

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director
625 Broadway, 12th Floor, Albany, New York 12233-7011
P: (518) 402-9706 | F: (518) 402-9020
www.dec.ny.gov

December 29, 2023

25C LLC
Dawson Stellberger
249 Smith Street, #140
Brooklyn, NY 11231
dstellberger@gmail.com

Flushing Stewart LLC
Yoel Schwimmer
266 Broadway, Suite 301
Brooklyn, NY 11211
6136ys@gmail.com

Re: Certificate of Completion
Former Universal Scrap Metal
Processors Corp.
Brooklyn, Kings County
Site No. C224210

Dear Dawson Stellberger and Yoel Schwimmer,

Congratulations on having satisfactorily completed the remedial program at the Former Universal Scrap Metal Processors Corp. site. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (NYSDEC) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the COC to be issued for the above-referenced site.

Please note that you are required to perform the following tasks:

- If you are the site owner, you must record the Notice of Certificate of Completion in the recording office for the county (or counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record the Notice within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the Notice is recorded within the time frame specified. A standard Notice of Certificate of Completion form is attached to this letter.

- Provide electronic copies of the recorded Notice and proof of recording to NYSDEC's project manager. Please return the hard copy of the proof of recording to:
Kyle Forster, Bureau B
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233
- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. NYSDEC will develop a fact sheet announcing the issuance of the COC and describing the institutional and engineering controls (IC/ECs), if any, that are required at the site and distribute it to the County Listserv within 10 days.

If you have any questions, please do not hesitate to contact Kyle Forster, NYSDEC's project manager, at (518) 402-8644.

Sincerely,

Andrew Guglielmi

Andrew Guglielmi
Division Director
Division of Environmental Remediation

ec w/ enclosure:

Matthew Carrol – mcarrol@tenen-env.com
Seth Friedland – sfriedland@friedland.law
C. Vooris – NYSDOH, christine.vooris@health.ny.gov
S. McLaughlin – NYSDOH, scarlett.mclaughlin@health.ny.gov
S. Selmer – NYSDOH, stephanie.selmer@health.ny.gov
Matt Gokey, matthew.gokey@tax.ny.gov
Paul Takac, paul.takac@tax.ny.gov

ec w/o enclosure:

K, Forster, Q. Quandt, S. Deyette, J. O'Connell, J. Andaloro, L Schmidt, K. Lewandowski

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name	Address
Flushing Stewart LLC	266 Broadway, Suite 301, Brooklyn, NY 11211
25C LLC	249 Smith Street, #140, Brooklyn, NY 11231

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 5/7/15 **Agreement Execution:** 7/2/15
Agreement Index No.: C224210-05-15

Application Amendment Approval: 8/2/17	Agreement Amendment Execution: 8/2/17
Application Amendment Approval: 1/24/20	Agreement Amendment Execution: 1/24/20
Application Amendment Approval: 10/14/21	Agreement Amendment Execution: 10/14/21
Application Amendment Approval: 11/21/22	Agreement Amendment Execution: 11/21/22

SITE INFORMATION:

Site No.: C224210 **Site Name:** Former Universal Scrap Metal Processors Corp.
Site Owner: 25C LLC
Street Address: 1181 Flushing Avenue
Municipality: Brooklyn **County:** Kings **DEC Region:** 2
Site Size: 0.504 Acres
Tax Map Identification Number(s): p/o 2994-75
Percentage of site located in an EnZone: 100 %

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

CERTIFICATE ISSUANCE

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law ("ECL").

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the Final Engineering Report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the applicable remediation requirements set forth in the ECL have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

Allowable Uses under the BCP: Unrestricted, Residential, Restricted-Residential, Commercial, and Industrial
Cleanup Track: Track 1: Unrestricted use

Tax Credit Provisions for Entities Taxable Under Article 9, 9-A, 32, and 33:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 50 %
Tangible Property Credit Component Rate is 22 %.

Tax Credit Provisions for Entities Taxable Under Article 22 & S Corporations:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 50 %
Tangible Property Credit Component Rate is 20 %.

No Environmental Easement has been granted pursuant to ECL Article 71, Title 36 as there are no use restrictions and there is no reliance on the long-term employment of institutional controls.

LIABILITY LIMITATION

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the site and to a person who develops or otherwise occupies the site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

CERTIFICATE TRANSFERABILITY

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 6NYCRR Part 375-1.9.

CERTIFICATE MODIFICATION/REVOCATION

This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with ECL Section 27-1419 and 6NYCRR Part 375-1.9(e) upon finding any of the following:

- (1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the Brownfield Site Cleanup Agreement;
- (2) the Applicant made a misrepresentation of a material fact tending to demonstrate that it was qualified as a Volunteer;
- (3) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Brownfield Site Cleanup Agreement were reached;
or
- (4) there is good cause for such modification or revocation.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing is not received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Basil Seggos
Commissioner
New York State Department of Environmental Conservation

By: Andrew Guglielmi Date: 12/29/2023

Andrew O. Guglielmi, Director
Division of Environmental Remediation

Exhibit A
Site Description

Legal Description of Lot 75 BCP Area

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 describes as follows:

BEGINNING at the intersection of the northerly side of Flushing Avenue and the westerly side of Stewart Avenue;

RUNNING THENCE westerly along the northerly side of Flushing Avenue, a distance of 108 feet 7 inches to a point;

THENCE northerly parallel with westerly side of Stewart Avenue a distance of 291 feet 7 inches to a point;

THENCE easterly at a right angle to a previous course, a distance of 66 feet 2 ½ inches to a point;

THENCE southerly at a right angle to a previous course, a distance of 23 feet 6 ½ inches to a point;

THENCE easterly at a right angle to a previous course, a distance of 20 feet 5 inches to a point on the westerly side of Stewart Avenue

THENCE southerly along the westerly side of Stewart Avenue, a distance of 202 feet 6 ¾ inches to the POINT or PLACE of BEGINNING.

Exhibit B

Site Survey

Legal Description- Lot 75 BCP Area

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 describes as follows:

BEGINNING at the intersection of the northerly side of Flushing Avenue and the westerly side of Stewart Avenue;

RUNNING THENCE westerly along the northerly side of Flushing Avenue, a distance of 108 feet 7 inches to a point;

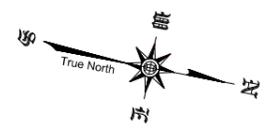
THENCE northerly parallel with westerly side of Stewart Avenue a distance of 291 feet 7 inches to a point;

THENCE easterly at a right angle to a previous course, a distance of 66 feet 2 1/4 inches to a point;

THENCE southerly at a right angle to a previous course, a distance of 23 feet 6 1/4 inches to a point;

THENCE easterly at a right angle to a previous course, a distance of 20 feet 5 inches to a point on the westerly side of Stewart Avenue

THENCE southerly along the westerly side of Stewart Avenue, a distance of 202 feet 6 1/4 inches to the POINT or PLACE of BEGINNING.



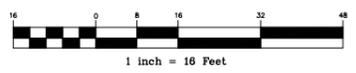
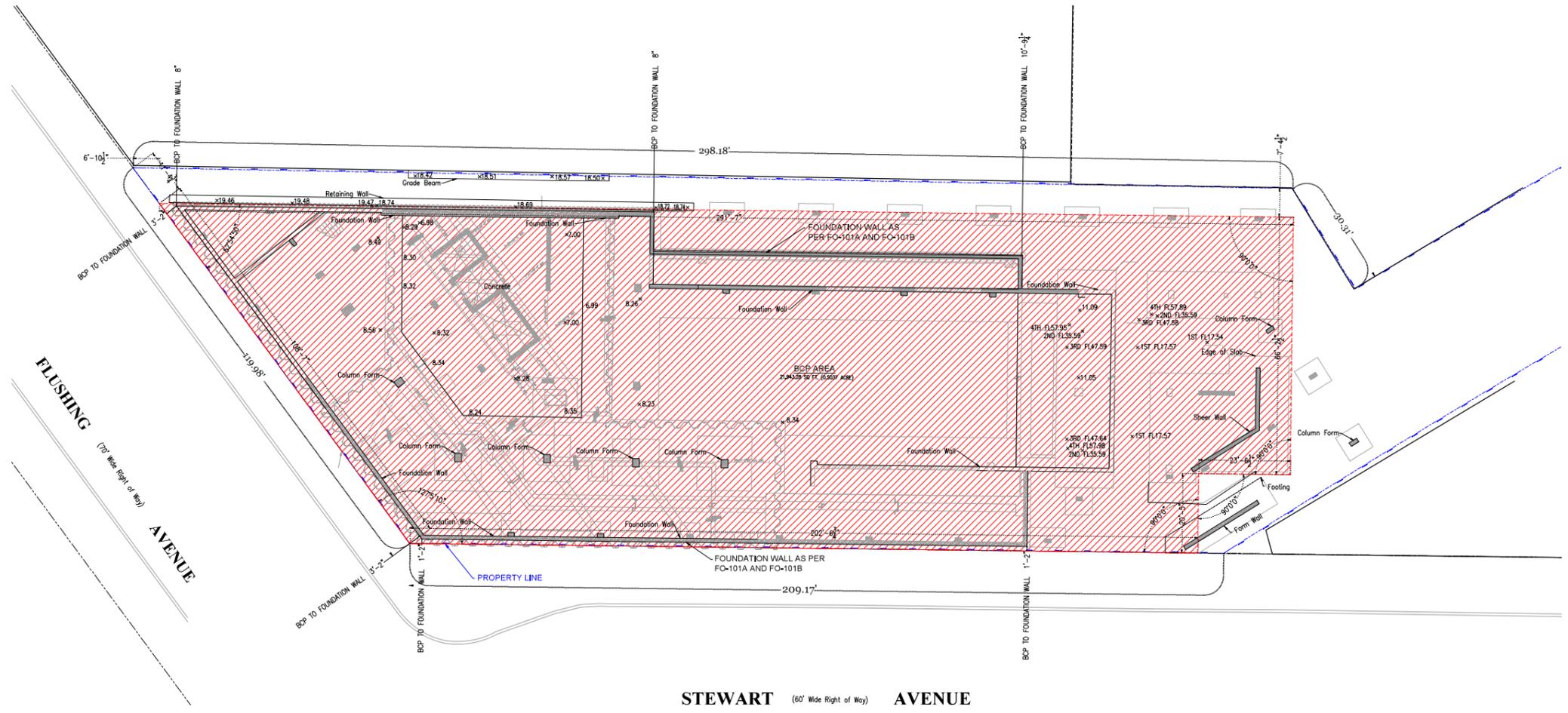
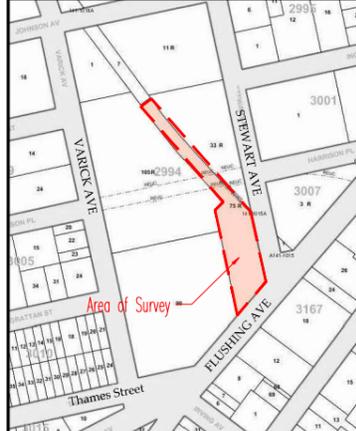
Map Amendments

NO.	DATE	DESCRIPTION	DRAWN BY	APPROV. BY

Miscellaneous Notes

- NOT RESPONSIBLE FOR THE LOCATION FOR ANY UNDERGROUND STRUCTURES, WALLS, TANKS OR OTHER APPURTENANCES. THE USER OF THIS SURVEY SHOULD BE AWARE THAT WRITTEN AND UNWRITTEN EASEMENTS MAY OBTAIN RIGHTS WHICH MAY AFFECT THE USE OF THIS PROPERTY.
- UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 2008 SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
- *COPIES FROM THE ORIGINAL OF THIS SURVEY MAP NOT MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR HIS EMBOSSED SEAL SHALL NOT BE CONSIDERED A VALID TRUE COPY.*
- THE LEGAL GRADES SHOWN ON THIS MAP WERE TAKEN FROM THE BROOKLYN BOROUGH SECTIONAL / ALTERATION MAPS. LEGAL GRADES REFER TO TOP OF CURB.
- THE OFFSETS AND DIMENSIONS SHOWN FROM THE STRUCTURES TO THE PROPERTY LINES ARE FOR A SPECIFIC PURPOSE AND USE AND THEREFORE ARE NOT INTENDED TO GUIDE THE ERECTION OF STRUCTURES AND ANY OTHER CONSTRUCTION.
- BEFORE PERFORMING ANY EXCAVATION OR DRILLING ON THIS SITE, IT IS REQUIRED THAT SUBSURFACE SERVICE, INCLUDING THE UNDERGROUND MAINS, DUCTS, AND CABLES BE MARKED AND IDENTIFIED BY THE UTILITY COMPANY OR AGENCY INVOLVED. THIS SHOULD BE DONE BY PROVIDING THE AFFECTED UTILITY WITH THE NOTICE REFERRED TO IN THE STATE OF NEW YORK INDUSTRIAL CODE 53.
- CERTIFICATIONS ON THIS BOUNDARY SURVEY MAP SIGNIFY THAT THE MAP WAS PREPARED IN ACCORDANCE WITH THE CURRENT EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC.

Vicinity Map



nycls New York City Land Surveyors, PC
 63 Montgomery Avenue, S.I., NY 10301
 Phone: 718-816-8182 Fax: 718-816-8124
 www.nycsurveyors.com

HAPPIER Client:

Map of Survey of Property
 in the
 County of Kings
 Borough of Brooklyn
 City of New York

Site Address:
 25 STEWART AVENUE
 BROOKLYN, NY 11237

Block: 2994 / Lot: 75R
 Area: 00,000,00 sq.ft. (0,0000 Acres)

Project Number: 2023-07-2994K
 Survey Date: 09-13-2023
 Survey Title: ENVIRONMENTAL EASEMENT
 Scale: 1"=8'
 Drawn By: S.Pucci / Approved By: P. Jones

Surveyors Certificate

To:
 New York State Department of Environmental Conservation:

This is to certify 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, and said certifications shall run only to the person for whom the survey was prepared, and on his/her behalf to the title company, governmental agency and lending institution listed hereon, and to the assignee of the lending institution. certifications are not transferable to additional institutions or subsequent owners.

Date of Plat or Map: November 28, 2023

Patrick B. Jones
 Patrick B. Jones
 New York State Licensed Land Surveyor
 License # 050624

Date of Last Update by Visual Inspection: September 13, 2023

NOTICE OF CERTIFICATE OF COMPLETION
Brownfield Cleanup Program
6 NYCRR Part 375-1.9(d)

Former Universal Scrap Metal Processors Corp., Site ID No. C224210
1181 Flushing Avenue, Brooklyn, NY 11237
Brooklyn, Kings County, Tax Map Identification Number: p/o 2994-75

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (NYSDEC) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to 25C LLC and Flushing Stewart LLC for a parcel approximately 0.504 acres located at 1181 Flushing Avenue in Brooklyn, Kings County.

PLEASE TAKE NOTICE, the Certificate was issued upon satisfaction of the Commissioner, following review by NYSDEC of the Final Engineering Report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the remediation requirements set forth in ECL Article 27, Title 14 have been or will be achieved in accordance with the time frames, if any, established in the Remedial Work Plan.

PLEASE TAKE NOTICE, the remedial program for the site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1)i
- Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

PLEASE TAKE NOTICE, provided that the Certificate is complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the site and to a person who develops or otherwise occupies the site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by NYSDEC as not inconsistent with the remedy.

PLEASE TAKE NOTICE, the Certificate may entitle the Certificate holder(s) to tax credits in accordance with Tax Law Sections 21, 22 and 23.

PLEASE TAKE NOTICE, the Certificate may only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

PLEASE TAKE NOTICE, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

**Former Universal Scrap Metal Processors Corp., C224210
1181 Flushing Avenue, Brooklyn, NY 11237**

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 Office located at 1 Hunter's Point Plaza, 47-40 21st Street, Long Island City, NY 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C224210>.

WHEREFORE, the undersigned has signed this Notice of Certificate

25C LLC

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 20__, before me, the undersigned, personally appeared _____, 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.

Signature and Office of individual
taking acknowledgment

Please record and return to:

Dawson Stellberger
25C LLC
249 Smith Street, #140
Brooklyn, NY 11231