

NYSDEC BROWNFIELD CLEANUP PROGRAM APPLICATION

FORMER GARONE BROS AUTO SERVICE CENTER
352-362 SHEPHERD AVENUE
BLOCK 3988, LOT 28
BROOKLYN, NEW YORK

PREPARED FOR:
362 SHEPHERD DEVELOPMENT LLC
145 EAST 57TH STREET, 6TH FLOOR
NEW YORK, NEW YORK 10022



Haley & Aldrich of New York
237 W 35th Street
16th Floor
New York, NY 10123
Tel: 646.277.5686

10 November 2021
File No. 0201831

Alexandra Servis
Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway, 11th Floor
Albany, New York 12233

Subject: Brownfield Cleanup Program Application
Former Garone Bros Auto Service Center Site
352-362 Shepherd Avenue
Brooklyn, New York 11208 (Site)

Ladies and Gentlemen,

Haley & Aldrich of New York, on behalf of 362 Shepherd Development LLC, has prepared this revised Brownfield Cleanup Program (BCP) Application for the above referenced Site in response to comments received by the New York State Department of Environmental Conservation (NYSDEC) in a letter dated 02 November 2021. The revised BCP Application addresses the NYSDEC comments as follows:

Section III: Property's Environmental History

- The language within the BCP Application has been clarified to list the September 2021 Remedial Investigation Report prepared by Haley & Aldrich. Reference to the August 2021 Phase II Subsurface Investigation was removed.
- Data summary tables for previously sampled media as reported in the September 2021 Remedial Investigation Report are now included this section and follow the formatting guidance provided in the NYSDEC BCP instructions.

Section IV: Property Information

- The Environmental Assessment summary has been revised to provide further clarification and detail regarding the concentrations of compounds exceeding NYSDEC Standards, Criteria and Guidance (SCGs) values, the contaminant media, and extent of contamination.

Section IX: Contact List Information

- Documentation of confirmation from the Brooklyn Public Library – Cypress Hills Branch and Brooklyn Community Board 5 is attached in the revised BCP Application.

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


- A response to Question No. 3 was provided in the revised application. The development is planned as Affordable Housing, and a copy of the regulatory agreement will be provided to the NYSDEC at a later date prior to issuance of the Certificate of Completion (COC).

Enclosed in this package is a USB drive which contains the full revised BCP Application Package including one Phase I Environmental Site Assessment dated 03 May 2021 by Singer Environmental Group, LTD. and a Remedial Investigation Report dated September 2021 by Haley & Aldrich of New York. Hard copies of the revised BCP Application form and updated signature page are also enclosed.

Should you have any questions, please do not hesitate to contact me at (646) 277-5686 or via email at jbellew@haleyaldrich.com.

Thank you.


James M. Bellew
Senior Associate


Emily Sneed, PG
Senior Project Manager

Enclosed copies provided via email to:

David Horowitz (362 Shepherd Development LLC)
Christine Leas (Sive, Paget & Riesel P.C.)
Gerard Burke (NYSDEC)
Jane O'Connell (NYSDEC)
James Simpson (NYSDEC)

Email: david@applerealtycapital.com
Email: cleas@sprlaw.com
Email: gerard.burke@dec.ny.gov
Email: jane.oconnell@dec.ny.gov
Email: james.simpson@dec.ny.gov

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BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

☐ Yes ☒ No

If yes, provide existing site number: _____

PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 12*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME 362 Shepherd Development LLC

ADDRESS 145 East 57th Street, 16th Floor

CITY/TOWN New York

ZIP CODE 10022

PHONE (347) 831-1248

FAX

E-MAIL david@applerealtycapital.com

Is the requestor authorized to conduct business in New York State (NYS)?

☒ Yes ☐ No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment.

Do all individuals that will be certifying documents meet the requirements detailed below? ☒ Yes ☐ No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](#) and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

Section II. Project Description

1. What stage is the project starting at?

☒ Investigation

☐ Remediation

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

2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): ☐ Yes ☐ No

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

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

Section III. Property's Environmental History

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

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF). Please do not submit paper copies of supporting documents.**

2. **SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED, WITH LABORATORY REPORTS REFERENCED AND ALSO INCLUDED.**

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

*Please describe: PFOA/PFAS

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

- SAMPLE LOCATION
- DATE OF SAMPLING EVENT
- KEY CONTAMINANTS AND CONCENTRATION DETECTED
- FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE
- FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5
- FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

☒ Yes ☐ No

4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

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

Other: Auto Body Shop

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME Former Garone Bros Auto Service Center

ADDRESS/LOCATION 352-362 Shepherd Avenue

CITY/TOWN Brooklyn

ZIP CODE 11208

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):

COUNTY Kings

SITE SIZE (ACRES) 0.23

LATITUDE (degrees/minutes/seconds)

40 ° 40 ' 32.93 "

LONGITUDE (degrees/minutes/seconds)

73 ° 52 ' 53.02 "

Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed, please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address

Section No.

Block No.

Lot No.

Acreage

352-362 Shepherd Avenue

3

3988

28

0.23

1. Do the proposed site boundaries correspond to tax map metes and bounds?

☒ Yes ☐ No

If no, please attach an accurate map of the proposed site.

2. Is the required property map attached to the application?

☒ Yes ☐ No

(application will not be processed without map)

3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)?

(See [DEC's website](#) for more information)Yes ☒ No ☐

If yes, identify census tract : 1166

Percentage of property in En-zone (check one):

☐ 0-49%☐ 50-99%☒ 100%4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? ☐ Yes ☒ No

If yes, identify name of properties (and site numbers if available) in related BCP applications: _____

5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? Pending further evaluation and remedial investigation ☐ Yes ☒ No6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? ☐ Yes ☒ No

If yes, attach relevant supporting documentation.

7. Are there any lands under water?

☐ Yes ☒ No

If yes, these lands should be clearly delineated on the site map.

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?
If yes, identify here and attach appropriate information. ☐ Yes ☒ No

Easement/Right-of-way Holder

Description

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

Description

None

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

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

☒ Yes ☐ No

Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? ☒ Yes ☐ No

If yes, requestor must answer questions on the supplement at the end of this form.

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? ☐ Yes ☒ No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? ☐ Yes ☐ No

NOTE: If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

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

Initials of each Requestor: _____

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

Section V. Additional Requestor Information See Instructions for Further Guidance		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE David Horowitz			
ADDRESS 1425 37th Street			
CITY/TOWN Brooklyn		ZIP CODE 11218	
PHONE (347) 831-1248	FAX	E-MAIL david@applerealtycapital.com	
NAME OF REQUESTOR'S CONSULTANT Haley & Aldrich of New York - James Bellew			
ADDRESS 237 West 35th Street, 16th Floor			
CITY/TOWN New York		ZIP CODE 10123	
PHONE (646) 277-5686	FAX	E-MAIL jbellew@haleyaldrich.com	
NAME OF REQUESTOR'S ATTORNEY Sive, Paget & Riesel P.C. - Christine Leas			
ADDRESS 500 Lexington Avenue			
CITY/TOWN New York		ZIP CODE 10022	
PHONE (646) 378-7267	FAX	E-MAIL cleas@sprlaw.com	
Section VI. Current Property Owner/Operator Information – If not a Requestor			
CURRENT OWNER'S NAME		OWNERSHIP START DATE:	
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
CURRENT OPERATOR'S NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".			
IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.			
Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)			
If answering "yes" to any of the following questions, please provide an explanation as an attachment.			
1. Are any enforcement actions pending against the requestor regarding this site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☒ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. ☐ Yes ☒ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☒ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☒ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ Yes ☒ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☒ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☒ No
11. Are there any unregistered bulk storage tanks on-site which require registration? ☐ Yes ☒ No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

☐ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

☒ VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

☐ Previous Owner ☒ Current Owner ☐ Potential /Future Purchaser ☐ Other _____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached?

☐ Yes ☐ No

Note: a purchase contract does not suffice as proof of access.

Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment. ☐ Yes ☒ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? ☐ Yes ☒ No
If yes, please provide: Site # _____ Class # _____
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? ☐ Yes ☒ No
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. ☐ Yes ☐ No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? ☐ Yes ☒ No
If yes, please provide: Order # _____
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? ☐ Yes ☒ No
If yes, please provide explanation as an attachment.

Section IX. Contact List Information

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following:

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

Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? R6A

What uses are allowed by the current zoning? (Check boxes, below)

☒ Residential ☐ Commercial ☐ Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

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

Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

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

If residential, does it qualify as single family housing?

☐ Yes ☒ No

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

☒ Yes ☐ No

Yes. The Site is located within the East New York Rezoning Neighborhood Plan which was developed to build and preserve affordable housing.

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

☒ Yes ☐ No

Yes. The current zoning is R6A and the proposed development would be within the existing zoning framework.

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

Please refer to Attachment.

XI. Statement of Certification and Signatures

(By requestor who is an individual)

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

Date: _____

Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Member (title) of 362 Shepherd Development LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 11/4/21

Signature: 

Print Name: David Horowitz

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable Portable Document Format (PDF), must be sent to:
 - Chief, Site Control Section
 - New York State Department of Environmental Conservation
 - Division of Environmental Remediation
 - 625 Broadway
 - Albany, NY 12233-7020

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

FOR DEC USE ONLY

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

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

BCP App Rev 12

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

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

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

- ☐ Project is an Affordable Housing Project - Regulatory Agreement Attached;
- ☒ Project is Planned as Affordable Housing, But Agreement is Not Yet Available*
(*Checking this box will result in a "pending" status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);
- ☐ This is Not an Affordable Housing Project.

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

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

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

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

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

BCP Application Summary (for DEC use only)

Site Name: Former Garone Bros Auto Service Center **Site Address:** 352-362 Shepherd Avenue
City: Brooklyn **County:** Kings **Zip:** 11208

Tax Block & Lot
Section (if applicable): 3 **Block:** 3988 **Lot:** 28

Requestor Name: 362 Shepherd Development LLC **Requestor Address:** 145 East 57th Street, 16th Floor
City: New York **Zip:** 10022 **Email:** david@appler RealtyCapital.com

Requestor's Representative (for billing purposes)
Name: David Horowitz **Address:** 1425 37th Street
City: Brooklyn **Zip:** 11218 **Email:** david@appler RealtyCapital.com

Requestor's Attorney
Name: Sive, Paget & Riesel P.C. - Christine Leas **Address:** 500 Lexington Avenue
City: New York **Zip:** 10022 **Email:** cleas@sprlaw.com

Requestor's Consultant
Name: Haley & Aldrich of New York - James Bellew **Address:** 237 West 35th Street, 16th Floor
City: New York **Zip:** 10123 **Email:** jbellw@haleyaldrich.com

Percentage claimed within an En-Zone: ☐ 0% ☐ <50% ☐ 50-99% ☒ 100%

DER Determination: ☐ Agree ☐ Disagree

Requestor's Requested Status: ☒ Volunteer ☐ Participant

DER/OGC Determination: ☐ Agree ☐ Disagree
Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits: ☒ Yes ☐ No

Does Requestor Claim Property is Upside Down: ☐ Yes ☒ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Property is Underutilized: ☐ Yes ☒ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Affordable Housing Status: ☐ Yes ☐ No ☒ Planned, No Contract

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

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

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

SECTION I REQUESTOR INFORMATION

Requestor Name

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

If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear exactly as given in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to DEC with the application, to document that the requestor is authorized to do business in NYS.

Address, etc.

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

Document Certification

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

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

SECTION II PROJECT DESCRIPTION

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

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION III PROPERTY'S ENVIRONMENTAL HISTORY

For all sites, an investigation report is required that is sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data includes site drawings and **data summary tables** requested in Section III, #3 of the BCP application form. **Data summary table instructions are attached.**

SECTION IV PROPERTY INFORMATION

Proposed Site Name

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

Site Address

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

Site Size

Provide the approximate acreage of the site.

GIS Information

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

Tax Parcel Information

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

1. Tax Map Boundaries

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

2. Map

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

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION IV (continued)

3. En-zone

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

4. Multiple applications

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

10. Property Description Narrative

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

Location

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

Site Features:

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

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

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

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

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

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

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION IV (continued)

Property Description Narrative (continued)

Site Geology and Hydrogeology:

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

Environmental Assessment

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

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

A typical Environmental Assessment would look like the following:

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

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

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

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

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

SECTION V

ADDITIONAL REQUESTOR INFORMATION

Representative Name, Address, etc.

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

Consultant and Attorney Name, Address, etc.

Provide requested information.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

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

Owner Name, Address, etc.

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

Operator Name, Address, etc.

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

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

SECTION VII REQUESTOR ELIGIBILITY INFORMATION

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

SECTION VIII PROPERTY ELIGIBILITY INFORMATION

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

1. CERCLA / NPL Listing

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

2. Registry Listing

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

3. RCRA Listing

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

4. Registry / RCRA sites owned by volunteers

If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION VIII (continued)

5. Existing Order

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

6. Enforcement Action Pending

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

SECTION IX CONTACT LIST INFORMATION

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

SECTION X LAND USE FACTORS

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

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

SECTION XI SIGNATURE PAGE

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

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DETERMINATION OF A COMPLETE APPLICATION

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

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DETERMINATION OF A COMPLETE APPLICATION (continued)

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

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DATA SUMMARY TABLES

Data summary tables should include the following columns. Example tables are provided on the following page.

Soil Table:

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

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

Analytes ^h	Total Detections	Max. Detection (ug/m ³) ^c	Type ⁱ
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- ^a Include all contaminants over the applicable soil cleanup objectives (SCOs). Column header should specify which SCOs are being compared to. (i.e. "RRSCOs" for Restricted Residential SCOs)
- ^b Number of detections over applicable SCOs. Specify which SCOs are being compared to in column header.
- ^c Maximum detection in parts per million (ppm) for soil, parts per billion (ppb) for groundwater, or micrograms per cubic meter (ug/m³) for soil gas.
- ^d List the respective SCO. Specify which SCOs are being compared to in column header.
- ^e Include all contaminants over Class GA Ambient Water Quality Standards (AWQS).
- ^f Number of detections over AWQS.
- ^g List the respective AWQS.
- ^h Include all chlorinated volatile organic compound (VOCs) detections.
- ⁱ Specify type: soil vapor, sub-slab or indoor air.

Example Data Summary Tables

Soil Table:

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

Groundwater Table:

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

Soil Gas Table:

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

ATTACHMENT A

Section I: Requestor Information

SECTION I: REQUESTOR INFORMATION

The Requestor is 362 Shepherd Development LLC. David Horowitz and Shlome Gutman are Members of 362 Shepherd Development LLC and the authorized representatives for 362 Shepherd Development LLC.

The Requestor is the sole owner of the property located at 352-362 Shepherd Avenue, identified as Block 3988, Lot 28, Brooklyn, New York comprising the Site, and has full access to implement a Brownfield site remedial program, including as necessary to investigate, remediate, and redevelop the Site. The contact information for the requestor is:

362 Shepherd Development LLC
David Horowitz
Member
145 East 57th Street, 6th Floor
New York, New York 10022
Phone: (347) 831-1248
Email: david@applerealtycapital.com
Fax: N/A

362 Shepherd Development LLC
Shlome Gutman
Member
145 East 57th Street, 6th Floor
New York, New York 10022
Phone: (347) 831-1248
Email: solgutman@gmail.com
Fax: N/A

A printout of the entity information from the NYS Department of state's Corporation & Business Entity Database for 362 Shepherd Development LLC is included in this attachment.

All documents will be certified by a Haley & Aldrich of New York Licensed Professional Engineer, Qualified Environmental Professional and/or 362 Shepherd Development LLC in accordance with DER-10 Section 1.5.

October 4, 2021 | 4:07 pm

COVID-19 Vaccines

Booster doses are now available for eligible New Yorkers, including New Yorkers age 65 and older who got the Pfizer vaccine.

DETAILS >

Department of State
Division of Corporations

Entity Information

Return to Results

Return to Search

Entity Details

ENTITY NAME:
362 SHEPHERD DEVELOPMENT LLC

FOREIGN LEGAL NAME:

ENTITY TYPE:
DOMESTIC LIMITED LIABILITY COMPANY

SECTIONOF LAW:
LIMITED LIABILITY COMPANY LAW - 203 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW

DATE OF INITIAL DOS FILING:
06/23/2021

EFFECTIVE DATE INITIAL FILING:
06/23/2021

FOREIGN FORMATION DATE:

COUNTY:
Albany

JURISDICTION:
New York, United States

DOS ID:
6204846

FICTITIOUS NAME:
362 SHEPHERD DEVELOPMENT LLC

DURATION DATE/LATEST DATE OF DISSOLUTION:

ENTITY STATUS:
Active

REASON FOR STATUS:

INACTIVE DATE:

STATEMENT STATUS:
CURRENT

NEXT STATEMENT DUE DATE:
06/30/2023

NFP CATEGORY:

- ENTITY DISPLAY
- NAME HISTORY
- FILING HISTORY
- MERGER HISTORY
- ASSUMED NAME HISTORY

Service of Process Name and Address

Name: 362 Shepherd Development LLC

Address: PO BOX 10873, ALBANY, NY, United States, 12201

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office or Owner Name and Address

Name:

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: No

Stock Information

Share Value	Number Of Shares	Value Per Share

ATTACHMENT B

Section II: Project Description

SECTION II: PROJECT DESCRIPTION

The Requestor seeks to enter the Brownfield Cleanup Program (BCP) at the investigation stage. A Phase I Environmental Site Assessments (Phase I) was completed on 03 May 2021 by Singer Environmental Group, LTD and a Remedial Investigation Report was prepared by Haley & Aldrich of New York in September 2021. The Phase I and Remedial Investigation Reports are included in electronic format.

Upon review of the analytical results of the remedial investigation, the project is seeking entry into the New York State Department of Environmental Conservation (NYSDEC) due to, among other things, elevated levels of metals and polyaromatic hydrocarbons (PAHs) in soil, as well as chlorinated volatile organic compound (CVOCs) in groundwater. While the remedial investigation helped characterize the Site, it did not determine the nature and extent of contamination. Requestor is, therefore, also submitting for NYSDEC approval a Draft Remedial Investigation Work Plan (RIWP) along with this BCP Application.

Once NYSDEC approves Requestor's BCP Application as being ready for public comment and Requestor's Draft Remedial Investigation Work Plan as being potentially sufficient to determine the nature and extent of contamination at the Site, Requestor asks that public comment be solicited upon the Draft Remedial Investigation Work Plan simultaneously with comment upon its BCP Application.

The proposed project also includes a remediation and redevelopment of the Site. While the development plans are conceptual at this time, the planned project will consist of an 8-story residential building with 53 units, with an affordable housing component, and a partial cellar over the majority of the Site extending to 10 feet below ground surface (ft bgs).

Project Schedule:

It is anticipated that, once Requestor is accepted into the BCP and the Remedial Investigation Work Plan is approved by the Department, the remedial investigation will commence within 2-3 months. The design and implementation of the remedy would start within six to 12 months following acceptance of the Remedial Investigation Report by NYSDEC. During the investigation/remedial design phase a change of use and/or an IRM will be pursued in order to comply with the timing requirements of the 421-a affordable housing program. It is anticipated the remedial program will be completed by mid-2022. A tentative projected schedule is below.

Task	Anticipated Schedule
Application Execution, Permitting, Remedial Investigation, Remedy Design	December 2021 – July 2022
Submittal of IRM WP/Change of Use	Late February 2022
IRM Implementation/Change of Use Foundation Element	Early May – Mid-June 2022
Remedy Implementation	July – September 2022
Preparation of FER & SMP	September – October 2021
Certificate of Completion	December 2022

Notes:

IRM WP: Interim Remedial Measure Work Plan

FER: Final Engineering Report

SMP: Site Management Plan

ATTACHMENT C

Section III: Property's Environmental History

SECTION III.1: REPORTS

A Phase I Environmental Site Assessment dated 03 May 2021 was completed by Singer Environmental Group, LTD. on behalf of the former owner Shea Sigal and a remedial investigation was performed by Haley & Aldrich of New York on behalf 362 Shepherd Development LLC in August 2021. The reports are included as separate standalone files on the attached USB.

As found during the Phase I Environmental Site Assessment, the Site was developed in the late 1880s with several dwellings. In the early 1900s, the Site was used as a toy animal factory and by the late 1920s, the previous Site buildings were razed and began operation as a garage. The Site continued to operate as a garage until the late 1960s/early 1970s. From the late 1970s through the present, the Site was primarily used for auto-related purposes including an auto repair shop and service center, used car sales shop, and a towing center. The Site is currently improved with a one-story warehouse/garage building encompassing the entire Site footprint and is currently occupied by Gils Auto Body and Hi-Tech Heating.

The Site is a rectangular-shaped lot with a one-story warehouse/garage building encompassing the entire site footprint with a partial cellar.

SECTION III.2: SAMPLING DATA

See Application Section III.2 for overview tables of the sampling data from the remedial investigation conducted between 25 and 27 August 2021. The findings of the remedial investigation are as follows:

Soil –

Five semi-volatile organic compounds (SVOC) including benzo(a)anthracene (maximum concentration 6 mg/kg), benzo(a)pyrene (maximum concentration 6.6 mg/kg), benzo(b)fluoranthene (maximum concentration 9.4 mg/kg), dibenzo(a,h)anthracene (maximum concentration 0.81 mg/kg), and indeno(1,2,3-cd)pyrene (maximum concentration 4.8 mg/kg) were identified above Restricted Residential Soil Cleanup Objectives (RRSCOs) in multiple shallow soil samples. Additionally, chrysene was detected above RRSCOs in SB4A (0-2') at a concentration of 6.6 mg/kg. In deep sample SB-3 (10-12'), benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, and indeno(1,2,3-cd)pyrene were identified above RRSCOs.

Several metals were detected above the Restricted Residential Soil Cleanup Objectives (RRSCOs) in multiple borings including lead at a maximum concentration of 708 mg/kg in SB-2 (0-2'), mercury at a maximum concentration of 30.2 mg/kg, also in SB-2 (0-2'), arsenic (18.3 mg/kg) and barium (1060 mg/kg) were detected above RRSCOs in soil sample SB-2 (0-2').

Groundwater –

One volatile organic compound (VOC), tetrachloroethene was detected above the NYSEDEC Ambient Water Quality Standards (AWQS) in TW-2 at 5.2 µg/L. Tetrachloroethene was also detected above laboratory detection limits in several other groundwater samples.

Three dissolved metals were detected above the AWQS in several temporary wells including sodium (maximum 88,700 µg/L), manganese (maximum 679.2 µg/L), and antimony, only detected above the AWQS in TW-3 at 4.3 µg/L.

All temporary monitoring wells were sampled for emerging contaminants including PFOA/PFAS. Several analytes were detected above the New York Maximum Contaminant Level for Drinking Water in multiple groundwater samples. Perfluorooctanoic Acid (PFOA) (maximum 0.077 µg/L) and Perfluorooctanesulfonic Acid (PFOS) (maximum 0.0248 µg/L) were detected in several groundwater samples above the MCLs. Several other PFOA/PFAS compounds were detected only in TW-3 including Perfluorobutanoic Acid (PFBA) at 0.0162 µg/L, Perfluorobutanesulfonic Acid (PFBS) at 0.035 µg/L, and Perfluoroheptanoic Acid (PFHpA) at 0.0173 µg/L. The total concentration of PFOA/PFOS was the greatest in TW-3 at 0.102 µg/L.

Soil Vapor –

Soil vapor sample results were compared to New York State Department of Health (NYSDOH) Final Guidance on Soil Vapor Intrusion (May 2017) Matrix A, B, and C guidance values. No soil vapor sample results exceeded these guidance values.

See attached Analytical results from the remedial investigation (Tables 1 through 3). Please also refer to the attached USB drive containing the full Remedial Investigation Report submitted to 362 Shepherd Development LLC in September 2021.

Section III.2: Sampling Data

Analytical Results Summary Tables

Soil Summary Table

Analytes > RRSCO	Detections > RRSCOs	Max Concentration (ppm)	RRSCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	6	6	1	0-2
Benzo(a)pyrene	6	6.6	1	0-2
Benzo(b)fluoranthene	7	9.4	1	0-2
Chrysene	1	6.6	3.9	0-2
Dibenzo(a,h)anthracene	4	0.81	0.33	0-2
Indeno(1,2,3-cd)pyrene	7	4.8	0.5	0-2
Arsenic	1	18.3	16	0-2
Barium	1	1060	400	0-2
Lead	3	708	400	0-2
Mercury	3	30.2	0.81	0-2

Groundwater Summary Table

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQS (ppb)
Tetrachloroethene	1	5.2	5
Dieldrin	1	0.055	0.004
Antimony (dissolved)	1	4.3	3
Antimony (total)	1	4.14	3
Manganese (dissolved)	2	679.2	300
Manganese (total)	4	1507	300
Iron (total)	5	18800	300
Sodium (dissolved)	5	88700	20000
Sodium (total)	5	89500	20000

Groundwater Summary Table - Emerging Contaminants

Analytes > NY MCL (June 2021)	Detections > NY MCL	Max. Detection (ppb)	NY MCL (ppb)
Perfluorooctanoic Acid (PFOA)	5	0.077	0.01
Perfluorooctanesulfonic Acid (PFOS)	5	0.0248	0.01

Soil Vapor Summary Table - Chlorinated VOCs

Analytes	Total Detections	Max. Detection ($\mu\text{g}/\text{m}^3$)	Type
Methylene Chloride	1	6.15	Soil Vapor
Tetrachloroethene	3	57.5	Soil Vapor

Notes:

AWQS = Ambient Water Quality Standards

Ft bgs = Feet below grade surface

MCL = Maximum Contaminant Level

ppm= Parts per million

RRSCO = NYSDEC Restricted-Residential Use Soil Cleanup Objective

$\mu\text{g}/\text{m}^3$ = Microgram per cubic meter

Analytical Results from September 2021 Remedial Investigation (Tables 1- 3)

Notes:

Yellow shaded results exceed Unrestricted SGOs	PFQA and PFAS compounds compared to NYSDEC Part 375 Remedial Programs Guidelines for Sampling and Analysis of PFAS NYSDEC June 2021 guidance values
Red shaded results exceed Restricted SGOs (94.9)	Sample 58-20-22 was reanalyzed for VOCs due to low soil recovery
NY-RSBR: New York NYCRR Part 375 Restricted Residential Criteria	U: Non-Detect Result
NY-UNRES: New York NYCRR Part 375 New York Unrestricted Use Criteria	E: Analytical results from sample extraction
	J: Estimated Result

Table 1.
352-362 Shepherd Avenue, Brooklyn, NY
Soil Analytical Results

LOCATION	SB-1 (0-2')	SB-1 (10-12')	SB-2 (0-2')	SB-2 (10-12')	SB-3 (0-2')	SB-3 (10-12')	SB-4 (0-2')	SB-4 (10-12')	SB-4A (0-2')	SB-4A (10-12')	SB-5 (0-2')	SB-5 (10-12')	SB-6 (0-2')	SB-6 (10-12')	DI (P-20210627)
SAMPLING DATE	8/25/2021	8/25/2021	8/25/2021	8/25/2021	8/27/2021	8/27/2021	8/27/2021	8/27/2021	8/27/2021	8/27/2021	8/25/2021	8/27/2021	8/25/2021	8/27/2021	
LAB SAMPLE ID	L214509-01	L214509-06	L214509-01	L214509-02	L214628-01	L214628-02	L214628-05	L214628-06	L214628-01	L214628-01	L214509-06	L214509-06	L214509-02	L214628-06	
SAMPLE TYPE	SOIL	SOIL	SOIL	SOIL	SOIL	SOIL	SOIL	SOIL	SOIL	SOIL	SOIL	SOIL	SOIL	SOIL	SOIL
SAMPLE DEPTH (ft.)															
	NY-RESUR	NY-UNRES	Units	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual
Bromodichloromethane			mg/kg	-	-	-	-	0.025	U	-	-	-	-	-	-
trans-1,3-Dichloropropene			mg/kg	-	-	-	-	0.040	U	-	-	-	-	-	-
cis-1,3-Dichloropropene			mg/kg	-	-	-	-	0.025	U	-	-	-	-	-	-
1,3-Dichloropropane, Total			mg/kg	-	-	-	-	0.025	U	-	-	-	-	-	-
1,1-Dichloropropene			mg/kg	-	-	-	-	0.025	U	-	-	-	-	-	-
Bromoforn			mg/kg	-	-	-	-	0.2	U	-	-	-	-	-	-
1,1,2,2-Tetrachloroethane			mg/kg	-	-	-	-	0.025	U	-	-	-	-	-	-
Benzene	4.8	0.06	mg/kg	-	-	-	-	0.025	U	-	-	-	-	-	-
Toluene	100	0.7	mg/kg	-	-	-	-	0.040	U	-	-	-	-	-	-
Ethylbenzene	41	1	mg/kg	-	-	-	-	0.040	U	-	-	-	-	-	-
Chloromethane			mg/kg	-	-	-	-	0.2	U	-	-	-	-	-	-
Bromomethane			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
Vinyl chloride	0.9	0.02	mg/kg	-	-	-	-	0.040	U	-	-	-	-	-	-
Chloroethane			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
1,1-Dichloroethane	100	0.30	mg/kg	-	-	-	-	0.040	U	-	-	-	-	-	-
trans-1,2-Dichloroethene	100	0.19	mg/kg	-	-	-	-	0.074	U	-	-	-	-	-	-
Trichloroethene	21	0.47	mg/kg	-	-	-	-	0.025	U	-	-	-	-	-	-
1,2-Dichlorobenzene	100	1.1	mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
1,3-Dichlorobenzene	49	2.4	mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
1,4-Dichlorobenzene	13	1.8	mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
Methyl tert-butyl ether	100	0.90	mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
p-m-Xylene			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
o-Xylene			mg/kg	-	-	-	-	0.040	U	-	-	-	-	-	-
Xylenes, Total	100	0.26	mg/kg	-	-	-	-	0.040	U	-	-	-	-	-	-
cis-1,2-Dichloroethane	100	0.25	mg/kg	-	-	-	-	0.040	U	-	-	-	-	-	-
1,2-Dichloroethane, Total			mg/kg	-	-	-	-	0.040	U	-	-	-	-	-	-
Dibromomethane			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
Styrene			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
Dichlorodifluoromethane			mg/kg	-	-	-	-	0.40	U	-	-	-	-	-	-
Acetone	100	0.05	mg/kg	-	-	-	-	0.40	U	-	-	-	-	-	-
Carbon disulfide			mg/kg	-	-	-	-	0.40	U	-	-	-	-	-	-
2-Butanone	100	0.12	mg/kg	-	-	-	-	0.40	U	-	-	-	-	-	-
Vinyl acetate			mg/kg	-	-	-	-	0.40	U	-	-	-	-	-	-
4-Methyl-2-pentanone			mg/kg	-	-	-	-	0.40	U	-	-	-	-	-	-
1,2,3-Trichloropropane			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
2-Heptanone			mg/kg	-	-	-	-	0.40	U	-	-	-	-	-	-
Bromochloromethane			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
2,2-Dichloropropane			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
1,2-Dibromomethane			mg/kg	-	-	-	-	0.040	U	-	-	-	-	-	-
1,3-Dichloropropane			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
1,1,1,2-Tetrachloroethane			mg/kg	-	-	-	-	0.025	U	-	-	-	-	-	-
Bromobenzene			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
n-Butylbenzene	100	12	mg/kg	-	-	-	-	0.040	U	-	-	-	-	-	-
sec-Butylbenzene	100	11	mg/kg	-	-	-	-	0.040	U	-	-	-	-	-	-
tert-Butylbenzene	100	5.9	mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
o-Chlorotoluene			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
p-Chlorotoluene			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
1,2-Dibromo-3-chloropropane			mg/kg	-	-	-	-	0.15	U	-	-	-	-	-	-
Hexachlorobutadiene			mg/kg	-	-	-	-	0.2	U	-	-	-	-	-	-
Isopropyltoluene			mg/kg	-	-	-	-	0.040	U	-	-	-	-	-	-
p-Isopropyltoluene	13		mg/kg	-	-	-	-	0.040	U	-	-	-	-	-	-
Naphthalene	100	12	mg/kg	-	-	-	-	0.2	U	-	-	-	-	-	-
Acrylonitrile			mg/kg	-	-	-	-	0.2	U	-	-	-	-	-	-
n-Propylbenzene	100	3.9	mg/kg	-	-	-	-	0.040	U	-	-	-	-	-	-
1,2,3-Trichlorobenzene			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
1,2,4-Trichlorobenzene			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
1,3,5-Trimethylbenzene	52	8.4	mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
1,2,4-Tetramethylbenzene	52	3.6	mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
1,4-Dioxane	13	0.1	mg/kg	-	-	-	-	4	U	-	-	-	-	-	-
p-Diethylbenzene			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
p-Ethyltoluene			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
1,2,4,5-Tetramethylbenzene			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
Ethyl ether			mg/kg	-	-	-	-	0.050	U	-	-	-	-	-	-
trans-1,4-Dichloro-2-butene			mg/kg	-	-	-	-	0.25	U	-	-	-	-	-	-
Perfluorinated Alkyl Acids by Isotope Dilution															
Perfluorobutanoic Acid (PFBA)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000488	U
Perfluoropentanoic Acid (PFPeA)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000488	U
Perfluorohexanoic Acid (PFHxA)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000244	U
Perfluorooctanoic Acid (PFHxA)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000488	U
Perfluorodecanoic Acid (PFDA)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000244	U
Perfluorododecanoic Acid (PFDDA)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000244	U
Perfluorooctanoic Acid (PFDA) (B-2FTS)	0.00066	0.033	mg/kg	-	-	-	-	-	-	-	-	-	-	0.000244	U
1H,1H,2H,2H-Perfluorooctanesulfonic Acid (PFOS)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000488	U
Perfluorooctanesulfonic Acid (PFHxS)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000488	U
Perfluorodecanoic Acid (PFDA)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000244	U
Perfluorododecanoic Acid (PFDDA)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000244	U
1H,1H,2H,2H-Perfluorodecanesulfonic Acid (B-2FTS)	0.00088	0.044	mg/kg	-	-	-	-	-	-	-	-	-	-	0.000244	U
N-Methyl Perfluorooctanesulfonamidoacetic Acid (NMFPMSAA)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000488	U
Perfluorodecanesulfonic Acid (PFOS)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000488	U
Perfluorooctanesulfonamide (FOSA)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000488	U
N-Ethyl Perfluorooctanesulfonamidoacetic Acid (NEFPMSAA)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000488	U
Perfluorodecanoic Acid (PFDA)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000488	U
Perfluorodecanoic Acid (PFDA)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000488	U
Perfluorodecanoic Acid (PFTDA)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000488	U
Perfluorodecanoic Acid (PFTDA)			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000488	U
PFOA/PFOS, Total			mg/kg	-	-	-	-	-	-	-	-	-	-	0.000244	U
Notes:															
Yellow shaded results exceed Unrestricted SCLs.															
Red shaded results exceed both Unrestricted and Restricted Residential SCLs.															
NY-RESUR: New York WQCR Part 375 Restricted-Residential Criteria															
NY-UNRES: New York WQCR Part 375 New York Unrestricted Use Criteria															
PFDA and PFAS compounds compared to NYDEC Part 375 Remedial Programs Guidelines for Sampling and Analysis of PFAS NYDEC June 2021 guidance values															
Sample SB-2 (0-2') was reanalyzed for VOCs due to low soil recovery.															
U - Non Detect Result															
E - analytical results are from sample extraction															
J - Estimated Result															

Table 2. Groundwater Analytical Results
352-362 Shepherd Avenue,
Brooklyn, NY

LOCATION						TW-1		TW-2			TW-3		TW-4		DUP-20210827		FIELD BLANK		TRIP BLANK				
SAMPLING DATE						8/27/2021		8/25/2021			8/27/2021		8/27/2021		8/27/2021		8/27/2021		8/25/2021				
LAB SAMPLE ID						L2146282-01		L2146598-01			L2146282-02		L2146282-03		L2146282-04		L2146282-05		L2146282-06				
SAMPLE TYPE						WATER		WATER			WATER		WATER		WATER		WATER		WATER				
SAMPLE DEPTH (ft.)																							
							NV-AWOS	Units		Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual		
1,4 Dioxane by 8270D-SIM																							
1,4-Dioxane								ug/l	0.139	U	0.139	U	0.139	U	0.144	U	0.139	U	0.144	U	-		
Dissolved Metals																							
Aluminum, Dissolved								ug/l	6.43	J	3.44	J	10	U	10	U	10	U	-	-	-		
Antimony, Dissolved								3	ug/l	0.89	J	0.81	J	4.3		0.65	J	0.75	J	-	-		
Arsenic, Dissolved								25	ug/l	0.5	U	0.5	U	0.5	U	0.5	U	-	-	-	-		
Barium, Dissolved								1000	ug/l	26.7	U	39.72	U	65.01	U	47.1	U	24.24	U	-	-		
Beryllium, Dissolved								3	ug/l	0.5	U	0.5	U	0.5	U	0.5	U	-	-	-	-		
Cadmium, Dissolved								5	ug/l	0.2	U	0.2	U	0.2	U	0.42	U	0.2	U	-	-		
Calcium, Dissolved								ug/l	19000		34600		39500		34400		18100		-	-	-		
Chromium, Dissolved								50	ug/l	0.42	J	0.92	J	0.21	J	0.43	J	0.37	J	-	-		
Cobalt, Dissolved								ug/l	0.59		1.8		1.13		2.09		0.49	J	-	-	-		
Copper, Dissolved								200	ug/l	1	U	1	U	1	U	0.39	J	1	U	-	-		
Iron, Dissolved								300	ug/l	50	U	21	J	50	U	50	U	50	U	-	-		
Lead, Dissolved								25	ug/l	1	U	1	U	1	U	1	U	1	U	-	-		
Magnesium, Dissolved								35000	ug/l	2320		5280		5560		3090		2180		-	-		
Manganese, Dissolved								300	ug/l	239.8		93.68		679.2		339.8		170.5		-	-		
Mercury, Dissolved								0.7	ug/l	0.2	U	0.2	U	0.2	U	0.2	U	0.2	U	-	-		
Nickel, Dissolved								100	ug/l	1.05	J	1.45	J	2.46		7.58		0.81	J	-	-		
Potassium, Dissolved								ug/l	3880		7460		9990		4560		3580		-	-	-		
Selenium, Dissolved								10	ug/l	5	U	3.32	J	2.82	J	2.39	J	5	U	-	-		
Silver, Dissolved								50	ug/l	0.4	U	0.4	U	0.4	U	0.4	U	0.4	U	-	-		
Sodium, Dissolved								20000	ug/l	30600		42800		88700		24700		29200		-	-		
Thallium, Dissolved								0.5	ug/l	1	U	1	U	1	U	1	U	1	U	-	-		
Vanadium, Dissolved								ug/l	5	U	5	U	5	U	5	U	5	U	-	-	-		
Zinc, Dissolved								2000	ug/l	10	U	10	U	10	U	183.2		10	U	-	-		
Organochlorine Pesticides by GC																							
Delta-BHC								0.04	ug/l	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	-	
Lindane								0.05	ug/l	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	-	
Alpha-BHC								0.01	ug/l	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	-	
Beta-BHC								0.04	ug/l	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	-	
Heptachlor								0.04	ug/l	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	-	
Aldrin								0	ug/l	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	-	
Heptachlor epoxide								0.03	ug/l	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	-	
Endrin								0	ug/l	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	-	
Endrin aldehyde								5	ug/l	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	-	
Endrin ketone								5	ug/l	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	-	
Dieldrin								0.004	ug/l	0.029	U	0.009	J	0.055		0.004	JP	0.008	J	0.029	U	-	
4,4'-DDE								0.2	ug/l	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	-	
4,4'-DDD								0.3	ug/l	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	-	
4,4'-DDT								0.2	ug/l	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	-	
Endosulfan I								ug/l	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	0.014	U	-		
Endosulfan II								ug/l	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	-		
Endosulfan sulfate								ug/l	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	0.029	U	-		
Methoxychlor								35	ug/l	0.143	U	0.143	U	0.143	U	0.143	U	0.143	U	0.143	U	-	
Toxaphene								0.06	ug/l	0.143	U	0.143	U	0.143	U	0.143	U	0.143	U	0.143	U	-	
cis-Chlordane								ug/l	0.014	U	0.018	U	0.014	U	0.014	U	0.014	U	0.014	U	-		
trans-Chlordane								ug/l	0.014	U	0.006	J	0.014	U	0.014	U	0.014	U	0.014	U	-		
Chlordane								0.05	ug/l	0.143	U	0.143	U	0.143	U	0.143	U	0.143	U	0.143	U	-	
Polychlorinated Biphenyls by GC																							
Aroclor 1018								0.09	ug/l	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	-	
Aroclor 1221								0.09	ug/l	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	-	
Aroclor 1232								0.09	ug/l	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	-	
Aroclor 1242								0.09	ug/l	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	-	
Aroclor 1248								0.09	ug/l	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	-	
Aroclor 1254								0.09	ug/l	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	-	
Aroclor 1260								0.09	ug/l	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	-	
Aroclor 1262								0.09	ug/l	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	-	
Aroclor 1268								0.09	ug/l	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	-	
PCBs, Total								ug/l	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	0.071	U	-		
Semivolatle Organics by GC/MS																							
1,2,4-Trichlorobenzene								5	ug/l	5	U	5	U	5	U	5	U	5	U	5	U	-	
Bis(2-chloroethyl)ether								1	ug/l	2	U	2	U	2	U	2	U	2	U	2	U	-	
1,2-Dichlorobenzene								3	ug/l	2	U	2	U	2	U	2	U	2	U	2	U	-	
1,3-Dichlorobenzene								3	ug/l	2	U	2	U	2	U	2	U	2	U	2	U	-	
1,4-Dichlorobenzene								3	ug/l	2	U	2	U	2	U	2	U	2	U	2	U	-	
3,3'-Dichlorobenzidine								5	ug/l	5	U	5	U	5	U	5	U	5	U	5	U	-	
2,4-Dinitrotoluene								5	ug/l	5	U	5	U	5	U	5	U	5	U	5	U	-	
2,6-Dinitrotoluene								5	ug/l	5	U	5	U	5	U	5	U	5	U	5	U	-	
4-Chlorophenyl phenyl ether								ug/l	2	U	2	U	2	U	2	U	2	U	2	U	2	U	-
4-Bromophenyl phenyl ether								ug/l	2	U	2	U	2	U	2	U	2	U	2	U	2	U	-
Bis(2-chloroisopropyl)ether								5	ug/l	2	U	2	U	2	U	2	U	2	U	2	U	-	
Bis(2-chloroethoxy)methane								5	ug/l	5	U	5	U	5	U	5	U	5	U	5	U	-	
Hexachlorocyclopentadiene								5	ug/l	20	U	20	U	20	U	20	U	20	U	20	U	-	
Isophorone								50	ug/l	5	U	5	U	5	U	5	U	5	U	5	U	-	
Nitrobenzene								0.4	ug/l	2	U	2	U	2	U	2	U	2	U	2	U	-	
NDPA/DPA								50	ug/l	2	U	2	U	2	U	2	U	2	U	2	U	-	
n-Nitrosodi-n-propylamine								ug/l	5	U	5	U	5	U	5	U	5	U	5	U	5	U	-
Bis(2-ethylhexyl)phthalate								5	ug/l	3	U	3	U	3	U	3	U	3	U	1.6	J	-	
Butyl benzyl phthalate								50	ug/l	5	U	5	U	5	U	5	U	5	U	5	U	-	
Di-n-butylphthalate								50	ug/l	5	U	5	U	5	U	5	U	5	U	5	U	-	
Di-n-octylphthalate								50	ug/l	5	U	5	U	5	U	5	U	5	U	5	U	-	
Diethyl phthalate																							

NY-AWQS: New York TOGS 111 Ambient Water Quality Standards
Red shaded results exceed NY-AWQS

U- Non-detect Result
J - Estimated Result

Table 2. Groundwater Analytical Results
352-362 Shepherd Avenue,
Brooklyn, NY

LOCATION			TW-1		TW-2		TW-3		TW-4		DUP-20210827		FIELD BLANK		TRIP BLANK		
SAMPLING DATE			8/27/2021		8/25/2021		8/27/2021		8/27/2021		8/27/2021		8/27/2021		8/25/2021		
LAB SAMPLE ID			L2146282-01		L2145698-01		L2146282-02		L2146282-03		L2146282-04		L2146282-05		L2146282-06		
SAMPLE TYPE			WATER		WATER		WATER		WATER		WATER		WATER		WATER		
SAMPLE DEPTH (ft.)																	
		NY-AWQS	Units	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual
Semivolatile Organics by GC/MS-SIM																	
4-Nitrophenol			ug/l	10	U	10	U	10	U	10	U	10	U	10	U	-	-
2,4-Dinitrophenol	10		ug/l	20	U	20	U	20	U	20	U	20	U	20	U	-	-
4,6-Dinitro-o-cresol			ug/l	10	U	10	U	10	U	10	U	10	U	10	U	-	-
Phenol	1		ug/l	5	U	5	U	5	U	5	U	5	U	5	U	-	-
2-Methylphenol			ug/l	5	U	5	U	5	U	5	U	5	U	5	U	-	-
3-Methylphenol/4-Methylphenol			ug/l	5	U	5	U	5	U	5	U	5	U	5	U	-	-
2,4,5-Trichlorophenol			ug/l	5	U	5	U	5	U	5	U	5	U	5	U	-	-
Benzoic Acid			ug/l	50	U	50	U	50	U	50	U	50	U	50	U	-	-
Benzyl Alcohol			ug/l	2	U	2	U	2	U	2	U	2	U	2	U	-	-
Carbazole			ug/l	2	U	2	U	2	U	2	U	2	U	2	U	-	-
Acenaphthene	20		ug/l	0.1	U	0.1	U	0.03	J	0.1	U	0.1	U	0.02	J	-	-
2-Chloronaphthalene	10		ug/l	0.2	U	0.2	U	0.2	U	0.2	U	0.2	U	0.03	J	-	-
Fluoranthene	50		ug/l	0.1	U	0.02	J	0.1	U	0.1	U	0.1	U	0.03	J	-	-
Hexachlorobutadiene	0.5		ug/l	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	-	-
Naphthalene	10		ug/l	0.1	U	0.77	U	0.08	J	0.05	J	0.1	U	0.1	U	-	-
Benzo(a)anthracene	0.002		ug/l	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.04	J	-	-
Benzo(a)pyrene	0		ug/l	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.03	J	-	-
Benzo(b)fluoranthene	0.002		ug/l	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.03	J	-	-
Benzo(k)fluoranthene	0.002		ug/l	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.03	J	-	-
Chrysene	0.002		ug/l	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.03	J	-	-
Acenaphthylene			ug/l	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.02	J	-	-
Anthracene	50		ug/l	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.03	J	-	-
Benzo(ghi)perylene			ug/l	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.03	J	-	-
Fluorene	50		ug/l	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.03	J	-	-
Phenanthrene	50		ug/l	0.1	U	0.05	J	0.09	J	0.03	J	0.1	U	0.04	J	-	-
Dibenzo(a,h)anthracene			ug/l	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.03	J	-	-
Indeno(1,2,3-cd)pyrene	0.002		ug/l	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.03	J	-	-
Pyrene	50		ug/l	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.03	J	-	-
2-Methylnaphthalene			ug/l	0.1	U	0.09	J	0.1	U	0.1	U	0.1	U	0.02	J	-	-
Pentachlorophenol	1		ug/l	0.1	J	0.8	U	0.8	U	0.8	U	0.8	U	0.14	J	-	-
Hexachlorobenzene	0.04		ug/l	0.8	U	0.8	U	0.8	U	0.8	U	0.8	U	0.02	J	-	-
Hexachloroethane	5		ug/l	0.8	U	0.8	U	0.8	U	0.8	U	0.8	U	0.8	U	-	-
Total Metals																	
Aluminum, Total			ug/l	544		558		157		170		8880		10	U	-	-
Antimony, Total	3		ug/l	0.56	J	0.77	J	4.14		0.5	J	0.51	J	4	U	-	-
Arsenic, Total	25		ug/l	0.17	J	0.23	J	0.5	U	0.5	U	1.85		0.5	U	-	-
Barium, Total	1000		ug/l	35.2		43.98		67.23		49.77		140.7		0.5	U	-	-
Beryllium, Total	3		ug/l	0.5	U	0.5	U	0.5	U	0.5	U	0.7		0.5	U	-	-
Cadmium, Total	5		ug/l	0.2	U	0.2	U	0.07	J	0.42		0.16	J	0.2	U	-	-
Calcium, Total			ug/l	20000		32000		39400		36500		20200		100	U	-	-
Chromium, Total	50		ug/l	3.15		2.49		1.3		1.37		30.5		0.49	J	-	-
Cobalt, Total			ug/l	1.62		2.35		1.49		2.43		17.32		0.5	U	-	-
Copper, Total	200		ug/l	1.42		1.7		0.96	J	0.97	J	27.85		1	U	-	-
Iron, Total	300		ug/l	1270		1170		371		374		18800		50	U	-	-
Lead, Total	25		ug/l	0.75	J	0.64	J	1	U	1	U	12.53		1	U	-	-
Magnesium, Total	35000		ug/l	2640		5090		5670		3310		6080		70	U	-	-
Manganese, Total	300		ug/l	302.1		126.4		699		386.5		1507		1	U	-	-
Mercury, Total	0.7		ug/l	0.2	U	0.2	U	0.2	U	0.2	U	0.2	U	0.2	U	-	-
Nickel, Total	100		ug/l	3.43		2.41		3.44		9.2		48.03		2	U	-	-
Potassium, Total			ug/l	4280		6670		10200		4970		5180		100	U	-	-
Selenium, Total	10		ug/l	5	U	3.9	J	2.92	J	2.06	J	2.82	J	5	U	-	-
Silver, Total	50		ug/l	0.4	U	0.4	U	0.4	U	0.4	U	0.4	U	0.4	U	-	-
Sodium, Total	20000		ug/l	32200		40600		89500		26000		32600		126		-	-
Thallium, Total	0.5		ug/l	1	U	0.35	J	1	U	1	U	1	U	1	U	-	-
Vanadium, Total			ug/l	1.65	J	5	U	5	U	5	U	24.13		5	U	-	-
Zinc, Total	2000		ug/l	10	U	10	U	10	U	203.8		38.6		10	U	-	-
Volatile Organics by GC/MS																	
Methylene chloride	5		ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
1,1-Dichloroethane	5		ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
Chloroform	7		ug/l	2.5	U	3.2	U	1.1	J	1.7	J	2.5	U	2.5	U	2.5	U
Carbon tetrachloride	5		ug/l	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U
1,2-Dichloropropane	1		ug/l	1	U	1	U	1	U	1	U	1	U	1	U	1	U
Dibromochloromethane	50		ug/l	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U
1,1,2-Trichloroethane	1		ug/l	1.5	U	1.5	U	1.5	U	1.5	U	1.5	U	1.5	U	1.5	U
Tetrachloroethene	5		ug/l	1.1		5.2		1.3		2.4		1.1		0.5	U	0.5	U
Chlorobenzene	5		ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
Trichlorofluoromethane	5		ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
1,2-Dichloroethane	0.6		ug/l	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U
1,1,1-Trichloroethane	5		ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
Bromodichloromethane	50		ug/l	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U
trans-1,3-Dichloropropene	0.4		ug/l	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U
cis-1,3-Dichloropropene	0.4		ug/l	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U
1,3-Dichloropropene, Total			ug/l	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U
1,1-Dichloropropene	5		ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
Bromoform	50		ug/l	2	U	2	U	2	U	2	U	2	U	2	U	2	U
1,1,2,2-Tetrachloroethane	5		ug/l	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U
Benzene	1		ug/l	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U
Toluene	5		ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
Ethylbenzene	5		ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
Chloromethane	5		ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
Bromomethane</																	

Table 2. Groundwater Analytical Results
352-362 Shepherd Avenue,
Brooklyn, NY

LOCATION		TW-1		TW-2		TW-3		TW-4		DUP-20210827		FIELD BLANK		TRIP BLANK		
SAMPLING DATE		8/27/2021		8/25/2021		8/27/2021		8/27/2021		8/27/2021		8/27/2021		8/25/2021		
LAB SAMPLE ID		L2146282-01		L2145698-01		L2146282-02		L2146282-03		L2146282-04		L2146282-05		L2146282-06		
SAMPLE TYPE		WATER		WATER		WATER		WATER		WATER		WATER		WATER		
SAMPLE DEPTH (ft.)																
	NY-AWQS	Units	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual
Volatile Organics by GC/MS																
Acrylonitrile		5 ug/l	5	U	5	U	5	U	5	U	5	U	5	U	5	U
Styrene		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
Dichlorodifluoromethane		5 ug/l	5	U	5	U	5	U	5	U	5	U	5	U	5	U
Acetone		50 ug/l	2	J	5	U	5	U	2.5	J	5	U	5	U	5	U
Carbon disulfide		60 ug/l	5	U	5	U	5	U	5	U	5	U	5	U	5	U
2-Butanone		50 ug/l	5	U	5	U	5	U	5	U	5	U	5	U	5	U
Vinyl acetate		ug/l	5	U	5	U	5	U	5	U	5	U	5	U	5	U
4-Methyl-2-pentanone		ug/l	5	U	5	U	5	U	5	U	5	U	5	U	5	U
2-Hexanone		50 ug/l	5	U	5	U	5	U	5	U	5	U	5	U	5	U
Bromochloromethane		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
2,2-Dichloropropane		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
1,2-Dibromoethane		0.0006 ug/l	2	U	2	U	2	U	2	U	2	U	2	U	2	U
1,3-Dichloropropane		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
1,1,1,2-Tetrachloroethane		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
Bromobenzene		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
n-Butylbenzene		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
sec-Butylbenzene		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
tert-Butylbenzene		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
o-Chlorotoluene		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
p-Chlorotoluene		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
1,2-Dibromo-3-chloropropane		0.04 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
Hexachlorobutadiene		0.5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
Isopropylbenzene		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
p-Isopropyltoluene		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
Naphthalene		10 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
n-Propylbenzene		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
1,2,3-Trichlorobenzene		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
1,2,4-Trichlorobenzene		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
1,3,5-Trimethylbenzene		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
1,2,4-Trimethylbenzene		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
1,4-Dioxane		ug/l	250	U	250	U	250	U	250	U	250	U	250	U	250	U
p-Diethylbenzene		ug/l	2	U	2	U	2	U	2	U	2	U	2	U	2	U
p-Ethyltoluene		ug/l	2	U	2	U	2	U	2	U	2	U	2	U	2	U
1,2,4,5-Tetramethylbenzene		5 ug/l	2	U	2	U	2	U	2	U	2	U	2	U	2	U
Ethyl ether		ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
trans-1,4-Dichloro-2-butene		5 ug/l	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U

Notes:

NY-AWQS: New York TOGS 111 Ambient Water Quality Standards

Red shaded results exceed NY-AWQS

U- Non-detect Result

J - Estimated Result

Table 2A. Emerging Contaminants in Groundwater Analytical Results
352-362 Shepherd Avenue
Brooklyn, NY

LOCATION			TW-1			TW-2			TW-3			TW-4			DUP-20210827			FIELD BLANK			TRIP BLANK		
SAMPLING DATE			8/27/2021			8/25/2021			8/27/2021			8/27/2021			8/27/2021			8/27/2021			8/25/2021		
LAB SAMPLE ID			L2146282-01			L2145698-01			L2146282-02			L2146282-03			L2146282-04			L2146282-05			L2146282-06		
SAMPLE TYPE			WATER			WATER			WATER			WATER			WATER			WATER			WATER		
SAMPLE DEPTH (ft.)																							
		NY-MCL	Units	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual
1,4 Dioxane by 8270D-SIM																							
1,4-Dioxane		1	ug/l	0.139	U	0.139	U	0.139	U	0.144	U	0.139	U	0.144	U	0.144	U	0.144	U	-	-	-	-
Perfluorinated Alkyl Acids by Isotope Dilution																							
Perfluorobutanoic Acid (PFBA)		0.1	ug/l	0.00729		0.00475		0.0162		0.00837		0.00724		0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluoropentanoic Acid (PFPeA)		0.1	ug/l	0.0134		0.00433		0.0335		0.0106		0.0133		0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluorobutanesulfonic Acid (PFBS)		0.1	ug/l	0.00731		0.00506		0.035		0.00741		0.00743		0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluorohexanoic Acid (PFHxA)		0.1	ug/l	0.0113		0.00478		0.03		0.0123		0.0115		0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluoroheptanoic Acid (PFHpA)		0.1	ug/l	0.00711		0.00515		0.0173		0.00871		0.00676		0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluorohexanesulfonic Acid (PFHxS)		0.1	ug/l	0.00164	J	0.00174	J	0.00613		0.00275		0.00166	J	0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluorooctanoic Acid (PFOA)		0.01	ug/l	0.0257		0.0281		0.077		0.0585		0.0259		0.00181	U	-	-	0.00181	U	-	-	-	-
1H,1H,2H,2H-Perfluorooctanesulfonic Acid (6:2FTS)		0.1	ug/l	0.00185	U	0.00183	U	0.00178	U	0.00178	U	0.00195	U	0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluoroheptanesulfonic Acid (PFHpS)		0.1	ug/l	0.00185	U	0.00183	U	0.000804	J	0.00178	U	0.00195	U	0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluorononanoic Acid (PFNA)		0.1	ug/l	0.00242		0.00132	J	0.00557		0.00201		0.00229		0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluorooctanesulfonic Acid (PFOS)		0.01	ug/l	0.0185		0.017		0.0248		0.0205		0.0185		0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluorodecanoic Acid (PFDA)		0.1	ug/l	0.000285	J	0.00166	J	0.000288	JF	0.000539	J	0.000328	J	0.00181	U	-	-	0.00181	U	-	-	-	-
1H,1H,2H,2H-Perfluorodecanesulfonic Acid (8:2FTS)		0.1	ug/l	0.00185	U	0.00183	U	0.00178	U	0.00178	U	0.00195	U	0.00181	U	-	-	0.00181	U	-	-	-	-
N-Methyl Perfluorooctanesulfonamidoacetic Acid (NMeFOSAA)		0.1	ug/l	0.00185	U	0.00183	U	0.00178	U	0.00178	U	0.00195	U	0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluoroundecanoic Acid (PFUnA)		0.1	ug/l	0.00185	U	0.00183	U	0.00178	U	0.00178	U	0.00195	U	0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluorodecanesulfonic Acid (PFDS)		0.1	ug/l	0.00185	U	0.00183	U	0.00178	U	0.00178	U	0.00195	U	0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluorooctanesulfonamide (FOSA)		0.1	ug/l	0.00185	U	0.00183	U	0.00178	U	0.00178	U	0.00195	U	0.00181	U	-	-	0.00181	U	-	-	-	-
N-Ethyl Perfluorooctanesulfonamidoacetic Acid (NEtFOSAA)		0.1	ug/l	0.00185	U	0.00183	U	0.00178	U	0.00178	U	0.00195	U	0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluorododecanoic Acid (PFDoA)		0.1	ug/l	0.00185	U	0.00183	U	0.00178	U	0.00178	U	0.00195	U	0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluorotridecanoic Acid (PFTrDA)		0.1	ug/l	0.00185	U	0.00183	U	0.00178	U	0.00178	U	0.00195	U	0.00181	U	-	-	0.00181	U	-	-	-	-
Perfluorotetradecanoic Acid (PFTA)		0.1	ug/l	0.00185	U	0.00183	U	0.00178	U	0.00178	U	0.00195	U	0.00181	U	-	-	0.00181	U	-	-	-	-
PFOA/PFOS, Total		0.5	ug/l	0.0442		0.0451		0.102		0.079		0.0444		0.00181	U	-	-	0.00181	U	-	-	-	-

Notes:

MCL- Maximum Contaminant Level

MCL for drinking water as per NYSDEC Part 375 Remedial Programs Guidelines for Sampling and Analysis of PFAS (June 2021)

U- Not detected at the reported detection limit for the sample

J- Estimated result

F- Ratio of quantifier ion response to qualifier ion response falls outside of the laboratory criteria. Results are estimated maximum concentration

Table 3. Soil Vapor Analytical Results
352-362 Shepherd Avenue
Brooklyn, NY

LOCATION				SV-1		SV-2		SV-3		SV-4		SV-5		
SAMPLING DATE				8/25/2021		8/25/2021		8/27/2021		8/27/2021		8/25/2021		
LAB SAMPLE ID				L2145694-03		L2145694-01		L2146257-01		L2146257-02		L2145694-02		
SAMPLE TYPE				SOIL_VAPOR		SOIL_VAPOR		SOIL_VAPOR		SOIL_VAPOR		SOIL_VAPOR		
SAMPLE DEPTH (ft.)														
	NY-SSC-A	NY-SSC-B	NY-SSC-C	Units	Results	Qual	Results	Qual	Results	Qual	Results	Qual	Results	Qual
Volatile Organics in Air														
Dichlorodifluoromethane				ug/m3	18.1	U	2.27		3.24		1.99		3.53	U
Chloromethane				ug/m3	7.58	U	0.626	U	0.669		1.04		1.47	U
Freon-114				ug/m3	25.7	U	2.12	U	2	U	1.4	U	4.99	U
Vinyl chloride			6	ug/m3	9.38	U	0.775	U	0.731	U	0.511	U	1.83	U
1,3-Butadiene				ug/m3	8.12	U	2.03		2.94		3.52		2.21	
Bromomethane				ug/m3	14.3	U	1.18	U	1.11	U	0.777	U	2.77	U
Chloroethane				ug/m3	9.68	U	0.8	U	0.755	U	0.528	U	1.88	U
Ethanol				ug/m3	173	U	21.7		121		183		35.2	
Vinyl bromide				ug/m3	16	U	1.32	U	1.25	U	0.874	U	3.12	U
Acetone				ug/m3	591		152		404		76.5		133	
Trichlorofluoromethane				ug/m3	20.6	U	2.26		3.14		1.12	U	4.01	U
Isopropanol				ug/m3	22.6	U	3.47		18.4		3.76		4.38	U
1,1-Dichloroethene		6		ug/m3	14.6	U	1.2	U	1.13	U	0.793	U	2.83	U
Tertiary butyl Alcohol				ug/m3	49.7		3.21		250		44		7.52	
Methylene chloride			100	ug/m3	31.9	U	6.15		2.48	U	1.74	U	6.18	U
3-Chloropropene				ug/m3	11.5	U	0.948	U	0.895	U	0.626	U	2.23	U
Carbon disulfide				ug/m3	11.4	U	27.3		3.24		1.47		6.98	
Freon-113				ug/m3	28.1	U	2.32	U	2.19	U	1.53	U	5.47	U
trans-1,2-Dichloroethene				ug/m3	14.6	U	1.2	U	1.13	U	0.793	U	2.83	U
1,1-Dichloroethane				ug/m3	14.9	U	1.23	U	1.16	U	0.809	U	2.89	U
Methyl tert butyl ether				ug/m3	13.2	U	1.09	U	1.03	U	0.721	U	2.57	U
2-Butanone				ug/m3	2600		307		246		139		634	
cis-1,2-Dichloroethene		6		ug/m3	14.6	U	1.2	U	1.13	U	0.793	U	2.83	U
Ethyl Acetate				ug/m3	33.1	U	2.73	U	2.57	U	1.8	U	6.41	U
Chloroform				ug/m3	17.9	U	2.04		1.4	U	1.75		3.49	U
Tetrahydrofuran				ug/m3	27.1	U	2.44		4.72		3.75		5.25	U
1,2-Dichloroethane				ug/m3	14.9	U	1.23	U	1.16	U	0.809	U	2.89	U
n-Hexane				ug/m3	12.9	U	10.2		42.6		70.8		18	
1,1,1-Trichloroethane			100	ug/m3	20	U	1.65	U	1.56	U	1.09	U	3.9	U
Benzene				ug/m3	11.7	U	7.16		22.9		16.7		8.63	
Carbon tetrachloride		6		ug/m3	23.1	U	1.91	U	1.8	U	1.26	U	4.49	U
Cyclohexane				ug/m3	12.6	U	2.31		19		26.9		3.36	
1,2-Dichloropropane				ug/m3	17	U	1.4	U	1.32	U	0.924	U	3.3	U
Bromodichloromethane				ug/m3	24.6	U	2.03	U	1.92	U	1.34	U	4.78	U
1,4-Dioxane				ug/m3	13.2	U	1.09	U	1.03	U	0.721	U	2.57	U
Trichloroethene		6		ug/m3	19.7	U	1.63	U	1.54	U	1.07	U	3.84	U
2,2,4-Trimethylpentane				ug/m3	17.1	U	2.47		145		87.8		3.33	U
Heptane				ug/m3	20.6		5.82		27.9		31.7		10.4	
cis-1,3-Dichloropropene				ug/m3	16.7	U	1.38	U	1.3	U	0.908	U	3.24	U
4-Methyl-2-pentanone				ug/m3	37.6	U	3.11		5.9		3.81		7.29	U
trans-1,3-Dichloropropene				ug/m3	16.7	U	1.38	U	1.3	U	0.908	U	3.24	U
1,1,2-Trichloroethane				ug/m3	20	U	1.65	U	1.56	U	1.09	U	3.9	U
Toluene				ug/m3	13.8	U	141		118		90.4		237	
2-Hexanone				ug/m3	381		31.8		61.5		32.4		65.6	
Dibromochloromethane				ug/m3	31.3	U	2.58	U	2.44	U	1.7	U	6.08	U
1,2-Dibromoethane				ug/m3	28.2	U	2.33	U	2.2	U	1.54	U	5.49	U
Tetrachloroethene			100	ug/m3	24.9	U	8.68		1.94	U	17.2		57.5	
Chlorobenzene				ug/m3	16.9	U	1.4	U	1.32	U	0.921	U	3.29	U
Ethylbenzene				ug/m3	15.9	U	24.9		25.7		20		42.9	
p/m-Xylene				ug/m3	31.9	U	99.5		88.2		69.9		171	
Bromoform				ug/m3	37.9	U	3.13	U	2.96	U	2.07	U	7.38	U
Styrene				ug/m3	15.6	U	2.09		1.22		1.05		3.33	
1,1,2,2-Tetrachloroethane				ug/m3	25.2	U	2.08	U	1.96	U	1.37	U	4.9	U
o-Xylene				ug/m3	15.9	U	30.2		39.3		30.2		51.3	
4-Ethyltoluene				ug/m3	18	U	4.27		3.83		4.97		7.52	
1,3,5-Trimethylbenzene				ug/m3	18	U	5.11		6.78		7.03		9.54	
1,2,4-Trimethylbenzene				ug/m3	18	U	21.9		21.5		23.8		38.2	
Benzyl chloride				ug/m3	19	U	1.57	U	1.48	U	1.04	U	3.7	U
1,3-Dichlorobenzene				ug/m3	22.1	U	1.82	U	1.72	U	1.2	U	4.29	U
1,4-Dichlorobenzene				ug/m3	22.1	U	1.82	U	1.72	U	1.2	U	4.29	U
1,2-Dichlorobenzene				ug/m3	22.1	U	1.82	U	1.72	U	1.2	U	4.29	U
1,2,4-Trichlorobenzene				ug/m3	27.2	U	2.25	U	2.12	U	1.48	U	5.3	U
Hexachlorobutadiene				ug/m3	39.1	U	3.23	U	3.05	U	2.13	U	7.62	U

Notes:

Yellow shaded results exceed one of Matrices

U- Non-Detect Results

NY-SSC-A: New York DOH Matrix A Sub-slab Vapor Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2006, and updated May 2017.

NY-SSC-B: New York DOH Matrix B Sub-slab Vapor Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2006, and updated May 2017.

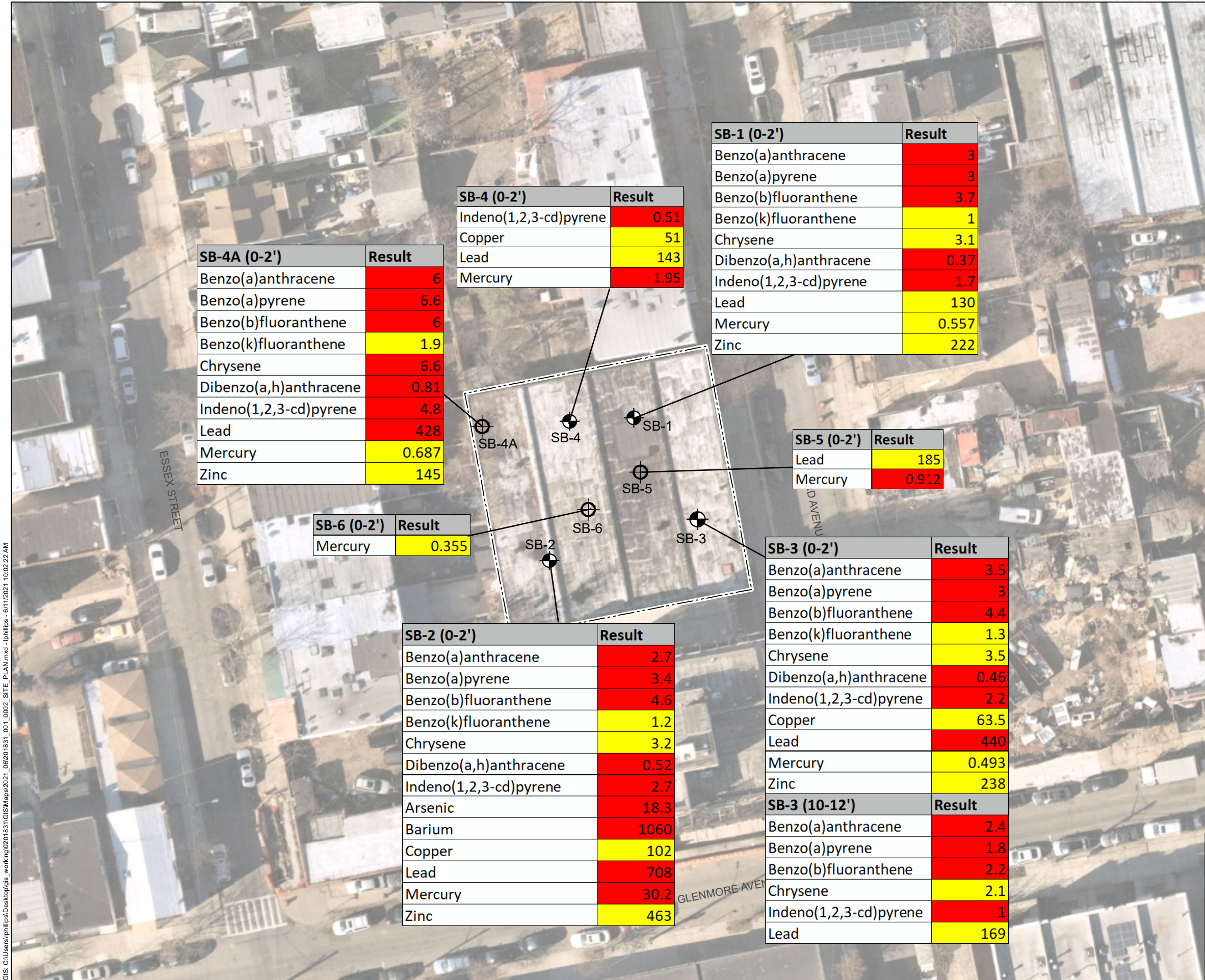
NY-SSC-C: New York DOH Matrix C Sub-slab Vapor Concentrations Criteria per Guidance for Evaluating Soil Vapor Intrusion, October 2006, and updated May 2017.

SECTION III.3: SAMPLING DATA

For each impacted medium above, see attached Figures 1-4 below from the September 2021 Remedial Investigation which include detailed information requested in Application Section III.3.

Figures from September 2021 Remedial Investigation for impacted medium which includes all information requested in Application Section III.3 (Figures 1-4)

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LEGEND

- [Dashed Line] SITE BOUNDARY
- [Well Symbol] TEMPORARY MONITORING WELL/SOIL BORING
- [Well Symbol] SOIL BORING)

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL DATA SOURCE: NEW YORK STATE GIS
3. AERIAL IMAGERY SOURCE: NEARMAP, 10 MARCH 2021

NYCRR Part 375 Unrestricted and Restricted Residential SCOs			
Analyte	Units	NY- ResRestricted	NY- Unrestricted
Benzo(a)anthracene	mg/kg	1	1
Benzo(a)pyrene	mg/kg	1	1
Benzo(b)fluoranthene	mg/kg	1	1
Benzo(k)fluoranthene	mg/kg	3.9	0.8
Chrysene	mg/kg	3.9	1
Dibenzo(a,h)anthracene	mg/kg	0.33	0.33
Indeno(1,2,3-cd)pyrene	mg/kg	0.5	0.5
Arsenic	mg/kg	16	13
Barium	mg/kg	400	350
Copper	mg/kg	270	50
Lead	mg/kg	400	63
Mercury	mg/kg	0.81	0.18
Zinc	mg/kg	10000	109



0 40 80
SCALE IN FEET

HALEY
ALDRICH

352-362 SHEPHERD AVENUE
BROOKLYN, NEW YORK

MAP OF SOIL CHEMISTRY

SEPTEMBER 2021

FIGURE 1



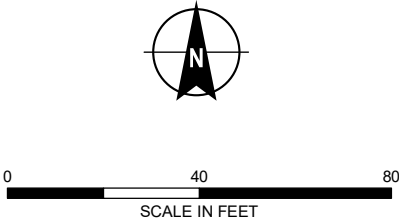
LEGEND

SITE BOUNDARY

TEMPORARY MONITORING WELL

- NOTES**
- 1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
 - 2. ASSESSOR PARCEL DATA SOURCE: NEW YORK STATE GIS
 - 3. AERIAL IMAGERY SOURCE: NEARMAP, 10 MARCH 2021

New York TOGS 111 Ambient Water Quality Standards		
Analtye	Units	NY-AWQS
Antimony, Dissolved	µg/L	3
Manganese, Dissolved	µg/L	300
Sodium, Dissolved	µg/L	20000
Dieldrin	µg/L	0.004
Antimony, Total	µg/L	3
Iron, Total	µg/L	300
Manganese, Total	µg/L	300
Sodium, Total	µg/L	20000
Tetrachloroethene	µg/L	5



HALEY
ALDRICH

352-362 SHEPHERD AVENUE
BROOKLYN, NEW YORK

MAP OF GROUNDWATER CHEMISTRY

SEPTEMBER 2021

FIGURE 2



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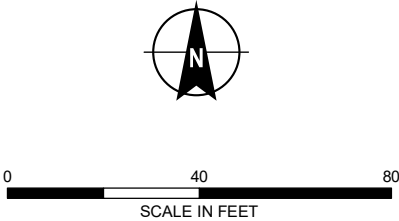
LEGEND

SITE BOUNDARY

TEMPORARY SOIL VAPOR POINT

- NOTES**
1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
 2. ASSESSOR PARCEL DATA SOURCE: NEW YORK STATE GIS
 3. AERIAL IMAGERY SOURCE: NEARMAP, 10 MARCH 2021

2017 NYSDOH Soil Vapor Intrusion Guidance Decision Matrices		
Analyte	Units	NYSDOH VI Sub-Slab Vapr Guidance
Methylene Chloride	µg/m3	100
Tetrachloroethene	µg/m3	100



**HALEY
ALDRICH**

352-362 SHEPHERD AVENUE
BROOKLYN, NEW YORK

MAP OF SOIL VAPOR CHEMISTRY

SEPTEMBER 2021

FIGURE 3

C:\Users\jphillips\Desktop\gis_working\0201831\GIS\Maps\2021_06201831_001_0002_SITE_PLAN.mxd - jphillips - 6/11/2021 10:02:22 AM



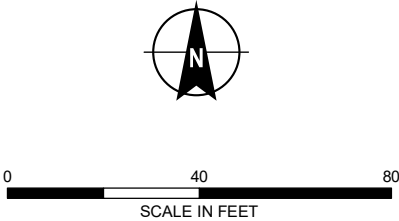
LEGEND

SITE BOUNDARY

TEMPORARY MONITORING WELL

New York Maximum Contaminant Level for Drinking Water		
Analyte	Units	MCL
PFOA/PFAS	µg/L	0.01

- NOTES**
1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
 2. ASSESSOR PARCEL DATA SOURCE: NEW YORK STATE GIS
 3. AERIAL IMAGERY SOURCE: NEARMAP, 10 MARCH 2021



**HALEY
ALDRICH**

352-362 SHEPHERD AVENUE
BROOKLYN, NEW YORK

**MAP OF EMERGING CONTAMINANTS
IN GROUNDWATER**

SEPTEMBER 2021

FIGURE 4

SECTION III.4: PAST LAND USES

As found during the Phase I Environmental Site Assessment, the Site was developed in the late 1880s with several dwellings. In the early 1900s, the Site was used as a toy animal factory and by the late 1920s, the previous Site buildings were razed and began operation as a garage. The Site continued to operate as a garage until the late 1960s/early 1970s. From the late 1970s through the present, the Site was primarily used for auto-related purposes including an auto repair shop and service center, used car sales shop, and a towing center. The Site is currently improved with a one-story warehouse/garage building encompassing the entire Site footprint and is currently occupied by Gils Auto Body and Hi-Tech Heating.

ATTACHMENT D

Section IV: PROPERTY INFORMATION

SECTION IV: PROPERTY DESCRIPTION NARRATIVE

Proposed Site Name

The Site name for this project will be the Former Garone Bros Auto Service Center.

Site Location

The Site's address is 352-362 Shepherd Avenue, Brooklyn, NY 11208. The Site is located in Kings County, New York and is identified as Brooklyn Block 3988, Lot 28. The Site is located in an urban area of the East New York neighborhood of Brooklyn, NY on the west side of Shepherd Avenue between Liberty Avenue and Glenmore Avenue. The legal description is as follows:

As to Lot 28:

BEGINNING at a point on the westerly side of Shepherd Avenue, distant 85 feet northerly from the corner of Glenmore Avenue and the westerly side of Shepherd Avenue;

RUNNING THENCE westerly, and parallel with Glenmore Avenue 100 feet;

THENCE northerly and parallel with Shepherd Avenue 100 feet;

THENCE easterly and again parallel with Glenmore Avenue, 100 feet to the westerly side of Shepherd Avenue;

THENCE southerly along the said westerly side of Shepherd Avenue, 100 feet to the point or place of BEGINNING.

A site location map is included in **Figure 5**. An aerial photograph of the Site is included in **Figure 6**. A tax map is included in **Figure 7**. A map showing surrounding land use is included as **Figure 8**.

Site Size

The Site is 0.230 acres in size.

Site Features

The Site is a square-shaped lot with a one-story warehouse/garage building encompassing the entire site footprint with a partial cellar.

Current Zoning and Land Use

The Site is currently developed land that is zoned R6 for residential use. The surrounding properties are currently used for Residential purposes.

Past Land Use

As found during the Phase I Environmental Site Assessment, the Site was developed in the late 1880s with several dwellings. In the early 1900s, the Site was used as a toy animal factory and by the late 1920s, the previous Site buildings were razed and began operation as a garage. The Site continued to operate as a garage until the late 1960s/early 1970s. From the late 1970s through the present, the Site was primarily used for auto-related purposes including an auto repair shop and service center, used car sales shop, and a towing center. The Site is currently improved with a one-story warehouse/garage

building encompassing the entire Site footprint and is currently occupied by Gils Auto Body and Hi-Tech Heating.

Site Geology and Hydrogeology

The stratigraphy of the Site, from the surface down, consists of 0-5 feet of urban fill material, comprised of brown silty sand with some fragments of concrete, brick, and asphalt underlain by brown to orange-brown well graded sand to 12 ft bgs. Water level data for all monitor wells is included in Table 1. The average depth to groundwater is 22.13 feet and the range in depth is 21.76 to 22.63 feet below grade.

SECTION IV.3: EN-ZONE

The Site (100% of footprint) is located in En-Zone A, Census Tract 1166.

SECTION IV.5: ENVIRONMENTAL ASSESSMENT

Based on the findings summarized in the September 2021 Remedial Investigation Report, the primary contaminants of concern for the Site are volatile organic compounds (VOC) including tetrachloroethene (PCE), semi-volatile organic compounds (polyaromatic hydrocarbons [PAHs]), and metals. Urban fill contaminated with heavy metals and SVOCs (specifically PAHs) at concentrations consistent with characteristics of urban fill found throughout the New York City area was identified site-wide. SVOCs and total metals exceeding RRSCOs were observed widely distributed throughout the Site primarily in shallow urban fill (0-2 ft bgs), with one soil sample in the southeast region of the Site containing levels of PAHs and metals above UUSCOs and RRSCOs from 10-12 ft bgs (SB-3). More notably, mercury was identified in shallow fill collected from 0-2 ft bgs in SB-2 (southwest region of the Site, 30.2 mg/kg) at a concentration two-orders of magnitude above the RRSCO (0.81 mg/kg). PAH concentrations identified in the shallow urban fill throughout the Site were generally 2- to 6-times greater than their respective RRSCOs.

Although identified below its respective AGV, PCE was identified in three of five soil vapor samples collected along the Site perimeter. PCE was also identified in monitoring well TW-2 above NYSDEC AWQS in the southwest region of the Site, and above method detection limits in one soil sample collected from the southeast region of the Site. Additional subsurface investigation is necessary to determine the extent of contamination, and if an onsite source of contamination exists.

Analytical tables summarizing analytes detected above NYSDEC Standards, Criteria and Guidance (SCGs) for soil, groundwater, and soil vapor is provided in Section III.2 *Sampling Data* of this BCP Application. A detailed summary of contaminants identified in soil, groundwater and soil vapor above NYSDEC SCGs per sampling location is provided below:

Soil

Soil analytical results were compared to NYSDEC 6 NYCRR Part 375 UUSCOs and RRSCOs. Analytes detected above the UUSCOs are summarized below with those above RRSCOs shown in **bold**.

SVOCs

- SB-1 (0-2'): **benzo(a)anthracene (3 mg/kg, RRSCO of 1 mg/kg), benzo(a)pyrene (3 mg/kg, RRSCO of 1 mg/kg), benzo(b)fluoranthene (3.7 mg/kg, RRSCO of 1 mg/kg),** benzo(k)fluoranthene (1 mg/kg, UUSCO of 0.8 mg/kg), chrysene (3.1 mg/kg, UUSCO of 1

mg/kg), **dibenzo(a,h)anthracene (0.37 mg/kg, RRSCO of 0.33 mg/kg)**, and **indeno(1,2,3-cd)pyrene (1.7 mg/kg, RRSCO of 0.5 mg/kg)**

- SB-2 (0-2'): **benzo(a)anthracene (2.7 mg/kg, RRSCO of 1 mg/kg)**, **benzo(a)pyrene (3.4 mg/kg, RRSCO of 1 mg/kg)**, **benzo(b)fluoranthene (4.6 mg/kg, RRSCO of 1 mg/kg)**, benzo(k)fluoranthene (1.2 mg/kg, UUSCO of 0.8 mg/kg), chrysene (3.2 mg/kg, UUSCO of 1 mg/kg), **dibenzo(a,h)anthracene (0.52 mg/kg, RRSCO of 0.33 mg/kg)**, and **indeno(1,2,3-cd)pyrene (2.7 mg/kg, RRSCO of 0.5 mg/kg)**
- SB-3 (0-2'): **benzo(a)anthracene (3.5 mg/kg, RRSCO of 1 mg/kg)**, **benzo(a)pyrene (3 mg/kg, RRSCO of 1 mg/kg)**, **benzo(b)fluoranthene (4.4 mg/kg, RRSCO of 1 mg/kg)**, benzo(k)fluoranthene (1.3 mg/kg, UUSCO of 0.8 mg/kg), chrysene (3.5 mg/kg, UUSCO of 1 mg/kg), **dibenzo(a,h)anthracene (0.46 mg/kg, RRSCO of 0.33 mg/kg)**, and **indeno(1,2,3-cd)pyrene (2.2 mg/kg, RRSCO of 0.5 mg/kg)**
- SB-3 (10-12'): **benzo(a)anthracene (2.4 mg/kg, RRSCO of 1 mg/kg)**, **benzo(a)pyrene (1.8 mg/kg, RRSCO of 1 mg/kg)**, **benzo(b)fluoranthene (2.2 mg/kg, RRSCO of 1 mg/kg)**, chrysene (2.1 mg/kg, UUSCO of 1 mg/kg), and **indeno(1,2,3-cd)pyrene (1 mg/kg, RRSCO of 0.5 mg/kg)**
- SB-4 (0-2'): **indeno(1,2,3-cd)pyrene (0.51 mg/kg, RRSCO of 0.5 mg/kg)**
- SB-4A (0-2'): **benzo(a)anthracene (6 mg/kg, RRSCO of 1 mg/kg)**, **benzo(a)pyrene (6.6 mg/kg, RRSCO of 1 mg/kg)**, **benzo(b)fluoranthene (9.4 mg/kg, RRSCO of 1 mg/kg)**, benzo(k)fluoranthene (1.9 mg/kg, UUSCO of 0.8 mg/kg), **chrysene (6.6 mg/kg, RRSCO of 3.9 mg/kg)**, **dibenzo(a,h)anthracene (0.81 mg/kg, RRSCO of 0.33 mg/kg)**, and **indeno(1,2,3-cd)pyrene (4.8 mg/kg, RRSCO of 0.5 mg/kg)**

Metals

- SB-1 (0-2'): lead (130 mg/kg, UUSCO of 63 mg/kg), mercury (0.557 mg/kg, UUSCO of 0.18 mg/kg), and zinc (222 mg/kg, UUSCO of 109 mg/kg)
- SB-2 (0-2'): **arsenic (18.13 mg/kg, RRSCO of 16 mg/kg)**, **barium (1060 mg/kg, RRSCO of 400 mg/kg)**, copper (102 mg/kg, UUSCO of 50 mg/kg), **lead (708 mg/kg, RRSCO of 400 mg/kg)**, **mercury (30.2 mg/kg, RRSCO of 0.81 mg/kg)**, and zinc (463 mg/kg, UUSCO of 109 mg/kg)
- SB-3 (0-2'): copper (63.5 mg/kg, UUSCO of 50 mg/kg), **lead (440 mg/kg, RRSCO of 400 mg/kg)**, mercury (0.493 mg/kg, UUSCO of 0.18 mg/kg), and zinc (238 mg/kg, UUSCO of 109 mg/kg)
- SB-3 (10-12'): lead (169 mg/kg, UUSCO of 63 mg/kg)
- SB-4 (0-2'): copper (51 mg/kg, UUSCO of 50 mg/kg), lead (143 mg/kg, UUSCO of 63 mg/kg), and **mercury (1.95 mg/kg, RRSCO of 0.81 mg/kg)**
- SB-4A (0-2'): **lead (428 mg/kg, RRSCO of 400 mg/kg)**, mercury (0.687 mg/kg, UUSCO of 0.18 mg/kg), and zinc (145 mg/kg, UUSCO of 109 mg/kg)

- SB-5 (0-2'): lead (185 mg/kg, UUSCO of 63 mg/kg), and **mercury (0.912 mg/kg, RRSCO of 0.81 mg/kg)**
- SB-6 (0-2'): mercury (0.355 mg/kg, UUSCO of 0.18 mg/kg)

Groundwater

Groundwater samples were compared to New York State Department of Environmental Conservation 6NYCRR Part 703.5 Class GA Ambient Groundwater Standards (NYSDEC AWQS). PFAS compounds were compared to Part 375 Remedial Programs Guidelines for Sampling and Analysis of PFAS NYSDCE June 2021 guidance values. Analytes detected above the NYSDCE AWQS and New York State's drinking water maximum contaminant level (MCL) for PFAS compounds are summarized below.

Metals

- TW-1: dissolved sodium (30600 µg/L, AWQS of 20000 µg/L), total sodium (32200 µg/L, AWQS of 20000 µg/L), total iron (1270 µg/L, AWQS of 300 µg/L), total manganese (302.1 µg/L, AWQS of 300 µg/L), total sodium (32200 µg/L, AWQS of 20000)
- TW-2: dissolved sodium (42800 µg/L, AWQS of 20000 µg/L), total iron (1170 µg/L, AWQS of 300 µg/L), total sodium (40600 µg/L, AWQS of 20000)
- TW-3: dissolved antimony (4.3 µg/L, AWQS of 3 µg/L), dissolved manganese (679.2 µg/L, AWQS of 300 µg/L), dissolved sodium (88700 µg/L, AWQS of 20000 µg/L), total antimony (4.14 µg/L, AWQS of 3 µg/L), total iron (371 µg/L, AWQS of 300 µg/L), total manganese (699 µg/L, AWQS of 300 µg/L), total sodium (89500 µg/L, AWQS of 20000 µg/L)
- TW-4: dissolved manganese (339.8 µg/L, AWQS of 300 µg/L), dissolved sodium (24700 µg/L, AWQS of 20000 µg/L), total iron (374 µg/L, AWQS of 300 µg/L), total manganese (386.5 µg/L, AWQS of 300 µg/L), total sodium (26000 µg/L, AWQS of 20000 µg/L)

Pesticides

- TW-3: dieldrin (0.055 µg/L, AWQS of 0.004 µg/L)

VOCs

- TW-3: tetrachloroethene (5.2 µg/L, AWQS of 5 µg/L)

Emerging Contaminants in Groundwater

- TW-1: Perfluorooctanoic Acid (PFOA) (0.0257 µg/L, MCL of 0.01 µg/L), Perfluorooctanesulfonic Acid (PFOS) (0.0185 µg/L, MCL of 0.01 µg/L)
- TW-2: PFOA (0.0281 µg/L, MCL of 0.01 µg/L), PFOS (0.017 µg/L, MCL of 0.01 µg/L)
- TW-3: PFOA (0.077 µg/L, MCL of 0.01 µg/L), PFOS (0.0248 µg/L, MCL of 0.01 µg/L)
- TW-4: PFOA (0.0585 µg/L, MCL of 0.01 µg/L), PFOS (0.0205 µg/L, MCL of 0.01 µg/L)

Total PFOA/PFOS concentrations in groundwater ranged from 0.0442 µg/L (TW-1) to 0.102 µg/L (TW-3).

Soil Vapor

No VOCs exceeded the NYSDOH AGVs. The following summarizes tetrachloroethene concentrations detected in soil vapor:

- SV-2: 8.68 µg/m³
- SV-4: 17.2 µg/m³
- SV-5: 57.5 µg/m³

The following summarizes total VOC concentrations in soil vapor:

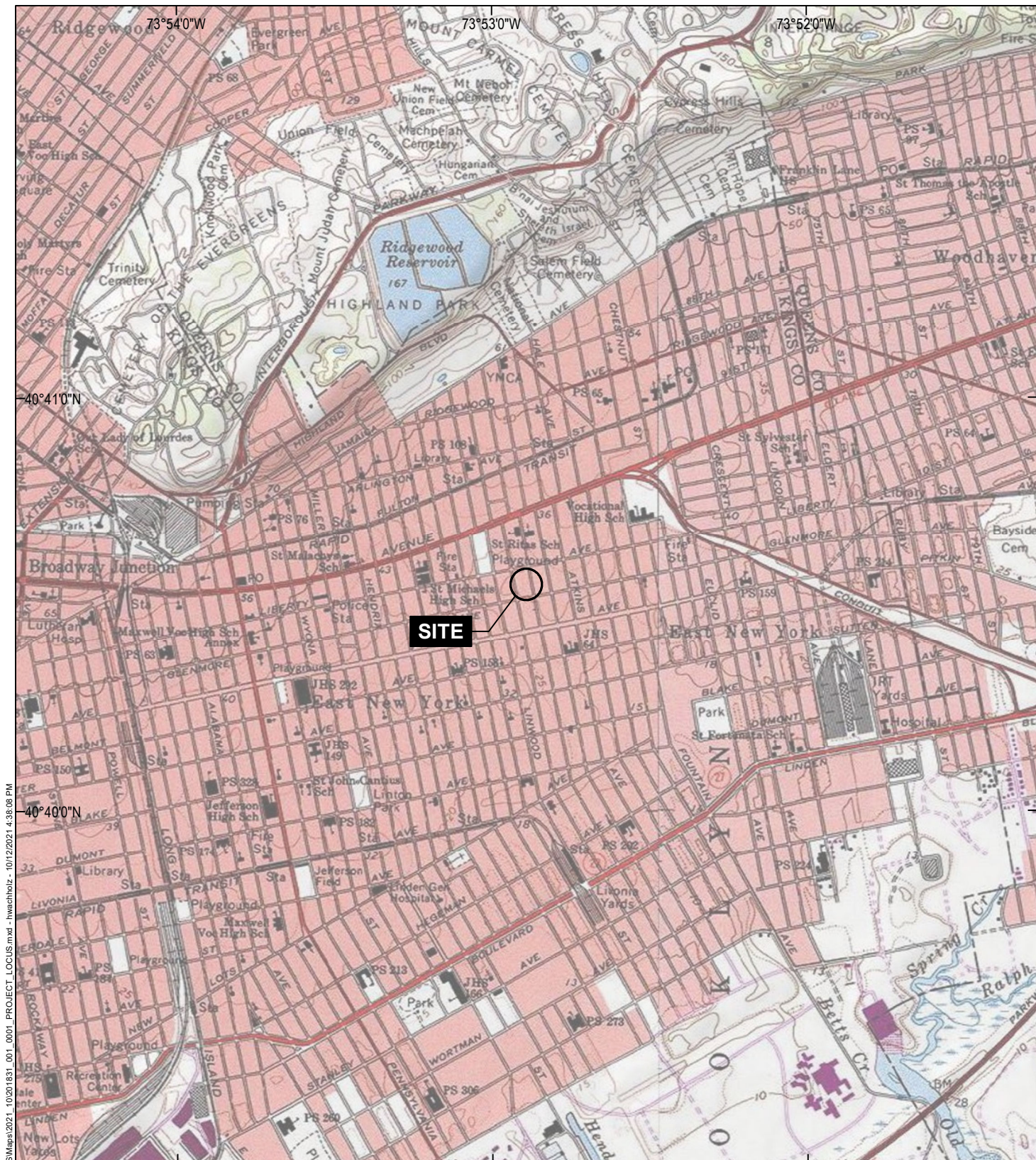
- SV-1: 3642.3 µg/m³
- SV-2: 932.39 µg/m³
- SV-3: 1686.68 µg/m³
- SV-4: 994.44 µg/m³
- SV-5: 1543.19 µg/m³

The following summarizes petroleum-related VOC concentrations (BTEX) in soil vapor samples collected:

- SV-2: 302.76 µg/m³
- SV-3: 294.1 µg/m³
- SV-4: 227.2 µg/m³
- SV-5: 510.83 µg/m³

SECTION IV.6: CLOSED NYSDEC SPILL ASSOCIATED WITH PROPERTY

The Site is listed in the NY Spills Database under Spill No. 9705843, reported on 14 August 1997. The cause of the spill was from the release of oil to the concrete surface of the former auto body shop. According to the NY Spills Database, the spill was immediately cleaned up and administratively closed by NYSDEC on 29 June 2010 with no investigation or remediation.



GIS: \\haleyaldrich.com\share\CF\Project\0201831\GIS\Map\2021_10201831_001_0001_PROJECT_LOCUS.mxd - hwhchoiz - 10/12/2021 14:38:08 PM



MAP SOURCE: USGS
SITE COORDINATES: 40°40'33"N, 73°52'53"W

**HALEY
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350-362 SHEPHERD AVENUE
BROOKLYN, NEW YORK




PROJECT LOCUS

APPROXIMATE SCALE: 1 IN = 2000 FT
OCTOBER 2021

FIGURE 5



LEGEND

-  SITE BOUNDAR
-  APPROXIMATE LOCATIONS OF VENT PIPES (ROOF)
-  APPROXIMATE LOCATIONS OF HYDRAULIC LIFTS

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL DATA SOURCE: NEW YORK STATE GIS
3. AERIAL IMAGERY SOURCE: NEARMAP, 10 MARCH 2021



0 40 80
SCALE IN FEET

**HALEY
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352-362 SHEPHERD AVENUE
BROOKLYN, NEW YORK



SITE PLAN

SEPTEMBER 2021

FIGURE ▾



LEGEND

-  SITE BOUNDARY
-  PARCEL BOUNDARY

NOTES

- 1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
- 2. ASSESSOR PARCEL DATA SOURCE: NEW YORK STATE GIS
- 3. AERIAL IMAGERY SOURCE: NEARMAP, 10 MARCH 2021



0 40 80
SCALE IN FEET

HALEY
ALDRICH

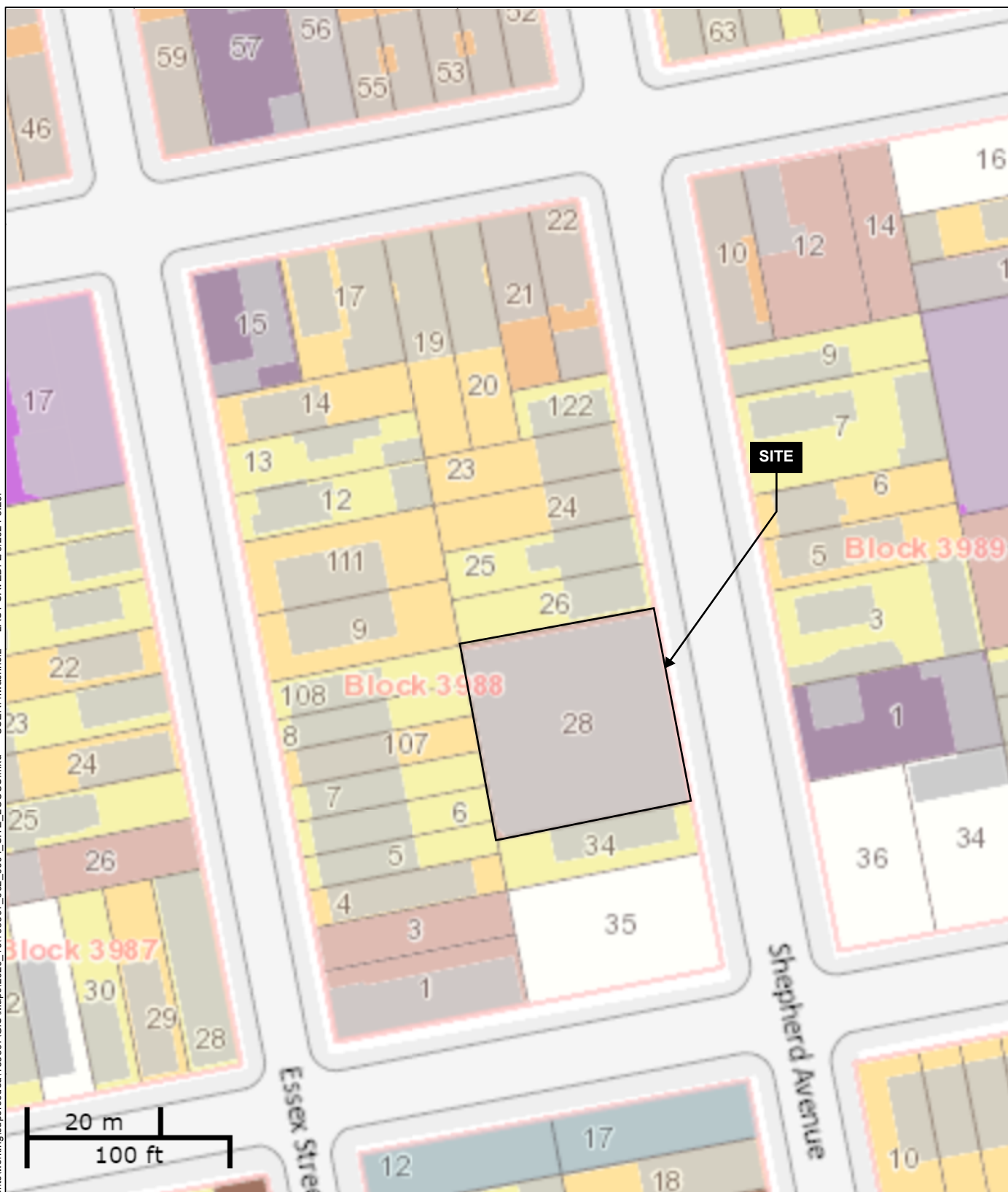
350-362 SHEPHERD AVENUE
BROOKLYN, NEW YORK

TAX MAP

OCTOBER 2021

FIGURE 7

GIS FILE PATH: C:\Users\hwacholz\Documents\working\superseded\135597\GIS\Maps\2020_10\135597_002_0001_SITE_LOCUS.mxd — USER: hwacholz — LAST SAVED: 2/3/2021 3:29:



LEGEND

- 1 & 2 Family Residential
- Multi-family Residential
- Mixed Use
- Open space & outdoor recreation
- Commercial
- Institutions
- Industrial
- Parking
- Transportation / Utilities
- Vacant Lots



NOTES:

1. IMAGERY PROVIDED BY NEW YORK CITY
OPEN ACCESSIBLE SPACE INFORMATION
SYSTEM

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352-362 SHEPHERD AVENUE
BROOKLYN, NEW YORK

SURROUNDING LAND USE

OCTOBER 2021

FIGURE 8

ATTACHMENT E

Section VI: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

SECTION VI: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

Current Owner and Operator

The current owner is 362 Shepherd Development LLC, the Requestor. The requestor has owned the site since 20 July 2021. The Site is currently improved with a one-story warehouse/garage building encompassing the entire site footprint with a partial cellar and is currently operated by Gils Auto Body and Hi-Tech Heating.

Previous Owners and Operators

Historical ownership of the Site prior to 1967 was Garone Bros Auto Service Center who transferred the property in 1967 to Shepherd Avenue Garage Inc. The Site was then transferred to Bonita Garone in 2000 and again in 2021 to Bandom Corp. In July 2021, 362 Shepherd Development LLC acquired the property. A list of Previous Owners and Operators of 352-362 Shepherd Avenue.

Date(s)	Owner per Deed	Address	Relationship to Requestor	Operators (as per city directories)	Relationship to Requestor	Operator Address
3/3/2021-7/20/2021	Shepherd 1 Plaza LLC	4403 15 th Avenue Unit 189, Brooklyn, NY	None	Gils Auto Body and Hi-Tech Heating	None	Not Available
7/24/2000-3/3/2021	Bandom Corp.	140 Beach 207 th Street, Breezy Point, NY	None	Gils Auto Body, Gils Towing, Hi-Tech Heating	None	Not Available
2/26/1998-7/24/2000	Bonita Garone	91-59 Chicot Road, Ozone Park, NY	None	Shepherd Ave Garage Incorporated	None	Not Available
5/12/1967-2/26/1998	Shepherd Avenue Garage Inc.	352-362 Shepherd Avenue, Brooklyn, NY	None	Shepherd Ave Garage Inc.	None	Not Available
Unknown - 5/12/1967	James Garone and Dominick Garone	752 Glenmore Avenue, Brooklyn, NY 339 Shepherd Avenue, Brooklyn, NY	None	EB Motor Repair Co., Garone Bros Truck Tires Service, Garone Bros Truck Renting, Shepherd Auto Sales,	None	Not Available

ATTACHMENT F

Section VII: REQUESTOR ELIGIBILITY INFORMATION

SECTION VII: REQUESTOR ELIGIBILITY INFORMATION

The Requestor qualifies as a “Volunteer” in the BCP because it has no connection with any prior owner or operator, and did not cause, contribute, or permit the disposal of any contaminants at the Site, nor did the Requestor control the Site when such contamination occurred. Requestor did not observe and is not aware of any continuing release. Requestor is taking the necessary steps to prevent any threatened future release, and prevent and limit human, environmental or natural resource exposure to any previously released contamination at the Site. As such, the requestor qualifies as a Volunteer as designed in ECL 27-1405(1)(b).

ATTACHMENT G

**Section IX: CONTACT LIST INFORMATION AND ACKNOWLEDGEMENT FROM
REPOSITORY**

SECTION IX – CONTACT LIST INFORMATION

SITE CONTACT LISTS

Executive:

Role	Name	Phone	Mailing Address	Email / Contact
NYC Mayor	Mayor William De Blasio	212-NEW-YORK	City Hall New York, NY 10007	https://www1.nyc.gov/office-of-the-mayor/mayor-contact.page
NYC Department of City Planning Chairperson	Marisa Lago	212-720-3300	120 Broadway 31st Floor New York, NY 10271	https://www1.nyc.gov/site/planning/about/email-the-director.page
Brooklyn Borough President	Eric Adams	718-802-3700	Brooklyn Borough Hall 209 Joralemon Street Brooklyn, NY 11201	askeric@brooklynbo.nyc.gov
Brooklyn Community Board 5 District Manager	Walter Campbell	929-221-8261	404 Pine Street 3 rd Floor Brooklyn, NY 11207	bkcb5cc@gmail.com
New York City Council District 37	Darma V. Diaz	718-642-8664	1945 Broadway Brooklyn, NY 11207	District37@council.nyc.gov
NY Senate District 18 Senator	Julia Salazar	718-875-1517	212 Evergreen Avenue Brooklyn, NY 11221	salazar@nysenate.gov
NY State Assembly District 054 Member	Erik M. Dilan	718-386-4576	366 Cornelia Street, Brooklyn, NY 11237	DilanE@nyassembly.gov

Owners, Residents, Occupants:

Site is currently developed with a one-story building that is currently occupied by commercial tenants Gils Auto Body and Hi-Tech Heating.

Owner	Contact Name	Phone	Mailing Address	Email
362 Shepherd Development LLC - Authorized Representative	David Horowitz	(347) 831-1248	145 East 57th Street, 6th Floor, New York, NY 10022	david@applerealtycapital.com

Operator	Contact Name	Phone	Mailing Address	Email
Gils Auto Body	Gilbert Valdez	(718)-235-7228	352 Shepherd Avenue, Brooklyn, NY 11208	Not Available
Hi-Tech Heating	Not Available	(718) 277-0364	362 Shepherd Avenue, Brooklyn, NY 11208	Not Available

Adjacent Properties:

Below is a list of the adjoining properties which are also detailed on **Figure 9**.

Owner/Entity Name	Contact Name	Site Use	Property Address	Owner Mailing Address
Nilba Rodriguez	Nilba Rodriguez	Multi-Family Residential	350 Shepherd Avenue	350 Shepherd Avenue, Brooklyn, NY
Rozina Kahn	Rozina Kahn	Multi-Family Residential	348 Shepherd Avenue	317 East 4 th Street, Brooklyn, NY
Roger Headley	Roger Headley	Multi-Family Residential	337 Essex Street	337 Essex Street, Brooklyn, NY
831 Monroe LLC	Richard Rubin	Multi-Family Residential	339 Essex Street	2 Richmond Road, Lido Beach, NY
142-14 Acquisition Inc.	Not Available	Multi-Family Residential	341 Essex Street	142-14 116 th Avenue, Jamaica, NY
Bertha Melissa Nerjes	Bertha Melissa Nerjes	Multi-Family Residential	343 Essex Street	343 Essex Street, Brooklyn, NY
Patricio J. Quito Sanchez	Patricio J. Quito Sanchez	Multi-Family Residential	345 Essex Street	345 Essex Street, Brooklyn, NY
Dacia Barco	Dacia Barco	Multi-Family Residential	347 Essex Street	102 Graham Avenue, Brooklyn, NY
Monica Leung	Monica Leung	Multi-Family Residential	349 Essex Street	5 Gateway Court, Centre Beach, NY
William Lattarulo	William Lattarulo	Multi-Family Residential	351 Essex Street	129 th Avenue, Ozone Park, NY
JP Shepherd, Inc.	Not Available	Multi-Family Residential	366 Shepherd Street	366 Shepherd Avenue, Brooklyn, NY
777-787 Glenmore Avenue LLC	Not Available	Multi-Family Residential	368 Shepherd Avenue	3008 Avenue J, Brooklyn, NY
William Lattarulo	William Lattarulo	Mixed-Use Commercial/Residential	793 Glenmore Avenue	129 th Avenue, Ozone Park, NY
William Lattarulo	William Lattarulo	Multi-Family Residential	355 Shepherd Avenue	129 th Avenue, Ozone Park, NY
Bar Bar Ney Realty LLC	Not Available	Multi-Family Residential	353 Shepherd Avenue	120 Rider Avenue, Malverne, NY
Padmanie Kumar	Padmanie Kumar	Multi-Family Residential	349 Shepherd Avenue	16-61 Hunte Avenue, Brooklyn, NY

Local News and Media:

Owner/Entity Name	Type	Address	Phone	Website
The Brooklyn Eagle	Online	16 Court Street Brooklyn, NY 11241	718-422-7413	www.brooklyneagle.com
Spectrum 1 News	Television	75 Ninth Avenue New York, NY 10011	212-691-6397	https://www.ny1.com/nyc/all-boroughs/about-us/contact-us

Public Water Supply:

Public water supply is a shared responsibility between the New York City Department of Environmental Protection (NYCDEP) and the Municipal Water Finance Authority.

Owner/Entity Name	Contact	Address	Phone	Email
NYCDEP	Vincent Sapienza - Commissioner	59-17 Junction Blvd. Flushing, NY 11373	718-595-6565	ltcp@dep.nyc.gov
NYC Municipal Water Finance Authority	Olga Chernat-Executive Director	255 Greenwich Street 6th Floor New York, NY 10007	212-788-5889	Not Available

Additional Requests:

We are unaware of any requests to be included on the contact list for the Former Garone Bros Auto Service Center Site located at 352-362 Shepherd Avenue, Brooklyn, NY.

School or Day Care located on or proximal to the Site:

There are no schools or daycares located on the Site. The following schools or day care facilities are located within ½-mile radius to the Site:

School/Day Care Name	Approximate distance from Site in feet and (directional)	Administrator	Phone	Address
P.S. 345 – Patrolman Robert Bolden	300' (East)	Paul Thomas	718-647-8387	111 Berriman Street, Brooklyn, NY 11208
A Castle for Classy Kids Learning Center	1200' (Southeast)	Not Available	347-750-8154	2570 Pitkin Avenue, Brooklyn, NY 11208
Liberty Avenue Middle School	550' (Northwest)	Kaia Nordtvedt	718-647-1301	350 Linwood Street, Brooklyn, NY 11208
Salve Regina Catholic Academy	1400' (West)	Michelle Donato	718-277-9000	237 Jerome Street, Brooklyn, NY 11207
P.S. 158 – Warwick	1500' (Southwest)	Latishia Towles	718-277-6116	400 Ashford Street, Brooklyn, NY 11207
Little Birds Day Care Center	900' (Southwest)	Not Available	718-647-8095	490 Linwood Street, Brooklyn, NY 11208
Isabel's Group Family Day Care	1600' (Southeast)	Not Available	718-647-6263	851 Belmont Avenue, Brooklyn, NY 11208

Document Repository:

Brooklyn Community Board 5 and the Brooklyn Public Library – Cypress Hills Branch were notified in person on 08 November 2021 regarding utilizing their space as document repositories. Documentation of the confirmation from the two document repositories is attached below. The repository information is detailed below:

Library:

Owner/Entity Name	Contact	Address	Phone	Email
Brooklyn Public Library – Cypress Hills	Rowshon A. Perveen	718-277-6004	1197 Sutter Avenue at Crystal Street, Brooklyn, NY 11208	b.perveen@brooklynpubliclibrary.org

Community Board:

Owner/Entity Name	Contact	Address	Phone	Email
Brooklyn Community Board 5	Melinda Perkins	127 Pennsylvania Avenue 2 nd Floor, Brooklyn, NY 11207	718-819-5487	mperkins@cb.nyc.gov

Section IX: Response from Brooklyn Public Library – Cypress Hills Branch to Act as Document Repository



HALEY & ALDRICH OF NEW YORK
237 W 35th Street
16th Floor
New York, NY 10123
Tel: 646.277.5685

04 November 2021

File No. 0201831

Brooklyn Public Library – Cypress Hills Branch
1197 Sutter Avenue
Brooklyn, NY 11208
Via email: r.perveen@bklynlibrary.org
Attn: Rowshon A. Perveen

Subject: Brownfield Cleanup Program Application – Request for Repository Use
Former Garone Bros Auto Service Center Site
352-362 Shepherd Avenue
Brooklyn, New York 11208

Dear Ms. Perveen,

Haley & Aldrich of New York (Haley & Aldrich), on behalf of 362 Shepherd Development LLC, is requesting use of the Brooklyn Public Library – Cypress Hills Branch as a document repository for the anticipated project located at 352-362 Shepherd Avenue, Brooklyn, NY. The New York State Department of Environmental Conservation (NYSDEC) requires a letter certifying that the proposed document repository is able to serve as a public repository for all documents pertaining to the environmental cleanup at the Site. Please sign below denoting that your library would be amenable to serving as a temporary public repository.

Should you have any questions, please do not hesitate to give me a call at (646) 277-5686.

Thank you,
HALEY & ALDRICH OF NEW YORK

James M. Bellew
Senior Associate

The Brooklyn Public Library – Cypress Hills Branch is willing to act as a public document repository holding and making available of all provided environmental related to 352-362 Shepherd Avenue, Brooklyn, NY Brownfield Cleanup Project.

Rowshon A. Perveen
Name

11/9/2021
Date

Neighborhood Library Supervisor
Title

Section IX: Response from Brooklyn Community Board 5 to Act as Document Repository



HALEY & ALDRICH OF NEW YORK
237 W 35th Street
16th Floor
New York, NY 10123
Tel: 646 277,5685

04 November 2021
File No. 0201831

Brooklyn Community Board 5
127 Pennsylvania Avenue
Brooklyn, NY 11207
Via email: mperkins@cb.nyc.gov
Attn: Melinda Perkins

Subject: Brownfield Cleanup Program Application – Request for Repository Use
Former Garone Bros Auto Service Center Site
352-362 Shepherd Avenue
Brooklyn, New York 11208

Dear Ms. Perkins,

Haley & Aldrich of New York (Haley & Aldrich), on behalf of 362 Shepherd Development LLC, is requesting use of the Brooklyn Community Board 5 as a document repository for the anticipated project located at 352-362 Shepherd Avenue, Brooklyn, NY. The New York State Department of Environmental Conservation (NYSDEC) requires a letter certifying that the proposed document repository is able to serve as a public repository for all documents pertaining to the environmental cleanup at the Site. Please sign below denoting that your library would be amenable to serving as a temporary public repository.

Should you have any questions, please do not hesitate to give me a call at (646) 277-5686.

Thank you,
HALEY & ALDRICH OF NEW YORK

James M. Bellew
Senior Associate

The Brooklyn Community Board 5 is willing to act as a public document repository holding and making available of all provided environmental related to 352-362 Shepherd Avenue, Brooklyn, NY Brownfield Cleanup Project.

Name

District Manager
Title

11/8/2021
Date

ATTACHMENT H

Section X: LAND USE FACTORS

SECTION X: LAND USE FACTORS

Existing Zoning:

The Site was previously zoned as manufacturing and was included in the East New York Rezoning (City Environmental Quality Review Act or CEQR Number 15DCP102K) which converted the area around and including the Site to R7A. The Site is surrounded by a mixed use of residential and commercial buildings.

The East New York Neighborhood Plan is a comprehensive neighborhood plan to promote affordable housing preservation and development, encourage economic development, create pedestrian-friendly streets, and invest in community resources to support the long-term growth and sustainability of East New York, Cypress Hills and Ocean Hill. The Plan was developed through a robust community planning process, through close collaboration with residents, stakeholders and elected officials.

The East New York Neighborhood Plan is a part of Housing New York, the Mayor's housing plan to build and preserve affordable housing through community development initiatives that foster a more equitable and livable New York City.

The development project will consist of an 8-story residential building with 53 units, with an affordable housing component, and a partial cellar over the majority of the Site extending to 10 feet below ground surface (ft bgs). The architectural set is still in the design phase and will be released when available.

The proposed use is conforming to the current zoning laws and aligned with the East New York Neighborhood Plan by providing affordable housing. The zoning map is included below.

— Click blue outline on map to view diagram of **proposed** zoning change



C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

ATTACHMENT I

Supplemental Questions Sections: Sites Seeking Tangible Property Credits in NYC

EnZone Determination



Census Tract 1166

EnZoneType A

FIPS 36047116600

County_FIP 36047

Geography Census Tract 1166

County Kings County

UnempRate 15.4

NYS_UR 11.5

Pov_Rate 40.5

CountyPR 23.2

CountyRate 46.4

Criteria_B

Both_AB

Criteria_A Y

Type YA

Affordable Housing Project Determination

While the development plans are conceptual at this time, the planned project will consist of an 8-story residential building with 53 units, with an affordable housing component, and a partial cellar over the majority of the Site extending to 10 feet below ground surface (ft bgs). The development is planned as Affordable Housing, and a copy of the regulatory agreement will be provided to the NYSDEC at a later date prior to issuance of the Certificate of Completion (COC).