

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

December 29, 2021

Matthew Fox
The Rector, Church-Wardens, and Vestrymen of Trinity Church, in the city of
New-York
561 HH LLC
Remainderman 561 Greenwich LLC
c/o Trinity Real Estate
76 Trinity Place
New York, NY 10006

Re: Certificate of Completion
561 Greenwich Street
Manhattan, New York County,
C231129

Dear Mr. Fox:

Congratulations on having satisfactorily completed the remedial program at the 561 Greenwich Street site. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (Department) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the COC to be issued for the above-referenced site.

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

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



Department of
Environmental
Conservation

- Provide electronic copies of the recorded Notice and proof of recording to the Department's project manager. Please return the hard copy of the proof of recording to:

Michael MacCabe, Bureau B
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7016

- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. The Department will develop a fact sheet announcing the issuance of the COC and describing the institutional and engineering controls (IC/ECs), if any, that are required at the site and distribute it to the County Listserv within 10 days.
- Implement the Department-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to the Department in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to the Department in April 2023.

If you have any questions regarding any of these items, please contact Michael MacCabe at 518-402-9687 or michael.maccabe@dec.ny.gov.

Sincerely,

Susan Edwards

Susan Edwards, P.E.
Acting Director
Division of Environmental Remediation

Enclosure

cc w/ enclosure:

Matthew Fox - mfox@trinitywallstreet.org
Elizabeth Adkins, Langan - eadkins@langan.com
Paul McMahon, Langan - PMcMahon@Langan.com
Gail S. Port, Proskauer Rose LLP - gport@proskauer.com
Christine Vooris - NYSDOH, Christine.Vooris@health.ny.gov
Scarlett McLaughlin, NYSDOH - scarlett.mclaughlin@health.ny.gov
Arunesh Ghosh, NYSDOH - Arunesh.Ghosh@health.ny.gov
Matt Gokey - matthew.gokey@tax.ny.gov
Paul Takac - paul.takac@tax.ny.gov

ec w/o enc.:

M. MacCabe

S. Quandt

G. Burke

J. O'Connell

M. Murphy

K. Lewandowski

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

561 HH LLC

Remainderman 561 Greenwich LLC

The Rector, Church-Wardens, and Vestrymen of Trinity
Church, in the city of New-York

Address

c/o Trinity Real Estate, 76 Trinity Place, New York, NY 10006

c/o Trinity Real Estate, 76 Trinity Place, New York, NY 10006

c/o Trinity Real Estate, 76 Trinity Place, New York, NY 10006

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 6/26/19 **Agreement Execution:** 7/24/19

Agreement Index No.: C231129-06-19

Application Approval Amendment: none

Agreement Execution Amendment: none

SITE INFORMATION:

Site No.: C231129 **Site Name:** 561 Greenwich Street

Site Owner: 561 HH LLC

Remainderman 561 Greenwich LLC

Street Address: 561 Greenwich Street

Municipality: New York

County: New York

DEC Region: 2

Site Size: 0.460 Acres

Tax Map Identification Number: 598-42

Percentage of site located in an EnZone: 0 - 49 %

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

CERTIFICATE ISSUANCE

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

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

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

Allowable Uses under the BCP: Commercial and Industrial

Cleanup Track: Track 2: Restricted use with generic soil cleanup objectives

Tax Credit Provisions:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 33 %.

Tangible Property Credit at the time of this COC issuance is 0%.

The Remedial Program includes use restrictions or reliance on the long term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for New York County as City Registry File Number 2021000508300.

LIABILITY LIMITATION

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

CERTIFICATE TRANSFERABILITY

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

CERTIFICATE MODIFICATION/REVOCATION

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

- (1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the Brownfield Site Cleanup Agreement;
- (2) the Applicant made a misrepresentation of a material fact tending to demonstrate that it was qualified as a Volunteer;
- (3) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Brownfield Site Cleanup Agreement were reached;
- (4) there is good cause for such modification or revocation;
- (5) either the Applicant or the Applicant's successors or assigns failed to manage the controls or monitoring in full compliance with the terms of the remedial program;
- (6) the terms and conditions of the environmental easement have been intentionally violated or found to be not protective or enforceable.

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

Basil Seggos
Commissioner
New York State Department of Environmental Conservation

By: Susan Edwards Date: 12/29/2021

Susan Edwards, P.E., Acting Director
Division of Environmental Remediation

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

561 Greenwich Street, Site ID No. C231129
561 Greenwich Street, New York, NY 10014
Manhattan, New York County, Tax Map Identification Number 598-42

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to 561 HH LLC, Remainderman 561 Greenwich LLC, and The Rector, Church-Wardens, and Vestrymen of Trinity Church, in the city of New York for a parcel of approximately 0.460 acres located at 561 Greenwich Street in Manhattan, New York County.

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

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

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

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

PLEASE TAKE NOTICE, since the remedial program relies upon use restrictions or the long-term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for New York County as City Registry File Number 2021000508300.

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

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

561 Greenwich Street C231129
561 Greenwich Street, New York, NY 10014

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

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

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

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

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

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 located at 1 Hunter's Point Plaza, 47-40 21st Street, Long Island City, NY 11101-5401, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C231129>.

WHEREFORE, the undersigned has signed this Notice of Certificate

561 HH LCC

By: 

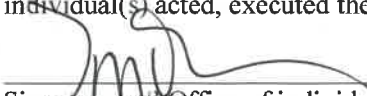
Title: CEO

Date: 1/5/22

STATE OF NEW YORK) SS:
COUNTY OF New York)

JON THOMAS OLSON
Notary Public, State of New York
No. 01OL8358733
Qualified in New York County
Commission Expires May 15, 2021 2025

On the 5th day of January, in the year 2022, before me, the undersigned, personally appeared John Salar, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Signature and Office of individual
taking acknowledgment

561 Greenwich Street C231129
561 Greenwich Street, New York, NY 10014

WHEREFORE, the undersigned has signed this Notice of Certificate

Remainderman 561 Greenwich LLC

By: Meredith Jenkins

Title: President

Date: January 5, 2022

JON THOMAS OLSON
Notary Public, State of New York
No. 01OL6358733
Qualified in New York County
Commission Expires May 15, 2025 2025

STATE OF NEW YORK) SS:
COUNTY OF New York)

On the 5th day of January, in the year 2022, before me, the undersigned, personally appeared Meredith Jenkins, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Meredith Jenkins
Signature and Office of individual
taking acknowledgment

Please record and return to:

The Rector, Church-Wardens, and Vestrymen of
Trinity Church, in the city of New-York
c/o Trinity Real Estate
76 Trinity Place
New York, NY 10006

Exhibit A

Site Description

**561 Greenwich Street
C231129
Metes & Bounds**

OVERALL DEED DESCRIPTION FOR DEC EASEMENT DESCRIPTION BLOCK 598, LOT 42

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

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE EASTERLY SIDE OF GREENWICH STREET (VARIABLE WIDTH) WITH THE SOUTHERLY SIDE OF KING STREET (VARIABLE WIDTH) AND RUNNING;

EASTERLY ALONG THE SOUTHERLY SIDE OF KING STREET, SOUTH 82 DEGREES 48 MINUTES 19 SECONDS EAST, A DISTANCE OF 100.00 FEET TO A POINT, THENCE;

SOUTHERLY ON A LINE PARALLEL WITH GREENWICH STREET, SOUTH 7 DEGREES 10 MINUTES 37 SECONDS WEST, A DISTANCE OF 200.36 FEET TO A POINT ON THE NORTHERLY SIDE OF CHARLTON STREET (VARIABLE WIDTH), THENCE;

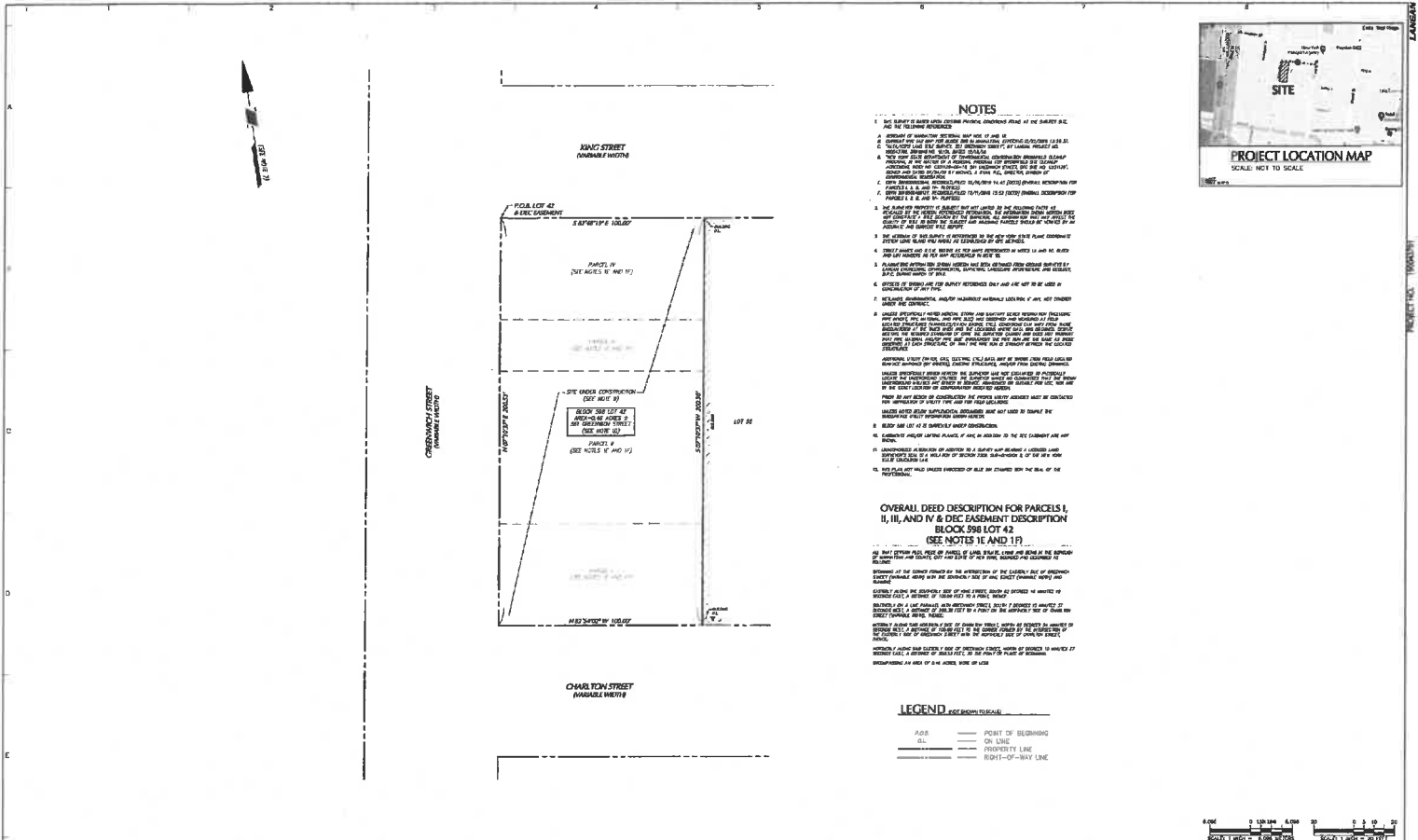
WESTERLY ALONG SAID NORTHERLY SIDE OF CHARLTON STREET, NORTH 82 DEGREES 54 MINUTES 02 SECONDS EAST, A DISTANCE OF 100.00 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE EASTERLY SIDE OF GREENWICH STREET WITH THE NORTHERLY SIDE OF CHARLTON STREET, THENCE;

NORTHERLY ALONG SAID EASTERLY SIDE OF GREENWICH STREET, NORTH 07 DEGREES 10 MINUTES 37 SECONDS EAST, A DISTANCE OF 200.53 FEET, TO THE POINT OR PLACE OF BEGINNING.

ENCOMPASSING AN AREA OF 0.46 ACRES, MORE OR LESS.

Exhibit B

Site Survey



<p>THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 71 OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW. THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN MORE DETAIL IN THE SITE MANAGEMENT PLAN (SMP). A COPY OF THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT denweb@dec.ny.gov.</p>		<p>LANGAN Langan Engineering, Environmental, Surveying, Landscaping, Architecture and Geology, LLC 21 Park Plaza, 200 West 11th Street, 8th Floor New York, NY 10011 T: 212.691.8800 F: 212.691.8844 www.langan.com</p>		<p>PROJECT 561 GREENWICH STREET BCP SITE NO.: C231129</p>		<p>DEC EASEMENT SURVEY</p>		<p>PROJECT NO. 00000001 Scale 1"=20' Date 1/1/2011 Sheet 001 of 001</p>	
<p>DATE Description REVISIONS</p>		<p>DATE Description REVISIONS</p>		<p>DATE Description REVISIONS</p>		<p>DATE Description REVISIONS</p>		<p>DATE Description REVISIONS</p>	



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
12/28/2021



SITE DESCRIPTION

SITE NO. C231129

SITE NAME 561 Greenwich Street

SITE ADDRESS: 561 GREENWICH STREET ZIP CODE: 10014

CITY/TOWN: New York

COUNTY: New York

ALLOWABLE USE: Commercial and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES: YES NO

IC/EC Certification Plan



Monitoring Plan



Operation and Maintenance (O&M) Plan



Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 04/30/2023

Description of Institutional Control

The Rector, Church-Wardens & Vestrymen

c/o Trinity Real Estate, 120 Broadway, 38th Floor

561 Greenwich Street

Environmental Easement

Block: 598

Lot: 42

Sublot:

Section:

Subsection:

S_B_L Image: 598-42

Ground Water Use Restriction

IC/EC Plan

Land use Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

The Rector, Church-Wardens & Vestrymen

c/o Trinity Real Estate, 120 Broadway, 38th Floor

561 Greenwich Street

Environmental Easement

Block: 598

Lot: 42

Sublot:

Section:

Subsection:

S_B_L Image: 598-42

Monitoring Wells

Subsurface Barriers