For sites located in a city with a population of one million or more, the appropriate community board must be included as an additional document repository, and acknowledgement of their agreement to act as such must also be provided.

SECTION XII: Statement of Certification and Signatures

The requestor must sign the application or designate a representative who is authorized to sign. The requestor's consultant or attorney cannot sign the application. If there are multiple parties applying, then each requestor must sign a signature page. 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 entity's name must appear exactly as given in the NYS Department of State's Corporation & Business Entity Database.

DATA SUMMARY TABLE INSTRUCTIONS

Data summary tables should include the following columns:

Soil Table:

Analytes > SCOs ^a	Detections > SCOs ^b	Max. Detection (ppm) ^c	SCO (ppm) ^d	Depth (ft bgs)
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Groundwater Table:

Analytes > AWQS ^e	Detections > AWQS ^f	Max. Detection (ppb) ^c	AWQS (ppb) ^g
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Soil Gas Table:

Analytes ^h	Total Detections	Max. Detection (ug/m3) ^c	Type ⁱ
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^a Include all contaminants over the applicable soil cleanup objectives (SCOs). Column header should specify which SCOs are being compared to. (i.e., "RRSCOs" for Restricted Residential SCOs)

^b Number of detections over applicable SCOs. Specify which SCOs are being compared to in column header.

^c Maximum detection in parts per million (ppm) for soil, parts per billion (ppb) for groundwater, or micrograms per cubic meter (ug/m3) for soil gas.

^d List the respective SCO. Specify which SCOs are being compared to in column header.

^e Include all contaminants over Class GA Ambient Water Quality Standards (AWQS).

^f Number of detections over AWQS.

^g List the respective AWQS.

^h Include all chlorinated volatile organic compound (VOCs) detections.

ⁱ Specify type: soil vapor, sub-slab or indoor air.

Example Data Summary Tables

Soil Table:

Analytes > RR SCOs	Detections > RR SCOs	Maximum Detection (ppm)	RR SCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	3	11	1	5 – 7
Benzo(a)pyrene	4	15	1	5 – 7
Benzo(b)fluoranthene	5	15	1	5 – 7
Benzo(k)fluoranthene	1	5.3	3.9	5 – 7
Indeno(1,2,3-cd)pyrene	7	8.4	0.5	5 – 7
barium	2	967	400	0.5 – 2.5
cadmium	2	94.1	4.3	6 – 8
lead	3	1,790	400	0.5 – 2.5

Groundwater Table:

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQS (ppb)
Benz(a)anthracene	2	0.2	0.002
Benzo(a)pyrene	2	0.221	ND
Benzo(b)fluoranthene	2	0.179	0.002
Benzo(k)fluoranthene	2	0.189	0.002
Indeno(1,2,3-cd)pyrene	2	0.158	0.002
Tetrachloroethene (PCE)	1	12	5

Soil Gas Table:

Analytes	Total Detections	Max. Detection ($\mu\text{g}/\text{m}^3$)	Type
Carbon tetrachloride	1	0.84	Soil vapor
Methylene chloride	1	2.6 J	Soil vapor
Tetrachloroethene	2	47	Soil vapor
Trichloroethene	1	1.2	Soil vapor
Trichlorofluoromethane	1	21	Soil vapor

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 IV, #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 timeframes established by the LOC, the public comment period on the application will be extended to ensure that there will be the required comment period.
 - iii. Marketing literature or brochures are prohibited from being included in mailings to the Contact List.

Attachment 1

Section I:

Tax Parcel Map

USGS Quad Map

Survey

Site Map

EnZone Documentation

1099 Webster Ave Zoning

**1099 Webster BCP Application
Supporting Information**

Attachment 1

SECTION I: Property Information

Item 14. Property Description and Environmental Assessment

Property Description Narrative:

Location: The 1099 Webster Ave Brownfield Redevelopment Site consists of one tax lot (Block 2426, Lot 25) and is located in an urban area of the East Concourse section of Bronx, New York. The project site is located on the western side of Webster Avenue, between East 166th Street and East 167th Street.

Site Features: The project site comprises approximately 36,840 square feet. There are two single-story connected buildings on the project site encompassing approximately 21,800 gross square feet, with the balance of the lot occupied by an open-air commercial parking lot.

Current Zoning and Land Use: The site is located in an R7X residential district, with a C2-4 commercial overlay. The property is currently utilized for commercial purposes, with tenants including an auto garage/machine shop, an auto dealer/auto, mechanic/transmission rebuilding facility, an auto mechanic/muffler and transmission repair shop. All tenancies are on a month-to-month basis. The surrounding properties to the north, south and west are also comprised of residential districts with varying commercial overlays along Webster Avenue and East 167th Street. To the east, across Webster Avenue, there is an M1-1 district which is comprised of various mixed-use buildings, office buildings, auto-body/collision and auto repair, light industrial/manufacturing uses, and parking lots. The project site is also located within a NYS Environmental (EN) Zone (Census Tract 139), and an Empire Zone (Port Morris). The proposed development is consistent with the current surrounding land uses and in compliance with the established zoning for the lot and the surrounding area.

Past Use of the Site: Sanborn Fire Insurance Maps from 1891, 1903 and 1909 indicate the project site was undeveloped, and it is considered unlikely that the project site was developed prior to 1891. Site history indicates the current site building was constructed in the 1920s, and originally encompassed the entire lot. The southern one-third of the building was destroyed by fire and subsequently demolished in the late 1990s and had been used as parking lot since that time. The identified uses at the property since the early 1920s include auto repair garages, automotive machine shops, auto body repair shops, Sheffield Farms Dairy (garage, storage, and fleet repair), a retail auto parts store, restaurants, and retail stores. The Circle Dyeing and Finishing Corp., the Gotham Dyeing and Finishing Corp. and Rome Knitting Mills were identified as former owners of the project site in the New York City Department of Finance deed records reviewed. Prior to the BCA, remedial/environmental investigation work associated with the site includes a 2018 Phase I ESA, a 2018 Phase II ESA, and a 2022 Supplemental Investigation.

**1099 Webster BCP Application
Supporting Information**

Site Geology and Hydrogeology: Urban fill was noted to depths of up to approximately 3 feet below ground surface (bgs) and is underlain predominantly by fine-to-medium sand and silt with varying amounts of fine gravel. Groundwater was identified at approximately 10.5 to 12 bgs throughout the Site; however, groundwater flow gradients have not been established, as site wells have not yet been surveyed.

Environmental Assessment:

Previous investigations performed at the site include a *Phase I Environmental Site Assessment* (ESA)(January 2018), a *Phase II ESA* (July 2018), and a *Supplemental Investigation* (December 2022). Overall, historical usage of the site (industrial and manufacturing operations, auto repair operations, etc.) and petroleum underground storage tanks (USTs) were found to have impacted subsurface soil, groundwater, and soil vapor at the site. Widespread impacts to soil are primarily limited metals in shallow soil. Localized soil impacts include volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs) (primarily polycyclic aromatic hydrocarbons [PAHs]), and pesticides in both shallow and deeper samples collected in the Interior Parking Area and Large Auto Mechanic Area located on the northern portion of the site, and the Exterior Parking Area located on the southwestern portion of the site. Widespread total and dissolved metals impacts were observed in groundwater, with localized impacts noted in groundwater include PCBs in samples collected from both the Interior and Exterior Parking Areas and Large Auto Mechanic Area, and PAHs and pesticide impacts identified in groundwater samples collected from the Interior Parking Area and the Large Auto Mechanic Area in the northwestern corner of the site. Widespread soil vapor impacts of both petroleum-related and chlorinated VOCs were noted, with the highest concentrations observed in the Machine Shop area (central portion of the site) and the Large Auto Mechanic Areas, respectively. Additional pertinent details from the previous investigations are summarized below.

The **January 2018 Phase I ESA** identified the following RECs:

- The possible presence of ten or more petroleum USTs that have not been closed or removed in accordance with New York City Fire Department and New York State Department of Environmental Conservation (NYSDEC) requirements.
- The potential for Site contamination from past spills, leaks, or discharges of hazardous substances and/or petroleum products from leaking USTs and automotive machine repair and auto body operations.
- The potential for a vapor encroachment condition from past on-site auto-related and dyeing operations, USTs, and potential off-site sources of contamination in the immediate vicinity of the property.
- The potential for groundwater contamination in the immediate vicinity of the Site from off-site sources such as USTs, industrial and manufacturing operations, auto repair operations and others.

1099 Webster BCP Application
Supporting Information

Based on the on-site investigations conducted to date (*July 2018 Phase II ESA and December 2022 Supplemental Investigation*), the main contaminants of concern for the site include various VOCs (primarily tetrachloroethene [PCE]), SVOCs (primarily PAHs), and metals (primarily arsenic and lead). Spider diagrams depicting exceedances of standards, guidance and criteria (SGCs) for soil, groundwater, and soil vapor are attached.

In addition, a UST (concrete encased, and likely part of a five UST tank farm) and associated piping were identified in the Interior Parking Area. As stained soil and evidence of historical and current leaks were noted adjacent to the UST and below the piping, the NYSDEC was notified, and a spill was subsequently assigned to the site (NYSDEC Spill No. 2207384).

Soil – Several VOCs, PAHs, metals, and pesticides were detected in exceedance of multiple Part 375 SCOs (Unrestricted through Industrial Use) in one or more soil sample collected throughout the Site in 2018 and 2022. In general, the greater evidence of soil contamination (visual, olfactory, and elevated PID readings) and the greater number and concentrations of Part 375 Soil Cleanup Objectives (SCO) exceedances, including PCE (18 milligrams per kilogram [mg/kg], above the Residential Use SCO of 5.5 mg/kg), were identified in the northern portion of the Site in the vicinity of the central floor drain located in the Large Auto Mechanic and the USTs identified in the Interior Parking Area. In addition, several PAHs (benzo[a]pyrene detected at the greatest concentration of 6.63 mg/kg, above the Industrial Use SCO of 1.1 mg/kg) and arsenic (up to 113 mg/kg, above the Industrial Use SCO of 16 mg/kg) exceedances of multiple Part 375 SCOs were also noted in the western portion of the Site, in the Exterior Parking Area and the Machine Shop area.

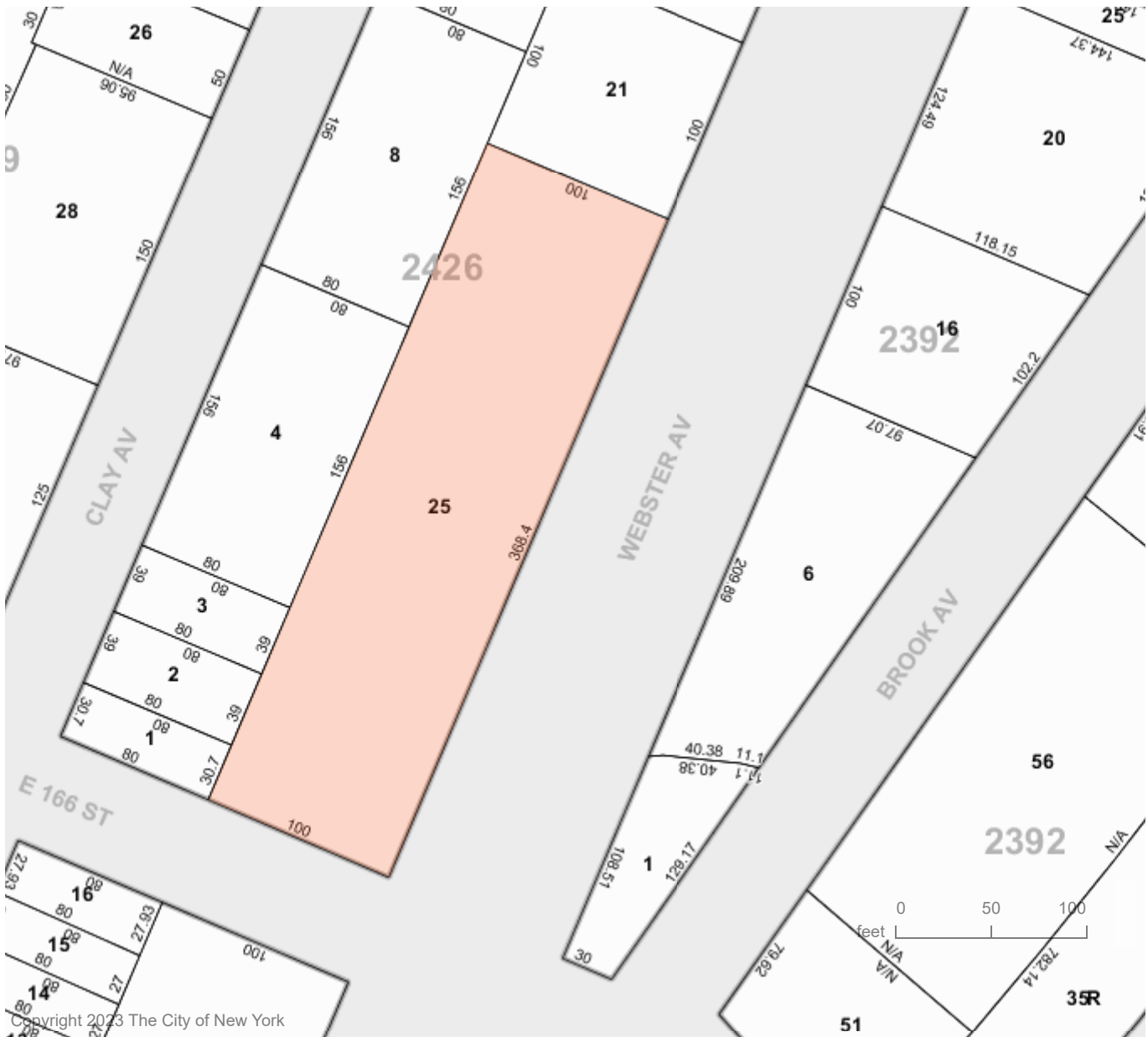
Groundwater – Several PAHs, metals (dissolved metals exceedances included manganese, selenium, and sodium), pesticides, and PCBs were detected in exceedance of the Ambient Water Quality Standards (AWQS) in one or more groundwater sample collected throughout the Site in 2018 and 2022. Multiple PAHs (benzo[a]pyrene detected at the greatest concentration of 0.411 micrograms per liter [ug/L]) were detected above their respective AWQS of 0.002 ug/L in the northern-central portion of the site. Dissolved metals including manganese (ranging from 498 ug/L to 1,020 ug/L, in four samples), and sodium (ranging from 48,600 ug/L to 109,000 ug/L in all samples collected) were detected in exceedance of their respective AWQS across the site. Dissolved-phase selenium was also detected (39.5 ug/L) in one well in the Interior Parking Area. Total chlordane (0.0682 ug/L) was detected above the AWQS of 0.05 ug/L in the northwestern portion of the site. Although not detected during the December 2022 Supplemental Investigation, total PCBs were detected in exceedance of its AWQS of 1.0 ug/L in all four 2018 groundwater samples (ranging from 3.74 ug/L to 7.76 ug/L) collected throughout the Site, with the greatest concentration detected in the Interior Parking Area.

Soil Vapor – Several chlorinated and petroleum related VOCs were detected in soil vapor samples collected throughout the Site in 2018 and 2022, with the highest concentrations generally located in the northeastern and eastern portions of the Site. PCE (1,200 micrograms per cubic meter [$\mu\text{g}/\text{m}^3$]) and trichloroethene (TCE) (ranging from 96 $\mu\text{g}/\text{m}^3$ to 390 $\mu\text{g}/\text{m}^3$) were detected at

**1099 Webster BCP Application
Supporting Information**

concentrations exceeding their respective NYSDOH Guidance Matrix sub slab soil vapor “mitigate” thresholds (1,000 $\mu\text{g}/\text{m}^3$ and above and 60 $\mu\text{g}/\text{m}^3$ and above, respectively) in several soil vapor probes completed in these areas. As identified above, elevated PCE was also identified in soil in the vicinity of the central floor drain located in the Large Auto Mechanic Area, where the most elevated 2018 and 2022 PCE concentrations were detected in soil vapor. In addition, total benzene, toluene, ethyl benzene and xylenes (BTEX) concentrations of up to 1,523 $\mu\text{g}/\text{m}^3$ were identified, with the maximum BTEX concentration identified in the central eastern portion of the Site; however, a New York State Department of Health (NYSDOH) Guidance Matrix value for BTEX has not been established.

1099 Webster Ave Tax Map - Digital Tax Map - New York City Dept. of Finance (4/24/2023)



- Borough Boundary
- Tax Block Boundary
- 50** Tax Block Number
- Tax Lot Boundary
- 50** Tax Lot Number
- 50** Condo FKA Tax Lot Number
- 50.5** Tax Lot Dimension
- +/-5.5** Approximate Tax Lot Dimension
- 1500 - 1550** Condo Units Range Label
- Building Footprint
- C50** Condo Flag/Condo Number
- A50** Air Right Flag/Lot Number
- S50** Subterranean Right Flag/Lot Number
- R** REUC Flag
- - - -** Under Water Tax Lot Boundary
- · - · -** Other Boundary
- └** Possession Hook
- Misc** Miscellaneous Text
- Small Tax Lot Dimension
- Surface Water

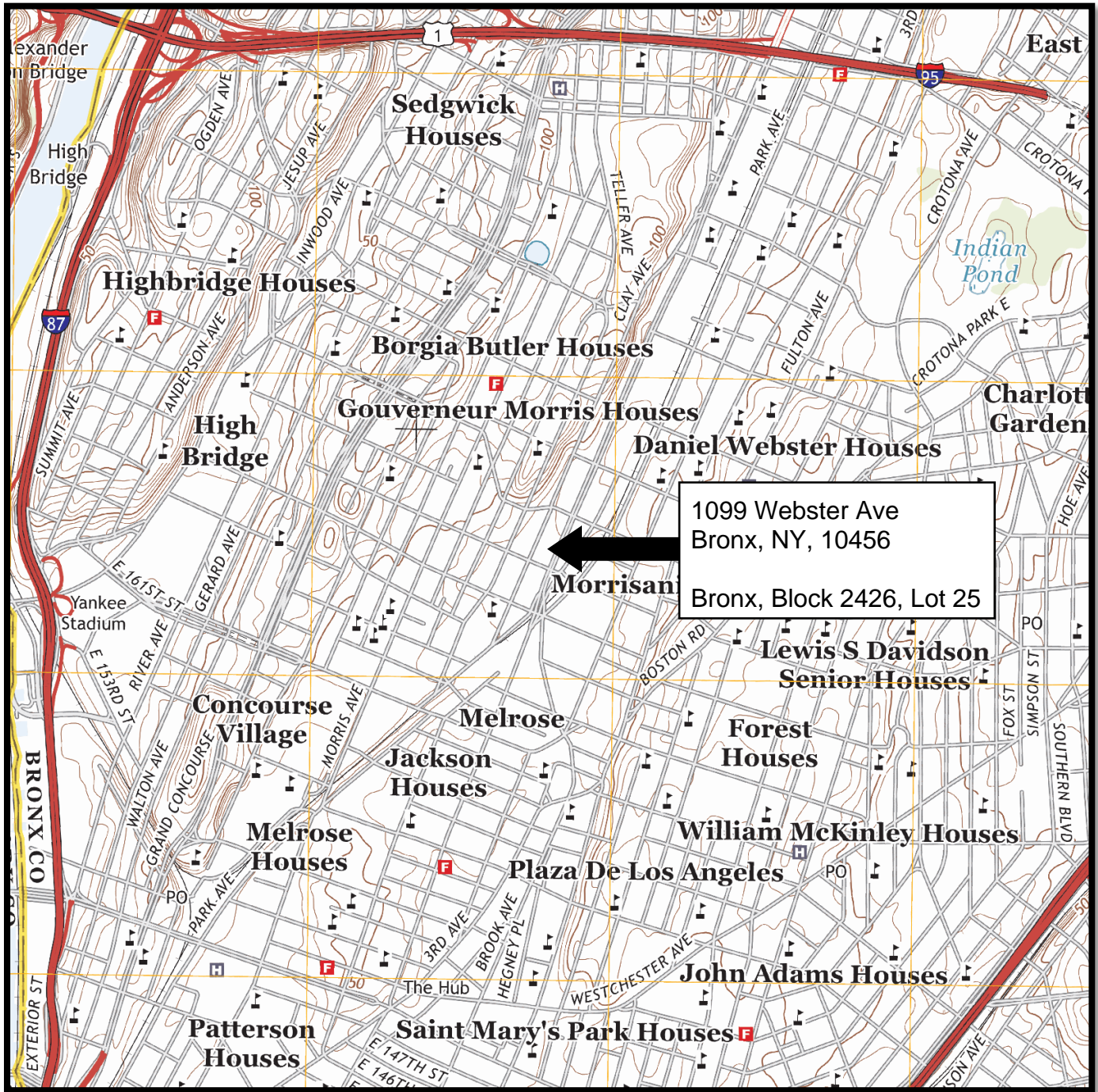
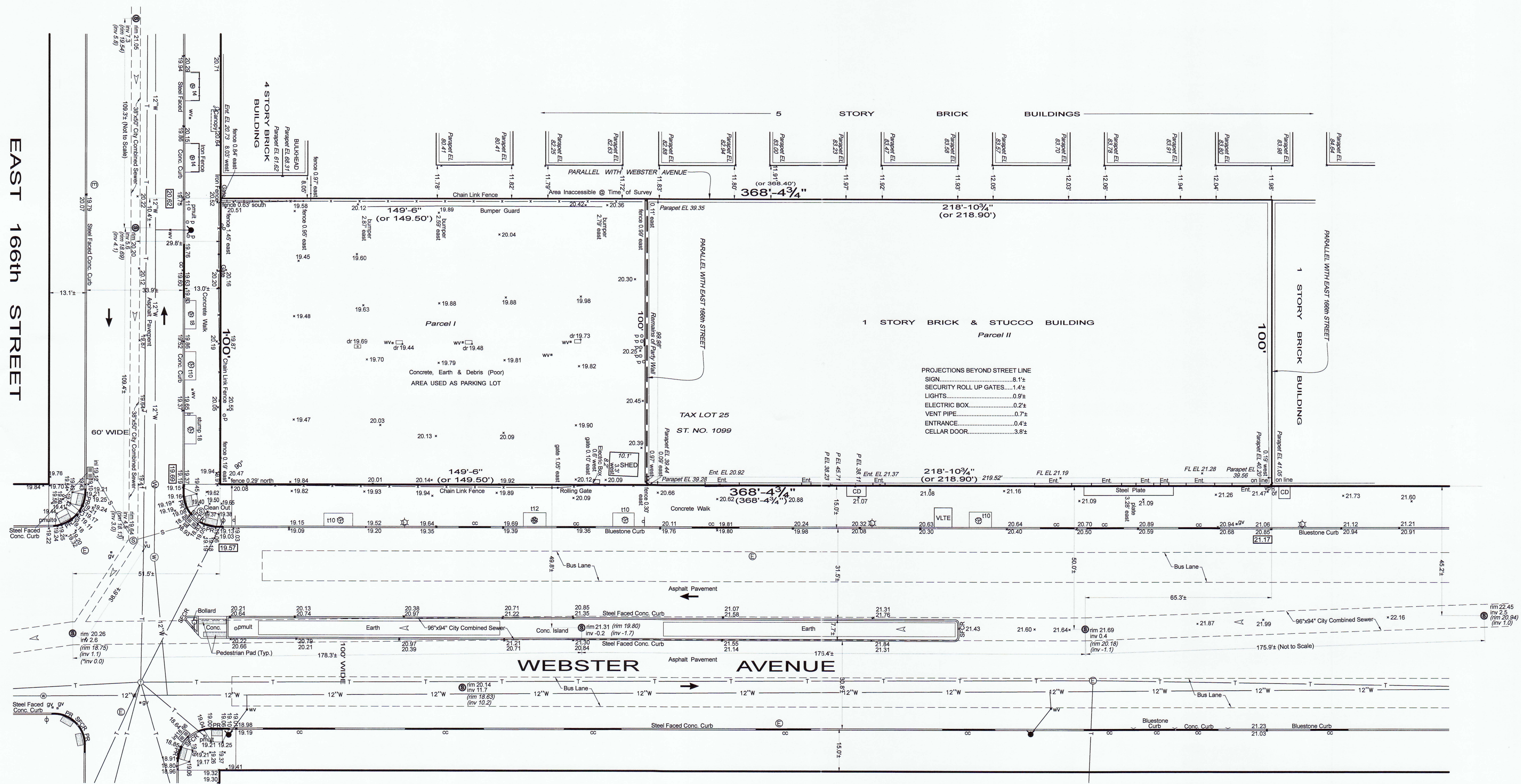
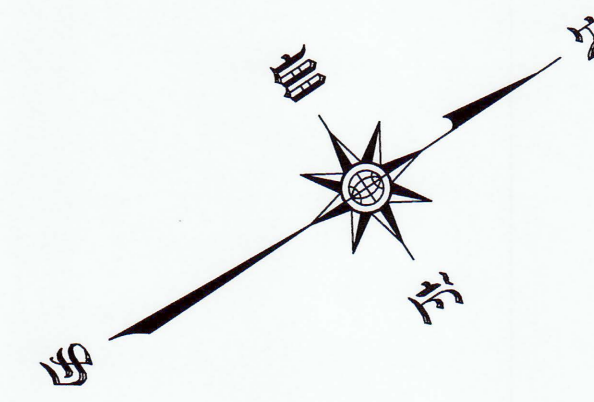


Figure 1

1099 Webster Ave, Bronx, NY 10456
 USGS 7.5 Minute Series Topographic Map
 Central Park, N.Y. Quadrangle (2013)

LEGEND

- ASPH... ASPHALT
- BK... BRICK
- BSMT... BASEMENT
- CC... CURB CUT
- CCR... CONCRETE CURB ROUND
- CD... CELLAR DOOR
- CLF... CHAIN LINK FENCE
- CO... CATCH BASIN CLEAN OUT
- CONC... CONCRETE
- CRF... CHAIN ROPE FENCE
- CWA... CELLAR WINDOW AREA
- DR... DRAIN
- EL... ELEVATION
- FAB... FIRE ALARM BOX
- FC... FILL CAP
- FL... FLOOR ELEVATION
- GP... GUARD POLE
- GV... GAS VALVE
- IF... IRON FENCE
- IN... CATCH BASIN INLET ELEVATION
- INV... SEWER INVERT ELEVATION
- LP... LIGHT POLE
- MB... MAIL BOX
- MHU... UNKNOWN MANHOLE
- OF... OIL FILL
- OHW... OVERHEAD WIRES
- P... POLE
- PAVT... PAVEMENT
- PM... PARKING METER
- PULT... POLE, MULTIPLE USAGE
- SP... SPRINKLER
- CATV... CABLE TV BOX
- SI... SIAMSE
- PR... PEDESTRIAN RAMP
- RET... RETAINING
- RIM... RIM ELEVATION SEWER MANHOLE
- SFCR... STEEL FACED CURB ROUND
- STY... STORY
- TB... TOP OF BANK ELEVATION
- TL... TRAFFIC LIGHT
- TEL... TELEPHONE
- TP... TREE PIT
- TRF... TRAFFIC SIGN
- TW... ELEVATION AT TOP OF WALL
- UP... UTILITY POLE
- VU... VALVE UNKNOWN
- VL... VAULT UNKNOWN
- VP... VENT PIPE
- WV... WATER VALVE
- 12" G... GAS MAIN WITH SIZE
- 12" S... SEWER MAIN WITH SIZE
- 12" W... WATER MAIN WITH SIZE
- CB... CATCH BASIN
- EM... ELECTRIC MANHOLE / VAULT
- FM... FIRE MANHOLE
- GM... GAS MANHOLE
- SM... SEWER MANHOLE
- TM... TELEPHONE MANHOLE
- WM... WATER MANHOLE
- SMV... STEAM MANHOLE
- STV... STEAM VALVE
- HYD... HYDRANT
- 14... TREE WITH SIZE
- 17.0... ESTABLISHED LEGAL GRADE
- ELEVATIONS IN BOROUG DATUM



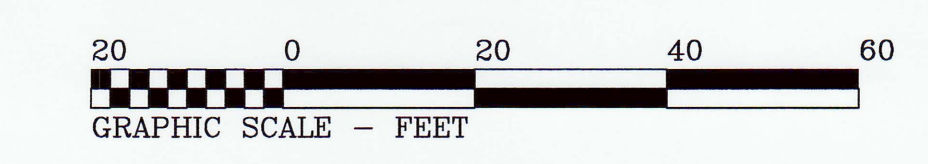
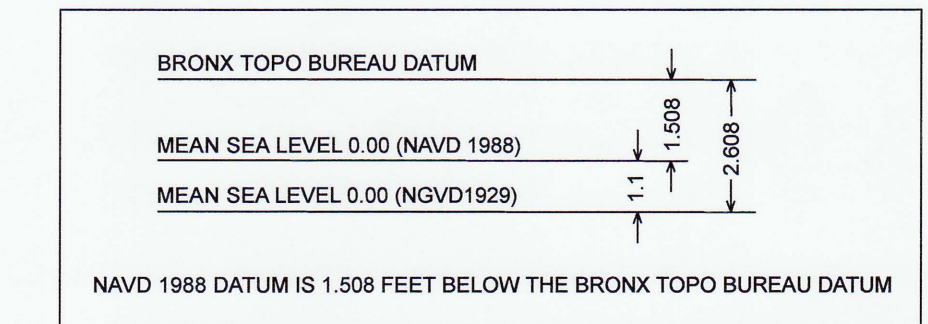
PROJECTIONS BEYOND STREET LINE
 SIGN..... 8.1'
 SECURITY ROLL UP GATES..... 4'
 LIGHTS..... 0.9'
 ELECTRIC BOX..... 0.2'
 VENT PIPE..... 0.7'
 ENTRANCE..... 0.4'
 CELLAR DOOR..... 3.8'

- GENERAL NOTES:
1. ELEVATIONS AND ESTABLISHED GRADES SHOWN HEREON REFER TO NAVD 1988 WHICH IS 1.508 FEET BELOW THE BRONX TOPOGRAPHICAL BUREAU DATUM.
 2. ESTABLISHED GRADES SHOWN HEREON REFER TO TOP OF CURB. IF ESTABLISHED GRADES VARY SUBSTANTIALLY WITH EXISTING ELEVATIONS CONSULT WITH THE HIGHWAY DEPARTMENT BEFORE DESIGNING IMPROVEMENTS.
 3. SIZES AND LOCATIONS OF WATER MAINS SHOWN HEREON AS SUPPLIED BY THE DEPARTMENT OF WATER SUPPLY, BOROUGH OF THE BRONX. LOCATIONS OF WATER SUPPLY MANHOLES, HYDRANTS AND WATER VALVES AS OBTAINED FROM FIELD MEASUREMENT.
 4. SIZES AND TYPES OF SEWERS SHOWN HEREON AS OBTAINED FROM THE BOROUGH OF THE BRONX SEWER DEPARTMENT RECORDS. SEWER MANHOLE RIM AND INVERT ELEVATIONS SHOWN HEREON OBTAINED BY FIELD MEASUREMENTS UNLESS INDICATED (°) WHICH DENOTES INVERT INACCESSIBLE OR MANHOLE NOT FOUND IN FIELD. INFORMATION SHOWN IN THIS MANNER IS AS OBTAINED FROM THE BOROUGH OF THE BRONX SEWER DEPARTMENT RECORDS.
 5. ELECTRIC AND GAS INFORMATION SHOWN HEREON AS SUPPLIED BY THE CONSOLIDATED EDISON COMPANY OF NEW YORK. (CONSOLIDATED EDISON COMPANY DOES NOT PROVIDE UNDERGROUND ELECTRIC & GAS INFORMATION).
 6. TELEPHONE INFORMATION SHOWN HEREON AS SUPPLIED BY THE EMPIRE CITY SUBWAY CO.
 7. FIRE ALARM INFORMATION SHOWN HEREON AS SUPPLIED BY THE NEW YORK CITY FIRE DEPARTMENT. (FIRE ALARM DOES NOT PROVIDE UNDERGROUND CABLE TV INFORMATION)
 8. CABLE TELEVISION INFORMATION SHOWN HEREON AS SUPPLIED BY THE TIME WARNER CABLE COMPANY OF NEW YORK. (CABLE TV DOES NOT PROVIDE UNDERGROUND CABLE TV INFORMATION)
 9. LOCATIONS OF ALL UTILITIES AND SUBSTRUCTURES ARE APPROXIMATE ONLY. THE INFORMATION GIVEN ON THE SURVEY PERTAINING TO UTILITIES AND SUBSTRUCTURES IS NOT CERTIFIED AS TO ACCURACY OR COMPLETENESS. CONSULT WITH THE APPROPRIATE COMPANY OR AGENCY BEFORE DESIGNING IMPROVEMENTS.
 10. THE OWNER, CONTRACTOR AND/OR HIS AGENTS MUST NOTIFY THE APPROPRIATE UTILITY COMPANIES AND/OR AGENCIES AT LEAST 72 HOURS PRIOR TO ANY CONSTRUCTION IN ACCORDANCE WITH INDUSTRIAL CODE RULE 753.
 11. NO EVIDENCE OF EXISTING STREAMS, CREEKS, DITCHES OR WATER COURSES OR/OR CROSSING PROPERTY SURVEYED, OTHER THAN THOSE SHOWN.
 12. NOT ALL SUBSURFACE INFORMATION PLOTTED.

PARCEL AREA=36,840 SQ.FT.
OR 0.8457 ACRE

FLOOD HAZARD NOTE
 THE PARCEL SURVEYED IS COMPRISED OF AREAS DESIGNATED AS ZONE X (LESS THAN 0.2% CHANCE OF FLOODING)
 FEDERAL EMERGENCY MANAGEMENT AGENCY
 NATIONAL FLOOD INSURANCE PROGRAM
 FLOOD INSURANCE RATE MAP
 COMMUNITY PANEL NUMBERS 360497 0083 F
 EFFECTIVE DATE SEPTEMBER 5, 2007

NOTE:
 PARCEL SURVEYED AS PER DEED RECORDED IN NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER, DOCUMENT REEL 1432, PG 1922

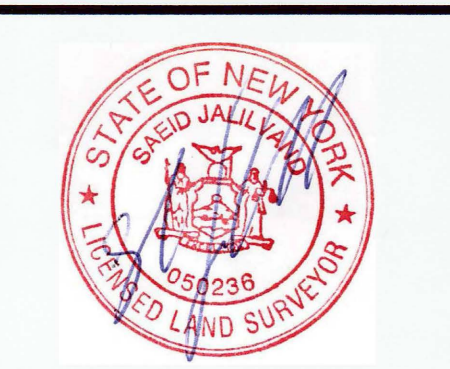


ESTABLISHED 1876 * SUCCESSOR TO:
 B.G. MENKHEIM C.S.*C.U. POWELL C.E.S.*L.C.L. SMITH C.S.*NATHAN CAMPBELL C.E.S.*A.U. WHITSON C.E.S.*
 WILLIAM L. SAVACOL C.E.L.S.*A.U. WHITSON INC. C.E.S.*G. WEBER L.S.*C.S.*C. STODOLPH R.A.L.S.*WHITSON &
 POWELL INC. P.E.L.S.*C.S. WELLS & POWELL P.E.L.S.*C.S. *LOUIS MONTROSE C.E.L.S.*C.S. *FRED J. POWELL P.E.L.S.*C.S.*

REV	DATE	DESCRIPTION	ck	REV	DATE	DESCRIPTION	ck
	08-10-22	ARCHITECTURAL SURVEY					

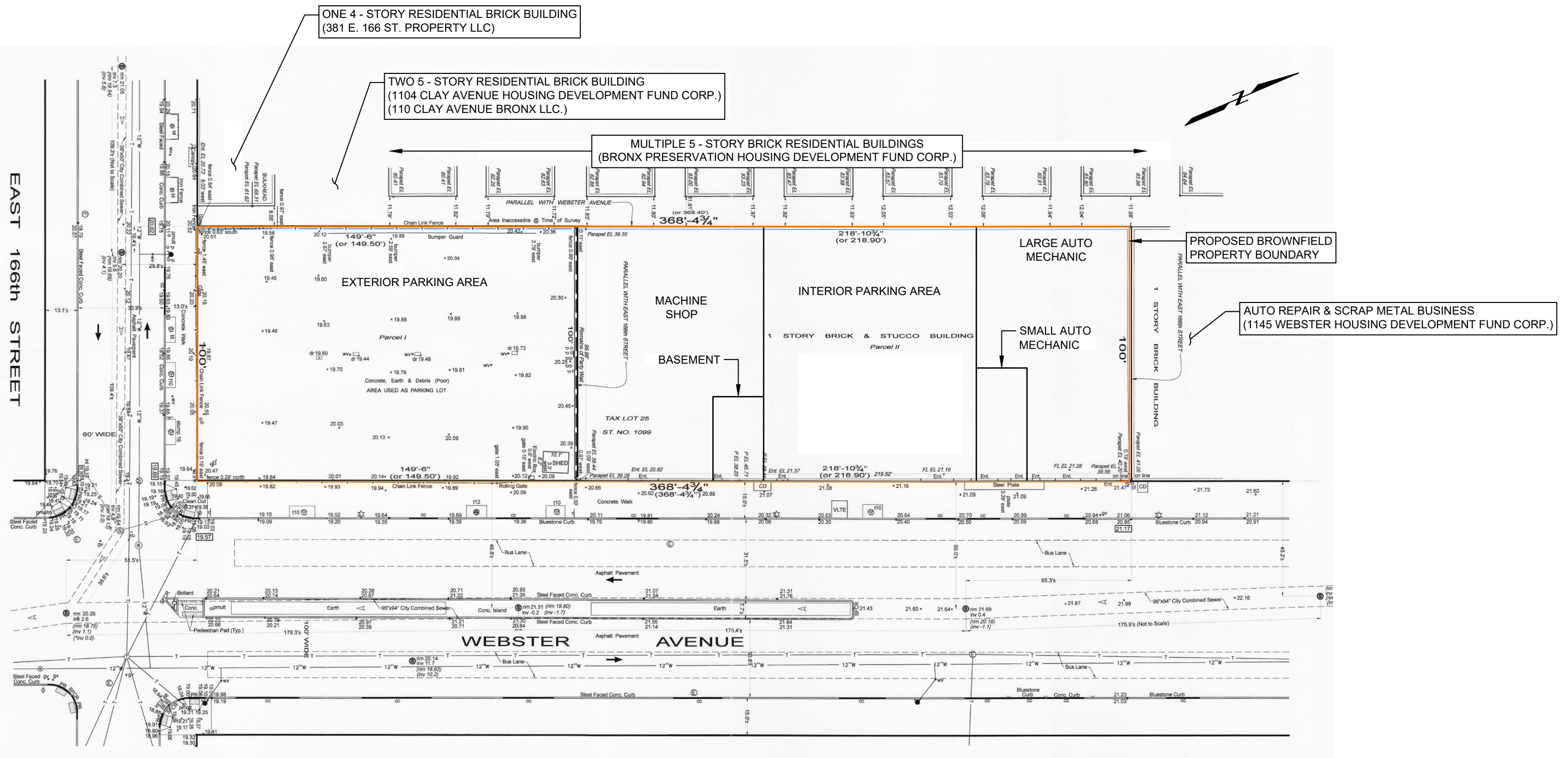
UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.
 ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S HAND SEAL OR HIS EMPLOYED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
 CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED AND ON HIS BEHALF TO THE TITLE COMPANY, SPONSORING AGENCY AND LENDING INSTITUTION LISTED HEREON AND TO THE AGENTS OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

MONTROSE
 SURVEYING CO., LLP.
 CITY & LAND SURVEYORS
 116 20 METROPOLITAN AVE • RICHMOND HILL NY 11418-1090 • (718) 849-0600
 WWW.MONTROSESURVEYING.COM • Email: info@montrossurveying.com



CITY OF NEW YORK
 COUNTY: THE BRONX
 TAX BLOCK 2426
 TAX LOT 25
 SCALE: 1" = 20'


DRAWN: GP



SOURCES:

- FIGURE BASED ON SURVEY NO. 67417, CITY OF NEW YORK, COUNTY: BRONX, TAX BLOCK: 2426, TAX LOT: 25 PREPARED BY MONTROSE SURVEYING CO., LLP, SCALE: 1" = 20', DATE: 08-10-22.
- SAMPLE LOCATIONS FROM FIGURE 1: SAMPLE COLLECTION LOCATIONS, PROPERTY LOCATED AT 1099-1135 WEBSTER AVENUE, BRONX, NEW YORK, PREPARED BY ENVIRONMENTAL STUDIES CORPORATION, SCALE: 1" = 50'.
- UST ANOMALIES FROM FROM FIGURE 2: GEOPHYSICAL SURVEY POTENTIAL USTs, PROPERTY LOCATED AT 1099-1135 WEBSTER AVENUE, BRONX, NEW YORK, PREPARED BY ENVIRONMENTAL STUDIES CORPORATION, SCALE: 1" = 50'.



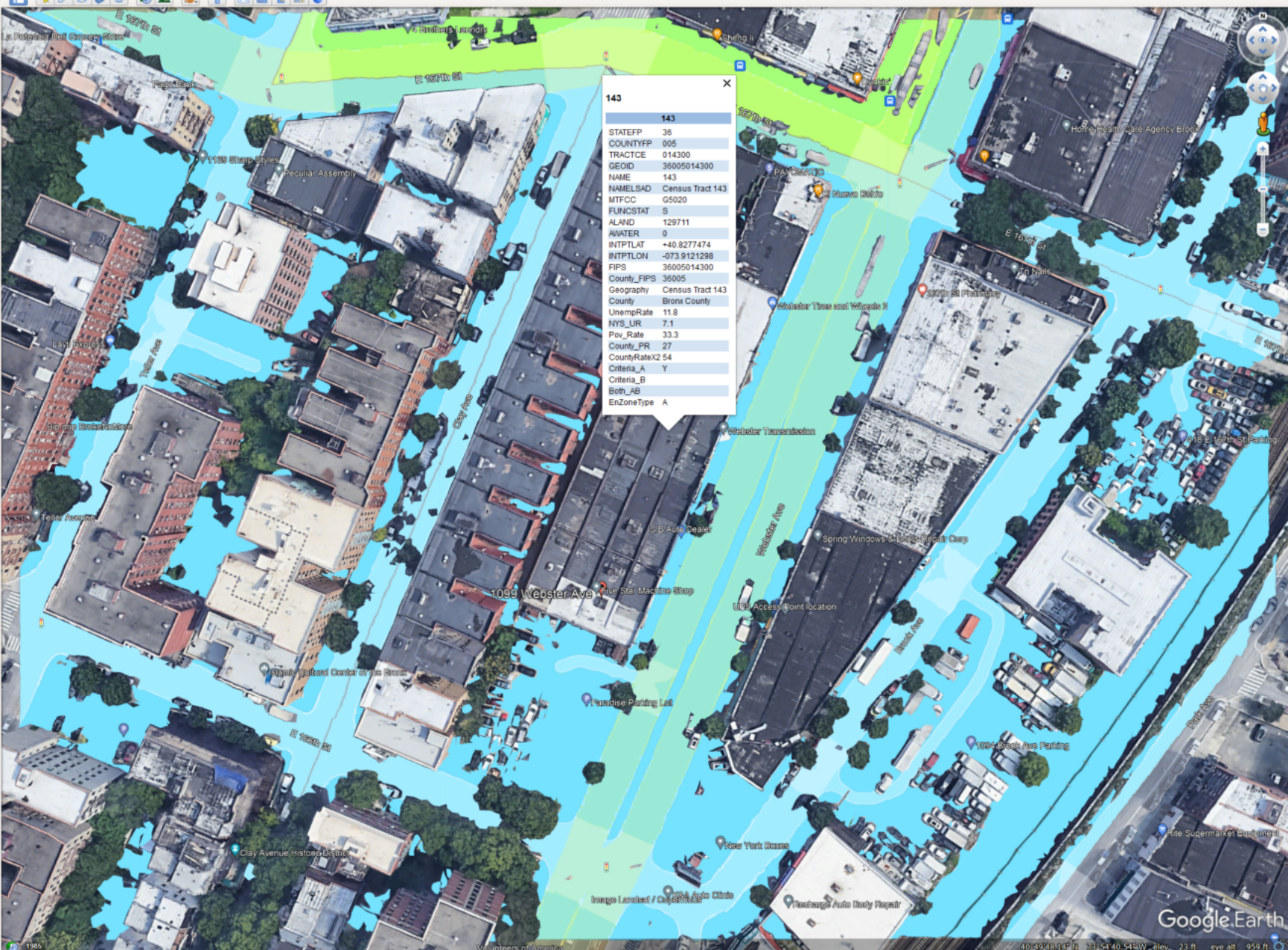
Supplemental Investigation 1099 Webster Avenue Bronx, New York Mega Development Group Long Island City, New York		SITE MAP
		Project 2203948

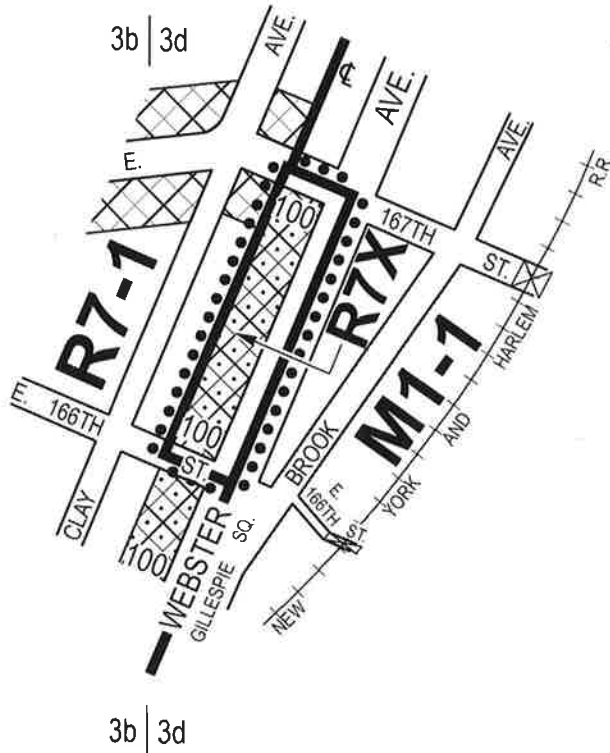
1099 webster ave bronx Search
exc: Tokyo, Japan
Get Directions History

1099 Webster Ave

- Places
- My Places
 - Sightseeing Tour
 - Make sure 3D Buildings layer is checked
 - Temporary Places
 - EnZones2022

- Layers
- Primary Database
 - Announcements
 - Borders and Labels
 - Places
 - Photos
 - Roads
 - 3D Buildings
 - Weather
 - Gallery
 - More
 - Terrain









CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING
ZONING CHANGE
 ON SECTIONAL MAP
3d
 BOROUGH OF
BRONX



EFFECTIVE DATE
March 25, 2021
C. C. RESO.#1597



NOTE:

-  Indicates Zoning District Boundary
-  The area enclosed by the dotted line is rezoned by eliminating a C1-4 District from within an existing R7-1 District, by changing existing R7-1 and M1-1 Districts to an R7X District, and by establishing a C2-4 District within the proposed R7X District.
-  Indicates a C1-4 District
-  Indicates a C2-4 District

Attachment 2

Section II

**1099 Webster BCP Application
Supporting Information**

Attachment 2

SECTION II: Project Description

4. Please provide a short description of the overall project development, including the date that the remedial program is to begin, and the date by which a Certificate of Completion is expected to be issued.

1099 Webster MM LLC, a partnership between BronxWorks, Mega Development, and Schur Management, is sponsoring a transit-oriented, carbon-neutral, all-electric affordable and supportive housing development at 1099 Webster Avenue in the East Concourse neighborhood of the Bronx.

The proposed development, TEN99, will contain 260 units of affordable housing serving a mix of incomes from 30% to 80% of Area Median Income (“AMI”), with 50% of the units set aside for supportive housing serving individuals with serious mental illness (SMI) and chronically homeless families. BronxWorks will provide on-site case management and supportive services through the ESSHI award they secured in 2022. Approximately 22,000 square feet of retail space, envisioned as a grocery store, will activate the streetscape along Webster Avenue, generating pedestrians, local economic activity and creating safety. The project will also create much needed affordable housing, alleviating pressure on rent-burdened households in East Concourse and supporting residents who are most vulnerable to displacement, while also delivering a workforce center and fresh food grocer to a FRESH district food desert area. The project will be permit-ready by Q4 2023, with a goal to close on construction financing by Q1 2024.

Breakdown of Units	AMI
13% (34 apts.)	30%
50% (130 apts.)	60% (Supportive)
12% (31 apts.)	60%
13% (33 apts.)	67%
12% (31 apts.)	77%
Total: 260 units (Including one unit for resident Super)	

Land Information:

The project site consists of one tax lot (Block 2426, Lot 25) comprising approximately 36,840 square feet and is occupied by two operating auto repair shops and a parking lot. All tenancies

1099 Webster BCP Application Supporting Information

are on a month-to-month basis. The lot is privately owned by Webster 1099 Realty LLC, an affiliate of Schur Management and William Schur.

The SEQR has been completed and the City Planning Commission provided a Negative Declaration as the lead agency on October 19, 2020. The Negative Declaration includes an (E) designation (E-576) related to air quality and noise to avoid the potential for significant adverse impacts.

Project Location and Market Information:

TEN99 is a Transit Oriented Development located in the East Concourse neighborhood of Bronx Community District 4, and is proximate to the Melrose and Morrisania neighborhoods, to the south and east, respectively. The proposed development is well served by public transit and located within the Transit Zone. There is very convenient access to multiple bus lines (Bx41 and Bx35) less than one block away, NYC subway (B and D trains – 10 min walk), and the Melrose Metro North station (8 min walk) offering a 20-minute train ride to Grand Central, a 30-minute train ride to White Plains, and easy connections to New Jersey and Long Island. Grocery options, pharmacies, automotive servicing, and other local retail options are also within walking distance from the property. Additionally, the Bx41 bus line allows for convenient and quick transportation to two of the main economic centers of the Bronx: The Hub at 3rd Avenue and 149th Street and Fordham Plaza at Fordham Road and Webster Avenue. With this exceptional connection to public transportation just a few steps from the property, residents will be able to access many resources throughout the Bronx and easily transfer to the 2/5 subway lines at 3rd Avenue. Our transit-oriented project ensures access to employment centers, schools, hospitals, parks, and the recreational facilities necessary to support healthy living and economic productivity.

Affordable housing remains a top priority for the Bronx Community Board 4. According to the Community District Needs Assessment (Fiscal Year 2023), 55% of all households in the district spend 35% or more of their income on rent. The proposed development will provide working families with access to high quality affordable housing connected to social services and workforce development programs in a densely populated community district where the unemployment rate is estimated between 25-30%. In addition, throughout the district, there are limited options for purchasing fresh food and this neighborhood in particular is underserved by grocery stores. The development will address this food retail gap that is critical to building strong neighborhoods with its 20,000 SF grocery store.

Project Financing Information:

The Project's proposed financing includes a combination of tax-exempt bonds and Federal Low-Income Housing Tax Credits ("LIHTC") to newly construct the Project. The Project will request the New York State Housing Finance Agency ("HFA") to issue \$92.1M million in tax-exempt bonds during construction. The bond proceeds will be utilized to fund development costs and make the Project eligible for "as of right" LIHTC. The bonds will be enhanced with a letter of credit during

**1099 Webster BCP Application
Supporting Information**

construction. The Project is also requesting State subsidy loaned pursuant to the Supportive Housing Opportunity Program (“SHOP”) in the total amount of approximately \$42.6 million, and Federal Housing Trust Funds (“FHTF”) totaling \$4,852,832. The project attorney will prepare and submit a 420-c real estate tax abatement application. BronxWorks will provide the on-site support services and operate the building through funding provided by the New York State Empire State Supportive Housing Initiative (ESSHI) program. BronxWorks received a conditional award from NYS ESSHI for rent subsidies and service dollars in October 2022. The overall total development cost is approximately \$177.6 million.

Remedial Program Remaining Estimated Timeline:

<u>MILESTONE</u>	Estimated Schedule	
	Estimated Weeks	Estimated End Date
Submittal of Final RIWP to NYSDEC	0	2023-April
NYSDEC Approves Final RIWP / Issue Fact Sheet	8	2023-June
30-day Public Comment Period	4	2023-July
Implementation of RIWP	2	2023-August
Submittal of RIR to NYSDEC	8	2023-November
NYSDEC Approves RIR	8	2024-January
Submittal of RAWP to NYSDEC	8	2024-March
RAWP Comment Period	7	2024-May
NYSDEC Approves RAWP and issues Decision Document	8	2024-July
Construction/Remediation	16	2024-December
Submittal of FER to NYSDEC	8	2025-February
NYSDEC Approves FER/Issuance of COC	40	2025-December

Attachment 3

Section III

**1099 Webster BCP Application
Supporting Information**

Attachment 3

SECTION III: Land Use Factors

Item 4. Please provide a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas.

The property is currently utilized for commercial purposes. The northern two-thirds of the property contain a 1-story masonry and wood frame garage building, occupied by an auto garage/machine shop, an auto dealer/auto, mechanic/transmission rebuilding facility, an auto mechanic/muffler, and transmission repair shop. Two small partial basement areas exist below the building, and the remaining is slab on grade. The southern third of the lot contains a paved (concrete) parking lot, including a small wood-frame parking attendant kiosk.

Given that the site is currently used for automotive repair and parking and multiple USTs have been identified at the site, these businesses and USTs represent possible current contamination sources.

Item 6. Please provide a statement detailing the specific proposed post-remediation use.

The property has been re-zoned for mixed commercial/residential use and, following further investigation and remediation, the property is planned to be redeveloped via demolition of the existing building and construction of a new building for mixed commercial/residential use.

The project includes the new construction of an 11-story building containing 260 residential units and approximately 31,000 square feet of ground floor commercial or community facility space. It is anticipated that 50% of the units will be for supportive housing tenants, with 65 units designated for chronically homeless families. The 130 supportive units will be operated by Bronx Works, a local non-profit organization that will provide on-site case management and supportive services to promote health, financial stability, and improvement of independent life skills. Basement areas are planned to be used for storage, mechanical equipment and utilities.

Item 9. Is the proposed use consistent with applicable zoning laws/maps?

The proposed development is consistent with the current surrounding land uses and in compliance with the established zoning for the lot and the surrounding area. The site is located in an R7X district, with a C2-4 commercial overlay. The property is currently utilized for commercial purposes, with tenants including an auto garage/machine shop, an auto dealer/auto, mechanic/transmission rebuilding facility, an auto mechanic/muffler, and transmission repair shop. The surrounding properties to the north, south and west are also comprised of residential districts with varying commercial overlays along Webster Avenue and East 167th Street. To the east, across Webster Avenue, there is an M1-1 district which is comprised of various mixed-use buildings, office buildings, auto-body/collision and auto repair, light industrial/manufacturing uses, and parking lots. The project site is also located within a NYS Environmental (EN) Zone (Census Tract 139), and an Empire Zone (Port Morris).

Item 10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Please provide a brief explanation and additional documentation if necessary.

1099 Webster BCP Application Supporting Information

The project is well-supported by the Bronx Community District 4, and it is consistent with the goals of Housing New York to promote the development of affordable housing across the city, particularly in areas which are well served by transit.

The site is a Transit Oriented Development located in the East Concourse neighborhood of Bronx Community District 4, and is proximate to the Melrose and Morrisania neighborhoods, to the south and east, respectively. The proposed development is well served by public transit and located within the Transit Zone. With this exceptional connection to public transportation just a few steps from the property, residents will be able to access many resources throughout the Bronx and easily transfer to the 2/5 subways lines at 3rd Avenue. Our transit-oriented project ensures access to employment centers, schools, hospitals, parks, and the recreational facilities necessary to support healthy living and economic productivity.

Affordable housing remains a top priority for the Bronx Community Board 4. According to the Community District Needs Assessment (Fiscal Year 2023), 55% of all households in the district spend 35% or more of their income on rent. The proposed development will provide working families with access to high quality affordable housing connected to social services and workforce development programs in a densely populated community district where the unemployment rate is estimated between 25-30%. In addition, throughout the district, there are limited options for purchasing fresh food and this neighborhood in particular is underserved by grocery stores. The development will address this food retail gap that is critical to building strong neighborhoods with its 20,000 SF grocery store.

The project will also address economic development in East Concourse and the Bronx. The residential component will create approximately 23 full-time jobs including front desk attendants, case managers, and maintenance staff, and approximately 380 construction jobs. The development team and its contractor, Mega Contracting Group LLC, all have experience complying with New York State Homes and Community Renewal (HCR) required Minority/Women-owned Business Enterprise (M/WBE) utilization rates and commit to employ Bronx-based M/WBEs as subcontractors and vendors throughout the construction process to meet city and state agency goals. We believe this development will be a catalytic investment in the neighborhood supporting growth of a local consumer base, generating pedestrians to support local businesses and spurring additional development.

Attachment 4

Section IV:

Data Summary Tables

Figure 2. Sample Location Map

Figure 3. Soil Spider Diagram

Figure 4. Groundwater Spider Diagram

Figure 5. Soil Vapor Spider Diagram

Soil Data Summary

Analytes > RR SCOs	Detections >RR SCOs	Maximum Detection (ppm)	RR SCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	1	7.79	1	0-2
Benzo(a)pyrene	1	6.63	1	0-2
Benzo(b)fluoranthene	1	6.63	1	0-2
Benzo(k)fluoranthene	1	5.62	3.9	0-2
Chrysene	1	6.72	3.9	0-2
Dibenzo(a,h)anthracene	1	1.56	0.33	0-2
Indeno(1,2,3-cd)pyrene	1	4.17	0.5	0-2
Arsenic	2	113	16	0-2

Data source: 2018 Phase II ESA, and 2022 Supplemental Investigation

Notes:

RR SCOs- Restricted Residential Soil Cleanup Objectives

ppm- parts per million

ft bgs- feet below ground surface

Groundwater Data Summary

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQS (ppb)
Benzo(a)anthracene	1	0.295	0.002
Benzo(a)pyrene	1	0.411	0.002
Benzo(b)fluoranthene	1	0.295	0.002
Benzo(k)fluoranthene	1	0.337	0.002
Chlordane, total	1	0.0682	0.05
Arsenic, total	2	35.4	25
Beryllium	1	3.5	3
Barium, total	1	3,660	1,000
Chromium, total	6	688	50
Copper, total	4	574	200
Iron, total	9	624,000	300
Lead, total	7	805	25
Magnesium, total	6	395,000	35,000
Manganese, total	9	25,900	300
Manganese, dissolved	4	1,020	300
Nickel, total	3	465	100
Selenium, total	2	42.8	10
Selenium, dissolved	1	39.5	10
Sodium, total	9	134,000	20,000
Sodium, dissolved	9	109,000	20,000
Total PCBs	4	7.76	0.09

Data source: 2018 Phase II ESA, and 2022 Supplemental Investigation

Notes:

AWQS- Ambient Water Quality Standards

ppb- parts per billion

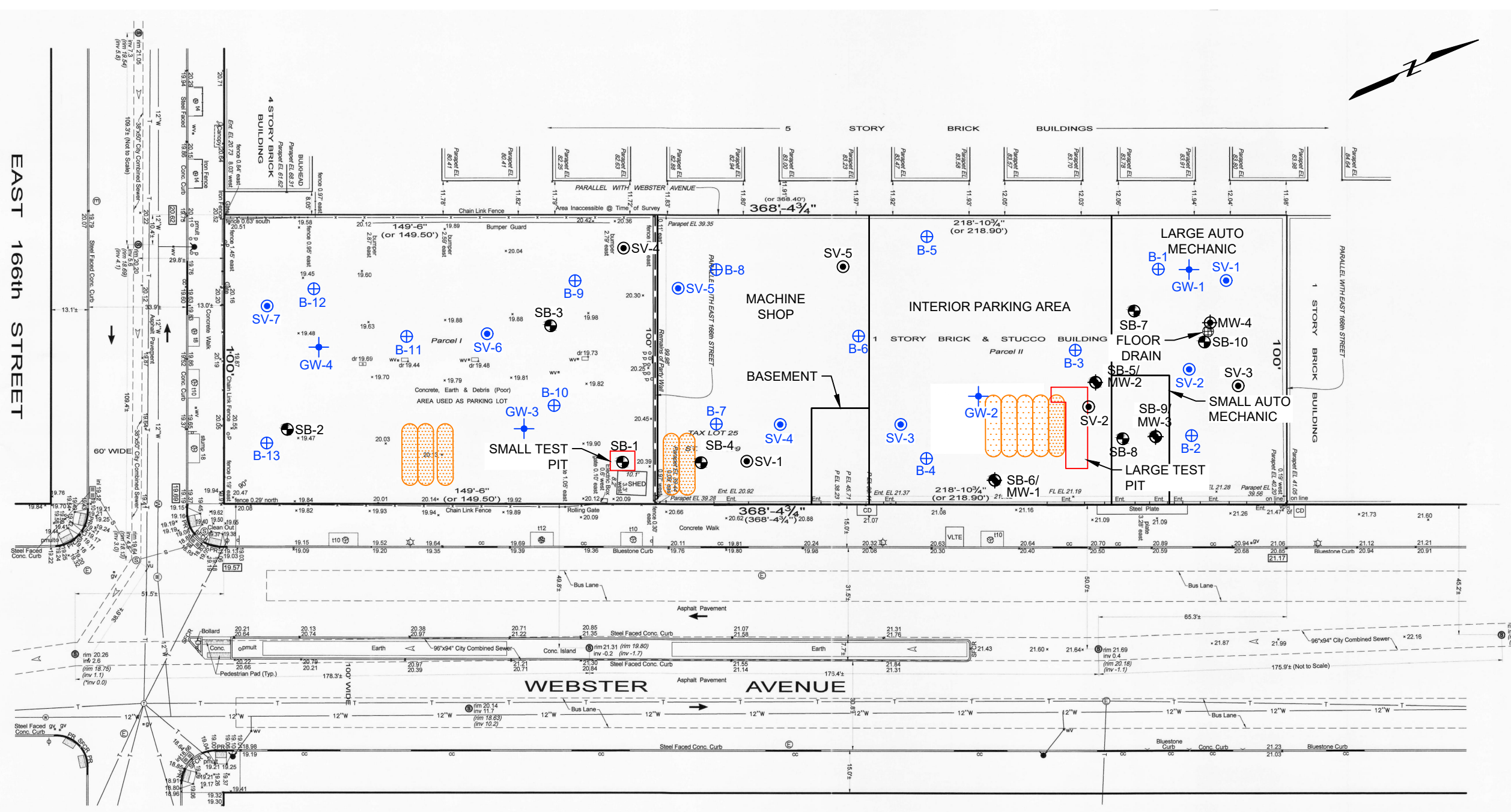
Soil Vapor Data Summary

Analytes	Total Detections	Max. Detection ($\mu\text{g}/\text{m}^3$)	Type
1,1,1-Trichloroethane	4	9	Soil Vapor
Carbon tetrachloride	8	0.67	Soil Vapor
Chloroform	10	260	Soil Vapor
cis-1,2-Dichloroethylene	3	0.5	Soil Vapor
Methylene chloride	8	4.7	Soil Vapor
Tetrachloroethylene	12	1,200	Soil Vapor
Trichloroethylene	11	390	Soil Vapor
Trichlorofluoromethane (Freon 11)	12	2.1	Soil Vapor

Data source: 2018 Phase II ESA, and 2022 Supplemental Investigation

Notes:

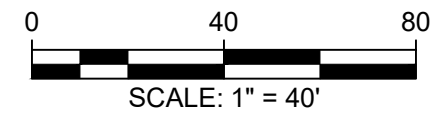
$\mu\text{g}/\text{m}^3$ - micrograms per cubic meter



- LEGEND:**
- GROUNDWATER MONITORING WELL (GEI)
 - SOIL BORING (GEI)
 - SOIL VAPOR SAMPLE (GEI)
 - FLOOR DRAIN
 - TEST PIT (GEI)
 - SOIL BORING (2018)
 - GROUNDWATER SAMPLE (2018)
 - SOIL VAPOR SAMPLE (2018)
 - UST ANOMALY

NOTE: TWO 2018 UST ANOMALY PREVIOUSLY DEPICTED IN THE NORTHEAST CORNER OF THE EXTERIOR PARKING AREA (2018 Phase II ESA) WERE RELOCATED TO THE MACHINE SHOP, BASED ON 2022 GEOPHYSICAL SURVEY AND FIELD OBSERVATION OF UST VENTS

- SOURCES:**
- FIGURE BASED ON SURVEY NO. 67417, CITY OF NEW YORK, COUNTY: BRONX, TAX BLOCK: 2426, TAX LOT: 25 PREPARED BY MONTROSE SURVEYING CO., LLP, SCALE: 1" = 20', DATE: 08-10-22.
 - SAMPLE LOCATIONS FROM FIGURE 1: SAMPLE COLLECTION LOCATIONS, PROPERTY LOCATED AT 1099-1135 WEBSTER AVENUE, BRONX, NEW YORK, PREPARED BY ENVIRONMENTAL STUDIES CORPORATION, SCALE: 1" = 50'.
 - UST ANOMALIES FROM FROM FIGURE 2: GEOPHYSICAL SURVEY POTENTIAL USTs, PROPERTY LOCATED AT 1099-1135 WEBSTER AVENUE, BRONX, NEW YORK, PREPARED BY ENVIRONMENTAL STUDIES CORPORATION, SCALE: 1" = 50'.



Supplemental Investigation 1099 Webster Avenue Bronx, New York Mega Development Group Long Island City, New York		SAMPLE LOCATION PLAN
	Project 2203948	February 2023

LEGEND:

- ⊕ SOIL BORING (2022)
- ⊕ SOIL BORING (2018)
- ⊕ FLOOR DRAIN
- ⊕ UST ANOMALY (2018)
- TEST PIT (GEI)

Location:	B-9 (0-2)
Sample Depth (ft.):	0-2
Sample Date:	5/21/2018
SVOCs (mg/Kg)	
Benzo(a)anthracene	7.79
Benzo(a)pyrene	6.63
Benzo(b)fluoranthene	6.63
Benzo(k)fluoranthene	5.62
Chrysene	6.72
Dibenzo(a,h)anthracene	1.56
Indeno(1,2,3-cd)pyrene	4.17

Location:	B-7 (0-2)
Sample Depth (ft.):	0-2
Sample Date:	5/21/2018
Metals (mg/Kg)	
Arsenic	68
Lead	69.9

Location:	B-8 (0-2)
Sample Depth (ft.):	0-2
Sample Date:	5/21/2018
Metals (mg/Kg)	
Arsenic	113
Lead	166
Zinc	200

Location:	B-6 (0-2)
Sample Depth (ft.):	0-2
Sample Date:	5/21/2018
VOCs (mg/Kg)	
Acetone	0.14
Pesticides (mg/Kg)	
4,4'-DDT	0.00613
Metals (mg/Kg)	
Lead	156

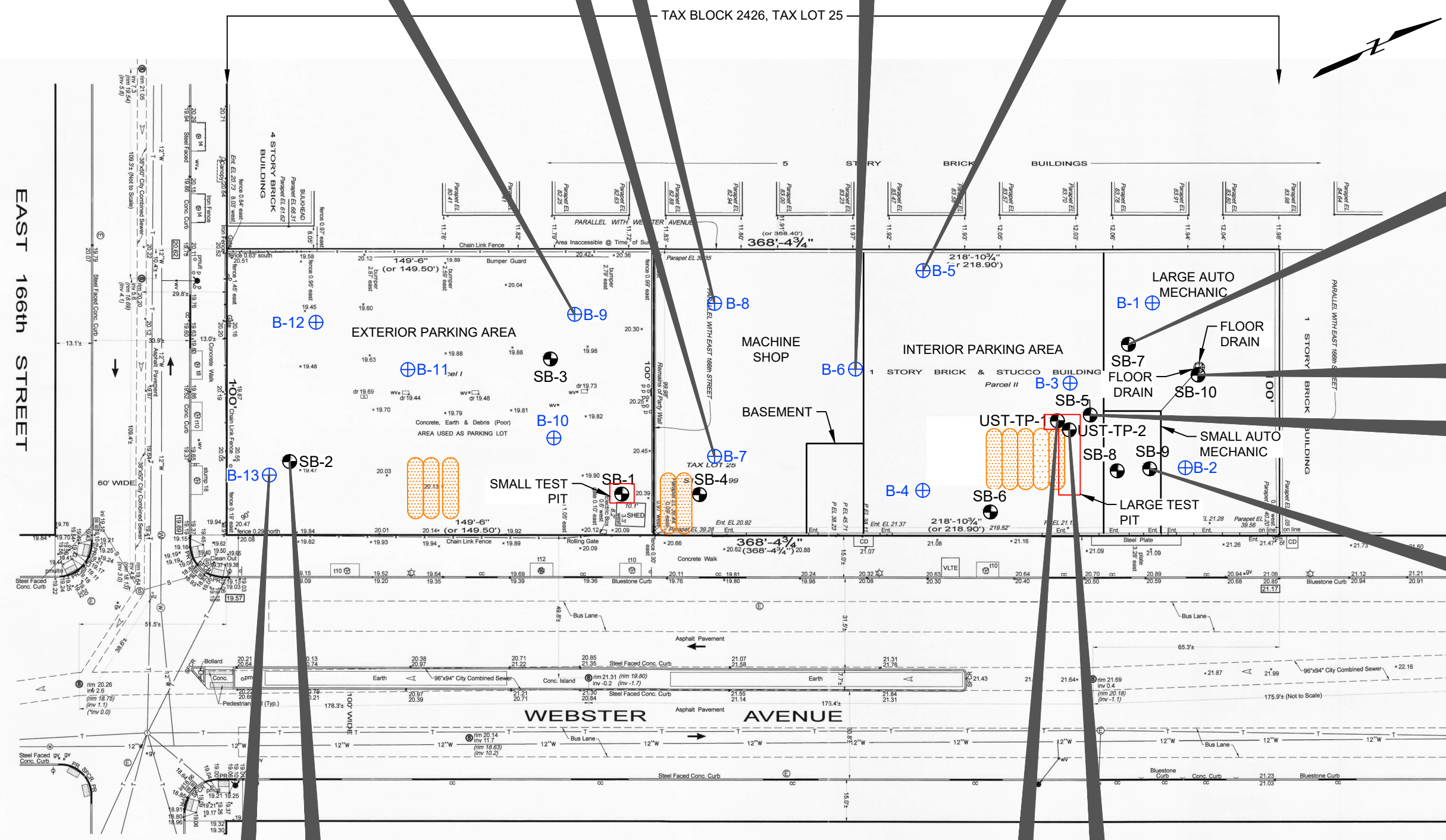
Location:	B-5 (0-2)
Sample Depth (ft.):	0-2
Sample Date:	5/21/2018
Metals (mg/Kg)	
Copper	56
Lead	198
Zinc	142

Location:	SB-7 (0-2)
Sample Depth (ft.):	0-2
Sample Date:	11/30/2022
SVOCs (mg/Kg)	
Benzo(b)fluoranthene	1.1
Benzo(k)fluoranthene	0.57
Metals (mg/Kg)	
Zinc	142

Location:	SB-10 (0-2)
Sample Depth (ft.):	0-2
Sample Date:	11/28/2022
VOCs (mg/Kg)	
1,2-Dichlorobenzene	3.4
cis-1,2-Dichloroethene	1.0
Ethylbenzene	1.7
Tetrachloroethene	18
Toluene	2.7
Trichloroethene	1.1

Location:	SB-5 (0-2)
Sample Depth (ft.):	0-2
Sample Date:	12/1/2022
Pesticides (mg/Kg)	
4,4'-DDE	0.0037 J

Location:	SB-9 (8-9)
Sample Depth (ft.):	8-9
Sample Date:	11/28/2022
SVOCs (mg/Kg)	
Benzo(a)anthracene	2.6
Benzo(a)pyrene	2.3
Benzo(b)fluoranthene	3.0
Benzo(k)fluoranthene	1.2
Chrysene	2.1
Dibenz(a,h)anthracene	0.43
Indeno(1,2,3-cd)pyrene	1.6



Location:	B-13 (0-2)	B-13 (12-14)
Sample Depth (ft.):	0-2	12-14
Sample Date:	5/21/2018	5/21/2018
VOCs (mg/Kg)		
Acetone	0.072	0.26
Metals (mg/Kg)		
Copper	57.5	27.6
Lead	242	4.21
Mercury	0.401	0.046

Location:	SB-2 (8-10)
Sample Depth (ft.):	8-10
Sample Date:	12/1/2022
VOCs (mg/Kg)	
Acetone	0.14
Metals (mg/Kg)	
Nickel	32.2

Location:	UST-TP-1
Sample Date:	11/30/2022
Metals (mg/Kg)	
Zinc	347

Location:	UST-TP-2
Sample Date:	11/30/2022
Metals (mg/Kg)	
Zinc	327

Analyte	NYSDEC Unrestricted Use SCO	NYSDEC - Residential Use SCO	NYSDEC - Restricted Residential Use SCO	NYSDEC - Commercial Use SCO	NYSDEC - Industrial Use SCO
VOCs (mg/Kg)					
1,2-Dichlorobenzene	1.1	100	100	500	1,000
Acetone	0.05	100	100	500	1,000
cis-1,2-Dichloroethene	0.25	59	100	500	1,000
Ethylbenzene	1	30	41	390	780
Tetrachloroethene	1.3	5.5	19	150	300
Toluene	0.7	100	100	500	1,000
Trichloroethene	0.47	10	21	200	400
SVOCs (mg/Kg)					
Benzo(a)anthracene	1	1	1	5.6	11
Benzo(a)pyrene	1	1	1	1	1.1
Benzo(b)fluoranthene	1	1	1	5.6	11
Benzo(k)fluoranthene	0.8	1	3.9	56	110
Chrysene	1	1	3.9	56	110
Dibenz(a,h)anthracene	0.33	0.33	0.33	0.56	1.1
Indeno(1,2,3-cd)pyrene	0.5	0.5	0.5	5.6	11
Pesticides (mg/Kg)					
4,4'-DDE	0.0033	1.8	8.9	62	120
4,4'-DDT	0.0033	1.7	7.9	47	94
Metals (mg/Kg)					
Arsenic	13	16	16	16	16
Copper	50	270	270	270	10,000
Lead	63	400	400	1,000	3,900
Mercury	0.18	0.81	0.81	2.8	5.7
Nickel	30	140	310	310	10,000
Zinc	109	2,200	10,000	10,000	10,000

NOTES:

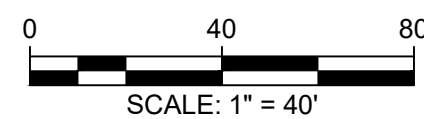
TWO 2018 UST ANOMALY PREVIOUSLY DEPICTED IN THE NORTHEAST CORNER OF THE EXTERIOR PARKING AREA (2018 Phase II ESA) WERE RELOCATED TO THE MACHINE SHOP, BASED ON 2022 GEOPHYSICAL SURVEY AND FIELD OBSERVATION OF UST VENTS

mg/Kg = MILLIGRAMS/KILOGRAM OR PARTS PER MILLION (ppm)
 VOC = VOLATILE ORGANIC COMPOUND
 SVOC = SEMI-VOLATILE ORGANIC COMPOUND
 NYSDEC = NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 SCO = SOIL CLEANUP OBJECTIVES

- EXCEEDS NYSDEC PART 375 INDUSTRIAL USE SCO
- EXCEEDS NYSDEC PART 375 COMMERCIAL USE SCO
- EXCEEDS NYSDEC PART 375 RESTRICTED RESIDENTIAL USE SCO
- EXCEEDS NYSDEC PART 375 RESIDENTIAL USE SCO
- EXCEEDS NYSDEC PART 375 UNRESTRICTED USE SCO

SOURCES:

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- UST ANOMALIES FROM FIGURE 2: GEOPHYSICAL SURVEY POTENTIAL USTs, PROPERTY LOCATED AT 1099-1135 WEBSTER AVENUE, BRONX, NEW YORK, PREPARED BY ENVIRONMENTAL STUDIES CORPORATION, SCALE: 1" = 50'.



Supplemental Investigation
 1099 Webster Avenue
 Bronx, New York

Mega Development Group
 Long Island City, New York







JULY 2018 AND DECEMBER
 2022 SOIL EXCEEDANCE
 SUMMARY

Project 2203948

February 2023

Fig. 3

LEGEND:

-  GROUNDWATER MONITORING WELL (2022)
-  GROUNDWATER SAMPLE (2018)
-  FLOOR DRAIN
-  UST ANOMALY (2018)

Analyte	NYSDEC TOGS Class GA Standards and Guidance Values
SVOCs (ug/L)	
Benzo(a)anthracene	0.002
Benzo(a)pyrene	0.002
Benzo(b)fluoranthene	0.002
Benzo(k)fluoranthene	0.002
Pesticides (ug/L)	
Chlordane, Total	0.05
PCBs (ug/L)	
Total PCBs	0.09
Metals (ug/L)	
Arsenic	25
Barium	1,000
Beryllium	3
Chromium	50
Copper	200
Iron	300
Lead	25
Magnesium	35,000
Manganese	300
Nickel	100
Selenium	10
Sodium	20,000
Thallium	0.50

NOTES:

TWO 2018 UST ANOMALY PREVIOUSLY DEPICTED IN THE NORTHEAST CORNER OF THE EXTERIOR PARKING AREA (2018 Phase II ESA) WERE RELOCATED TO THE MACHINE SHOP, BASED ON 2022 GEOPHYSICAL SURVEY AND FIELD OBSERVATION OF UST VENTS

ug/L = MICROGRAMS/LITER OR PARTS PER BILLION (ppb)

PCBs = POLYCHLORINATED BIPHENYLS

SVOC = SEMI-VOLATILE ORGANIC COMPOUND

NYSDEC = NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

TOGS = TECHNICAL AND OPERATIONAL GUIDANCE SERIES

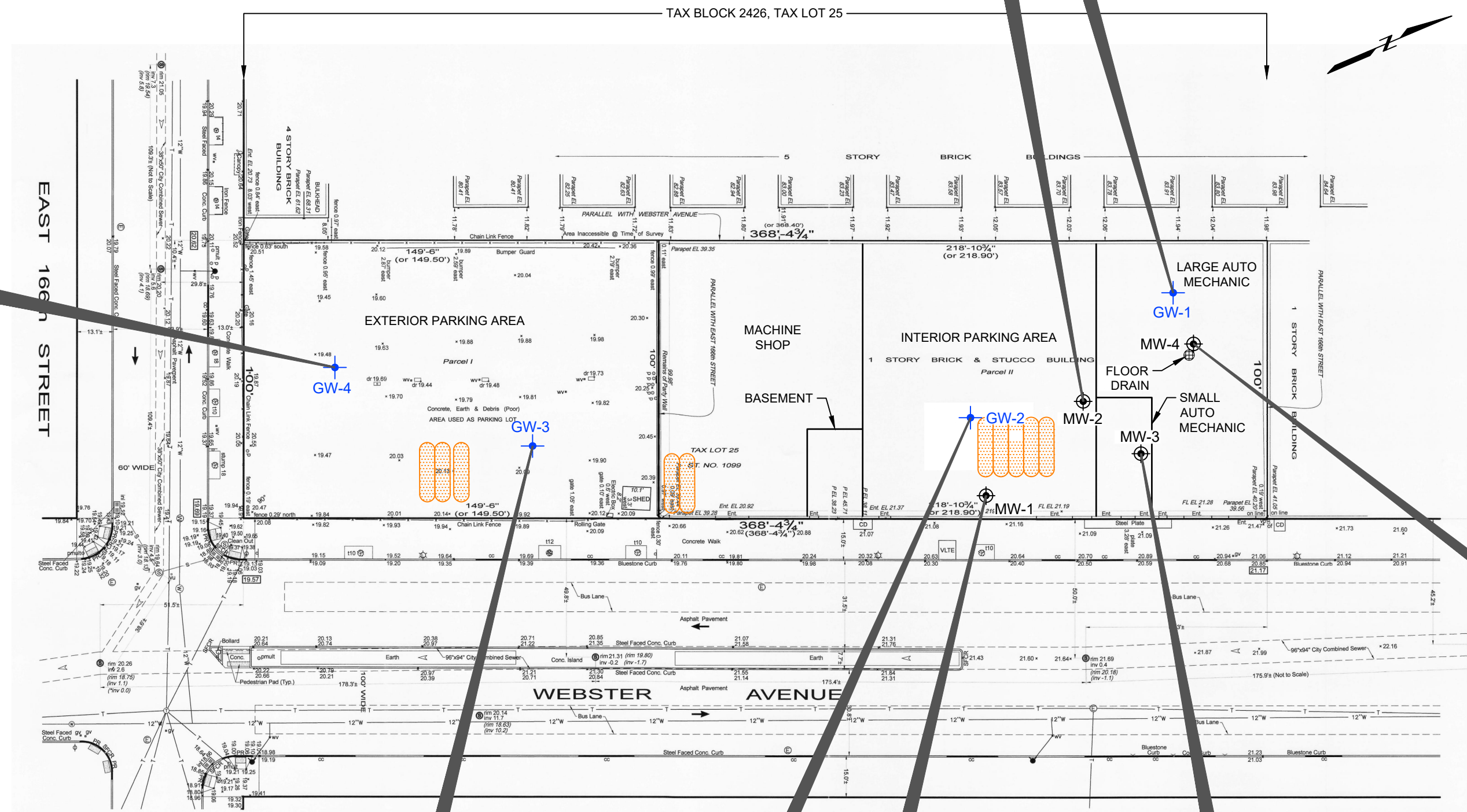
SCO = SOIL CLEANUP OBJECTIVES

EXCEEDS NYSDEC TOGS CLASS GA STANDARDS AND GUIDANCE VALUES

Location:	GW-4
Sample Date:	5/22/2018
Total Metals (ug/L)	
Manganese	2,180
Sodium	52,500
Dissolved Metals (ug/L)	
Manganese	655
Sodium	48,600
PCBs (ug/L)	
Total PCBs	4.44 D

Location:	MW-2
Sample Date:	12/6/2022
Total Metals (ug/L)	
Chromium	74.4
Iron	32,200
Lead	39.1
Magnesium	53,300
Manganese	2,540
Sodium	56,300
Dissolved Metals (ug/L)	
Sodium	54,000

Location:	GW-1
Sample Date:	5/21/2018
Pesticides (ug/L)	
Chlordane, Total	0.0682
Total Metals (ug/L)	
Barium	3,660
Chromium	688
Arsenic	35.4
Copper	574
Lead	150
Magnesium	395,000
Manganese	25,900
Nickel	465
Sodium	134,000
Selenium	42.8
Dissolved Metals (ug/L)	
Manganese	1,020
Sodium	109,000
PCBs (ug/L)	
Total PCBs	3.74



Location:	GW-3
Sample Date:	5/22/2018
Total Metals (ug/L)	
Manganese	825
Sodium	65,500
Dissolved Metals (ug/L)	
Manganese	554
Sodium	65,200
PCBs (ug/L)	
Total PCBs	5.44 D

Location:	GW-2
Sample Date:	5/21/2018
SVOCs (ug/L)	
Benzo(a)anthracene	0.295
Benzo(a)pyrene	0.411
Benzo(b)fluoranthene	0.295
Benzo(k)fluoranthene	0.337
Total Metals (ug/L)	
Chromium	69.3
Copper	208
Lead	805
Manganese	1,130
Selenium	32.8
Sodium	99,200
Dissolved Metals (ug/L)	
Sodium	91,500
Selenium	39.5
PCBs (ug/L)	
Total PCBs	7.76 D

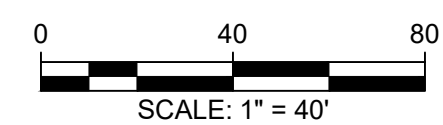
Location:	MW-1
Sample Date:	12/6/2022
Total Metals (ug/L)	
Chromium	72.7
Iron	44,900
Lead	56.4
Magnesium	41,000
Manganese	2,220
Sodium	65,000
Dissolved Metals (ug/L)	
Sodium	66,000


Location:	MW-3
Sample Date:	12/6/2022
Total Metals (ug/L)	
Iron	25,600
Lead	33.8
Magnesium	41,000
Manganese	3,280
Sodium	83,700
Dissolved Metals (ug/L)	
Sodium	83,300

Location:	MW-4
Sample Date:	12/6/2022
Total Metals (ug/L)	
Arsenic	30.2
Beryllium	3.5
Chromium	467
Copper	339
Lead	128
Magnesium	62,100
Manganese	4,730
Nickel	210
Sodium	81,200
Thallium	1.7
Dissolved Metals (ug/L)	
Sodium	94,600
Manganese	498

SOURCES:

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- UST ANOMALIES FROM FROM FIGURE 2: GEOPHYSICAL SURVEY POTENTIAL USTs, PROPERTY LOCATED AT 1099-1135 WEBSTER AVENUE, BRONX, NEW YORK, PREPARED BY ENVIRONMENTAL STUDIES CORPORATION, SCALE: 1" = 50'.



Supplemental Investigation 1099 Webster Avenue Bronx, New York Mega Development Group Long Island City, New York		JULY 2018 AND DECEMBER 2022 GROUNDWATER EXCEEDANCE SUMMARY
	Project 2203948	February 2023

LEGEND:

- ⊙ SOIL VAPOR PROBE (2022)
- ⊙ SOIL VAPOR PROBE (2018)
- ⊕ FLOOR DRAIN
- 🔍 UST ANOMALY (2018)

Analyte	NYSDOH May 2017 Updated Soil Vapor / Indoor Air Decision Matrix Guidance
CVOcs (µg/m³)	
Tetrachloroethene	1,000 and above
Trichloroethene	60 and above

NOTES:

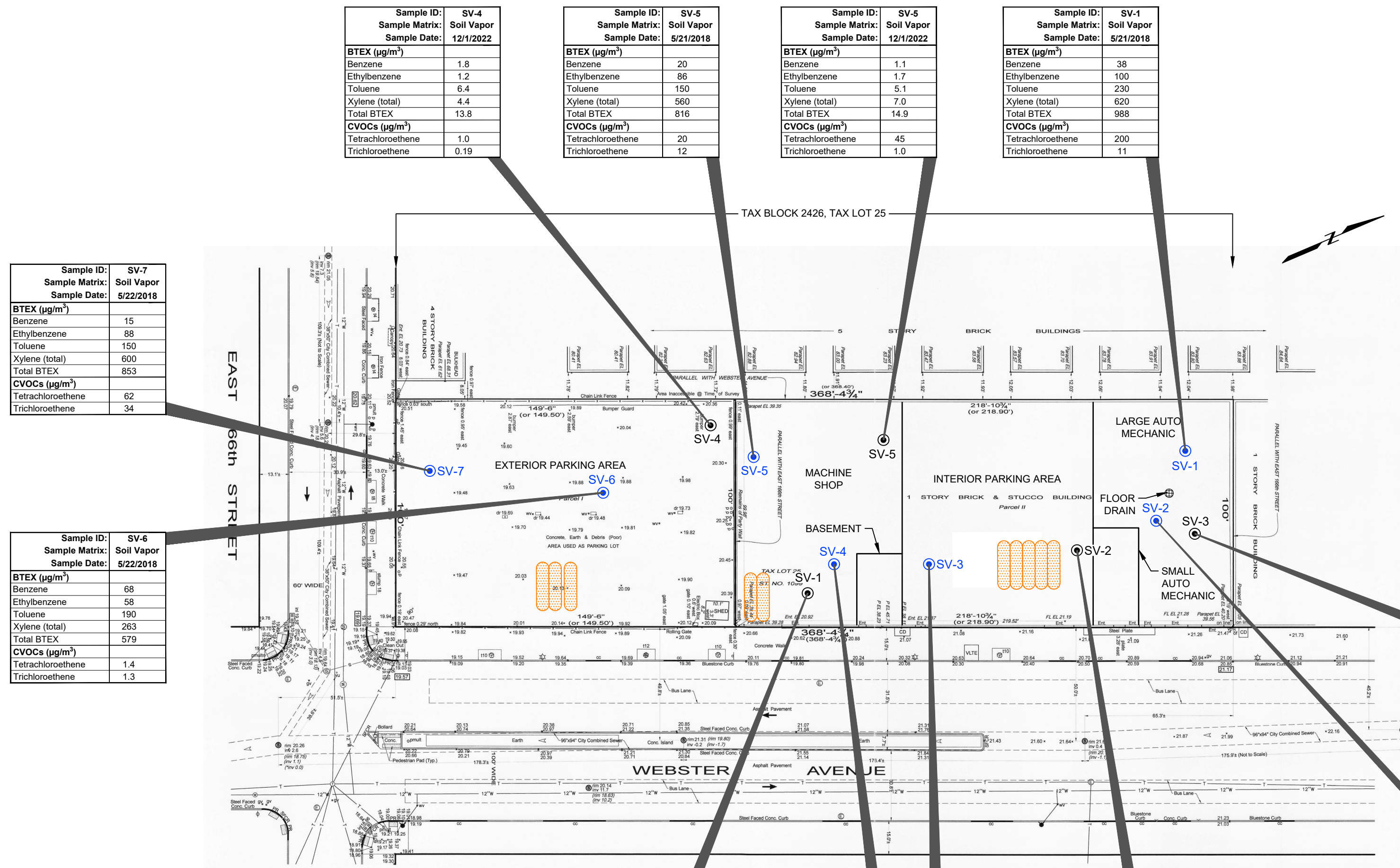
TWO 2018 UST ANOMALY PREVIOUSLY DEPICTED IN THE NORTHEAST CORNER OF THE EXTERIOR PARKING AREA (2018 Phase II ESA) WERE RELOCATED TO THE MACHINE SHOP, BASED ON 2022 GEOPHYSICAL SURVEY AND FIELD OBSERVATION OF UST VENTS

(µg/m³): MICROGRAMS PER CUBIC METER AIR (ppb)

CVOcs: CHLORINATED VOLATILE ORGANIC COMPOUNDS.

BTEX: TOTAL BENZENE, TOLUENE, ETHYLBENZENE & XYLENE.

EXCEEDS GUIDANCE FOR EVALUATING SOIL VAPOR INTRUSION IN NEW YORK STATE (OCTOBER 2006) AND MAY 2017 UPDATED SOIL VAPOR / INDOOR AIR DECISION MATRIX



Sample ID:	SV-4
Sample Matrix:	Soil Vapor
Sample Date:	12/1/2022
BTEX (µg/m³)	
Benzene	1.8
Ethylbenzene	1.2
Toluene	6.4
Xylene (total)	4.4
Total BTEX	13.8
CVOcs (µg/m³)	
Tetrachloroethene	1.0
Trichloroethene	0.19

Sample ID:	SV-5
Sample Matrix:	Soil Vapor
Sample Date:	5/21/2018
BTEX (µg/m³)	
Benzene	20
Ethylbenzene	86
Toluene	150
Xylene (total)	560
Total BTEX	816
CVOcs (µg/m³)	
Tetrachloroethene	20
Trichloroethene	12

Sample ID:	SV-5
Sample Matrix:	Soil Vapor
Sample Date:	12/1/2022
BTEX (µg/m³)	
Benzene	1.1
Ethylbenzene	1.7
Toluene	5.1
Xylene (total)	7.0
Total BTEX	14.9
CVOcs (µg/m³)	
Tetrachloroethene	45
Trichloroethene	1.0

Sample ID:	SV-1
Sample Matrix:	Soil Vapor
Sample Date:	5/21/2018
BTEX (µg/m³)	
Benzene	38
Ethylbenzene	100
Toluene	230
Xylene (total)	620
Total BTEX	988
CVOcs (µg/m³)	
Tetrachloroethene	200
Trichloroethene	11

Sample ID:	SV-7
Sample Matrix:	Soil Vapor
Sample Date:	5/22/2018
BTEX (µg/m³)	
Benzene	15
Ethylbenzene	88
Toluene	150
Xylene (total)	600
Total BTEX	853
CVOcs (µg/m³)	
Tetrachloroethene	62
Trichloroethene	34

Sample ID:	SV-6
Sample Matrix:	Soil Vapor
Sample Date:	5/22/2018
BTEX (µg/m³)	
Benzene	68
Ethylbenzene	58
Toluene	190
Xylene (total)	263
Total BTEX	579
CVOcs (µg/m³)	
Tetrachloroethene	1.4
Trichloroethene	1.3

Sample ID:	SV-3
Sample Matrix:	Soil Vapor
Sample Date:	12/1/2022
BTEX (µg/m³)	
Benzene	19
Ethylbenzene	170
Toluene	140
Xylene (total)	870
Total BTEX	1,199
CVOcs (µg/m³)	
Tetrachloroethene	680
Trichloroethene	56

Sample ID:	SV-1
Sample Matrix:	Soil Vapor
Sample Date:	12/1/2022
BTEX (µg/m³)	
Benzene	0.61
Ethylbenzene	0.47
Toluene	2.4
Xylene (total)	0.77
Total BTEX	4.25
CVOcs (µg/m³)	
Tetrachloroethene	28
Trichloroethene	42

Sample ID:	SV-4
Sample Matrix:	Soil Vapor
Sample Date:	5/21/2018
BTEX (µg/m³)	
Benzene	73
Ethylbenzene	140
Toluene	340
Xylene (total)	970
Total BTEX	1523
CVOcs (µg/m³)	
Tetrachloroethene	380
Trichloroethene	180

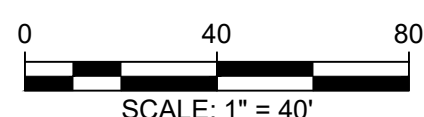
Sample ID:	SV-3
Sample Matrix:	Soil Vapor
Sample Date:	5/21/2018
BTEX (µg/m³)	
Benzene	27
Ethylbenzene	99
Toluene	180
Xylene (total)	650
Total BTEX	956
CVOcs (µg/m³)	
Tetrachloroethene	200
Trichloroethene	390

Sample ID:	SV-2
Sample Matrix:	Soil Vapor
Sample Date:	12/1/2022
BTEX (µg/m³)	
Benzene	83
Ethylbenzene	9.2
Toluene	150
Xylene (total)	40
Total BTEX	282.2
CVOcs (µg/m³)	
Tetrachloroethene	200
Trichloroethene	96

Sample ID:	SV-2
Sample Matrix:	Soil Vapor
Sample Date:	5/21/2018
BTEX (µg/m³)	
Benzene	22
Ethylbenzene	85
Toluene	150
Xylene (total)	570
Total BTEX	827
CVOcs (µg/m³)	
Tetrachloroethene	1,200
Trichloroethene	12

SOURCES:

- FIGURE BASED ON SURVEY NO. 67417, CITY OF NEW YORK, COUNTY: BRONX, TAX BLOCK: 2426, TAX LOT: 25 PREPARED BY MONTROSE SURVEYING CO., LLP, SCALE: 1" = 20', DATE: 08-10-22.
- SAMPLE LOCATIONS FROM FIGURE 1: SAMPLE COLLECTION LOCATIONS, PROPERTY LOCATED AT 1099-1135 WEBSTER AVENUE, BRONX, NEW YORK, PREPARED BY ENVIRONMENTAL STUDIES CORPORATION, SCALE: 1" = 50'.
- UST ANOMALIES FROM FROM FIGURE 2: GEOPHYSICAL SURVEY POTENTIAL USTs, PROPERTY LOCATED AT 1099-1135 WEBSTER AVENUE, BRONX, NEW YORK, PREPARED BY ENVIRONMENTAL STUDIES CORPORATION, SCALE: 1" = 50'.



Supplemental Investigation
1099 Webster Avenue
Bronx, New York

Mega Development Group
Long Island City, New York



Project 2203948

JULY 2018 AND DECEMBER 2022
SOIL VAPOR BTEX, TCE, AND PCE
CONCENTRATIONS AND
EXCEEDANCE SUMMARY

February 2023

Fig. 5

Attachment 5

Section V:

Webster 1099 Realty DOS Entity Search

1099 Webster Consent

**1099 Webster BCP Application
Supporting Information**

Attachment 5

SECTION V: Requestor Information

Item 3. If the requestor is an LLC, the names of the members/owners need to be provided on a separate attachment. Is this attached?

The following is a list of all members/owners of the Webster 1099 Realty LLC:

- Marc Schur
- William Schur
- Deena Grotto
- Andrea Paello

Department of State Division of Corporations

Entity Information

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

Entity Details



ENTITY NAME: WEBSTER 1099 REALTY LLC	DOS ID: 3183633
FOREIGN LEGAL NAME:	FICTITIOUS NAME:
ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY	DURATION DATE/LATEST DATE OF DISSOLUTION: 12/31/2035
SECTION OF LAW: 203 LLC - LIMITED LIABILITY COMPANY LAW	ENTITY STATUS: ACTIVE
DATE OF INITIAL DOS FILING: 03/29/2005	REASON FOR STATUS:
EFFECTIVE DATE INITIAL FILING: 03/29/2005	INACTIVE DATE:
FOREIGN FORMATION DATE:	STATEMENT STATUS: CURRENT
COUNTY: BRONX	NEXT STATEMENT DUE DATE: 03/31/2023
JURISDICTION: NEW YORK, UNITED STATES	NFP CATEGORY:

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

Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

Name: C/O SCHUR MANAGEMENT CO

Address: 2432 GRAND CONCOURSE, BRONX, NY, UNITED STATES, 10458

Electronic Service of Process on the Secretary of State as agent: Not Permitted

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

Share Value

Number Of Shares

Value Per Share

**WEBSTER 1099 REALTY LLC
CONSENT**

Name of Entity (the “ Company ”):	Webster 1099 Realty LLC
Type of Entity:	Limited Liability Company
State of Organization:	New York
Property (the “ Property ”):	1099 Webster Avenue, Bronx, New York


The undersigned, being all of the members of Webster 1099 Realty LLC do hereby consent to the following actions and represent, warrant, certify and agree that:


1. The undersigned hereby authorize, consent to and ratify the entering into and execution on behalf of the Company by William Schur (the “**Manager**”) of any documents or instruments in connection with or related to the Property as described above, known and designated as Block 2426, Lot 25 in the County of Bronx, on the Tax Map of the City of New York, such documents to be in such form as the Manager shall determine.

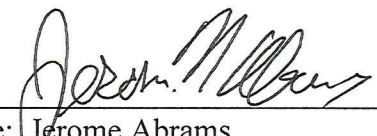
2. Without limiting the generality of the foregoing, this instrument shall constitute the written approval of the Company to the actions described above to the extent that such approval may be required under the Articles of Organization filed on behalf of the Company with the New York State Department of State on March 29, 2005 and the Company shall be deemed to have complied in all respects with the foregoing. No consent or approval of any person, entity or governmental authority which has not executed and delivered this instrument is required in connection with the authorizations herein described.

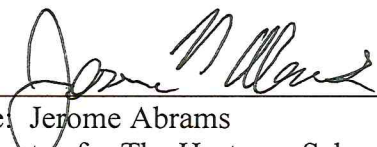
[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the members of Company have executed this Consent
as of this 1 day of March, 2023.

By: 
Name: Jerome Abrams
As Trustee for The Hortense Schur
Family 2012 Trust f/b/o Marc Schur

By: 
Name: Jerome Abrams
As Trustee for The Hortense Schur
Family 2012 Trust f/b/o William Schur

By: 
Name: Jerome Abrams
As Trustee for The Hortense Schur
Family 2012 Trust f/b/o Deena Grotto

By: 
Name: Jerome Abrams
As Trustee for The Hortense Schur
Family 2012 Trust f/b/o Andrea Pagello

Attachment 6

Section VI

**1099 Webster BCP Application
Supporting Information**

Attachment 6

SECTION VI: Requestor Eligibility

Item 11. Are there any unregistered bulk storage tanks on-site which require registration?

Ten underground storage tank (UST) anomalies and associated tank vent pipes were identified during the 2018 Phase II Environmental Site Assessment (ESA). In addition, during the 2022 Supplemental Investigation, at least one historical and current leaking UST was identified in a test pit, and Spill No. 2207384 assigned to the site, which is still currently open.

These USTs will need to be registered and properly closed as part of the remediation of the site.

Item 12. 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:

The site will be jointly owned by the current owner (participant) and others (volunteer).

Attachment 7

Section IX:

Current and Historical Owners and Operators

CURRENT OWNERS/OPERATORS

Owner	Address			Dates of Utilization
Webster 1099 Realty, LLC -William Schur, Partner -Marc Schur, Partner -Andreas Massaro, Partner -Deena Grotto, Partner	2432 Grand Concourse, Bronx, NY 10458			Since 2005
Operators	Address	Phone	Email	Dates of Utilization
Five Star Machine Shop	1099-1115 Webster Avenue, Bronx, NY 10456	718-926-1201	not available	Since 2000
J&J Machine Shop	1119 Webster Avenue, Bronx, NY 10456	718-926-1201	not available	Since 1992
Vincente Amparo	1135 Webster Avenue, Bronx NY 10456	646-763-7912 or 347-827-6383	not available	2011

HISTORICAL OWNERS/OPERATORS

Date Recorded	Owner/Operator	Last Known Address	Phone Number	Requestor Relationship
Unknown	Kraftco Corporation	1180 Avenue of the Americas, NY, NY	Unknown	none
2/2/1971	Circle Dyeing and Finishing Corp.	3475 Third Avenue, Bronx, NY 10456	Unknown	(Schur Family Business)
2/2/1971	Gotham Dyeing and Finishing Corp.	3475 Third Avenue, Bronx, NY 10456	Unknown	(Schur Family Business)
3/30/1972	Elzee Estates, Inc.	C/O Nathanson & Nathanson 36 West 44th Street, NY, NY 10036	Unknown	none
3/30/1972	D&S Realty Co.	910 Grand Concourse, Bronx, NY 10452	Unknown	none
10/4/1972	Elzee Estates, Inc.	C/O Nathanson & Nathanson 36 West 44th Street, NY, NY 10036	Unknown	none
10/4/1972	Almax Associates	3081 Villa Avenue, Bronx, NY 10468	Unknown	none
5/21/1982	Rome Knitting Mills, Inc.	3475 Third Avenue, Bronx, NY 10456	Unknown	(Schur Family Business)
1972	Troika Associates	3475 Third Avenue, Bronx, NY 10456	Unknown	(Schur Family Business)
1972	Schurson Textiles Inc.	3475 Third Avenue, Bronx, NY 10456	Unknown	(Schur Family Business)
7/27/1982	Trio Realty Company, LLC	2021 Grand Concourse, Bronx, NY	Unknown	(Schur Family Business)
1/17/1991	Shur Management Co., Ltd.	2432 Grand Concourse, Bronx, NY 10458	Unknown	(Schur Family Business)
2/19/1991	Duo Factors Company	2432 Grand Concourse, Bronx, NY 10458	Unknown	(Schur Family Business)
2/19/1991	Paul Shur Associates	44 Buckfield Lane, Greenwich, CT	Unknown	(Schur Family Business)
12/3/1996	Trio Realty Company, LLC	2432 Grand Concourse, Bronx, NY 10458	Unknown	(Schur Family Business)
3/2/2000	Trio 2870 Marion Associates, LLC	2432 Grand Concourse, Bronx, NY 10458	Unknown	(Schur Family Business)
5/5/2005	Webster 1099, LLC	2432 Grand Concourse, Bronx, NY 10458	718-733-6300	Requestor

Attachment 8

**Section X:
NYSDEC Spill Correspondence**

Monterosso, Wendy

Subject: FW: 1099 Webster Ave Bronx, NY Spill 2207384

From: Ye, Diane M (DEC) <Diane.Ye@dec.ny.gov>

Sent: Tuesday, January 24, 2023 12:01 PM

To: Recchia, Nicholas <nrecchia@geiconsultants.com>; Tauss, Steve <STauss@geiconsultants.com>

Cc: Zhune, Veronica S (DEC) <veronica.zhune@dec.ny.gov>

Subject: [EXT] RE: 1099 Webster Ave Bronx, NY Spill 2207384

EXTERNAL EMAIL

Hi Nick and Steve,

Thank you for the reports. We will wait to see whether the project will be managed under the BCP.

Best,

Diane Ye

Assistant Engineer, Region 2 Spill Response Program, Division of Environmental Remediation

New York State Department of Environmental Conservation

47-40 21st Street, 1st Floor, Long Island City, NY 11101

P: (718) 482-4038 | F: (718) 482-4098 | diane.ye@dec.ny.gov

www.dec.ny.gov |  |  | 

From: Recchia, Nicholas <nrecchia@geiconsultants.com>

Sent: Thursday, January 19, 2023 1:31 PM

To: Tauss, Steve <STauss@geiconsultants.com>; Ye, Diane M (DEC) <Diane.Ye@dec.ny.gov>

Cc: Zhune, Veronica S (DEC) <veronica.zhune@dec.ny.gov>

Subject: RE: 1099 Webster Ave Bronx, NY Spill 2207384

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Hi Diane. If you will be sending us a letter requiring any further action, we would include it along with the BCP application.

Thanks

GEI

NICHOLAS J. RECCHIA, P.G.

Senior Environmental Practice Leader - Hydrogeologist

631.759.2973 cell: 516.395.8763

1000 New York Avenue, Suite B, Huntington Station, NY 11746



From: Tauss, Steve <STauss@geiconsultants.com>
Sent: Thursday, January 19, 2023 1:27 PM
To: Ye, Diane M (DEC) <Diane.Ye@dec.ny.gov>
Cc: Recchia, Nicholas <nrecchia@geiconsultants.com>; Zhune, Veronica S (DEC) <veronica.zhune@dec.ny.gov>
Subject: RE: 1099 Webster Ave Bronx, NY Spill 2207384

Hi Diane- Thanks for the quick review and response.

Attached is the historical Phase II report for the site.

Our client requested a second pre-application call to discuss our pre-application investigation findings, which is planned for next week. Following that call, we plan to complete and submit the BCP application within the next few weeks.

Please let me know if you need anything else.

GEI STEPHEN TAUSS, PG
Senior Project Manager
631.760.9300 cell: 631.560.0951
1000 New York Avenue, Suite B, Huntington Station, NY 11746



From: Ye, Diane M (DEC) <Diane.Ye@dec.ny.gov>
Sent: Thursday, January 19, 2023 1:16 PM
To: Tauss, Steve <STauss@geiconsultants.com>
Cc: Recchia, Nicholas <nrecchia@geiconsultants.com>; Zhune, Veronica S (DEC) <veronica.zhune@dec.ny.gov>
Subject: [EXT] RE: 1099 Webster Ave Bronx, NY Spill 2207384

EXTERNAL EMAIL

Hi Steve,

Thank you for the figure and analytical results. I am reviewing the documents and noticed in the drawing that prior soil borings, groundwater samples, and soil vapor samples were collected. Please provide any previous Phase II/environmental investigation reports you have for this site. Additionally, I noticed that the drawing was titled "BCP Pre-Application." What is the status of the BCP application?

Thank you,

Diane Ye

Assistant Engineer, Region 2 Spill Response Program, Division of Environmental Remediation

New York State Department of Environmental Conservation

47-40 21st Street, 1st Floor, Long Island City, NY 11101

P: (718) 482-4038 | F: (718) 482-4098 | diane.ye@dec.ny.gov

www.dec.ny.gov |  |  | 

From: Tauss, Steve <STauss@geiconsultants.com>
Sent: Tuesday, January 17, 2023 5:44 PM
To: Ye, Diane M (DEC) <Diane.Ye@dec.ny.gov>
Cc: Recchia, Nicholas <nrecchia@geiconsultants.com>; Zhune, Veronica S (DEC) <veronica.zhune@dec.ny.gov>
Subject: RE: 1099 Webster Ave Bronx, NY Spill 2207384

You don't often get email from stauss@geiconsultants.com. [Learn why this is important](#)

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Hi Diane,

I'm working with Nick on this project. Please find a sample location figure, which includes the approximate UST Excavation test pit limits, and analytical results tables for soil, groundwater, and soil vapor.

Thank you.

GEI STEPHEN TAUSS, PG
Senior Project Manager
631.760.9300 cell: 631.560.0951
1000 New York Avenue, Suite B, Huntington Station, NY 11746



From: Recchia, Nicholas <nrecchia@geiconsultants.com>
Sent: Tuesday, January 17, 2023 3:00 PM
To: Tauss, Steve <STauss@geiconsultants.com>
Subject: FW: 1099 Webster Ave Bronx, NY Spill 2207384

Steve. Below is an email from DEC for the SPILL CASE at 1099 Webster. We will need to forward the results of our pre-app investigation to them. I can do that just wanted to be sure which file was the correct one to send.

Thanks

GEI NICHOLAS J. RECCHIA, P.G.
Senior Environmental Practice Leader - Hydrogeologist
631.759.2973 cell: 516.395.8763
1000 New York Avenue, Suite B, Huntington Station, NY 11746



From: Ye, Diane M (DEC) <Diane.Ye@dec.ny.gov>
Sent: Tuesday, January 17, 2023 2:40 PM
To: Recchia, Nicholas <nrecchia@geiconsultants.com>
Cc: Zhune, Veronica S (DEC) <veronica.zhune@dec.ny.gov>
Subject: [EXT] RE: 1099 Webster Ave Bronx, NY Spill 2207384

EXTERNAL EMAIL

Hi Nick,

Happy New Year. I'd like to follow up on this case – what is the status of the project, and have you received sample results?

Thank you,

Diane Ye

Assistant Engineer, Region 2 Spill Response Program, Division of Environmental Remediation

New York State Department of Environmental Conservation

47-40 21st Street, 1st Floor, Long Island City, NY 11101

P: (718) 482-4038 | F: (718) 482-4098 | diane.ye@dec.ny.gov

www.dec.ny.gov |  |  | 

From: Ye, Diane M (DEC)

Sent: Friday, December 2, 2022 12:38 PM

To: Recchia, Nicholas <nrecchia@geiconsultants.com>

Cc: Zhune, Veronica S (DEC) <veronica.zhune@dec.ny.gov>

Subject: RE: 1099 Webster Ave Bronx, NY Spill 2207384

Hi Nick,

Thank you for the Phase 1 Report and site contact information. We'll be sure to copy you on any correspondence with the owner. Please keep us updated with your work plans, sample results, and Phase II report when ready, and feel free to reach out if you have any questions.

Thank you,

Diane Ye

Assistant Engineer, Region 2 Spill Response Program, Division of Environmental Remediation

New York State Department of Environmental Conservation

47-40 21st Street, 1st Floor, Long Island City, NY 11101

P: (718) 482-4038 | F: (718) 482-4098 | diane.ye@dec.ny.gov

www.dec.ny.gov |  |  | 

From: Recchia, Nicholas <nrecchia@geiconsultants.com>

Sent: Friday, December 2, 2022 12:04 PM

To: Ye, Diane M (DEC) <Diane.Ye@dec.ny.gov>

Subject: 1099 Webster Ave Bronx, NY Spill 2207384

You don't often get email from nrecchia@geiconsultants.com. [Learn why this is important](#)

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Diane. Below is a link to the Phase 1 report. My site contacts are CArgyriou@megagroup.nyc and AMeza@megagroup.nyc.

Please copy me on any correspondence.

<https://geiconsultants.sharefile.com/d-s6661ab5c9bc2401094d36cdeb481ca3b>

Sincerely,

GEI

NICHOLAS J. RECCHIA, P.G.

Senior Environmental Practice Leader - Hydrogeologist

631.759.2973 cell: 516.395.8763

1000 New York Avenue, Suite B, Huntington Station, NY 11746



Attachment 9

Section XI:

Site Contact List

Morrisania Library Document Repository

Community Board Four Document Repository Letter

A	B	C	D	E	F	G	H	I	J	
1										
2	Site Contact List									
3	Site #: C203167									
4	Site Name:1099 Webster Avenue Redevelopment Site			List Created 4-11-2023	List Last Updated: 4-11-2023					
5	Current Occupant	Name, Title	Address 1	Address 2	Address 3	Street Address	City	State	Zip	Site Name (County)
6		Hon. Eric Adams	NYC Mayor			City Hall	New York	NY	10007	1099 Webster Avenue Redevelopment Site (Bronx)
7		Hon. Brad Lander	NYC Comptroller			1 Centre Street #530	New York	NY	10007	1099 Webster Avenue Redevelopment Site (Bronx)
8		Hon. Jumaane D. Williams	Public Advocate			1 Centre Street #15N	New York	NY	10007	1099 Webster Avenue Redevelopment Site (Bronx)
9		Dan Garodnick	Director, NYC Dept. of City Planning			120 Broadway, 31st Floor	New York	NY	10271	1099 Webster Avenue Redevelopment Site (Bronx)
10		Rohit Aggarwala	Acting Commissioner, NYC Dept. of Environmental Protection			59-17 Junction Boulevard	Flushing	NY	11373	1099 Webster Avenue Redevelopment Site (Bronx)
11		Vincent Sapienza	Chief Operating Officer, NYC Dept. of Environmental Protection			59-17 Junction Boulevard	Flushing	NY	11373	1099 Webster Avenue Redevelopment Site (Bronx)
12			New York City Department of Environmental Protection- NYC Water Department			415 E 203rd St	Bronx	NY	10467	
13		Mark McIntyre, Director	NYC Office of Environmental Remediation			100 Gold Street - 2nd Floor	New York	NY	10038	1099 Webster Avenue Redevelopment Site (Bronx)
14		Hon. Vanessa L. Gibson	Bronx Borough President			851 Grand Concourse, 301,	Bronx	NY	10451	1099 Webster Avenue Redevelopment Site (Bronx)
15		Shawn Roberts	NYSDEC Project Manager			625 Broadway	Albany	NY	12233	1099 Webster Avenue Redevelopment Site (Bronx)
16		Thomas V. Panzone	NYSDEC Citizen Participation Specialist			47-40 21st Street	Long Island City	NY	11101	1099 Webster Avenue Redevelopment Site (Bronx)
17		Larry Ennist	NYSDEC Citizen Participation Specialist			625 Broadway	Albany	NY	12233	1099 Webster Avenue Redevelopment Site (Bronx)
18		Steven Berminger	NYSDOH Public Health Specialist		Empire State Plaza	Corning Tower, Room 1787	Albany	NY	12237	1099 Webster Avenue Redevelopment Site (Bronx)
19		Hon Charles Schumer	U.S. Senator			780 Third Avenue, Suite 2301	New York	NY	10017	1099 Webster Avenue Redevelopment Site (Bronx)
20		Hon. Kirsten Gillibrand	U.S. Senator			780 Third Avenue, Suite 2601	New York	NY	10017	1099 Webster Avenue Redevelopment Site (Bronx)
21		Hon. Rep. Ritchie Torres (CD-15)	U.S. House of Representatives			540 E Fordham Rd., Unit 2A	Bronx	NY	10458	1099 Webster Avenue Redevelopment Site (Bronx)
22		Hon. Althea Stevens	NYC Councilmember - District 16			1377 Jerome Avenue	Bronx	NY	10452	1099 Webster Avenue Redevelopment Site (Bronx)
23		Hon. Luis R. Sepúlveda	NYS Senator - District 32			900 Rogers Place	Bronx	NY	10459	1099 Webster Avenue Redevelopment Site (Bronx)
24		Hon. Latoya Joyner	NYS Assemblymember - District 77			910 Grand Concourse, Suite 1JK	Bronx	NY	10451	1099 Webster Avenue Redevelopment Site (Bronx)
25		District Manager	Bronx Community Board 4			1650 Selwyn Avenue, Suite 11A	Bronx	NY	10457	1099 Webster Avenue Redevelopment Site (Bronx)
26	Document Repository	Chairperson: Mr. Robert Garmendiz	Bronx Community Board 4			1650 Selwyn Avenue, Suite 11A	Bronx	NY	10457	1099 Webster Avenue Redevelopment Site (Bronx)
27		Yohanny Rincon, Parks Committee Chairperson	Bronx Community Board 4 Parks Committee			1650 Selwyn Avenue, Suite 11A	Bronx	NY	10457	1099 Webster Avenue Redevelopment Site (Bronx)
28		Ischia Bravo	Bronx County Clerk			851 Grand Concourse	Bronx	NY	10451	1099 Webster Avenue Redevelopment Site (Bronx)
29		Mrs. Mildred James, President	44th NYPD Police Precinct Community Council			2 East 169 Street	Bronx	NY	10452	1099 Webster Avenue Redevelopment Site (Bronx)
30		Engine 92/Ladder 44/Battalion 17	FDNY			1259 Morris Avenue	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
31		Engine 50, Ladder 19, Battalion 26	FDNY			1155 Washington Avenue	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
32	Owner	Webster 1099 Realty LLC				2432 Grand Concourse	Bronx	NY	10458	1099 Webster Avenue Redevelopment Site (Bronx)
33	Current Occupant	Five Star Machine Shop				1099-1115 Webster Avenue	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
34	Current Occupant	J&J Machine Shop				1119 Webster Avenue	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
35	Current Occupant	Vicente Amparo				1135 Webster Avenue	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
36	Document Repository	Colbert Nembhard, Library Manager	Morrisania Library	New York Public Library		610 East 169th Street	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
37		Resident/Business Owner				1149 Webster Avenue	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
38		Resident/Business Owner				1155 Webster Avenue	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
39		Resident/Business Owner				1100-1102 Webster Avenue	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
40		Resident/Business Owner				1110 Webster Avenue	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
41		Resident/Business Owner				1135 Webster Avenue	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
42		Resident/Business Owner				1150 Webster Avenue	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
43		Resident/Business Owner				1154 Webster Avenue	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
44		Resident/Business Owner				381 E 166th St	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
45		Resident/Business Owner				1100 Clay Ave	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
46		Resident/Business Owner				1104 Clay Ave	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
47		Resident/Business Owner				1120 Clay Ave	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
48		Resident/Business Owner				1124 Clay Ave	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
49		Resident/Business Owner				1132 Clay Ave	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
50		Resident/Business Owner				1140 Clay Ave	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
51		Resident/Business Owner				390 E 167th St	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
52		Resident/Business Owner				396 E 167th St	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
53		Bronx Times				3602 East Tremont Avenue, Suite 205	Bronx	NY	10465	1099 Webster Avenue Redevelopment Site (Bronx)
54		New York Post				1211 Avenue of the Americas, Suite 10	New York	NY	10036	1099 Webster Avenue Redevelopment Site (Bronx)
55		New York Daily News				4 New York Plaza	New York	NY	10004	1099 Webster Avenue Redevelopment Site (Bronx)
56		Hoy Nueva York				1 MetroTech Center, 18th Floor	Brooklyn	NY	11201	1099 Webster Avenue Redevelopment Site (Bronx)
57		El Diario La Prensa				41 Flatbush Avenue, Fl 1	Brooklyn	NY	11217	1099 Webster Avenue Redevelopment Site (Bronx)
58		NY1 News				75 Ninth Ave	New York	NY	10011	1099 Webster Avenue Redevelopment Site (Bronx)
59		P.S. 53 The Basheer Qusim School	Principal, Sharda Flores			360 E 168th St	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
60		X443 The Family School	Principal, Rowena Penn			1116 Sheridan Ave	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)
61		Grant Avenue Elementary School	Principal, Kristin Erat			250 E 164th St	Bronx	NY	10456	1099 Webster Avenue Redevelopment Site (Bronx)



Consulting April 20, 2023
Engineers and Project 2203948
Scientists

Via email: colbertnembhard@nypl.org

Mr. Colbert Nembhard
Morrisania Library
The New York Public Library
610 East 169th Street
Bronx, New York 10456

Dear Mr. Colbert Nembhard:

**Re: Document Repository
1099 Webster Avenue Redevelopment Site
Bronx, New York**

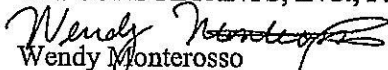
GEI Consultants, Inc., P.C. (GEI) has been retained as the consultant of record for the above-referenced project. We are preparing an application to enter the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP).

NYSDEC requires a Document Repository be designated for the project in order to provide public access to project related documents for the duration of the project (approximately 24 months). GEI understands that the New York Public Library is unable to house physical documents and would provide the access via a link on the library webpage. The NYSDEC has agreed to follow this policy.


Please indicate your agreement for the Morrisania Library to serve as the Document Repository for this project by signing below. We thank you for assisting us with this request and we look forward to working with you.

If you have any questions, please feel free to contact me at 631-759-2962.

Sincerely,
GEI CONSULTANTS, INC., P.C.


Wendy Monterosso
Senior Hydrogeologist

WGM:ag



Colbert Nembhard, Library Manager
Morrisania Library
The New York Public Library

Monterosso, Wendy

Subject: FW: [EXTERNAL] RE: Document Repository Inquiry- Response Requested

From: BX04, BX04 (CB) <BX04@cb.nyc.gov>

Sent: Tuesday, April 18, 2023 12:43 PM

To: Monterosso, Wendy <wmonterosso@geiconsultants.com>

Cc: Robert Garmendiz <robert.garmendiz@gmail.com>; Thompson, Lynne (CB) <lthompson@cb.nyc.gov>

Subject: [EXT] RE: [EXTERNAL] RE: Document Repository Inquiry- Response Requested

EXTERNAL EMAIL

Good Afternoon,

On behalf of Robert Garmendiz, Board Chairperson, Bronx Community Board Four and at your request it is agreed to include CB4 as an additional document repository for project located at 1099 Webster Avenue, Bronx, NY.

Should you require further information, please email bx04@cb.nyc.gov or call 718-299-0800.

Liz for Robert Garmendiz, Board Chairperson
Community Board Four
1650 Selwyn Avenue, Suite 11A
Bronx, New York 10457
718 299-0800
bx04@cb.nyc.gov

The Capital District
MT. Eden, Highbridge, East Concourse, West Concourse and Concourse Village sections of the Bronx.