

# 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

Mr. Omri Sacks  
Rodney Street Investors LLC  
850 Third Avenue, Suite 16B  
New York, NY 10022

Mr. Omri Sacks  
123 Hope Street Owner LLC  
850 Third Avenue, Suite 13D  
New York, NY 10022

David Schwartz  
Keap Retail Owner LLC  
850 Third Avenue, Suite 16B  
New York, NY 10022

DEC 29 2017

Re: Certificate of Completion  
432 Rodney Street  
Brooklyn, NY, Kings County  
Site No. C224216

Dear Mr. Sacks:

Congratulations on having satisfactorily completed the remedial program at the 432 Rodney Street Site. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (Department) 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 a notice of the COC 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 a notice of the COC within 30 days of the date that you acquire the site. A copy of the recorded notice should be provided to the Department's project manager. If you are a non-owner, you must work with the owner to assure the



Department of  
Environmental  
Conservation

notice of COC is recorded within the time frame specified. A standard notice form is attached to this letter.

Please return the proof of recording to:

Chief, Site Control Section  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233-7020

- Provide the notice of the COC to the Document Repositories within 10 days of issuance of the COC. The Department 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;
- Implement the Department-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to the Department in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to the Department April 30, 2019.

If you have any questions regarding any of these items, please contact Ms. Kerry Maloney at 518 402-9622.

Sincerely,



Michael J. Ryan, P.E.  
Assistant Director  
Division of Environmental Remediation

cc w/ enclosure:

K. Maloney  
J. Nehila  
O. Sacks ([omri@adamamericare.com](mailto:omri@adamamericare.com))  
D. Schwartz ([david@slatepg.com](mailto:david@slatepg.com))  
D. Yudelson ([dyudelson@sprlaw.com](mailto:dyudelson@sprlaw.com))  
M. Burke ([mburke@Langan.com](mailto:mburke@Langan.com))

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)  
*CERTIFICATE OF COMPLETION*

**Name**

Rodney Street Investors LLC  
Keap Retail Owner LLC  
123 Hope Street Owner LLC

**Address**

38 East 29th Street, New York, NY 10016  
850 Third Avenue, Suite 16B, New York, NY 10022  
850 Third Avenue. Suite 13D, New York, NY 10022

**BROWNFIELD CLEANUP AGREEMENT:**

**Application Approval:** 6/25/2015    **Agreement Execution:** 9/30/15    **Agreement Index No.:** C224216-06-15

**Application Approval Amendment:** 4/8/16

**Agreement Execution Amendment:** 4/8/16

**SITE INFORMATION:**

**Site No.:** C224216    **Site Name:** 432 Rodney Street

**Site Owner:** 123 Hope Street Owner LLC  
Keap Retail Owner LLC

**Street Address:** 432 Rodney, 123 and 129 Hope, and 441 Keap Street

**Municipality:** Brooklyn    **County:** Kings    **DEC Region:** 2

**Site Size:** 0.620 Acres

**Tax Map Identification Number(s):** 2374-1, 2374-27, 2374-28, 2374-31

**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:** Restricted-Residential, Commercial, and Industrial

**Cleanup Track:** Track 4: Restricted use with site-specific soil cleanup objectives

**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 28 %.

Tangible Property Credit Component Rate is 20 %.

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

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 28 %.

Tangible Property Credit Component Rate is 18 %.

The Remedial Program includes use restrictions or reliance on the long term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Kings County as 2017000444649 and 2017000441153.

#### **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 a finding that:

- (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;
- (4) there is good cause for such modification or revocation;
- (5) either the Applicant or the Applicant's successors or assigns failed to manage the controls or monitoring in full compliance with the terms of the remedial program;
- (6) the terms and conditions of the environmental easement have been intentionally violated or found to be not protective or enforceable.

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:  Date: 12/29/17

Michael J. Ryan, P.E., Assistant Director  
Division of Environmental Remediation

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

432 Rodney Street, Site ID No. C224216  
432 Rodney Street, 123 and 129 Hope Street, 441 Keap Street, Brooklyn, NY, 11211  
Brooklyn, Kings County Tax Map Identification Number(s) 2374-1, 2374-27, 2374-28, 2374-31

**PLEASE TAKE NOTICE**, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to Rodney Street Investors LLC, Keap Retail Owner LLC and 123 Hope Street Owner LLC for parcels approximately 0.62 acres located at 432 Rodney Street (2374-1), 123 (2374-31) and 129 (2374-28) Hope Street and 441 Keap Street (2374-27) in the borough of Brooklyn.

**PLEASE TAKE NOTICE**, the Certificate was 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 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**, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Kings County as 2017000444649 and 2017000441153.

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 the Department as not inconsistent with the remedy.

**PLEASE TAKE NOTICE**, the Environmental Easement requires that the approved site management plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

**PLEASE TAKE NOTICE**, provided that the Environmental Easement, SMP and Certificate are 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.

**PLEASE TAKE NOTICE**, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

**PLEASE TAKE NOTICE**, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

**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.

**PLEASE TAKE NOTICE**, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 located at 1 Hunter's Point Plaza, 47-40 21<sup>st</sup> Street, Long Island City, NY 11101-5401 by contacting the Regional Environmental Remediation Engineer.

**WHEREFORE**, the undersigned has signed this Notice of Certificate

123 Hope Street Owner LLC  
(For lots 1 and 31)

Keap Retail Owner LLC  
(For lots 27 and 28)

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

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

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:**  
Rodney Street Investors LLC  
850 Third Avenue, Suite 16B  
New York, NY 10022

**Exhibit A -1**

**Site Description**

**SCHEDULE "A" PROPERTY DESCRIPTION**

**LEGAL DESCRIPTION**

**BLOCK-2374**

**LOT-1**

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, 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 THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF HOPE STREET WITH THE EASTERLY SIDE OF RODNEY STREET; RUNNING THENCE NORTHERLY ALONG THE EASTERLY SIDE OF RODNEY STREET, 120 FEET; RUNNING THENCE EASTERLY PARALLEL WITH HOPE STREET, 169 FEET 11 1/2 INCHES (169 FEET 5 1/2 INCHES PER TAX MAP) TO THE SOUTHEASTERLY SIDE OF LAND CONVEYED TO JOSEPH H. TUCK, BY DEED RECORDED IN THE OFFICE OF THE REGISTER OF THE COUNTY OF KINGS IN LIBER 662 OF CONVEYANCES, PAGE 287; RUNNING THENCE SOUTHWESTERLY ALONG SAID SOUTHEASTERLY SIDE OF SAID LAND 55 FEET 1/2 INCH; RUNNING THENCE SOUTHERLY PARALLEL WITH RODNEY STREET, 88 FEET 1 1/2 INCH TO THE NORTHERLY SIDE OF HOPE STREET, AND RUNNING THENCE WESTERLY ALONG THE NORTHERLY SIDE OF HOPE STREET, 125 FEET TO THE POINT OR PLACE OF BEGINNING.

SAID LOT CONTAINS 0.36 ACRES OF LAND.

**SCHEDULE "A" PROPERTY DESCRIPTION**

**LEGAL DESCRIPTION  
BLOCK-2374  
LOT-27**

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE, LYING AND BEING IN THE BOROUGH OF BROOKLYN, CITY AND STATE OF NEW YORK, BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF HOPE STREET AND THE WESTERLY SIDE OF KEAP STREET; RUNNING THENCE NORTHERLY ALONG THE WESTERLY SIDE OF KEAP STREET 21 FEET; RUNNING THENCE WESTERLY PARALLEL WITH HOPE STREET 55 FEET 8 INCHES; RUNNING THENCE SOUTHERLY PARALLEL WITH KEAP STREET 21 FEET TO THE NORTHERLY SIDE OF HOPE STREET; RUNNING THENCE EASTERLY ALONG THE NORTHERLY SIDE OF HOPE STREET 55 FEET 8 INCHES TO THE POINT OR PLACE OF BEGINNING. SAID LOT CONTAINS 0.02 ACRES OF LAND.

**LEGAL DESCRIPTION  
BLOCK-2374  
LOT- 28**

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 NORTHERLY SIDE OF HOPE STREET DISTANT 55 FEET 8 INCHES WESTERLY FROM THE NORTHWESTERLY CORNER OF HOPE STREET AND KEAP STREET; RUNNING THENCE NORTHERLY AND PARALLEL WITH KEAP STREET 63 FEET; RUNNING THENCE WESTERLY PARALLEL WITH HOPE STREET, 44 FEET 4 INCHES MORE OR LESS TO THE EASTERLY SIDE OF LAND CONVEYED TO M.H.G. REALTY CORPORATION BY DEED RECORDED IN THE OFFICE OF THE REGISTER OF THE COUNTY OF KINGS IN LIBER 4703 OF CONVEYANCES, PAGE 47; RUNNING THENCE SOUTHERLY ALONG THE EASTERLY SIDE OF SAID LAND 63 FEET TO THE NORTHERLY SIDE OF HOPE STREET; RUNNING THENCE EASTERLY ALONG THE NORTHERLY SIDE OF HOPE STREET, 44 FEET 4 INCHES, MORE OR LESS, TO THE POINT OR PLACE OF BEGINNING. SAID LOT CONTAINS 0.06 ACRES OF LAND.

**LEGAL DESCRIPTION  
BLOCK-2374  
LOT-31**

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, 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 NORTHEASTERLY SIDE OF HOPE STREET, DISTANT 125 FEET SOUTHEASTERLY FROM THE EASTERLY CORNER OF HOPE STREET AND RODNEY STREET; RUNNING THENCE NORTHEASTERLY PARALLEL WITH RODNEY STREET 88 FEET 1 and 1/2 INCHES TO THE SOUTHERLY LINE OF LAND OF ELIZA WITHINGTON, DECEASED; RUNNING THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LAND 61 FEET 3 AND 1/4 INCHES; RUNNING THENCE SOUTHEASTERLY 29 FEET, 6 INCHES TO A POINT DISTANT 193 FEET AND 5 AND 1/2 INCHES EASTERLY FROM THE EASTERLY SIDE OF RODNEY STREET ON A LINE DRAWN PARALLEL WITH HOPE STREET AND DISTANT NORTHERLY AT RIGHT ANGLES THEREFROM 100 FEET 7 INCHES FROM THE NORTHERLY SIDE OF HOPE STREET; RUNNING THENCE SOUTHEASTERLY PARALLEL WITH HOPE STREET 2 FEET 7 INCHES; RUNNING THENCE SOUTHERLY 30 FEET 10 INCHES TO A POINT DISTANT NORTHERLY AT RIGHT ANGLES FROM HOPE STREET 70 FEET; RUNNING THENCE SOUTHWESTERLY AT RIGHT ANGLES TO HOPE STREET 70 FEET TO THE NORTHEASTERLY SIDE OF HOPE STREET; AND RUNNING THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY SIDE OF HOPE STREET 75 FEET TO THE POINT OR PLACE OF BEGINNING.

SAID LOT CONTAINS 0.18 ACRES OF LAND.

# **Exhibit B**

## **Site Survey**

NO.	DATE	DESCRIPTION
1	06/26/2017	ENVIRONMENTAL EASEMENT
2	08/18/2017	REV. PER DRC COMMENTS



ADDRESSES  
 422 RODNEY STREET  
 441 KEAP STREET  
 125, 123 HOWE STREET  
 BROOKLYN, N.Y.

DATE	DESCRIPTION
JUNE 26, 2017	ENVIRONMENTAL EASEMENT
AUG 18, 2017	REV. PER DRC COMMENTS

BLOCK 2574  
 LOT 1, 27, 28, 31  
 COUNTY KINGS  
 DWG BY J.A.  
 CHD BY J.A.  
 SCALE 1/4" = 1'

This property is subject to an environmental easement held by the New York State Department of Environmental Conservation pursuant to Title 26 of Article 75 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 SMP must be obtained by any party with an interest in the property. The SMP can be obtained from the Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 605 Broadway, Albany, NY 12242 or at [www.dec.state.ny.us](http://www.dec.state.ny.us).

**NOTES**

1. THIS EASEMENT IS SUBJECT TO THE ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 26 OF ARTICLE 75 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 SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 605 BROADWAY, ALBANY, NY 12242 OR AT [WWW.DEC.STATE.NY.US](http://www.dec.state.ny.us).

**NOTES**

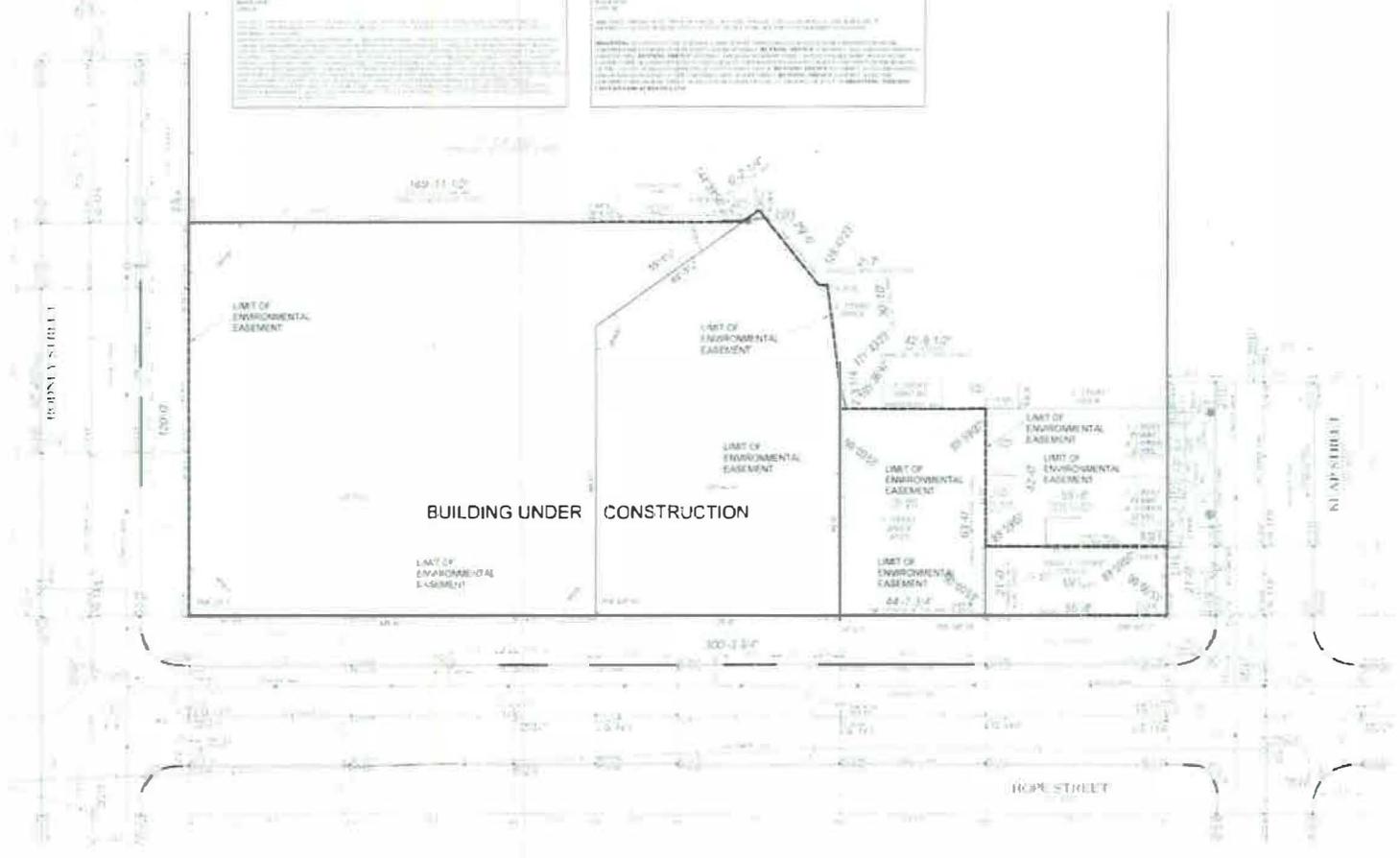
2. THIS EASEMENT IS SUBJECT TO THE ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 26 OF ARTICLE 75 OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW. THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN THE SITE MANAGEMENT PLAN (SMP). A COPY OF SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 605 BROADWAY, ALBANY, NY 12242 OR AT [WWW.DEC.STATE.NY.US](http://www.dec.state.ny.us).

**NOTES**

3. THIS EASEMENT IS SUBJECT TO THE ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 26 OF ARTICLE 75 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 SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 605 BROADWAY, ALBANY, NY 12242 OR AT [WWW.DEC.STATE.NY.US](http://www.dec.state.ny.us).

**NOTES**

4. THIS EASEMENT IS SUBJECT TO THE ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 26 OF ARTICLE 75 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 SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 605 BROADWAY, ALBANY, NY 12242 OR AT [WWW.DEC.STATE.NY.US](http://www.dec.state.ny.us).



VINCENT & VITELLACCIO  
 CORPORATION

EMPIRE STATE  
 LAYOUT, INC.

BY: [Signature] DATE: 08/18/17  
 PROJECT NO.: 17-0000000000  
 DRAWING NO.: 17-0000000000





**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**Site Management Form**  
 12/28/2017



**SITE DESCRIPTION**

**SITE NO.** C224216

**SITE NAME** 432 Rodney Street

**SITE ADDRESS:** 432 Rodney, 123 and 129 Hope, and 441 Keap Street

**ZIP CODE:** 11211

**CITY/TOWN:** Brooklyn

**COUNTY:** Kings

**ALLOWABLE USE:** Restricted-Residential, Commercial, and Industrial

**SITE MANAGEMENT DESCRIPTION**

**SITE MANAGEMENT PLAN INCLUDES:** YES NO

IC/EC Certification Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Monitoring Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operation and Maintenance (O&M) Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 04/30/2019

**Description of Institutional Control**

**123 Hope Street LLC**

432 Rodney Street

**432 Rodney Street**

Environmental Easement

Block: 2374

Lot: 1

Sublot:

Section:

Subsection:

S\_B\_L Image: 2374-1

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

**123 Hope Street Owner LLC**

123 Hope Street

**123 Hope Street**

Environmental Easement

Block: 2374

Lot: 31

Sublot:

Section:

Subsection:

S\_B\_L Image: 2374-31

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

**Keap Retail Owner LLC**

129 Hope Street

**129 Hope Street**

Environmental Easement

Block: 2374

Lot: 28

Sublot:

Section:

Subsection:

S\_B\_L Image: 2374-28

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

**441 Keap Street**

Environmental Easement

Block: 2374

Lot: 27

Sublot:

Section:

Subsection:

S\_B\_L Image: 2374-27

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

### Description of Engineering Control

#### 123 Hope Street LLC

432 Rodney Street

#### 432 Rodney Street

Environmental Easement

Block: 2374

Lot: 1

Sublot:

Section:

Subsection:

S\_B\_L Image: 2374-1

Cover System

Groundwater Treatment System

Vapor Mitigation

#### 123 Hope Street Owner LLC

123 Hope Street

#### 123 Hope Street

Environmental Easement

Block: 2374

Lot: 31

Sublot:

Section:

Subsection:

S\_B\_L Image: 2374-31

Cover System

Groundwater Treatment System

Monitoring Wells

Vapor Mitigation

#### Keap Retail Owner LLC

129 Hope Street

#### 129 Hope Street

Environmental Easement

Block: 2374

Lot: 28

Sublot:

Section:

Subsection:

S\_B\_L Image: 2374-28

Cover System

Groundwater Treatment System  
Monitoring Wells  
Vapor Mitigation

**441 Keap Street**  
Environmental Easement  
Block: 2374  
Lot: 27  
Sublot:

Section:  
Subsection:  
S\_B\_L Image: 2374-27  
Cover System

Groundwater Treatment System  
Monitoring Wells  
Vapor Mitigation