

May 4, 2026

Daniel R. Nierenberg, P.G.  
NYSDEC  
Division of Environmental Remediation  
625 Broadway  
Albany, New York 12233-7016

**Re: Site Management Plan – Periodic Review Report  
Reporting Period – April 2025 to April 2026  
416 Kent Avenue  
Brooklyn, New York  
Brownfield Cleanup Program (BCP) Site No. C224200  
Langan Project No. 170332902**

Dear Mr. Nierenberg:

This Periodic Review Report (PRR) documents ongoing compliance with the November 2018 Site Management Plan (SMP) for the above-referenced site. The SMP was approved by the New York State Department of Environmental Conservation (NYSDEC) on November 28, 2018. The site is located at 416 Kent Avenue in the Williamsburg neighborhood of Brooklyn, New York (the site). The site is also identified on the Borough of Brooklyn Tax Map as Tax Block 2128, Lot 5. A site location map is provided as Figure 1. A site layout map is provided as Figure 2. The site was remediated in accordance with the June 2015 Decision Document, the NYSDEC-approved March 2015 Remedial Action Work Plan (RAWP) and the January 15, 2016 RAWP Addendum No. 1. The remedy met Track 4 Restricted Residential remediation standards and allows for restricted residential, commercial, and industrial uses. A Final Engineering Report (FER) was prepared on November 15, 2018 and a Certificate of Completion (CoC) was issued in December 2018. Institutional controls and engineering controls (IC/EC) are a component of the site remedy. The EC/ICs are required to be maintained and monitored in accordance with the SMP.

## **SITE BACKGROUND**

The site spans approximately 1.056 acres and is developed with a 22-story residential building with subgrade parking, first-, second-, and seventh-floor amenity space, ground floor retail space along Kent Avenue and the East River, and residential use on floors 1 through 22. The site is bound by a two-story restaurant with a parking lot to the north, Kent Avenue to the east, a multi-story residential and commercial development (NYSDEC BCP No. C224201) to the south, and the East River to the west. The site is located in a neighborhood primarily characterized by multi-story industrial, commercial, and residential buildings. Available records indicate that the site was

developed as early as 1887. Past uses of the site include a ferry terminal (circa 1887-1904), vacant buildings (circa 1918), a steel and tube corporation (circa 1928), and parking (circa 1935-2014).

Remediation was completed between December 1, 2015 and November 6, 2018 and included:

- Removal of five 4,000-gallon diesel underground storage tanks (USTs)
- Removal of non-native fill and soil exceeding the NYSDEC Title 6 of the Official Compilation of New York Codes, Rules and Regulations (NYCRR) Part 375 Restricted Residential Use (RRU) Soil Cleanup Objectives (SCOs)
- Backfilling of excavated areas to development grade
- Installation of a composite cover system, an EC
- Installation of a sub-membrane depressurization (SMD) system with a vapor barrier membrane beneath a part of the on-site building, an EC
- Implementation of long-term IC/ECs via an SMP and Environmental Easement (EE)

## **SMP COMPLIANCE**

### Institutional Controls

The ICs are documented in an EE (Appendix A) and include the following:

- A requirement for the remedial party or site owner to complete and submit to the Department a periodic certification of IC/ECs in accordance with Part 375-1.8(h)(3)
- Use and development of the controlled property for restricted residential, commercial and industrial uses as defined in Part 375-1.8(g) and in accordance with applicable local zoning
- Prohibition of vegetable gardens and farming in residual site soil
- Restriction of groundwater use as a source of potable or process water, without the necessary water quality treatment as determined by New York State Department of Health (NYSDOH)
- Required compliance with the NYSDEC-approved SMP

The site is currently in compliance with the ICs documented in the EE and SMP as evidenced by observations made during the PRR site visit on April 14, 2026 and general knowledge of potable water supply sources in New York City.

### Engineering Controls

ECs for the site consist of a composite cover system and an SMD system with a vapor barrier membrane within a portion of the site building. Both are discussed in greater detail below.

### *Composite Cover System*

At the time of the CoC, the composite cover system consisted of the reinforced concrete building slab, an asphalt roadway, concrete covered walkways, and at least two feet of clean cover soil meeting the lower of RRU and Protection of Groundwater (PGW) SCOs in landscaped areas.

The composite cover system was breached three times following issuance of the CoC; none of the incidents occurred during this reporting period. Following completion of all three incidents of intrusive activities, the composite cover system was restored. Additional details on the first two breaches can be found in the March 6, 2020 PRR. Additional details on the third breach can be found in the May 3, 2022 PRR.

Langan completed a site inspection of the composite cover system on April 14, 2026. Photographs of site conditions during the site inspection are provided as Appendix B. Visually observable portions of the reinforced concrete slab and concrete walls within the cellar office and ventilated parking garage were in good condition with no cracks, water damage or other indicators of slab failure. Paved driveways, walkways, and landscaped areas appeared intact. No breaches in the composite cover system were observed. According to building management, no intrusive activities were conducted during the reporting period. The composite cover system was observed to be intact and was reported to have been in compliance with the SMP for the reporting period.

### *Sub-Membrane Depressurization System*

As an element of the site remedy, vapor mitigation is provided through operation of an SMD system installed beneath a 700-square-foot commercial space located in the southwestern part of the site building. An actively ventilated parking garage consistent with ventilation that operates with New York City Building Code exists across the balance of the building footprint. A vapor barrier membrane was installed beneath the building slab (included as a component of the SMD) and around the sidewalls of the foundation. SMD system as-built drawings are provided as Appendix C.

At the time of the PRR inspection, the SMD system was observed to be active and the blower was documented to maintain a flow rate of 62.94 cubic feet per minute (CFM), consistent with the designed flow rate. The ventilation system in the parking garage was active at the time of inspection and photoionization detector (PID) readings were consistently 0.0 ppm during the walkthrough. The SMD system was observed to be operating in compliance with the SMP.

Photographs of site conditions during the site inspection are provided as Appendix B. The completed IC/ECs Certificate Forms are provided as Appendix D. The completed site inspection forms are included as Appendix E.

## RECOMMENDATIONS

The IC/ECs continue to function as designed and in compliance with the SMP. The active SMD system has operated as an active system since system commissioning. However, because indoor air concentrations were documented below the NYSDOH Air Guidance Values in February 2020 and because chlorinated solvents in groundwater, the sole identified source of chlorinated solvents in soil vapor, have been remediated, the site owner requested cessation of the active SMD system in the May 2024 PRR, which was subsequently approved by NYSDEC in the June 18, 2024 PRR Acceptance Letter. The site owner elected to defer the system conversion until the next reporting period. The passive system will include removal and decommissioning of the system blower and replacement with a wind-driven turbine ventilator. The conversion to a passive system will reduce electricity usage and greenhouse gas emissions of the building, consistent with the goals of NYSDEC Division of Environmental Remediation (DER) DER-31 ("Green Remediation").

## CLOSING

The undersigned certifies that based on the annual PRR activities described herein the site is compliant with the SMP. Should you have any questions, please contact me at 212-479-5427.

Sincerely,

**Langan Engineering, Environmental, Surveying,  
Landscape Architecture and Geology, D.P.C.**

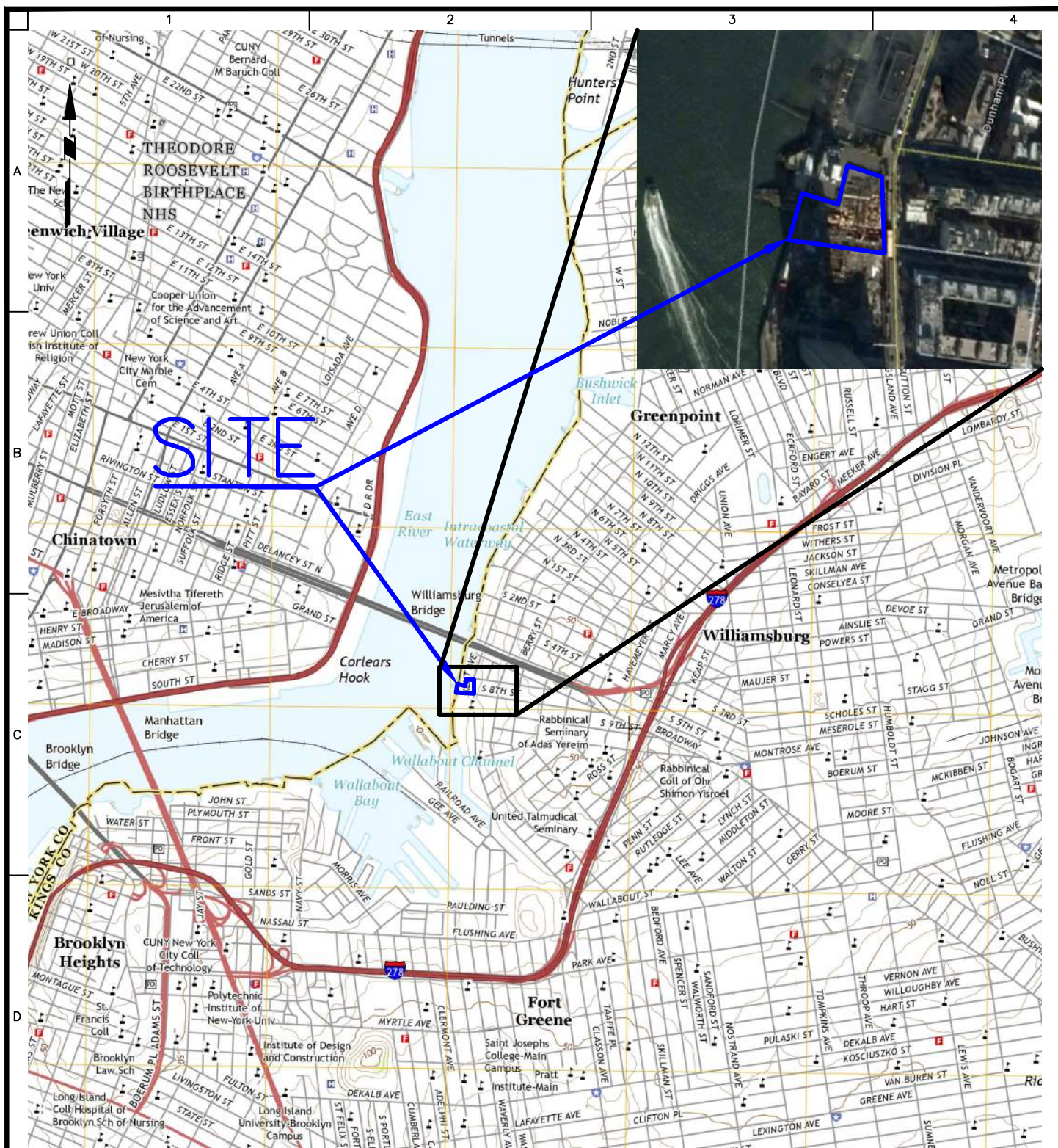


Jason J. Hayes, P.E.  
Senior Principal

Enclosure(s):    Figure 1 – Site Location Map  
                      Figure 2 – Site Layout Map  
                      Appendix A – Executed Environmental Easement  
                      Appendix B – Photographic Documentation  
                      Appendix C – SMD System As-Builts  
                      Appendix D – NYSDEC IC/EC Certification Form  
                      Appendix E – Site Inspection Forms

cc:                C. Morisi – 420 Kent Ave, LLC c/o Spitzer Enterprises  
                      M. Raygorodetsky, E. Burgess, Langan

# FIGURES



- NOTES:**
1. BASE MAP BASED ON USGS 7.5 MINUTE SERIES BROOKLYN QUADRANGLE MAP DATED 2016.
  2. INSET BASE MAP TAKEN FROM GOOGLE EARTH IMAGE DATED 12/8/2016, 1 INCH = 400 FEET.

# LANGAN

21 Penn Plaza, 360 West 31st Street, 8th Floor  
 New York, NY 10001  
 T: 212.479.5400 F: 212.479.5444 www.langan.com

Langan Engineering, Environmental, Surveying,  
 Landscape Architecture, and Geology, D.P.C.  
 Langan Engineering and Environmental Services, Inc.  
 Langan CT, Inc.  
 Langan International LLC  
 Collectively known as Langan

Project

## 416 KENT AVENUE

BLOCK No. 2128, LOT No. 5  
 BROOKLYN

KINGS

NEW YORK

Figure Title

## SITE LOCATION MAP

Project No.  
 170332902

Date  
 04/15/2020

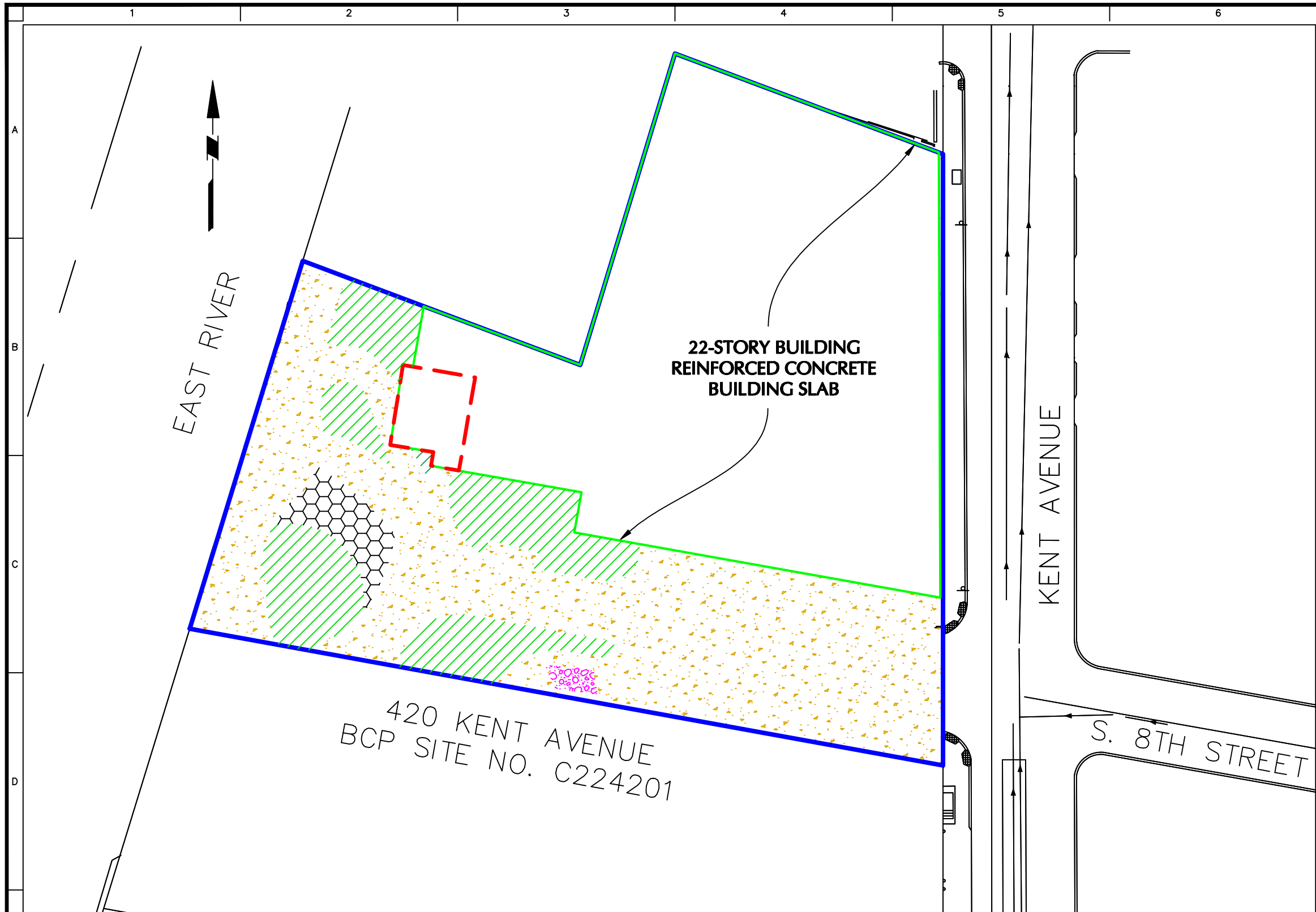
Scale  
 NTS

Drawn By DC | Checked By JL

Submission Date








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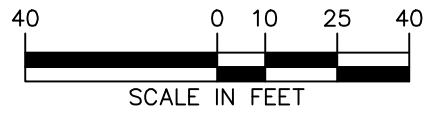
1



- NOTES:**
1. DRAWING BASED ON OCTOBER 23, 2014 SURVEY BY CND MAPPING, INC.
  2. LOCATIONS OF PAVED AND LANDSCAPED AREAS ARE BASED ON A DRAWING BY ODA ARCHITECTURE, TITLED "WATERFRONT ACCESS PLAN", DATED 12/09/2014.
  3. SMD = SUB-MEMBRANE DEPRESSURIZATION

**LEGEND:**

-  SITE BOUNDARY
-  BUILDING BOUNDARY
-  SMD SYSTEM BOUNDARY
-  DRIVEWAYS/WALKWAYS CONCRETE PAVED
-  LANDSCAPED AREAS 2 FEET CLEAN FILL CAP
-  AREA PAVED WITH CONCRETE IN MARCH 2020
-  AREA PAVED WITH GRAVEL IN JUNE 2021



|   |   |                    |                          |            |
|---|---|--------------------|--------------------------|------------|
| <br>21 Penn Plaza, 360 West 31st Street, 8th Floor<br>New York, NY 10001<br>T: 212.479.5400 F: 212.479.5444 www.langan.com<br>Langan Engineering, Environmental, Surveying,<br>Landscape Architecture, and Geology, D.P.C.<br>Langan Engineering and Environmental Services, Inc.<br>Langan CT, Inc.<br>Langan International LLC<br>Collectively known as Langan | Project   | Figure Title       | Project No.<br>170332902 | Figure No. |
|   | 416 KENT AVE<br>BLOCK No. 2128, LOT No. 5<br>BROOKLYN | SITE LAYOUT<br>MAP | Date<br>04/15/2022       | 2          |
|   | KINGS   | NEW YORK           | Scale<br>1" = 40'        |            |
|   |   |                    | Drawn By<br>DC           |            |

**APPENDIX A**  
**Executed Environmental Easement**

ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36  
OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

**THIS INDENTURE** made this 23<sup>rd</sup> day of SEPTEMBER 2015, between Owner(s) 420 Kent Avenue, LLC, having an office at c/o Spitzer Enterprises, 730 Fifth Avenue, Suite 2202, New York, New York 10019, County of New York, State of New York (the "Grantor"), and The People of the State of New York (the "Grantee."), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

**WHEREAS**, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

**WHEREAS**, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

**WHEREAS**, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

**WHEREAS**, Grantor, is the owner of real property located at the address of 416 Kent Avenue (a/k/a 418 Kent Avenue) in the City of New York, County of Kings and State of New York, known and designated on the tax map of the New York City Department of Finance as tax map parcel number: Block 2128 Lot 5, being the same as that property conveyed to Grantor by deed dated February 4, 2015 and recorded in the City Register of the City of New York as CRFN # 2015000067307. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 1.056 +/- acres, and is hereinafter more fully described in the Land Title Survey dated September 30, 2014 and last revised August 10, 2015 prepared by Arkadiusz Jusiega, PLS of CND Mapping, Inc., which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

**WHEREAS**, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation

established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

**NOW THEREFORE**, in consideration of the mutual covenants contained herein and the terms and conditions of Brownfield Cleanup Agreement Index Number: C224200-02-15, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement")

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for:

**Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii),  
Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial  
as described in 6 NYCRR Part 375-1.8(g)(2)(iv)**

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the New York City Department of Health and Mental Hygiene to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

(5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(6) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

(7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

(8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

(9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;

(10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section  
Division of Environmental Remediation  
NYSDEC  
625 Broadway  
Albany, New York 12233  
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

**This property is subject to an Environmental Easement held  
by the New York State Department of Environmental Conservation**

**pursuant to Title 36 of Article 71 of the Environmental Conservation Law.**

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:  
(i) are in-place;  
(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;



and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

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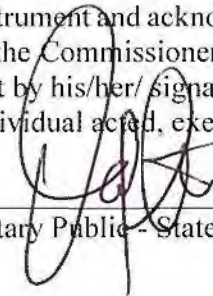
**THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK**, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

By:   
Robert W. Schick, Director  
Division of Environmental Remediation

**Grantee's Acknowledgment**

STATE OF NEW YORK    )  
  ) ss:  
COUNTY OF ALBANY    )

On the 23<sup>rd</sup> day of September, in the year 2015, before me, the undersigned, personally appeared Robert W. Schick, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public - State of New York

**David J. Chiusano**  
**Notary Public, State of New York**  
No. 01CH5032146  
Qualified in Schenectady County  
Commission Expires August 22, 2016

**SCHEDULE "A" PROPERTY DESCRIPTION**

Block 2128 Lot 5

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF BROOKLYN, COUNTY OF KINGS, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY SIDE OF KENT AVENUE, DISTANT 1080.88 FEET NORHTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF KENT AVENUE WITH THE NORTHERLY SIDE OF DIVISION AVENUE,

RUNNING THENCE WESTERLY FORMING AN INTERIOR ANGLE OF 79 DEGREES 43 MINUTES 02 SECONDS 281.80 FEET (ACTUAL) 281.86 FEET (DEED) TO THE U.S. BULKHEAD LINE. APPROVED 2/25/1918;

THENCE NORTHTERLY ALONG SAID BULKHEAD LINE, 162.20 FEET;

THENCE EASTERLY PARALLEL WITH THE LAND NOW/FORMERLY CITY OF NEW YORK 110.22 FEET;

THENCE NORTHERLY PARALLEL WITH SAID U.S. BULKHEAD LINE 119.87 FEET;

THENCE EASTERLY PARALLEL WITH LAND NOW/FORMERLY CITY OF NEW YORK, 103.87 FEET TO APOINT ON THE WESTERLY SIDE OF KENT AVENUE;

THENCE SOUTHERLY ON THE WESTERLY SIDE OF KENT AVENUE, 225.08 FEET TO THE POINT OR PLACE OF BEGINNING.



County: Kings Site No: C224200 Brownfield Cleanup Agreement Index : C224200-02-15

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ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36  
OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

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**WHEREAS**, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

**WHEREAS**, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

**WHEREAS**, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

**WHEREAS**, Grantor, is the owner of real property located at the address of 416 Kent Avenue (a/k/a 418 Kent Avenue) in the City of New York, County of Kings and State of New York, known and designated on the tax map of the New York City Department of Finance as tax map parcel number: Block 2128 Lot 5, being the same as that property conveyed to Grantor by deed dated February 4, 2015 and recorded in the City Register of the City of New York as CRFN # 2015000067307. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 1.056 +/- acres, and is hereinafter more fully described in the Land Title Survey dated September 30, 2014 and last revised August 10, 2015 prepared by Arkadiusz Jusiega, PLS of CND Mapping, Inc., which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

**WHEREAS**, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation

County: Kings Site No: C224200 Brownfield Cleanup Agreement Index : C224200-02-15

---

established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

**NOW THEREFORE**, in consideration of the mutual covenants contained herein and the terms and conditions of Brownfield Cleanup Agreement Index Number: C224200-02-15, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement")

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for:

**Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii),  
Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial  
as described in 6 NYCRR Part 375-1.8(g)(2)(iv)**

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the New York City Department of Health and Mental Hygiene to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

(5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(6) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

County: Kings Site No: C224200 Brownfield Cleanup Agreement Index : C224200-02-15

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(7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

(8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

(9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;

(10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section  
Division of Environmental Remediation  
NYSDEC  
625 Broadway  
Albany, New York 12233  
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

**This property is subject to an Environmental Easement held  
by the New York State Department of Environmental Conservation**

County: Kings Site No: C224200 Brownfield Cleanup Agreement Index : C224200-02-15

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**pursuant to Title 36 of Article 71 of the Environmental Conservation Law.**

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:  
(i) are in-place;  
(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;



County: Kings Site No: C224200 Brownfield Cleanup Agreement Index : C224200-02-15

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and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

**Remainder of Page Intentionally Left Blank**

County: Kings Site No: C224200 Brownfield Cleanup Agreement Index : C224200-02-15

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

420 Kent Avenue, LLC:

By: 

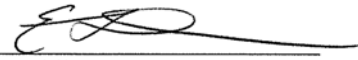
Print Name: ELIOT SPITZER

Title: MANAGER Date: 9/15/15

**Grantor's Acknowledgment**

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF )

On the 15 day of September, in the year 2015, before me, the undersigned, personally appeared Eliot Spitzer, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
Notary Public - State of New York

**EKATERYNA KOSIW**  
**Notary Public - State of New York**  
**No. 01KO6271994**  
**Qualified in Kings County**  
**My Commission Expires Nov. 13, 2016**



County: Kings Site No: C224200 Brownfield Cleanup Agreement Index : C224200-02-15

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**SCHEDULE "A" PROPERTY DESCRIPTION**

Block 2128 Lot 5

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF BROOKLYN, COUNTY OF KINGS, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY SIDE OF KENT AVENUE, DISTANT 1080.88 FEET NORHTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF KENT AVENUE WITH THE NORTHERLY SIDE OF DIVISION AVENUE,

RUNNING THENCE WESTERLY FORMING AN INTERIOR ANGLE OF 79 DEGREES 43 MINUTES 02 SECONDS 281.80 FEET (ACTUAL) 281.86 FEET (DEED) TO THE U.S. BULKHEAD LINE. APPROVED 2/25/1918;

THENCE NORTHTERLY ALONG SAID BULKHEAD LINE, **162.20 FEET;**

THENCE EASTERLY PARALLEL WITH THE LAND NOW/FORMERLY CITY OF NEW YORK 110.22 FEET;

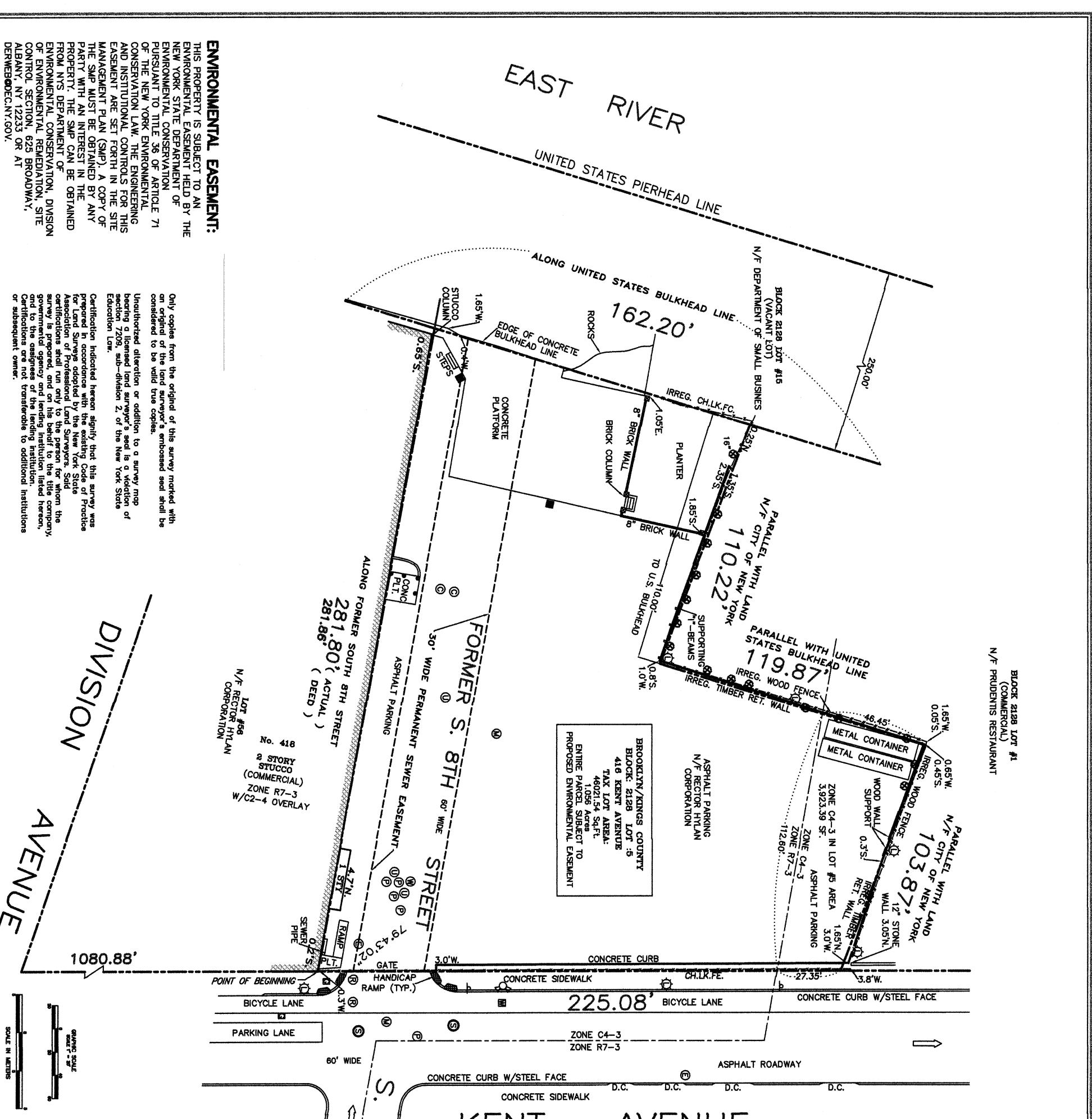
THENCE NORTHERLY PARALLEL WITH SAID U.S. BULKHEAD LINE 119.87 FEET;

THENCE EASTERLY PARALLEL WITH LAND NOW/FORMERLY CITY OF NEW YORK, 103.87 FEET TO APOINT ON THE WESTERLY SIDE OF KENT AVENUE;

THENCE SOUTHERLY ON THE WESTERLY SIDE OF KENT AVENUE, 225.08 FEET TO THE POINT OR PLACE OF BEGINNING.

**ENVIRONMENTAL EASEMENT:**  
 THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 71 OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW. THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN THE SITE MANAGEMENT PLAN (SMP). A COPY OF THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT DERWEB@DEC.NY.GOV.

Only copies from the original of this survey marked with an original of the land surveyor's embossed seal shall be considered to be valid true copies.  
 Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.  
 Certification indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, government agency or other institution named hereon, given the nature of the land and institution named hereon. Certifications are not transferable to additional institutions or subsequent owner.



|  |  |               |            |
|--|--|---------------|------------|
| No. 418 KENT AVENUE  | BROOKLYN   | Tax Map SECT. | BLOCK 2128 |
| COUNTY OF KINGS  | STATE OF NEW YORK  |               | LOT(S) 5   |
| <b>ENVIRONMENTAL EASEMENT SURVEY</b>   |  |               |            |
| DATE OF SURVEY:  | SEPTEMBER 30th, 2014                                       |               |            |
| DATE OF REVISION:  | AUGUST 10th, 2015 for assessment tax lot subdivision only. |               |            |
| THIS SURVEY DOES NOT SHOW ANY RECENT IMPROVEMENTS.   |  |               |            |
| CERTIFIED TO: NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  |  |               |            |
| SURVEYED BY: ARMANDO ZARON, P.L.S. NEW YORK STATE LICENSE # 050589   |  |               |            |
| <b>CND MAPPING, INC.</b><br>46 CEDAR ROAD, WESTBURY<br>NEW YORK, 11590<br>Phone (516) 333-3555<br>Fax (516) 333-3055<br>E-MAIL SURVEY.CNDMAPPING@GMAIL.COM |  |               |            |

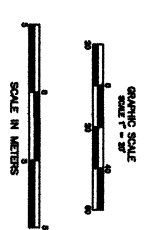
**EASEMENT, RESERVATION & CONDITION NOTES:**

- SUBJECT TO ELECTRICAL RAILROAD EASEMENT OVER KENT AVENUE LIBER 2133 PAGE 394; LIBER 2140 PAGE 269; LIBER 2093 PAGE 75; LIBER2095 PAGE 83; LIBER 2276 PAGE 309; LIBER 11 PAGES 397 & 391.
- RESERVATIONS AS CONTAINED IN LETTER PATENT IN LIBER 3240 PAGE 510;
- TERMS AND CONDITIONS IN RELEASE IN LIBER 5673 PAGE 546;
- TERMS AND CONDITIONS IN LETTERS PATENT IN LIBER 896

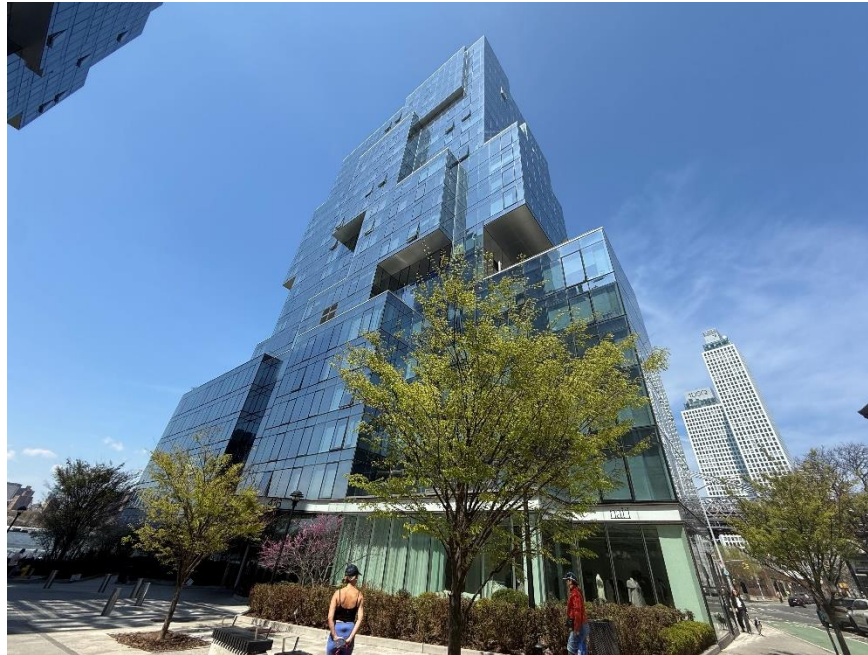
**WRITTEN DESCRIPTION OF BLOCK 2128 LOT 5 AND THE EASEMENT PERIMETER:**  
 ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE LYING AND BEING IN THE BOROUGH OF BROOKLYN, COUNTY OF KINGS, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:  
 BEGINNING AT A POINT ON THE WESTERLY SIDE OF KENT AVENUE, DISTANT 1080.88 FEET NORTHERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF KENT AVENUE WITH THE NORTHERLY SIDE OF DIVISION AVENUE;  
 RUNNING THENCE WESTERLY FORMING AN INTERIOR ANGLE OF 79 DEGREES 43 MINUTES 02 SECONDS 281.80 FEET (ACTUAL) 281.86 FEET (DEED) TO THE U.S. BULKHEAD LINE, APPROVED FEBRUARY 25th 1918  
 THENCE NORTHERLY ALONG SAID U.S. BULKHEAD LINE 162.20 FEET  
 THENCE EASTERLY PARALLEL WITH THE LAND NOW/FORMERLY CITY OF NEW YORK 110.22 FEET  
 THENCE NORTHERLY PARALLEL WITH SAID U.S. BULKHEAD LINE 119.87 FEET  
 THENCE EASTERLY PARALLEL WITH SAID U.S. BULKHEAD LINE 103.87 FEET  
 THENCE SOUTHERLY ON THE WESTERLY SIDE OF KENT AVENUE 225.08 FEET TO THE POINT OR PLACE OF BEGINNING.  
 CONTAINING APPROXIMATELY 46021.54 SQUARE FEET (1.056 ACRE)

**LEGEND**

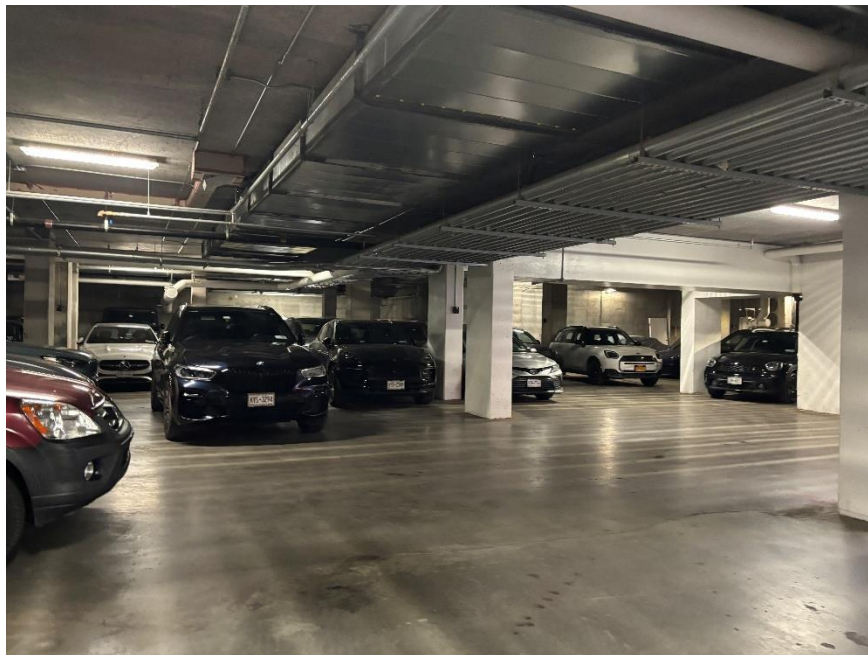
- ⊙ - SEWER MANHOLE
- ⊙ - TREE WITH CALIPER
- ⊙ - UTILITY POLE
- - WATER FLOW
- - WATER VALVE
- - LIGHT POLE
- - FLOW OF TRAFFIC
- - GAS VALVE
- - CHIMNEY
- - DRAIN INLET
- - BOLLARD
- - FIRE HYDRANT
- - TRAFFIC SIGN
- - PUBLIC WORKS MANHOLE
- - ELECTRIC MANHOLE
- - WATER MANHOLE
- - NYC TRANSIT MANHOLE
- - RAILROAD MANHOLE



**APPENDIX B**  
**Photographic Documentation**



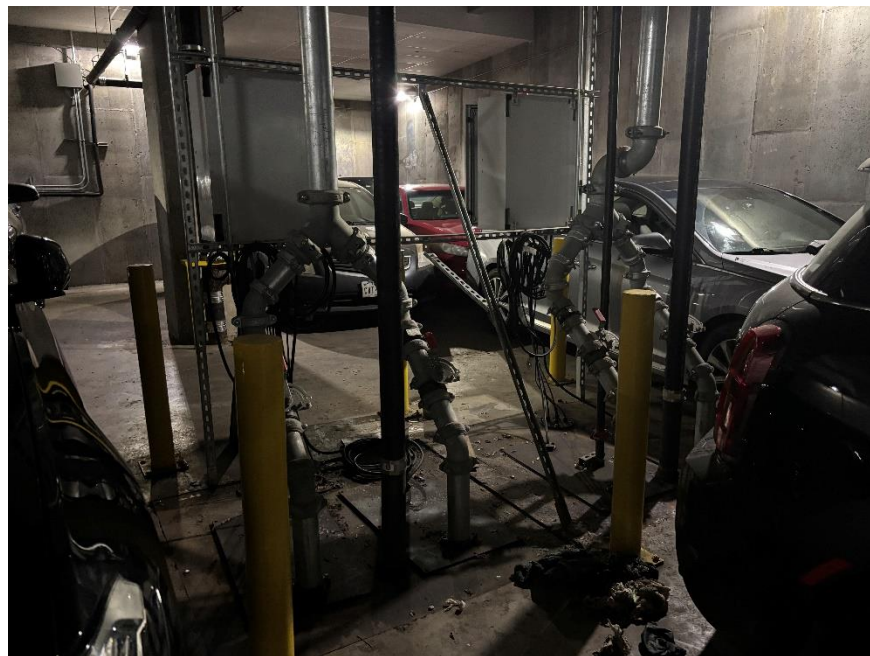
**Photograph 1:** View of 416 Kent from Kent Avenue (04/14/2026)



**Photograph 2:** General view of the reinforced concrete slab within the cellar level ventilated parking garage (04/14/2026)



**Photograph 3:** Example floor drain in the cellar level ventilated parking garage (04/14/2026)



**Photograph 4:** View of sewer lift system/sump pits and pump located in the cellar level ventilated parking garage (04/14/2026)



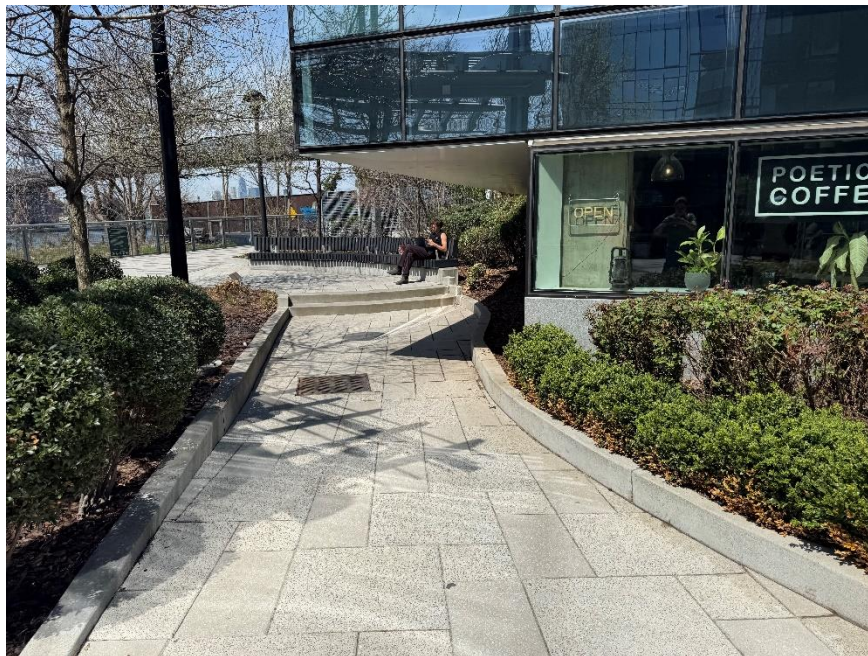
**Photograph 5:** View of example trench drain located within the cellar level ventilated parking garage (04/14/2026)



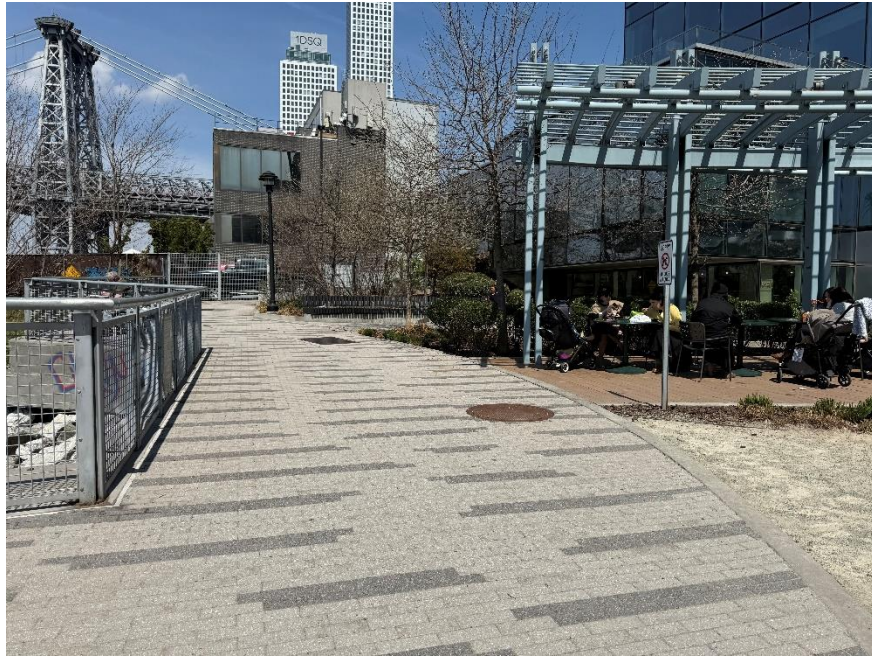
**Photograph 6:** View of chemical storage within the cellar level ventilated parking garage (04/14/2026)



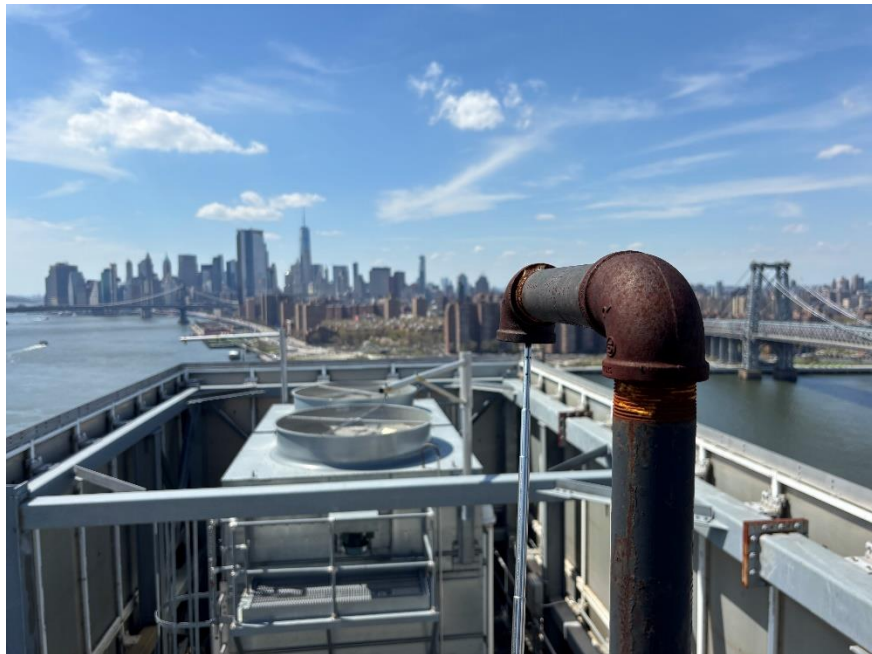
**Photograph 7:** View of blower box on the building roof (04/14/2026)



**Photograph 8:** View of concrete pavers and courtyard south of 416 Kent Avenue building, facing northeast (04/14/2026)



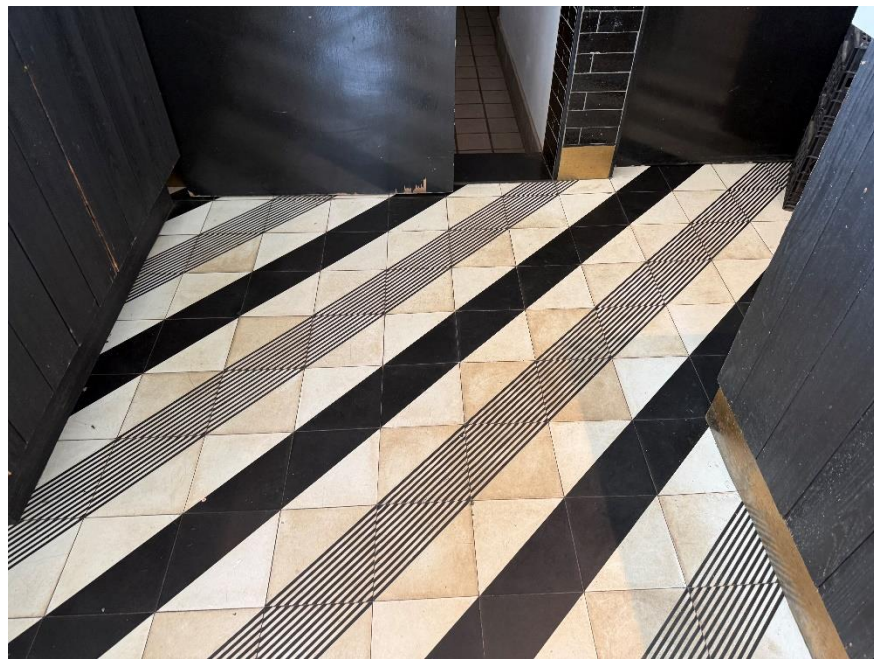
**Photograph 9:** View of composite cover including the esplanade, concrete pavers, stone dust, and vegetation near the southwestern corner of the 416 Kent building, facing north (04/14/2026)



**Photograph 10:** View of the SMD outflow on the roof of 416 Kent Ave, facing west (04/14/2026)



**Photograph 11:** Interior view of an active retail space located in the eastern part of site  
(04/14/2026)



**Photograph 12:** Interior view of the active restaurant located in the southwest part of the site  
(04/14/2026)



**Photograph 13:** Interior view of an active retail space located in the eastern part of the site  
(04/14/2026)

**APPENDIX C**  
**SMD System As-Builts**

September 13, 2018

Sarah Quandt  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233-7013

**Re: Sub-Membrane Depressurization System  
416 Kent Avenue  
Brooklyn, NY  
BCP Site No. C224200  
Langan Project No.: 170332902**

Dear Ms. Quandt:

The under-slab components of the sub-membrane depressurization (SMD) system were installed during the foundation construction in general accordance with our SMD design drawings and details included in the NYSDEC-approved Remedial Action Work Plan (RAWP) dated March 2015 (Attachment 1). The SMD system is comprised of a series of horizontal, interconnected 4-inch diameter perforated high-density polyethylene (HDPE) piping placed in an 8-inch layer of ¾-inch stone; the horizontal system is located beneath a 47-mil-thick vapor barrier membrane (Grace Preprufe® 300R and 160R and Florprufe® 120), which extends underneath the building floor slab above the stone layer. The horizontal piping is connected to one vertical, subgrade vapor collection pipe located in the western portion of the Site. The vertical collection pipe attaches to a 4-inch diameter riser that extends through the floor slab. The risers continue upward through the building interior, where they connect to roof-mounted regenerative blower units. Each riser has a sample port above the floor slab. Under-slab component installation was observed and documented by Langan during foundation construction activities; field observations and installation photographs are included in the daily reports from November to December 2016. The as-built SMD drawings, prepared by ZDG Construction Management of New York, New York (ZDG) are provided as Attachment 2.

Sincerely,

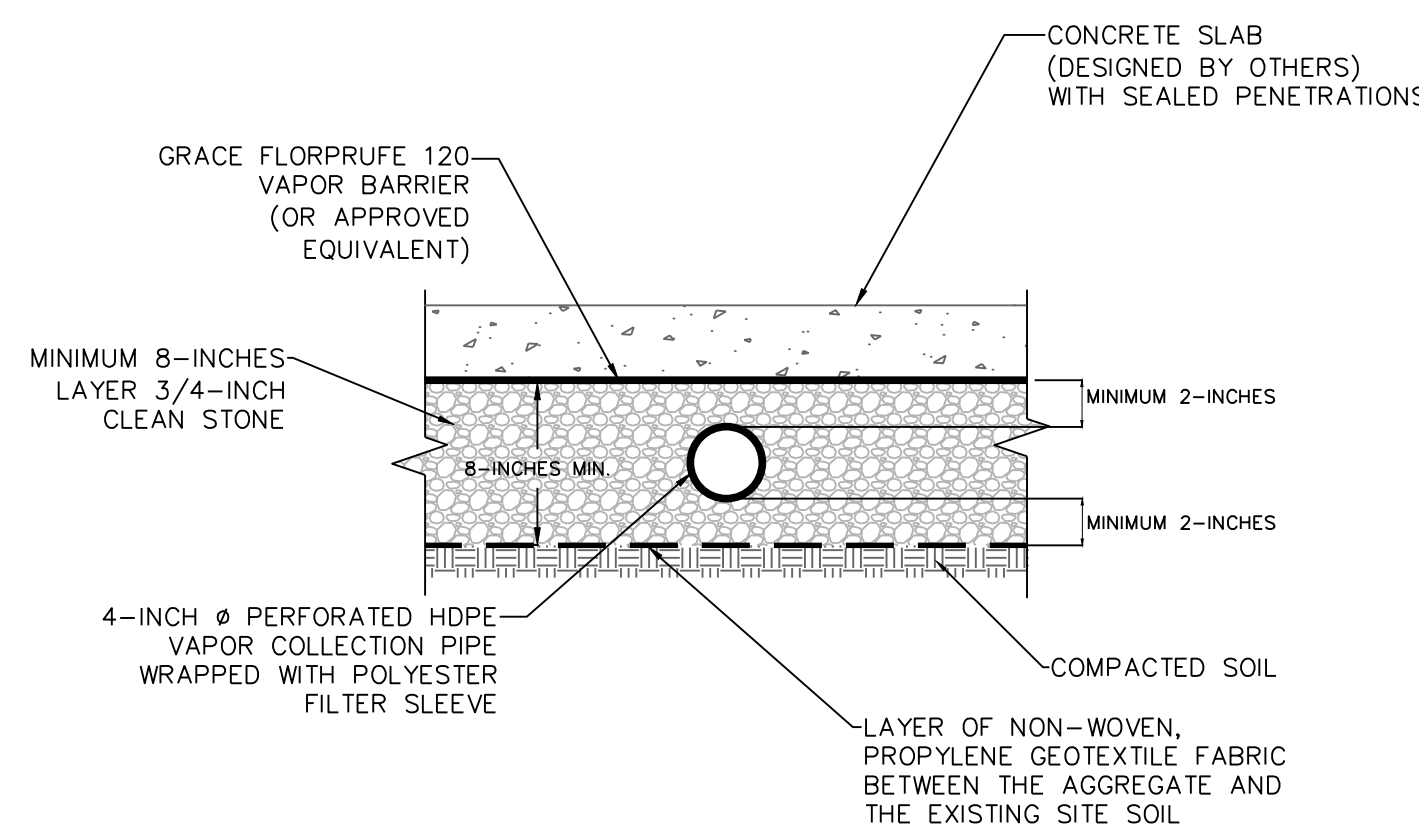
**Langan Engineering, Environmental, Surveying,  
Landscape Architecture and Geology, D.P.C.**



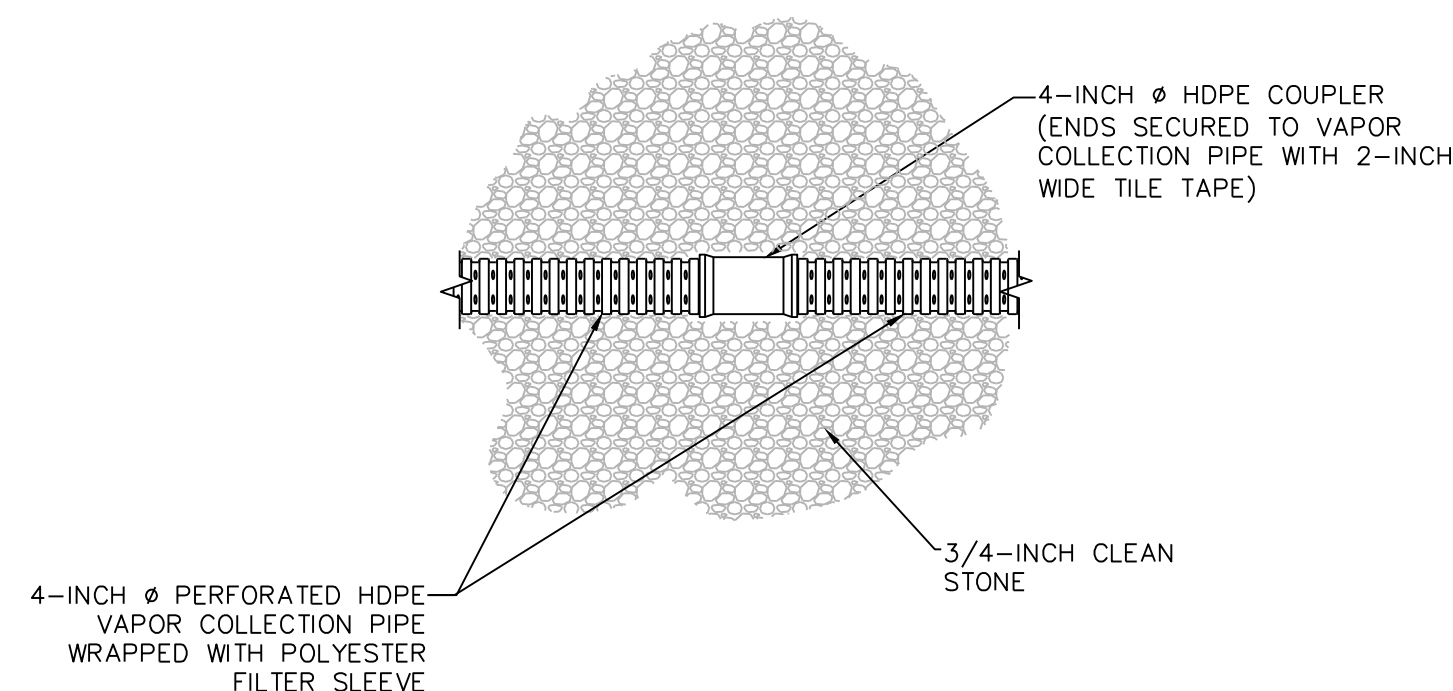
Jason Hayes, LEED AP  
Principal/Vice President

Enclosure: Attachment 1 – Design SMD Detail Drawings (Prepared by Langan)  
Attachment 2 – As-Built Drawings for Under-Slab SMD Components (Prepared by ZDG)

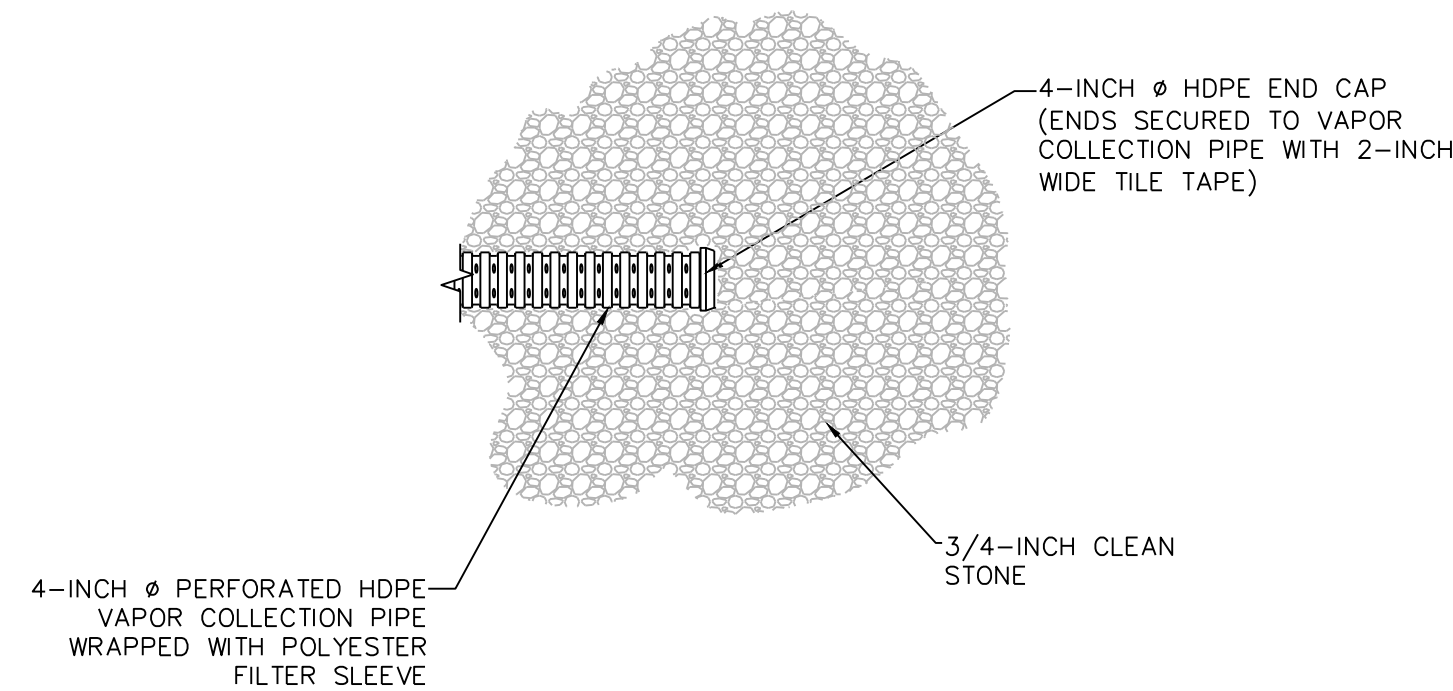
cc: Nicole Rice (Langan)



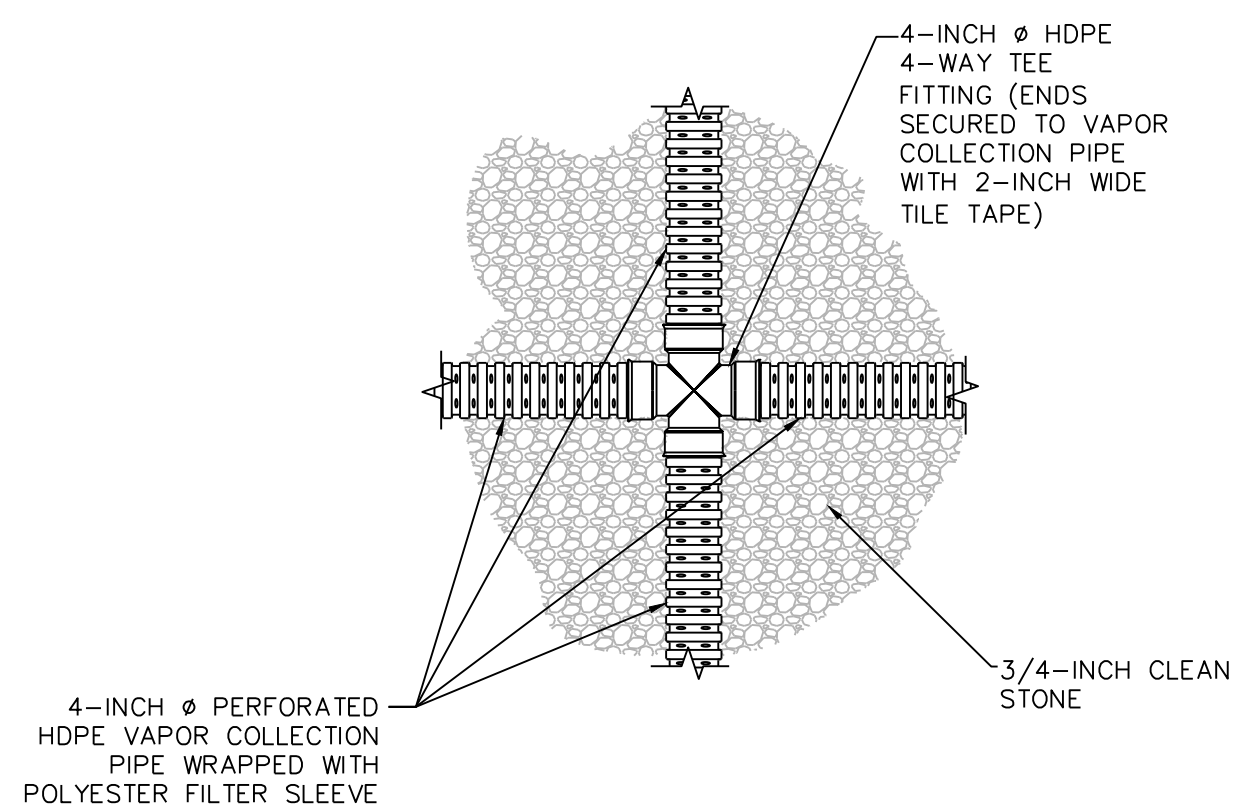
DETAIL 1: TYPICAL SECTION FOR VAPOR COLLECTION PIPE AND VAPOR BARRIER  
NOT TO SCALE



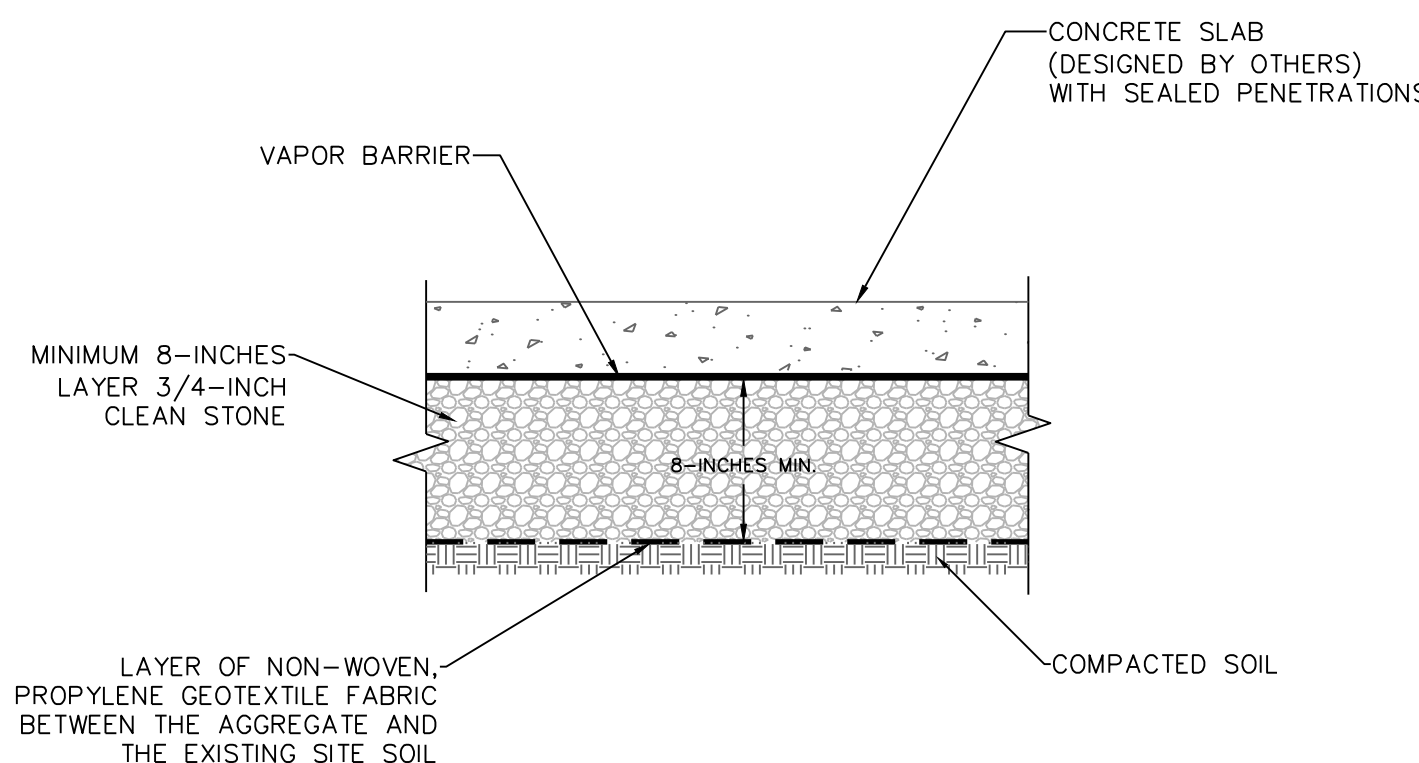
DETAIL 2: TYPICAL COUPLER CONNECTION FOR VAPOR COLLECTION PIPE  
(PLAN VIEW)  
NOT TO SCALE



DETAIL 3: TYPICAL END CAP CONNECTION FOR VAPOR COLLECTION PIPE  
(PLAN VIEW)  
NOT TO SCALE



DETAIL 4: TYPICAL 4-WAY TEE FITTING CONNECTION FOR VAPOR COLLECTION PIPE  
(PLAN VIEW)  
NOT TO SCALE



DETAIL 5: TYPICAL SECTION THROUGH SUB-SLAB  
NOT TO SCALE

**GENERAL NOTES:**

- DESIGN DETAILS AND DRAWING ARE ADAPTED FROM EPA DOCUMENT EPA/625/R-92/016.
- INSTALLATION OF THE SUBMEMBRANE COMPONENTS AND RISER PIPE WERE COORDINATED WITH THE INSTALLATION OF OTHER UTILITIES AND STRUCTURAL COMPONENTS.
- PERFORATED VAPOR COLLECTION PIPE WAS 4-INCH Ø FLEXIBLE, CORRUGATED, SMOOTH INTERIOR, PERFORATED, HIGH DENSITY POLYETHYLENE (HDPE) PIPE WITH A MINIMUM PIPE STIFFNESS OF 35 POUNDS PER SQUARE INCH (PSI) AT 5% DEFLECTION. PERFORATIONS WERE SLOT-TYPE. THERE WAS, AT A MINIMUM, THREE EQUALLY SPACED PERFORATIONS PER GROOVE (I.E. DEPRESSED SECTION OF THE PIPE) OF THE CORRUGATED PIPE. PERFORATIONS ON ALTERNATING GROOVES WERE OFF-SET.
- TOP OF PERFORATED VAPOR COLLECTION PIPE WAS 2 INCHES FROM THE BOTTOM OF SLAB. WHEN NECESSARY, PERFORATED VAPOR COLLECTION PIPE MAY BE ROUTED UNDERNEATH OTHER UTILITIES AND PIPING IN THE SUBSURFACE; TOP OF PERFORATED VAPOR COLLECTION PIPE DID NOT EXCEED 12 INCHES FROM THE BOTTOM OF THE SLAB.
- ALL FITTINGS AND CONNECTIONS FOR THE VAPOR COLLECTION PIPE WERE 4-INCH Ø HDPE FITTINGS, MADE BY THE SAME MANUFACTURER AS THE 4-INCH Ø PIPE, AND OF THE TYPE RECOMMENDED BY THE MANUFACTURER FOR USE WITH THE 4-INCH Ø PIPE. SECURE ALL FITTINGS AND CONNECTIONS WITH 2-INCH WIDE TILE TAPE.
- POLYESTER FILTER SLEEVES HAD A MINIMUM AIR PERMEABILITY OF 70 CUBIC FEET/SQUARE FEET/MINUTE.
- RISER PIPE (DESIGNED BY OTHERS) WERE 4-INCH Ø METAL PIPE OR OTHER MATERIAL THAT COMPLIES WITH APPLICABLE BUILDING CODE.
- RISER PIPE (DESIGNED BY OTHERS) WERE EXTENDED TO THE ROOF WITH MINIMAL CHANGES IN DIRECTION AS SHOWN ON THE MECHANICAL AND PLUMBING DRAWINGS.
- ALL PIPE AND CONDUIT PENETRATIONS THROUGH THE SLAB (INCLUDING MECHANICAL, ELECTRICAL, PLUMBING, OR OTHER) WERE SEALED WITH A HIGH ADHESIVE SEALANT, UNLESS OTHERWISE SPECIFIED. PENETRATIONS SHALL BE AIR-TIGHT.
- RISER PIPE MUST BE CLEARLY LABELED "CAUTION: DO NOT ALTER SUBSLAB VAPOR VENT PIPE" IN EACH ACCESSIBLE AREA (A MINIMUM OF EVERY 10 LINEAR FEET OF RISER PIPE RUN).
- SYSTEM INSTALLATION ADHERED TO: FINAL GUIDANCE FOR EVALUATING SOIL VAPOR INTRUSION IN THE STATE OF NEW YORK PREPARED BY NEW YORK STATE DEPARTMENT OF HEALTH (NYSDOH), DATED OCTOBER 2006 AND 2008 NEW YORK CITY MECHANICAL CODE, CHAPTER 5, SECTION MC 512-SUBSLAB EXHAUST SYSTEMS. POINT OF EXHAUST (DESIGNED BY OTHERS) SHALL BE
  - ABOVE THE EAVE OF THE ROOF (PREFERABLY, ABOVE THE HIGHEST EAVE OF THE BUILDING AND AT LEAST 12-INCHES ABOVE THE SURFACE OF THE ROOF);
  - AT LEAST 10 FEET ABOVE GROUND LEVEL,
  - AT LEAST 10 FEET AWAY FROM ANY OPENING THAT IS LESS THAN 2 FEET BELOW THE EXHAUST POINT, AND
  - 10 FEET FROM ANY ADJOINING OR ADJACENT BUILDINGS, OR HVAC INTAKES OR SUPPLY REGISTERS.
- ALL EXTERNAL PIPES WERE PAINTED WITH A CORROSION RESISTANT COATING, DEPENDING ON PIPE MATERIAL.

15. 3/4-INCH CLEAN STONE = IN-PLACE STONE IS CLEAN, COARSE, NATURAL, ANGULAR, WASHED 3/4-INCH AGGREGATE WITH THE FOLLOWING GRADATION:

| SIEVE SIZE | % PASSING BY WEIGHT |
|------------|---------------------|
| 1 1/2-INCH | 100                 |
| 1-INCH     | 90-100              |
| 1/2-INCH   | 0-5                 |
| #200       | <1                  |

- CLEAN STONE LAYER ON TOP OF PIPE WAS NOT COMPACTED.
- CONTRACTOR SHALL PROVIDE AS-BUILT DRAWINGS OF COMPLETE SMD SYSTEM TO ENGINEER FOLLOWING INSTALLATION.

**VAPOR BARRIER NOTES:**

- VAPOR BARRIER WAS INSTALLED IN ACCORDANCE WITH ALL APPLICABLE MANUFACTURER GUIDELINES AND DETAILS.
- VAPOR BARRIER WAS INSTALLED BY A MANUFACTURER-CERTIFIED INSTALLER.
- VAPOR BARRIER WAS INSPECTED IMMEDIATELY BEFORE CONCRETE IS PLACED. ALL PENETRATIONS, HOLES, OR TEARS SHALL BE SEALED BEFORE CONCRETE IS PLACED.

| Date | Description | No. |
|------|-------------|-----|
|------|-------------|-----|

**REVISIONS**

| Signature  | Date Signed |
|--|-------------|
| PROFESSIONAL JOEL B. LANDES<br>STATE LIC. No. 076348 |             |

**LANGAN**  
21 Penn Plaza, 360 West 31st Street, 8th Floor, New York, NY 10001  
T: 212-479-5400 F: 212-479-5444 www.langan.com

NEW JERSEY NEW YORK VIRGINIA CALIFORNIA  
PENNSYLVANIA CONNECTICUT FLORIDA  
ABU DHABI ATHENS DOHA  
DUBAI ISTANBUL  
Langan Engineering, Environmental, Surveying and Landscape Architecture, P.C.  
Langan Engineering and Environmental Services, Inc.  
Langan International LLC  
Collectively known as Langan

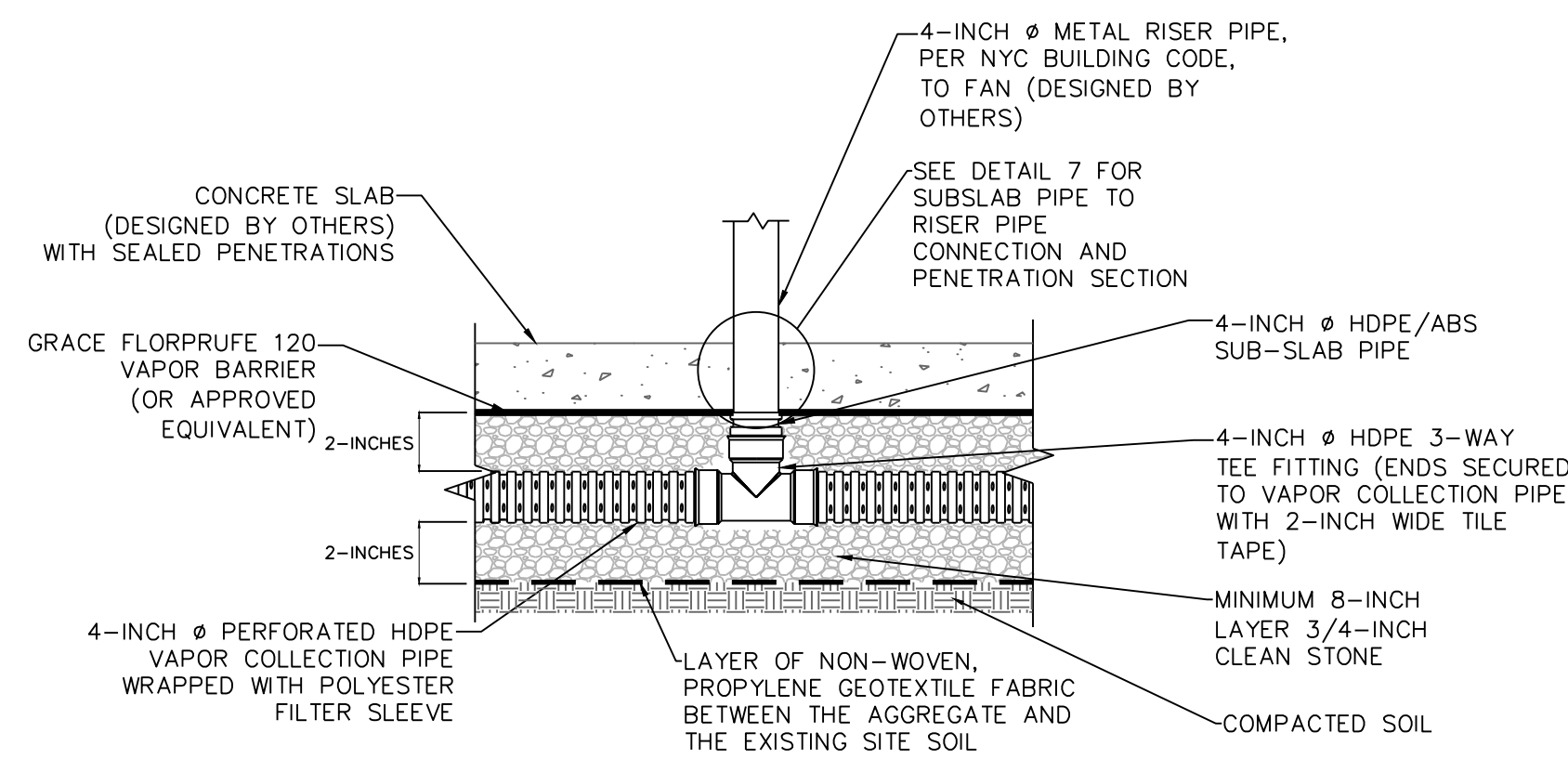
**Project**

**416 KENT AVENUE**  
**BLOCK No. 2128, LOT No. 5**  
**BROOKLYN**  
**KINGS NEW YORK**

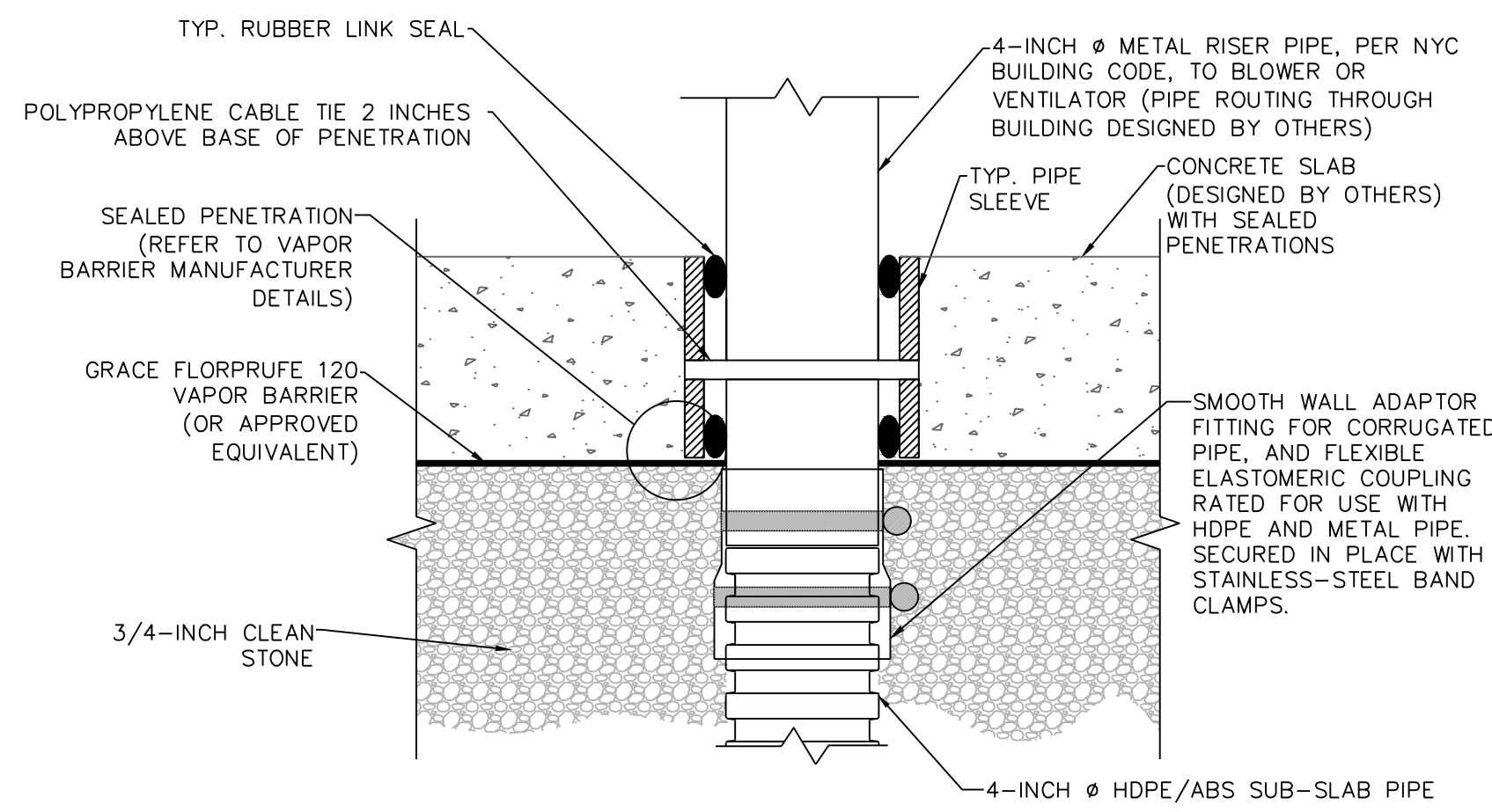
**Drawing Title**

**AS-BUILT**  
**SUBMEMBRANE**  
**DEPRESSURIZATION**  
**SYSTEM DETAILS**

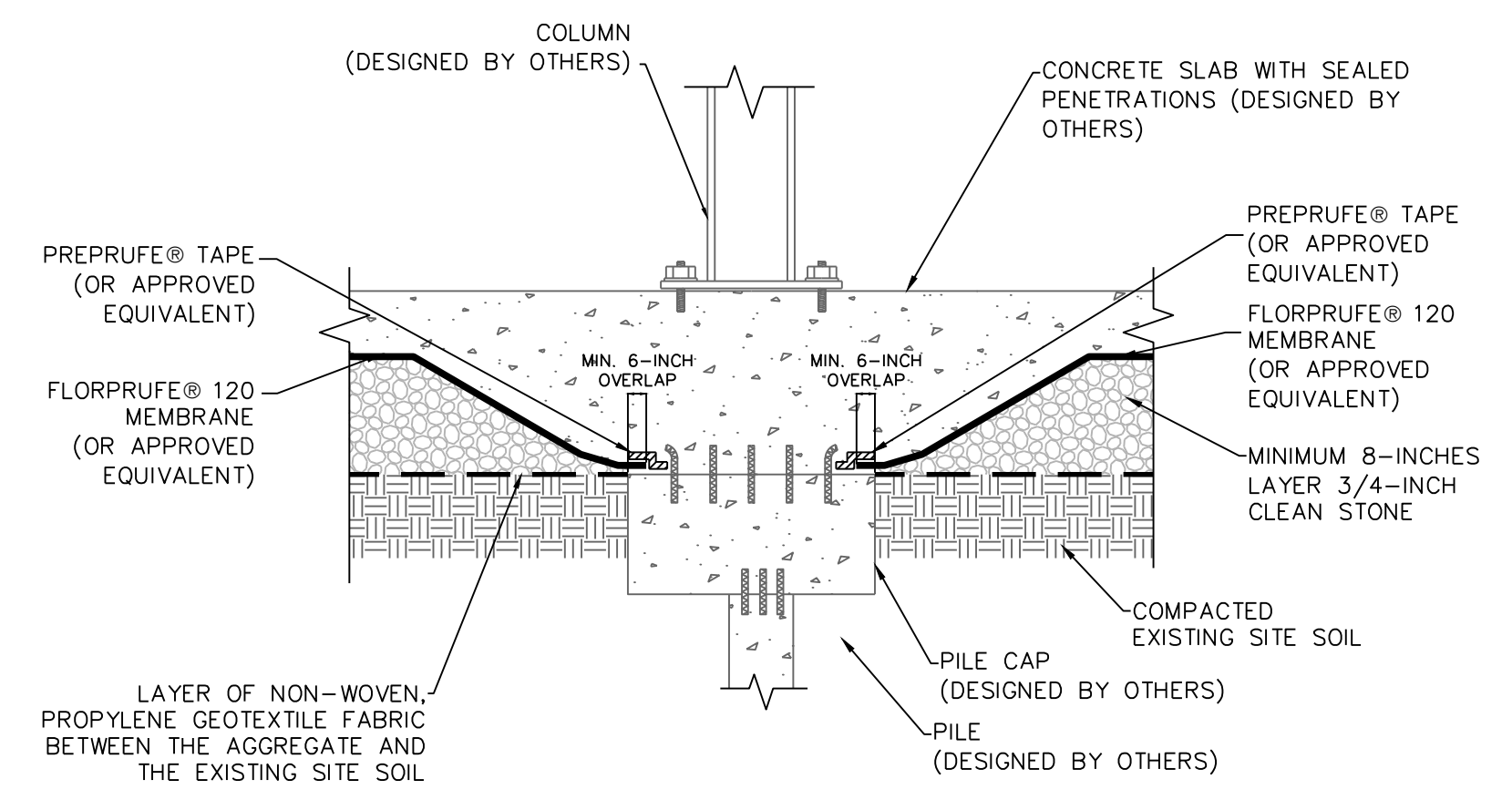
|                                 |                             |
|---------------------------------|-----------------------------|
| Project No.<br><b>170332901</b> | Drawing No.<br><b>N-102</b> |
| Date<br><b>9/18/2018</b>        |                             |
| Scale<br><b>NTS</b>             |                             |
| Drawn By<br><b>PM</b>           | Checked By                  |
| Submission Date                 |                             |



DETAIL 6: TYPICAL SECTION AT PERFORATED PIPE TO RISER PIPE  
NOT TO SCALE

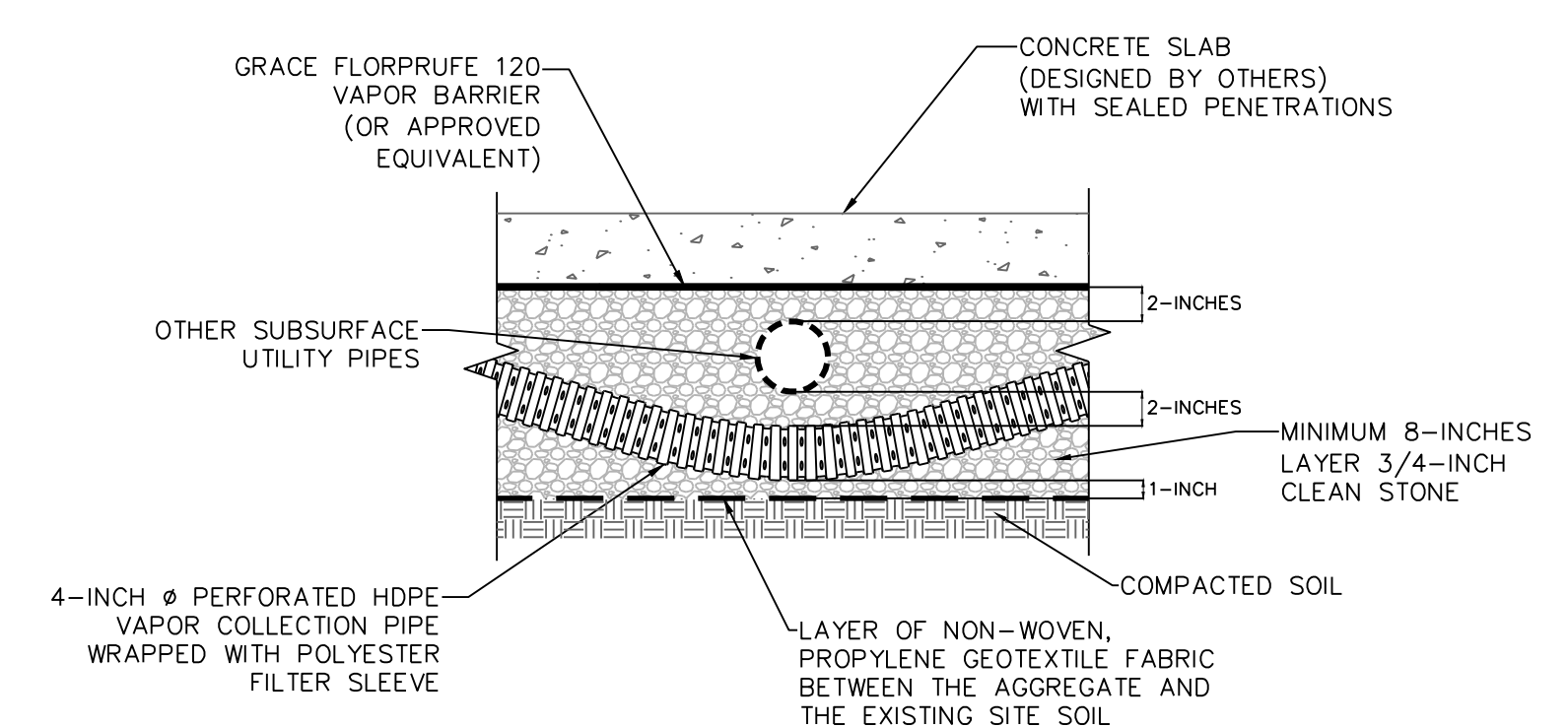


DETAIL 7: VAPOR COLLECTION PIPE TO RISER PIPE CONNECTION  
NOT TO SCALE

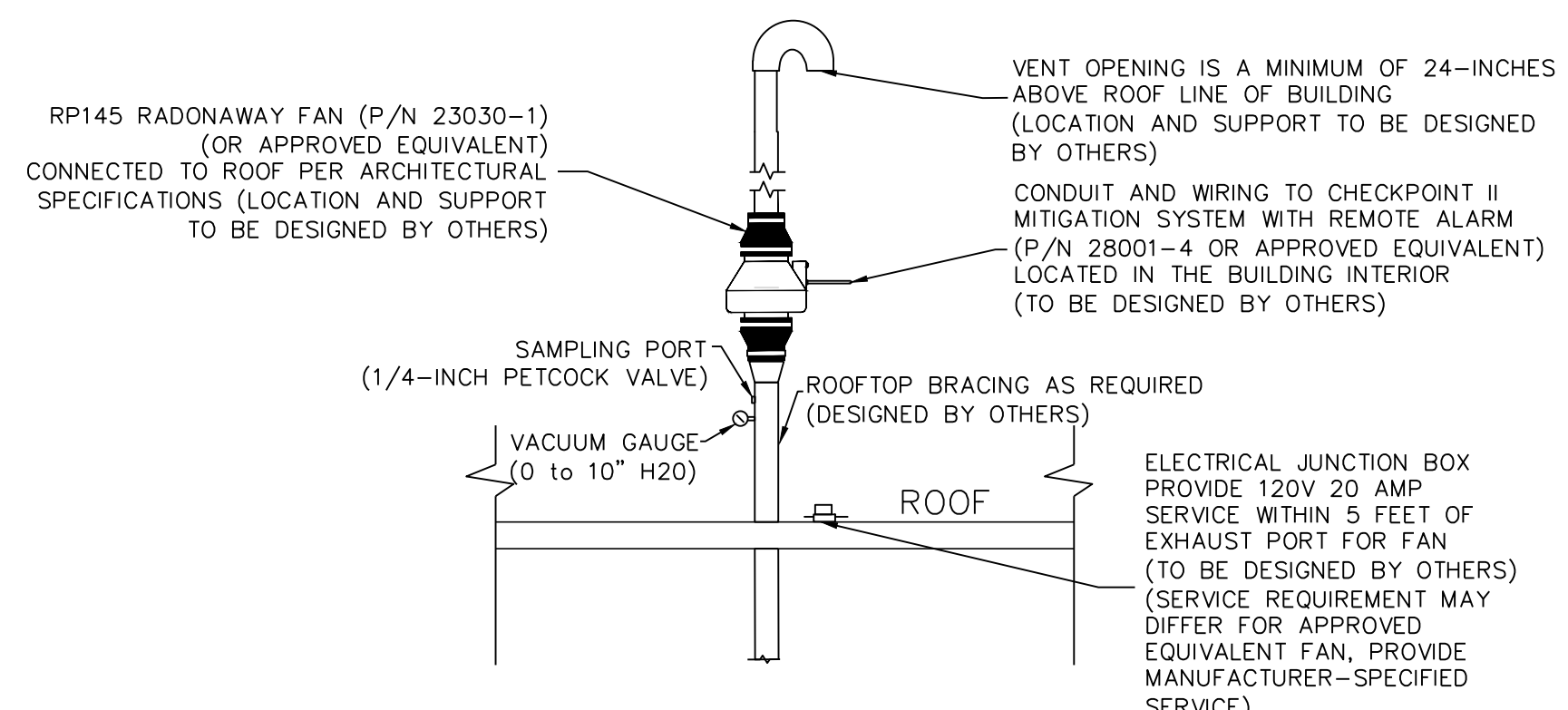


DETAIL 8: TYPICAL VAPOR BARRIER ASSEMBLY AT PILE CAP  
NOT TO SCALE

NOTE: DETAIL 9 ONLY APPLIES WHERE 4-INCH HDPE VAPOR COLLECTION PIPE DOES NOT FIT ABOVE UTILITY PIPE.



DETAIL 9: TYPICAL DETAIL AT LOCATIONS OTHER SUBMEMBRANE UTILITY PIPE OVERLIES PERFORATED SUBSLAB PIPE  
NOT TO SCALE



DETAIL 10: VENT RISER PIPE WITH ELECTRIC FAN  
NOT TO SCALE

**BLOWER NOTES:**

1. THE FINAL LOCATIONS OF VENTING SYSTEM COMPONENTS, SUCH AS THE POINTS OF FLOOR PENETRATION, PIPE RUNS, FAN LOCATION, AND EXHAUST POINTS ON THE ROOF, WERE COORDINATED WITH THE ARCHITECT.
2. INSTALLATION OF THE RISER PIPE WAS COORDINATED WITH THE INSTALLATION OF OTHER UTILITIES AND THE INTERIOR WALLS.
3. THE REMOTE ALARM WAS LOCATED WITHIN THE BUILDING INTERIOR. THE REMOTE ALARM AND IN-LINE FAN WERE CONFIGURED SUCH THAT IF THE IN-LINE FAN STOPS OPERATING, THE REMOTE ALARM WILL BE ACTIVATED. A 120V ELECTRICAL SUPPLY (OR MANUFACTURER-SPECIFIED SUPPLY FOR AN APPROVED EQUIVALENT FAN) WERE PROVIDED DESIGNED BY OTHERS.
4. THE REMOTE VISUAL ALARM WAS LABELED AS FOLLOWS:
  - VAPOR VENTING SYSTEM ALARM
  - IN-LINE FAN MALFUNCTION IF LIT
  - SERVICE IN-LINE FAN IMMEDIATELY
6. SUPPLY POWER TO THE IN-LINE FAN ASSEMBLY, INCLUDING FAN AND REMOTE ALARM, IN ACCORDANCE WITH ELECTRICAL SPECIFICATIONS PREPARED BY OTHERS.
7. IN-LINE FAN ASSEMBLY WERE LOCATED ON ROOF, AS SHOWN ON MEP DRAWINGS (DESIGNED BY OTHERS).
8. RISER PIPE RUNS WITHIN THE BUILDINGS ARE LOCATED AS SHOWN ON MEP DRAWINGS (DESIGNED BY OTHERS).

| Date  | Description | No.                   |
|---|-------------|-----------------------|
| REVISIONS   |             |                       |
| SIGNATURE   |             | DATE SIGNED           |
| PROFESSIONAL JOEL B. LANDES   |             | STATE LIC. No. 076348 |
| <b>LANGAN</b>   |             |                       |
| 21 Penn Plaza, 380 West 31st Street, 8th Floor, New York, NY 10001              |             |                       |
| T: 212-479-5400 F: 212-479-5444 www.langan.com                                  |             |                       |
| NEW JERSEY NEW YORK VIRGINIA CALIFORNIA   |             |                       |
| PENNSYLVANIA CONNECTICUT FLORIDA  |             |                       |
| ABU DHABI ATHENS DOHA   |             |                       |
| DUBAI ISTANBUL  |             |                       |
| Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C. |             |                       |
| Langan International LLC  |             |                       |
| Collectively known as Langan  |             |                       |

Project  
**416 KENT AVENUE**  
BLOCK No. 2128, LOT No. 5  
BROOKLYN  
KINGS NEW YORK

Drawing Title  
**AS-BUILT  
SUBMEMBRANE  
DEPRESSURIZATION  
SYSTEM DETAILS**

|                                 |                             |
|---------------------------------|-----------------------------|
| Project No.<br><b>170332901</b> | Drawing No.<br><b>N-103</b> |
| Date<br><b>9/18/2018</b>        |                             |
| Scale<br><b>NTS</b>             |                             |
| Drawn By<br><b>PM</b>           | Checked By                  |
| Submission Date                 |                             |
| Sheet 3 of 4                    |                             |

| NO. | DATE     | REVISION        |
|-----|----------|-----------------|
| 1   | 02/01/13 | FOUNDATION PLAN |
| 2   | 02/01/13 | FOUNDATION PLAN |
| 3   | 02/01/13 | FOUNDATION PLAN |
| 4   | 02/01/13 | FOUNDATION PLAN |
| 5   | 02/01/13 | FOUNDATION PLAN |
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| 99  | 02/01/13 | FOUNDATION PLAN |
| 100 | 02/01/13 | FOUNDATION PLAN |

**OWNER**  
40 KENT AVENUE LLC  
700 Park Avenue  
New York, NY 10022  
T: (212) 768-9770

**CONSULTANTS**  
**STRUCTURAL, GEOTECHNICAL, MARINE, CIVIL**  
JULIAN  
110 South 9th Street  
New York, NY 10003  
T: (940) 353-9400  
**MEP**  
ME ENGINEERING P.C.  
110 West 23rd Street  
New York, NY 10011  
T: (212) 512-4444  
**CODE CONSULTANT**  
METROPOLIS GROUP INC.  
22 Cortland Street 10th Fl.  
New York, NY 10007  
T: (212) 234-9344  
**LEED CONSULTANT**  
GREEN STAR  
41 East 23rd Street 6th Fl.  
New York, NY 10010  
T: (212) 254-6300  
**LANDSCAPE ARCHITECT**  
MAYNARD ASSOCIATES LLC  
20 Park Ave.  
Rutherford, NJ 07070  
T: (201) 551-7550  
**ENVIRONMENTAL SCIENTIST**  
21 West 17th Street 2nd Floor  
New York, NY 10011  
T: (212) 475-9400  
**ELEVATOR**  
ELEVATOR & HANDBOOK INC.  
1251 Avenue of the Americas, Suite 820  
New York, NY 10020  
T: (212) 688-1818

**PARKING**  
SAMPSON ENGINEERING  
610 8th Avenue  
New York, NY 10011  
T: (212) 586-8500  
**FAÇADE**  
ALP CONSULTING  
42 West Street 10th Fl.  
New York, NY 10013  
T: (212) 757-5659  
**LIGHTING**  
SUNSHINE LIGHTING DESIGN  
241 West 37th Street, Suite 1502  
New York, NY 10018  
T: (212) 362-2100  
**POOL**  
FACE POOL DESIGN  
40 Avenue of the Americas LLP  
333 Westchester Avenue  
White Plains, NY 10604  
T: (914) 741-1115

**KEY PLAN**  
416 KENT AVENUE, BROOKLYN, NY 11209  
BLOCK 2128  
LOT 5  
ZONING MAP 12b

**416 KENT AVENUE**

THOMAS W. BRODERICK  
NY PE # 065984 11/30/2018

PROJECT NO: 141002 SCALE: 3/16"=1'-0"

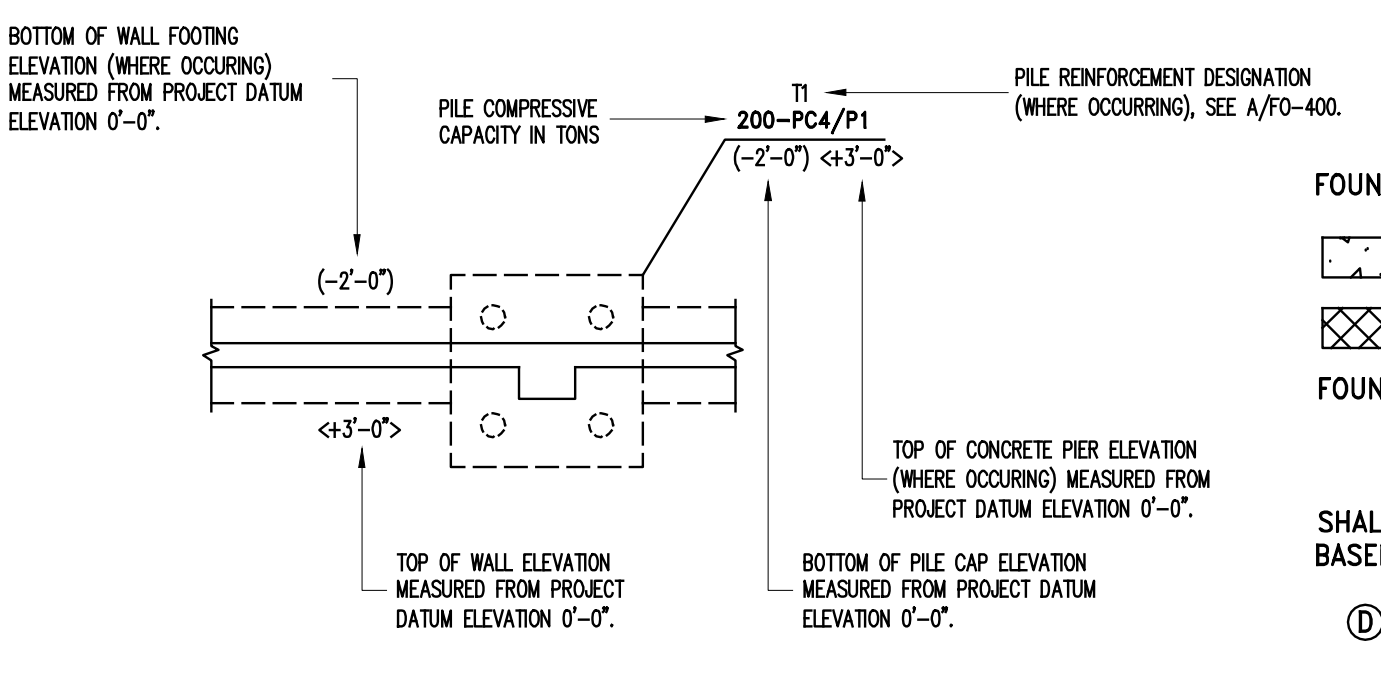
**FOUNDATION PLAN**

**FO-100.00**

PAGE 3 OF 44

**FOUNDATION PLAN**  
3/16"=1'-0"

- NOTES:**
1. [XX'-XX"] INDICATES TOP OF SLAB ELEVATION. ALL ELEVATIONS SHOWN THUS [XX'-XX"] ARE IN RELATION TO THIS DATUM.
  2. [0'-0"] INDICATES NAVD ELEVATION +0.00'. ALL ELEVATIONS SHOWN THUS [XX'-XX"] ARE IN RELATION TO THIS DATUM.
  3. [SEE] INDICATES SLAB TYPE. SEE SLAB SCHEDULE THIS DRAWING.
  4. FOR GENERAL NOTES, SEE S-000 SERIES DRAWINGS.  
FOR FOUNDATION DETAILS, SEE FO-400 AND SERIES DRAWINGS FOR COLUMN SCHEDULE. SEE S-200 SERIES DRAWINGS.  
FOR SHEAR WALL ELEVATIONS NOTED THUS (SW-X) AND FRAME ELEVATIONS, SEE S300 SERIES DRAWINGS.  
FOR SUPERSTRUCTURE DETAILS, SEE S-400 SERIES DRAWINGS.  
FOR COORDINATE MEP SLAB OPENINGS, DRAINS AND CORRESPONDING DETAILS WITH ARCH/MEP DRAWINGS. SEE DETAIL S/S-413 FOR TYPICAL DRAIN DETAIL.



**CONCRETE SLAB SCHEDULE**

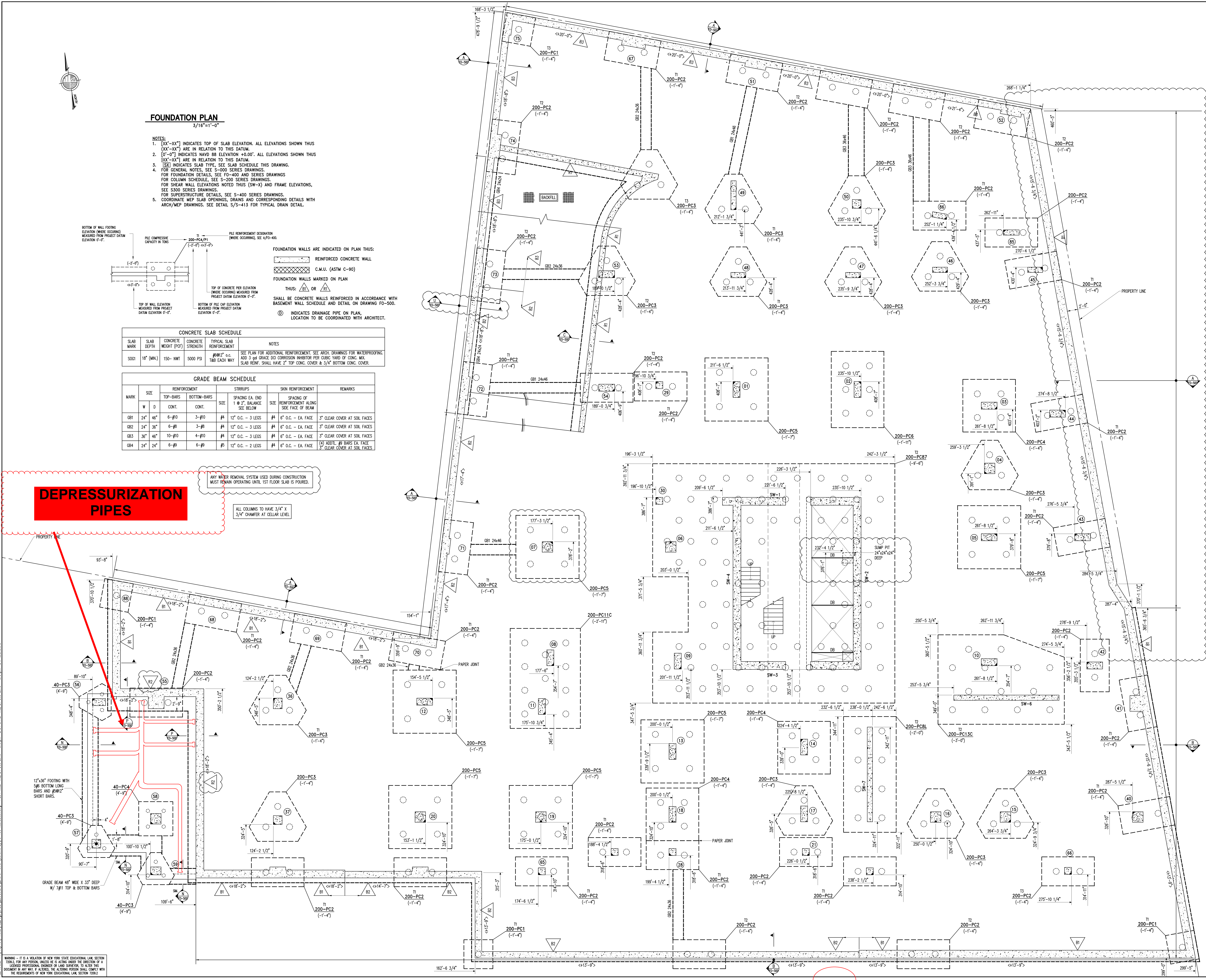
| SLAB MARK | SLAB DEPTH | CONCRETE WEIGHT (PCF) | CONCRETE STRENGTH | TYPICAL SLAB REINFORCEMENT | NOTES  |
|-----------|------------|-----------------------|-------------------|----------------------------|--|
| SO01      | 18" (MIN)  | 150- NWT              | 5000 PSI          | #8@12" O.C. TAB EACH WAY   | SEE PLAN FOR ADDITIONAL REINFORCEMENT. SEE ARCH. DRAWINGS FOR WATERPROOFING. ADD 3 gal GRADE DCS CORROSION INHIBITOR PER CUBIC YARD OF CONC. MIX. SLAB REINF. SHALL HAVE 2" TOP CONC. COVER & 3/4" BOTTOM CONC. COVER. |

**GRADE BEAM SCHEDULE**

| MARK | SIZE      | REINFORCEMENT | STIRRUPS | SKIN REINFORCEMENT   | REMARKS   |
|------|-----------|---------------|----------|----------------------|---|
| GB1  | 24" x 46" | 6-#10         | 3-#10    | #4 12" O.C. - 3 LEGS | 3" CLEAR COVER AT SOIL FACES                            |
| GB2  | 24" x 36" | 6-#8          | 3-#8     | #4 12" O.C. - 3 LEGS | 3" CLEAR COVER AT SOIL FACES                            |
| GB3  | 36" x 46" | 10-#10        | 4-#10    | #4 12" O.C. - 3 LEGS | 3" CLEAR COVER AT SOIL FACES                            |
| GB4  | 24" x 24" | 6-#9          | 6-#9     | #5 12" O.C. - 2 LEGS | (4) ADDL. #9 BARS EA. FACE 3" CLEAR COVER AT SOIL FACES |

ANY WATER REMOVAL SYSTEM USED DURING CONSTRUCTION MUST REMAIN OPERATING UNTIL 1ST FLOOR SLAB IS POURED.  
 ALL COLUMNS TO HAVE 3/4" X 3/4" CHAMFER AT CELLAR LEVEL.

**DEPRESSURIZATION PIPES**



WARNING - IT IS A VIOLATION OF NEW YORK STATE EDUCATIONAL LAW SECTION 7209.2 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER THE DOCUMENT IN ANY WAY. IF ALTERED, THE ALTERING PERSON SHALL COMPLY WITH THE REQUIREMENTS OF NEW YORK EDUCATIONAL LAW SECTION 7209.2.

**APPENDIX D**  
**NYSDEC IC/EC Certification Form**



**Enclosure 2**  
**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**Site Management Periodic Review Report Notice**  
**Institutional and Engineering Controls Certification Form**



|  | Site Details   | Box 1                    |                          |
|--|--|--------------------------|--------------------------|
| <b>Site No.</b>  | <b>C224200</b>   |                          |                          |
| <b>Site Name 416 Kent Avenue</b>   |  |                          |                          |
| Site Address: 416 Kent Avenue  |  | Zip Code: 11249          |                          |
| City/Town: Brooklyn  |  |                          |                          |
| County: Kings  |  |                          |                          |
| Site Acreage: 1.056  |  |                          |                          |
| Reporting Period: April 03, 2025 to April 03, 2026   |  |                          |                          |
|  |  | YES                      | NO                       |
| 1.   | Is the information above correct?  | <input type="checkbox"/> | <input type="checkbox"/> |
|  | If NO, include handwritten above or on a separate sheet.   |                          |                          |
| 2.   | Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?                                 | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.   | Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?  | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.   | Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?                         | <input type="checkbox"/> | <input type="checkbox"/> |
|  | <b>If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.</b> |                          |                          |
| 5.   | Is the site currently undergoing development?  | <input type="checkbox"/> | <input type="checkbox"/> |
|  |  | <b>Box 2</b>             |                          |
|  |  | YES                      | NO                       |
| 6.   | Is the current site use consistent with the use(s) listed below?<br>Restricted-Residential, Commercial, and Industrial   | <input type="checkbox"/> | <input type="checkbox"/> |
| 7.   | Are all ICs in place and functioning as designed?  | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.</b> |  |                          |                          |
| <b>A Corrective Measures Work Plan must be submitted along with this form to address these issues.</b>                                   |  |                          |                          |
| _____<br>Signature of Owner, Remedial Party or Designated Representative   |  | _____<br>Date            |                          |

**Box 2A**

YES NO

8. Has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid?

**If you answered YES to question 8, include documentation or evidence that documentation has been previously submitted with this certification form.**

9. Are the assumptions in the Qualitative Exposure Assessment still valid?    
(The Qualitative Exposure Assessment must be certified every five years)

**If you answered NO to question 9, the Periodic Review Report must include an updated Qualitative Exposure Assessment based on the new assumptions.**

SITE NO. C224200

**Box 3****Description of Institutional Controls**ParcelOwnerInstitutional Control

2128-5

420 Kent Avenue LLC

Ground Water Use Restriction  
Soil Management Plan  
Landuse Restriction  
Monitoring Plan  
Site Management Plan  
O&M Plan  
IC/EC Plan

- Compliance with the Environmental Easement and SMP
- Operation and maintenance of Environmental Controls as specified in the SMP
- Inspection of all Engineering Controls at frequency specified in the SMP
- Reporting of data at frequency specified in SMP

Institutional Controls in the form of site restrictions:

- Long-term IC/EC must be employed to allow for restricted residential, commercial or industrial use
- Property may not be used for a higher level of use
- Future activities disturbing remaining contamination must be adhere to SMP
- Prohibited use of groundwater without treatment
- Prohibited farming and vegetable gardens
- Periodic review and certification at frequency specified in the SMP
- Monitoring to assess the performance and effectiveness of the remedy as defined in the SMP
- Access to the site must be provided to NYS with reasonable prior notice

**Box 4****Description of Engineering Controls**ParcelEngineering Control

2128-5

Vapor Mitigation  
Cover System

- Composite cover (asphalt, concrete, building slabs, landscaped areas)
- Submembrane depressurization (SMD) system (DEC/DOH approved conversion from active to passive, even though 2020 data indicated passive operation was acceptable).

### Periodic Review Report (PRR) Certification Statements

1. I certify by checking "YES" below that:

a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the Engineering Control certification;

b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES NO

2. For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:

(a) The Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;

(b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;

(c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;

(d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and

(e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES NO

**IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.**

**A Corrective Measures Work Plan must be submitted along with this form to address these issues.**

\_\_\_\_\_  
Signature of Owner, Remedial Party or Designated Representative

\_\_\_\_\_  
Date

**IC CERTIFICATIONS  
SITE NO. C224200**

**Box 6**

**SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE**

I certify that all information and statements in Boxes 1,2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Charles Morisi at 555 Madison Ave, New York, NY 10022,  
print name print business address

am certifying as Manager (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.

Charles Morisi  
Signature of Owner, Remedial Party, or Designated Representative  
Rendering Certification

5/4/26  
Date

EC CERTIFICATIONS

Box 7

Professional Engineer Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I JASON HAYES at 368 9TH AVE, 8TH FL, NEW YORK, NY 10001  
print name print business address

I am certifying as a Professional Engineer for the OWNER  
(Owner or Remedial Party)



Signature of Professional Engineer, for the Owner or Remedial Party, Rendering Certification

Stamp  
(Required for PE)

5-4-2026

Date

**APPENDIX E**  
**Site Inspection Forms**

# COMPOSITE COVER SYSTEM INSPECTION CHECKLIST

Site Name: 416 Kent Avenue Location: Brooklyn, NY Project Number: 170332902

Inspector Name: Gabriella DeGennaro Date: April 14, 2026 Weather Conditions: 70's, sunny

Reason for Inspection (i.e., routine, maintenance, severe condition, etc.): Annual PRR Inspection

Check one of the following: **Y:** Yes **N:** No **NA:** Not Applicable

|                        |   | Y  | N  | NA | Normal Situation             | Remarks  |
|------------------------|---|----|----|----|------------------------------|--|
| <b>General</b>         |   |    |    |    |                              |  |
| 1                      | What are the current site conditions?   | -- | -- | -- | --                           | Active residential building with a parking garage, active commercial spaces and ground floor restaurant. |
| <b>Impermeable Cap</b> |   |    |    |    |                              |  |
| 2                      | Are there any indications of a breach in the capping system at the time of this inspection?   |    | N  |    | N                            |  |
| 3                      | Is there any construction activity, or indication of any construction activity within the past certification year (including any tenant improvements), that included the breaching of the capping system, on-site at the time of this inspection?   |    | N  |    | N                            |  |
| 4                      | If YES to number 3, is there documentation that the Soil Management Plan, HASP, and CAMP for the site was/is being followed?<br>Any breach of the cover system into residual contamination or the SMD system should be overseen by the remedial engineer and documented and reported in the periodic review report. |    |    | NA | NA if N to 6/<br>Y if Y to 6 |  |
|                        |   |    |    |    |                              |  |

**\* If the answer to any of the above questions indicate non-compliance with ECs for the site, additional remarks must be provided and, where applicable, documentation attached to this checklist detailing additional inspection and repair activities.**

**Additional remarks** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Minimum Inspection Schedule: Site-wide inspections will be conducted annually, per certification year, at a minimum. Additional inspections will also be conducted at times of severe weather condition events. All inspection events will utilize this checklist.**

# SITE INSPECTION CHECKLIST

Site Name: 416 Kent Avenue Location: Brooklyn, NY Project Number: 170332902

Inspector Name: Gabriella DeGennaro Date: April 14, 2026 Weather Conditions: 70's, sunny

Reason for Inspection (i.e., routine, maintenance, severe condition, etc.): Annual PRR Inspection

Check one of the following: **Y:** Yes **N:** No **NA:** Not Applicable

|                               |   | Y  | N  | NA | Normal Situation             | Remarks   |
|-------------------------------|---|----|----|----|------------------------------|---|
| <b>General</b>                |   |    |    |    |                              |   |
| 1                             | What are the current site conditions?   | -- | -- | -- | --                           | Active residential building with a parking garage, active commercial spaces, and ground floor restaurant. |
| 2                             | Are all applicable site records (e.g., documentation of construction activity, SMD system maintenance and repair, most current easement, etc.) complete and up to date?   | Y  |    |    | Y                            |   |
| <b>Environmental Easement</b> |   |    |    |    |                              |   |
| 3                             | Has site use (restricted residential) remained the same?  | Y  |    |    | Y                            |   |
| 4                             | Does it appear that all environmental easement restrictions have been followed?   | Y  |    |    | Y                            |   |
| <b>Impermeable Cap</b>        |   |    |    |    |                              |   |
| 5                             | Are there any indications of a breach in the capping system at the time of this inspection?   |    | N  |    | N                            |   |
| 6                             | Are there any cracks in the building slabs?   |    | N  |    | N                            |   |
| 7                             | Are there any cracks in the building walls?   |    | N  |    | N                            |   |
| 8                             | Is there any construction activity, or indication of any construction activity within the past certification year (including any tenant improvements), that included the breaching of the capping system, on-site at the time of this inspection? |    | N  |    | N                            |   |
| 9                             | If YES to number 8, is there documentation that the SMP, HASP, and CAMP for the site was/is being followed?   |    |    | NA | NA if N to 6/<br>Y if Y to 6 |   |

**\* If the answer to any of the above questions indicate non-compliance with any IC/ECs for the site, additional remarks must be provided and, where applicable, documentation attached to this checklist detailing additional inspection and repair activities.**

**Additional remarks** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
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 \_\_\_\_\_  
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**Minimum Inspection Schedule: Site-wide inspections will be conducted annually, per certification year, at a minimum. Additional inspections will also be conducted at times of severe condition events. All inspection events will utilize this checklist.**

# SMD SYSTEM INSPECTION CHECKLIST

Site Name: 416 Kent Avenue Location: Brooklyn, NY Project Number: 170332902

Inspector Name: Gabriella DeGennaro Date: April 14, 2026 Weather Conditions: 70's, sunny

Reason for Inspection (i.e., routine, maintenance, severe condition, etc.): Annual PRR Inspection

Check one of the following: **Y**: Yes **N**: No **NA**: Not Applicable

|                       |   | Y | N | NA | Normal Situation             | Remarks                                    |
|-----------------------|---|---|---|----|------------------------------|--|
| <b>Records</b>        |   |   |   |    |                              |  |
| 1                     | Is the Operations & Maintenance Plan readily available on-site?   | Y |   |    | Y                            |  |
| 2                     | Based on site records, when was the last inspection, maintenance, or repair event?  |   |   |    |                              | 3/28/2025                                  |
| 3                     | Based on site records, was the system inoperational for any amount of time since the last inspection, maintenance, or repair event? For how long? Provide details.  |   | N |    | N                            |  |
| <b>Alarm System</b>   |   |   |   |    |                              |  |
| 4                     | Do the alarm lights indicate that the system is operational?  |   |   | NA | Y                            | No alarm installed                         |
| <b>General System</b> |   |   |   |    |                              |  |
| 5                     | Is there any construction activity, or indication of any construction activity within the past certification year (including any tenant improvements), that included the breaching of the floor slab, on-site at the time of this inspection? |   | N |    | N                            |  |
| 6                     | If YES to number 5, is there documentation that the Soil Management Plan, HASP, and CAMP for the site was/is being followed?  |   |   | NA | NA if N to 5/<br>Y if Y to 5 |  |
| 7                     | If YES to number 5, is there documentation that all breaches in the floor slab have been sealed?  |   |   | NA | NA if N to 5/<br>Y if Y to 5 |  |
| 8                     | Does all visible SMD piping appear intact and undamaged?  |   |   | NA | Y                            | Riser pipe not visible within the building |
| 9                     | Have any intake points been constructed at the roof near (less than 10 feet) the SMD blower discharge point?  |   | N |    | N                            |  |

# SMD SYSTEM INSPECTION CHECKLIST

Site Name: 416 Kent Avenue Location: Brooklyn, NY Project Number: 170332902

Inspector Name: Gabriella DeGennaro Date: April 14, 2026 Weather Conditions: 70's, sunny

Reason for Inspection (i.e., routine, maintenance, severe condition, etc.): Annual PRR Inspection

Check one of the following: **Y**: Yes **N**: No **NA**: Not Applicable

|    |  | Y | N | NA | Normal Situation | Remarks                  |
|----|--|---|---|----|------------------|--------------------------|
|    | <b>SMD Blower Unit</b>                                       |   |   |    |                  |                          |
| 10 | Is the SSD blower operational at the time of the inspection? | Y |   |    | Y                |                          |
| 11 | What is the VelociCalc Meter reading?                        | Y |   |    | Y                | 62.94 CFM                |
| 12 | Is the SSD blower expelling air at the discharge point?      | Y |   |    | Y                |                          |
| 13 | Have dust and debris been removed from surface of blower?    | Y |   |    | Y                |                          |
| 14 | Have dirty or clogged filter cartridges been replaced?       |   |   | NA | Y                | Filter in good condition |

**\* If the answer to any of the above questions indicate the SMD system is non-operational or malfunctioning, or that this EC is in non-compliance, additional remarks must be provided and, where applicable, documentation attached to this checklist detailing additional inspection and repair activities.**

Additional remarks PID reading of 0.0 ppm, magnehelic pressure gauge reading 0

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**Minimum Inspection Schedule: SMD inspections will be conducted quarterly for the first certification year at a minimum. Additional inspections will also be conducted at times of maintenance, repair, or severe condition events. The minimum schedule will be revised, as necessary, following the first certification year. All inspection events will utilize this checklist.**