

NYSDEC BROWNFIELD CLEANUP PROGRAM APPLICATION

401 WEST 207TH STREET REDEVELOPMENT
401 WEST 207TH STREET
BLOCK 2189, LOT 60
NEW YORK, NEW YORK

PREPARED FOR:
401 W 207TH REALTY LLC
40 OSER AVENUE, STE 4
HAUPPAUGE, NY 11788



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

22 December 2021
File No. 0203563

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
401 West 207th Street Redevelopment
401 West 207th Street
New York, New York, 10034 (Site)

Ladies and Gentlemen,

Haley & Aldrich of New York, on behalf of 401 W 207th Realty LLC, has prepared this revised Brownfield Cleanup Program Application for the above referenced Site reflecting guidance received during a Pre-Application Meeting with the New York State Department of Environmental Conservation (NYSDEC) on 26 October 2021 and the comments received in the Letter of Incompleteness from NYSDEC on 20 December 2021. Comments were addressed as follows:

Site Control Section Comments:

1. Section IV: The tax map provided in Figure 6 has been revised to show Block numbers.
2. Section V: The name of the requestor's consultant has been added.
3. Section VI: Property owner's phone number has been revised.
4. Section VI: Last known addresses for previous owners have been included.
5. Section VII: A revised access agreement with language allowing an environmental easement to be placed on the property if necessary has been included.
6. Section IX: A mailing address for NYC Transit Authority has been included.
7. Section IX: The mailing address for West 207 Grocery Owners LLC has been added.
8. Section IX: The Manhattan Times has been added as a local newspaper for public notices.
9. Section X: A statement has been added emphasizing potential contamination sources related to the current use of the site.

Section III and/or Environmental Assessment Comments:

1. References to the NYSDOH Air Guideline Values and Decisions Matrices has been removed.
2. Reference to total VOCs in soil vapor has been removed.
3. The property description has been revised to remove the proposed site name, remove the legal description, include the site size in the Site Features subsection and move the discussion of PBS history to the Past Land Use subsection.

4. Section IV.5 has been revised to state soil vapor, groundwater and soil. Soil data was able to be collected on 6 December 2021 and is now included in Section III, Figure 4, Table 3 and the Environmental Assessment section of this revised application.
5. A sentence has been included discussion whether the data indicates off-site impacts.

Enclosed in this package is a USB drive which contains the full Brownfield Cleanup Program Application Package including a Phase I Environmental Site Assessment dated October 2021 and a Limited Phase II Environmental Site Assessment by Haley & Aldrich of New York dated November 2021.

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
Principal



Mari C. Conlon, PG
Senior Project Manager

Enclosed copies provided via email to:

Jacob Kohn (401 W 207th Realty LLC)
Christine Leas (Sive, Paget & Riesel P.C.)
Gerard Burke (NYSDEC)
Jane O'Connell (NYSDEC)
James Simpson (NYSDEC)

Email: kohnjacob@gmail.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 401 W 207th Realty LLC

ADDRESS 40 Oser Avenue, Suite 4

CITY/TOWN Hauppauge

ZIP CODE 11788

PHONE 917-846-1115

FAX N/A

E-MAIL kohnjacob@gmail.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	X	X	X
Chlorinated Solvents			
Other VOCs		X	X
SVOCs			
Metals			
Pesticides			
PCBs			
Other*			

*Please describe: _____

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 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: _____

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME 401 West 207th Street Redevelopment				
ADDRESS/LOCATION 401 West 207th Street				
CITY/TOWN New York		ZIP CODE 10034		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): New York				
COUNTY New York		SITE SIZE (ACRES) 0.63		
LATITUDE (degrees/minutes/seconds) 40 ° 51 ' 50.60 "		LONGITUDE (degrees/minutes/seconds) 73 ° 55 ' 02.40 "		
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.
401 West 207th Street		1	2189	60
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach an accurate map of the proposed site.				
2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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 <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, identify census tract : 299 Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 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)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
6. 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach relevant supporting documentation.				
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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

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 Jacob Kohn			
ADDRESS 40 Oser Avenue, Suite 4			
CITY/TOWN Hauppauge, NY		ZIP CODE 11788	
PHONE 917-846-1115	FAX Not Available	E-MAIL kohnjacob@gmail.com	
NAME OF REQUESTOR'S CONSULTANT James Bellew, Haley & Aldrich of New York			
ADDRESS 237 W 35th Street, 16th Floor			
CITY/TOWN New York, NY		ZIP CODE 10123	
PHONE 646-277-5686	FAX Not Available	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, NY		ZIP CODE 10022	
PHONE 646-378-7267	FAX Not Available	E-MAIL cleas@sprlaw.com	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME Speedway LLC		OWNERSHIP START DATE: 9/30/2014	
ADDRESS 500 Speedway Drive			
CITY/TOWN Enon, OH		ZIP CODE 45323	
PHONE 937-864-3001	FAX Not Available	E-MAIL maredicker@speedway.com	
CURRENT OPERATOR'S NAME Speedway LLC			
ADDRESS 500 Speedway Drive			
CITY/TOWN Enon, OH		ZIP CODE 45323	
PHONE 718-963-0536	FAX Not Available	E-MAIL sjkramer@speedway.com	
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? R8-A & R9-A with C2-4 overlay

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, recent development in this area has been predominantly residential.

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 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

Yes, the Special Inwood District Zoning Resolution was established in 2018 to promote the development of affordable housing and encourage economic development that benefits the local community.

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 401 W 207th Realty 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: 11/16/2021 Signature:  _____

Print Name: Jacob Kohn _____

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):	
<p>"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.</p>	
From 6 NYCRR 375-3.2(I) 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:	
<p>(I) "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</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(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</p> <p>(c) there are no structures.</p>	
<p>"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.</p>	

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: 401 West 207th Street Redevelopment
City: New York

Site Address: 401 West 207th Street
County: New York **Zip:** 10034

Tax Block & Lot
Section (if applicable): 1 **Block:** 2189 **Lot:** 60

Requestor Name: 401 W 207th Realty LLC
City: Hauppauge

Requestor Address: 40 Oser Avenue, Suite 4
Zip: 11788 **Email:** kohnjacob@gmail.com

Requestor's Representative (for billing purposes)

Name: Jacob Kohn
City: Hauppauge, NY

Address: 40 Oser Avenue, Suite 4
Zip: 11788

Email: kohnjacob@gmail.com

Requestor's Attorney

Name: Sive, Paget & Riesel P.C.- Christine Leas
City: New York, NY

Address: 500 Lexington Avenue
Zip: 10022

Email: cleas@sprlaw.com

Requestor's Consultant

Name: James Bellew, Haley & Aldrich of New York
City: New York, NY

Address: 237 W 35th Street, 16th Floor
Zip: 10123

Email: jbellew@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
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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 401 W 207th Realty LLC, a New York State limited liability company. Jacob Kohn is a member of, and an authorized representative for 401 W 207th Realty LLC.

The contact information for the requestor is:

401 W 207th Realty LLC
Jacob Kohn, Member
40 Oser Avenue, Suite 4
Hauppauge, New York 11788
Phone: 917-846-1115
Email: kohnjacob@gmail.com
Fax: N/A

The proposed Brownfield Cleanup Program (BCP) Site is currently owned by Speedway LLC, a limited liability corporation. The Requestor is in contract to purchase the property. The current property owner has provided authorization for 401 W 207th Realty LLC to take all actions necessary to enter into and carry out the obligations of the BCP. A copy of the signed access agreement letter is included with this attachment.

The current members of 401 W 207th Realty LLC are as follows:

- Jacob Kohn
- Abraham Kohn
- Joel Kohn

A printout of the entity information from the NYS Department of State's Corporation & Business Entity Database for 401 W 207th Realty LLC is included in this attachment.

All documents will be certified by a Haley & Aldrich of New York Licensed Professional Engineer and/or 401 W 207th Realty LLC in accordance with DER-10 Section 1.5.

The Requestor certifies it is a Volunteer. The Requestor or its affiliated entities do not have, nor have they ever had a relationship with the past owners or operators of the Site that caused the existing contamination.

November 18, 2021 | 5:36 pm

COVID-19 Vaccines

Vaccine appointments are available at New York State mass vaccination sites for children ages 5- 11. Vaccines are also widely available through your child's pediatrician, family physician, local county health department, FQHC, or pharmacy.

[FIND PROVIDER >](#)

Department of State Division of Corporations

Entity Information

[Return to Results](#)[Return to Search](#)

Entity Details

**ENTITY NAME:** 401 W 207TH REALTY LLC**FOREIGN LEGAL NAME:****ENTITY TYPE:** DOMESTIC LIMITED LIABILITY COMPANY**SECTION OF LAW:** LIMITED LIABILITY COMPANY LAW - 203LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY
COMPANY LAW**DATE OF INITIAL DOS FILING:** 09/30/2021**EFFECTIVE DATE INITIAL FILING:** 09/30/2021**FOREIGN FORMATION DATE:****COUNTY:** New York**JURISDICTION:** New York, United States**DOS ID:** 6292897**FICTITIOUS NAME:****DURATION DATE/LATEST DATE OF DISSOLUTION:****ENTITY STATUS:** Active**REASON FOR STATUS:****INACTIVE DATE:****STATEMENT STATUS:** CURRENT**NEXT STATEMENT DUE DATE:** 09/30/2023**NFP CATEGORY:**[ENTITY DISPLAY](#)[NAME HISTORY](#)[FILING HISTORY](#)[MERGER HISTORY](#)[ASSUMED NAME HISTORY](#)

Service of Process Name and Address

Name: Jacob Kohn**Address:** Iconix, 40 Oser Avenue STE 4, Hauppauge, NY, United States, 11788

Chief Executive Officer's Name and Address

Name:**Address:**

Principal Executive Office 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

401 W 207th Realty LLC
40 Oser Avenue, Suite 4
Hauppauge, New York 11788

22 December 2021

Speedway LLC
500 Speedway Drive
Enon, Ohio 45323

RE: Site Access to Perform Brownfield Cleanup Program Work
401 West 207th Street, New York, New York 10034
New York County Block 2189, Lot 60

Dear Sir or Madam:

As you are aware, 401 W 207th Realty LLC will be submitting an application to the Brownfield Cleanup Program (BCP) for the property located at 401 West 207th Street, New York, New York 10034 (Tax Block 2189, Lot 60), which is currently owned by your company. As the BCP applicant, we are required to seek access to the property from the current property owner for acceptance into the BCP. In order to file the application, we need written permission from you to access the property throughout the BCP Project and to place an environmental easement on the property should one be necessary. By execution of the site access agreement letter, you are hereby acknowledging that Speedway LLC has granted site access for this purpose pursuant to the terms of the Purchase and Sale Agreement dated October 14, 2021.

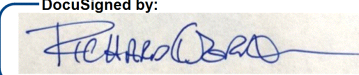
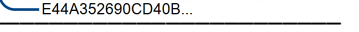
Sincerely,

401 W 207th Realty LLC

By: 
Jacob Kohn, Member

As the site owner, I agree that Speedway LLC has granted access to allow 401 W 207th Realty LLC, and its contractors, to enter 401 West 207th Street, New York, New York 10034 (Block 2189, Lot 60), which is currently owned by Speedway LLC, to perform the required BCP investigation, remediation work and/or place an environmental easement on the property should one be necessary, in accordance with the terms of the Purchase and Sale Agreement dated October 14, 2021.

Speedway LLC

DocuSigned by:

By: 
E44A352690CD40B...

Richard Ingram, Agent and Attorney-in-Fact

ATTACHMENT B

Section II: Project Description

SECTION II: PROJECT DESCRIPTION

The purpose of the project is to redevelop an underutilized and contaminated property in addition to implementing remedial measures to protect human health and the environment. The Site is currently an active retail petroleum station operated by Speedway LLC. The property is improved with two one-story buildings; one of which is utilized for storage, and the other as a commercial convenience store.

While the development plans are conceptual at this time, the planned project will consist of constructing a new residential building with an affordable housing component anticipated to be pursuant with 421-a.

The proposed project will include:

1. A remedial investigation to characterize the nature and extent of contamination and identify remedial measures
2. Demolition of the existing structures
3. Removal of underground storage tanks
4. Excavation and off-Site disposal of contaminated soil, and
5. Implementation of remedial measures, as required, in tandem with Site-wide redevelopment

According to the New York City Planning Commission Zoning Map 3a, the Site is located in a residential R8-A and R9-A district with a commercial C2-4 overlay. The proposed development of this property is consistent with the current zoning. The applicable zoning map is included as an attachment.

The Site is listed with an environmental E-Designation (E-459) – Inwood Rezoning Action, for hazardous materials, noise (window wall attenuation & alternate ventilation), and air components (HVAC limited to natural gas & exhaust stack location limitations) resulting from a City Environmental Quality Review (CEQR) effective 8 August 2018 (CEQR #10DCP024K). Satisfaction of the E-Designation requirements is subject to review and approval by the New York City Mayor's Office of Environmental Remediation (NYCOER) to obtain a Notice to Proceed (NTP) or a Notice of No Objection (NNO) prior to obtaining building permits.

The Requestor seeks to enter the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) at the investigation stage. A Phase I Environmental Site Assessment (Phase I) was completed in October 2021 and a Limited environmental Site Investigation (ESI) was completed in November to December 2021 by Haley & Aldrich of New York. The Phase I ESA and the Limited ESI letter report are included in this BCP Application in electronic format.

Upon review of the analytical results of previous subsurface investigations and the Limited ESI, the project is seeking entry into the NYSDEC BCP due to, among other things, high levels exceeding the Ambient Water Quality Standards (AWQS) cleanup criteria of benzene, toluene, ethylbenzene, and xylenes (BTEX) and petroleum-related volatile organic compounds (VOCs) in groundwater and high BTEX and VOCs soil vapor. In addition, spill case 02-01957 remains open on the Site due to high levels of BTEX, methyl tert-butyl ether (MTBE) and other petroleum constituents in groundwater. While the previous reports provided preliminary Site characterization data, they do not fully 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 RIWP simultaneously with comment upon its BCP Application.

Project Schedule

It is anticipated that, once Requestor is accepted into the BCP and the RIWP is approved by the Department, the Remedial Investigation will commence. During the investigation/remedial design phase a Change of Use and/or an Interim Remedial Measure (IRM) will be pursued to facilitate the timing requirements of the 421-a affordable housing program. Implementation of the IRM/ Change of Use is anticipated to begin 2 to 3 months following acceptance into the BCP. Implementation of the remedy would start within 6 to 8 months following acceptance of the Remedial Investigation Report by NYSDEC. It is anticipated the remedy would be completed by late 2022, with BCP close-out anticipated by mid-2023. A tentative projected schedule is below.

Task	Start	End	2021		2022												2023			
			Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	March	April
Application Execution, Permitting, Demolition, Remedial Investigation, Remedy Design	11/22/2021	6/22/2022																		
Submittal of IRM WP/ Change in Use (Inc. DEC Review)	1/1/2022	2/28/2022																		
Implement IRM WP/ Change of Use - Building Demo & Foundation Element	3/1/2022	6/15/2022																		
Remedy Implementation	7/1/2022	12/31/2022																		
Preparation of FER and SMP	12/1/2022	1/30/2023																		
NYSDEC & NYSDOH Review of FER & SMP	1/31/2023	3/17/2023																		
NYSDEC Issues COC	3/18/2023	4/17/2023																		

Notes:

FER: Final Engineering Report

IRM WP: Interim Remedial Measure Work Plan

SMP: Site Management Plan

COC: Certificate of Completion

ATTACHMENT C

Section III: Property's Environmental History

SECTION III.1: REPORTS

The following reports were prepared for the Site prior to the Requestor's application:

1. 10 December 1998, Underground Storage Tank Closure Report, prepared by EMS Environmental, Inc.
2. 14 December 1998, Site Assessment Report, prepared by EMS Environmental, Inc.
3. December 1999, Subsurface Investigation, prepared by EnviroTrac Ltd.
4. July 2001, Update Report and Remedial Action Plan, prepared by EnviroTrac Ltd.
5. 2004, First Quarterly Update Report, prepared by EnviroTrac Ltd.
6. 25 January 2009, NYSDEC Spill #02-01957 Delineation Work Plan, prepared by EnviroTrac Ltd.
7. 21 January 2019, Injection Well Installation/Injection Work Plan, prepared by EnviroTrac Ltd.
8. July 2021, Speedway LLC Update Report, prepared by EnviroTrac Ltd.
9. October 2021, Phase I Environmental Site Assessment, prepared by Haley & Aldrich of New York.
10. December 2021 Limited ESI, prepared by Haley & Aldrich of New York.

Environmental reports are summarized below and are included as separate standalone files on the attached USB.

10 December 1998 Underground Storage Tank Closure Report Prepared by EMS Environmental, Inc.

In this report, EMS Environmental Inc. summarizes the field activities and findings related to the removal of 50 underground storage tanks (USTs) from the Site. All tanks were found to be intact with no breaches or corrosion. After the USTs were inspected, the ends were cut off, cleaned, and loaded onto trucks for off-Site disposal. A total of 1,643.72 tons of contaminated soil was excavated and disposed off-Site during the tank decommissioning and subsequent new tank installation process. The soil was disposed off-Site. Spill #95-16087 was reported at the Site during the tank removal and excavation since contaminated soil was encountered surrounding the UST area.

Soil samples were collected at the base and sidewalls of the tank excavations and analytical results indicated high levels of BTEX concentrations in more than one soil sample collected.

Headspace vapor analyses of soil samples collected revealed volatile organic compound (VOC) concentrations ranging from non-detect to more than 2,000 parts per million (ppm) in more than one location.

Soil agitation tests were conducted and did not reveal the presence of free product in any of the samples collected from the Site.

14 December 1998 Site Assessment Report Prepared by EMS Environmental, Inc.

EMS Environmental, Inc. further investigated the Site subsurface to determine the nature and extent of contamination identified during the UST removal.

Fifty-two post-excavation soil samples were collected from the areas beneath and around the former UST graves and beneath the product piping runs and former dispenser islands. The highest concentration of VOCs in soil was found in samples collected from the northwest dispenser island.

Three groundwater samples were collected from monitoring wells which revealed dissolved BTEX and MTBE concentrations above NYSDEC Action Levels in all three samples collected. Free phase product was observed in groundwater monitoring wells MW-1 and MW-2. MW-1 was located north of the former tank grave containing 36 550-gallon USTs, and MW-2 was located in the eastern portion of the Site where former USTs were present.

EMS Environmental, Inc. recommended the following: installation of three additional monitoring wells to determine the off-Site extent of the hydrocarbon plume; quarterly groundwater gauging and sampling events to assess seasonal variation in groundwater flow direction and gradient; quarterly groundwater sampling events for the analysis of BTEX and MTBE and determination of hydrocarbon trends; and free-phase product bailing.

***December 1999 Subsurface Investigation
Prepared by EnviroTrac Ltd.***

EnviroTrac Ltd. conducted an investigation in response to the data provided in the Site Assessment Report prepared by EMS Environmental, Inc.

Three soil borings were installed to further delineate VOCs in soils. Soil samples were collected from each soil boring, which revealed concentrations of VOCs in each boring that exceed the NYSDEC Spill Technology and Remediation Series (STARS) Guidance Values for gasoline contaminated soils.

The formerly installed groundwater wells at the Site were developed, gauged, and gauged for the presence of free-phase product. Six of these wells were sampled and analyzed for VOCs (including MTBE). Analytical results revealed VOCs above the NYSDEC Class GA Groundwater Standards in five groundwater samples collected. The highest concentration of total BTEX was detected at 48,500 parts per billion (ppb) and the highest concentration of MTBE was detected at 800,000 ppb.

Additionally, a soil vapor extraction (SVE) field test was conducted to determine if recoverable VOCs were present in the unsaturated zone and to evaluate SVE as a potential remedial approach. Based on recoverable hydrocarbon data obtained from the pilot testing, SVE technology was deemed a viable remedial option for the subject Site.

Soil vapor discharge samples were collected and analyzed for BTEX. The highest total BTEX concentration in soil vapor samples was detected at 930 parts per million (ppm).

EnviroTrac Ltd. Recommended preparation of a Remedial Action Plan (RAP) to include SVE and air sparge (AS) technologies to remediate impacted soil and groundwater at the Site.

***July 2001 Update Report and Remedial Action Plan
EnviroTrac Ltd.***

EnviroTrac Ltd. submitted a RAP to address spill numbers 95-04685 and 97-06124 and discuss the SVE and Air Sparge (AS) system designed to remediate impacted soil and groundwater at the Site.

The report concluded that once the SVE/AS system is installed and operable, a 30-day test period would be conducted to demonstrate the system is operating as designed. Once the 30-day test period is complete, monthly operational and maintenance (O&M) events would be performed, which would include collection of well gauging data, collection of dissolved oxygen (DO) measurements, collection of air effluent samples and routine maintenance.

2004 First Quarterly Update Report

Prepared by EnviroTrac Ltd., 2004

This report summarizes the investigations and remedial actions that were conducted at the Site between December 2003 and February 2004.

The quarterly groundwater sampling of monitoring wells and SVE wells was conducted on February 9, 2004, which indicated the following: liquid-phase hydrocarbons (LPH) was encountered in MW-2; two monitoring wells were inaccessible; and two SVE wells were dry. Groundwater samples were not collected from aforementioned wells.

Analytical groundwater results indicate the following: maximum BTEX concentration detected was 51,500 ppb in SVE-4; maximum MTBE concentration detected was 84,000 ppb in SVE-4; 0.75 gallons of LPH was recovered from the wells between December 2003 and February 2004 (total of 225.15 gallons recovered to-date).

25 January 2009 NYSDEC Spill #02-01957 Delineation Work Plan

Prepared by EnviroTrac Ltd.

In response to the NYSDEC's request to further delineate the contamination and residual BTEX at the Site, EnviroTrac Ltd. submitted this letter proposing the installation of one additional monitoring well and three to four on-Site AS wells.

21 January 2019 Injection Well Installation/Injection Work Plan

Prepared by EnviroTrac Ltd.

EnviroTrac Ltd. submitted this work plan to the NYSDEC to remediate groundwater contamination at the Site. The work plan indicates installation of five injection wells to be utilized for the application of BioSolve® Pinkwater® and/or RegenOx in attempt to remediate groundwater impacts at the Site.

July 2021 Speedway LLC Update Report

Prepared by EnviroTrac Ltd.

This report summarizes the investigations and remedial actions that were conducted at the Site between January 2003 and June 2019.

As per the Injection Work Plan, which was submitted to the NYSDEC on January 21, 2019, the use of PetroCleanze™ will cease and RegenOx™ (Parts A and B) will be used to treat any residual dissolved petroleum. This change will be implemented during injection events going forward due to there being no evidence of free phase product in on-Site monitoring wells

EnviroTrac will continue with quarterly groundwater sampling, with the next sampling event scheduled for August 2021. Injections and Enhanced Fluid Recovery (EFR) events will continue as per the Injection Work Plan schedule. An Update Report summarizing these activities will be submitted to NYSDEC in October 2021.

October 2021 Phase I Environmental Site Assessment

Prepared by Haley & Aldrich of New York

Haley & Aldrich of New York prepared a Phase I ESA in October 2021 for the Site to identify Recognized Environmental Conditions (RECs) in connection with the Site. As identified in the Phase I ESA, the Site was depicted as vacant and undeveloped until the mid-1930s when several low-rise auto garages were developed. Also at this time, more than 50 550-gal. capacity USTs were identified on the Site. By the late 1960s, the formerly identified auto houses were razed and the Site was depicted as a filling station that

was partially developed with one low-rise structure and an overhead canopy covering a portion of the property. The development of the Site has not changed since the late 1960s, with the exception of a small low-rise building that was developed in the late 1960s that was utilized for auto laundry until approximately 2004 when it became a commercial convenience store. The Site has operated as an active retail petroleum station with a commercial convenience store since 2004.

The Phase I ESA identified three RECs associated with the Site related to Petroleum Contamination at the Site, Improper Storage of Unknown Materials at the Site, and the Current and Former Use of the Site as a Petroleum Filling Station/Auto-Related Facility. Additionally, one Historic Recognized Environmental Condition (HREC) was identified in connection with the Site related to Closed Spill Cases Associated with Potential Petroleum Releases at the Site. The Site has operated as a retail petroleum station since the late-1960s and prior to this, the Site operated as multiple auto-related purposes. Several spills, including Spill #02-01957, which remains open, have been reported at the Site from 1995 through 2007, due to tank test failure, gasoline affecting on-Site soil, and human error.

***December 2021 Limited Environmental Site Investigation
Prepared by Haley & Aldrich of New York***

Haley & Aldrich of New York completed a Limited Environmental Site Investigation (ESI) at the Site to investigate soil vapor and soil quality beneath the Site. The soil vapor investigation was performed on 4 November 2021 and included installation of two temporary soil vapor probes to one ft bgs and collection of soil and soil vapor samples.

Total VOC concentrations in soil vapor samples ranged from 248.78 $\mu\text{g}/\text{m}^3$ micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) in sample SV-1 to 869.89 $\mu\text{g}/\text{m}^3$ in sample SV-2. Total benzene, toluene, ethylbenzene, and xylenes (BTEX) concentrations ranged from 53.44 $\mu\text{g}/\text{m}^3$ in SV-1 to 64.32 $\mu\text{g}/\text{m}^3$ in SV-2. High BTEX and total VOCs in soil vapor are indicative of a source area and require further investigation to identify and evaluate on Site source(s).

No standard currently exists for soil vapor samples in New York State. Soil vapor analytical results were evaluated using the NYSDOH Decision Matrices A, B and C (updated May 2017) as referenced in the 2006 NYSDOH Soil Vapor Intrusion Guidance document. No VOCs included in the guidance were detected above method detection limits in any soil vapor sample collected; therefore, the NYSDOH Decision Matrices were inapplicable.

It should be noted that high method detection limits were reported for soil vapor sample SV-2. This is likely due to the fact that SV-2 was diluted in the laboratory to accommodate for the high concentration of a non-target compound that was detected in this soil vapor sample (i.e., a compound outside of the TO-15 compound list). Based on the analytical data provided, it can be stated that concentrations of TO-15 compounds do not exist at or above the method detection limits reported; however, concentrations may be present below this reported value. Non-target compounds with high detections include 2,2,4-Trimethylpentane, a known component of gasoline, at 135 $\mu\text{g}/\text{m}^3$. Additional compounds associated with solvent usage were detected above laboratory detection limits including n-hexane (221 $\mu\text{g}/\text{m}^3$), 2-butanone (83.5 $\mu\text{g}/\text{m}^3$), cyclohexane (40.3 $\mu\text{g}/\text{m}^3$) and heptane (50.8 $\mu\text{g}/\text{m}^3$).

Haley & Aldrich remobilized to the Site on 6 December 2021 to oversee Eastern Environmental Solutions advance an additional six soil borings, located at pre-cleared locations identified as B-3, B-6, B-7, B-8 and B-11, to approximately 15 ft bgs. Soil samples were collected continuously, characterized, and screened

for visual and olfactory evidence of contamination such as staining and odors. Instrumental screening for the presence of organic vapors was performed using a photoionization detector (PID). Petroleum-like odors and elevated PID readings were encountered in soils from the 8 to 15 ft bgs in all soil borings with a maximum PID reading of 2,800 parts per million (ppm). Soil samples were analyzed for VOCs, semi-volatile organic compounds (SVOCs), and total metals. Sample depth intervals were biased towards visual and olfactory evidence of impacts as well as elevated PID readings.

Multiple VOCs were detected above the RRSCOs and UUSCOs. Ethylbenzene was detected above the UUSCO of 1 mg/kg in four soil borings and above the RRSCO of 41 mg/kg in two borings (maximum detection 91 mg/kg in B-7 [13-15']). Total xylenes were detected above the UUSCO of 0.26 mg/kg in four soil borings and above the RRSCO of 100 mg/kg in two borings (maximum detection 160 mg/kg in B-7 [13-15']). 1,2,4-Trimethylbenzene was detected above the UUSCO of 3.6 mg/kg in three soil borings and above the RRSCO of 52 mg/kg in two borings (maximum detection 230 mg/kg in B-3 [13-15']). 1,3,5-Trimethylbenzene was detected above the UUSCO of 8.4 mg/kg in two soil borings and above the RRSCO of 52 mg/kg in one boring, B-3 (13-15') at 56 mg/kg. Benzene (maximum detection 3.3 mg/kg), toluene (maximum detection 2.9 mg/kg), naphthalene (maximum detection 20 mg/kg) and n-propylbenzene (maximum detection 35 mg/kg) were detected in multiple borings throughout the site above the UUSCOs of 0.06 mg/kg, 0.7 mg/kg, 12 mg/kg and 2.9 mg/kg, respectively. One SVOC, naphthalene, was detected above the UUSCO of 12 mg/kg in two samples at the site, including B-3 (13-15') at 56 mg/kg and B-8 (8-10') at 12 mg/kg. Metals were not detected in the soil samples at concentrations exceeding the UUSCOs or RRSCOs.

High BTEX and detections of non-target compounds in soil vapor detailed above are indicative of a source associated with gasoline and solvents. Further, elevated PID readings and VOC analytical results above RRSCOs were observed in soil samples collected from 13 to 15 ft bgs in B-3, located southwest of the tank field, and B-7, located in the center of the pump island, which are indicative of potential widespread contamination as a result of the gasoline station operations.

SECTION III.2: Sampling Data

Analytical data summary tables are included below that present sampling data from the Speedway LLC Update Report completed in July 2021 by EnviroTrac and the Limited Environmental Site Investigation Summary Report completed in December 2021 by Haley & Aldrich. All other previous reports are included as attachments to the October 2021 Phase I ESA. The findings of the analytical reports from the prior investigation is summarized below:

Groundwater:

Groundwater results were compared to NYSDEC 6NYCRR Part 703.5 Class GA AWQS. The most recent quarterly groundwater monitoring event was conducted by EnviroTrac on 28 May 2021. Several petroleum-related VOCs were detected above AWQS standards including benzene (maximum concentration 937 µg/L), n-butylbenzene (maximum concentration 21.2 µg/L), sec-butylbenzene (maximum concentration 18.4 µg/L), ethylbenzene (maximum concentration 519 µg/L), isopropylbenzene (maximum concentration 139 µg/L), naphthalene (maximum concentration 128 µg/L), n-propylbenzene (maximum concentration 350 µg/L), toluene (maximum concentration 1,590 µg/L), 1,2,4-trimethylbenzene (maximum concentration 531 µg/L), 1,3,5-trimethylbenzene (maximum concentration 87.2 µg/L), m,p-xylenes (maximum concentration 1990 µg/L), o-xylenes (maximum concentration 1030 µg/L).

Soil Vapor:

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

- SV-1: 53.44 µg/m³
- SV-2: 64.32 µg/m³

High BTEX and VOCs in soil vapor are indicative of a source area and require further investigation to identify and evaluate on Site source(s).

Tables summarizing analytical results are attached. Please also refer to the attached USB drive containing all other previous environmental reports.

Soil:

Soil analytical results were compared to NYSDEC Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (NYCRR) Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs) and Restricted-Residential Use Soil Cleanup Objectives (RRSCOs).

Multiple VOCs were detected above the RRSCOs and UUSCOs. Ethylbenzene was detected above the UUSCO of 1 mg/kg in four soil borings and above the RRSCO of 41 mg/kg in two borings (maximum detection 91 mg/kg in B-7 [13-15']). Total xylenes were detected above the UUSCO of 0.26 mg/kg in four soil borings and above the RRSCO of 100 mg/kg in two borings (maximum detection 160 mg/kg in B-7 [13-15']). 1,2,4-Trimethylbenzene was detected above the UUSCO of 3.6 mg/kg in three soil borings and above the RRSCO of 52 mg/kg in two borings (maximum detection 230 mg/kg in B-3 [13-15']). 1,3,5-Trimethylbenzene was detected above the UUSCO of 8.4 mg/kg in two soil borings and above the RRSCO of 52 mg/kg in one boring, B-3 (13-15') at 56 mg/kg. Benzene (maximum detection 3.3 mg/kg), toluene

(maximum detection 2.9 mg/kg), naphthalene (maximum detection 20 mg/kg) and n-propylbenzene (maximum detection 35 mg/kg) were detected in multiple borings throughout the site above the UUSCOs of 0.06 mg/kg, 0.7 mg/kg, 12 mg/kg and 2.9 mg/kg, respectively.

One SVOC, naphthalene, was detected above the UUSCO of 12 mg/kg in two samples at the site, including B-3 (13-15') at 56 mg/kg and B-8 (8-10') at 12 mg/kg.

Tables summarizing analytical results are attached. Please also refer to the attached USB drive containing all other previous environmental reports.

Section III.2: Sampling Data

Analytical Results Summary Tables

Table 1: Groundwater Summary Table

Analytes > AWQS	Detections > AWQS	Max. Detection (µg/L)	AWQS (µg/L)
Benzene	5	937	1
n-Butylbenzene	3	21.2	5
Sec-Butylbenzene	2	18.4	5
Ethylbenzene	4	519	5
Isopropylbenzene	5	139	5
Naphthalene	2	128	10
n-Propylbenzene	5	350	5
Toluene	2	1590	5
1,2,4-Trimethylbenzene	3	531	5
1,3,5-Trimethylbenzene	1	87.2	5
m,p-Xylenes	5	1990	5
o-Xylenes	4	1030	5

Notes:

AWQS = 6NYCRR Part 703.5 NYSDEC Ambient Water Quality Standards

µg/L = Milligram per liter

Table 2: Soil Vapor Summary

Analytes	Total Detections	Max. Detection (µg/m³)	NYSDOH AGV (µg/m³)	Type
Total BTEX	2	64.32	-	Soil Vapor

Notes:

AGV = Air Guidance Value

BTEX = Benzene, toluene, ethylbenzene, xylenes

Ft bgs = Feet below grade surface

NYSDOH = New York State Department of Health

ppm= Parts per million

µg/m³ = Microgram per cubic meter

Table 3: Soil Summary

Analytes > RRSCOs	Detections > RRSCOs	Max. Detection (mg/kg)	RRSCO (mg/kg)	Depth (ft bgs)
Ethylbenzene	2	91	41	13-15
Total Xylenes	2	160	100	13-15
1,3,5-Trimethylbenzene	1	56	52	13-15
1,2,4-Trimethylbenzene	2	230	52	13-15

Notes:

RRSCO = Restricted Residential Soil Cleanup Objective

Ft bgs = Feet below grade surface

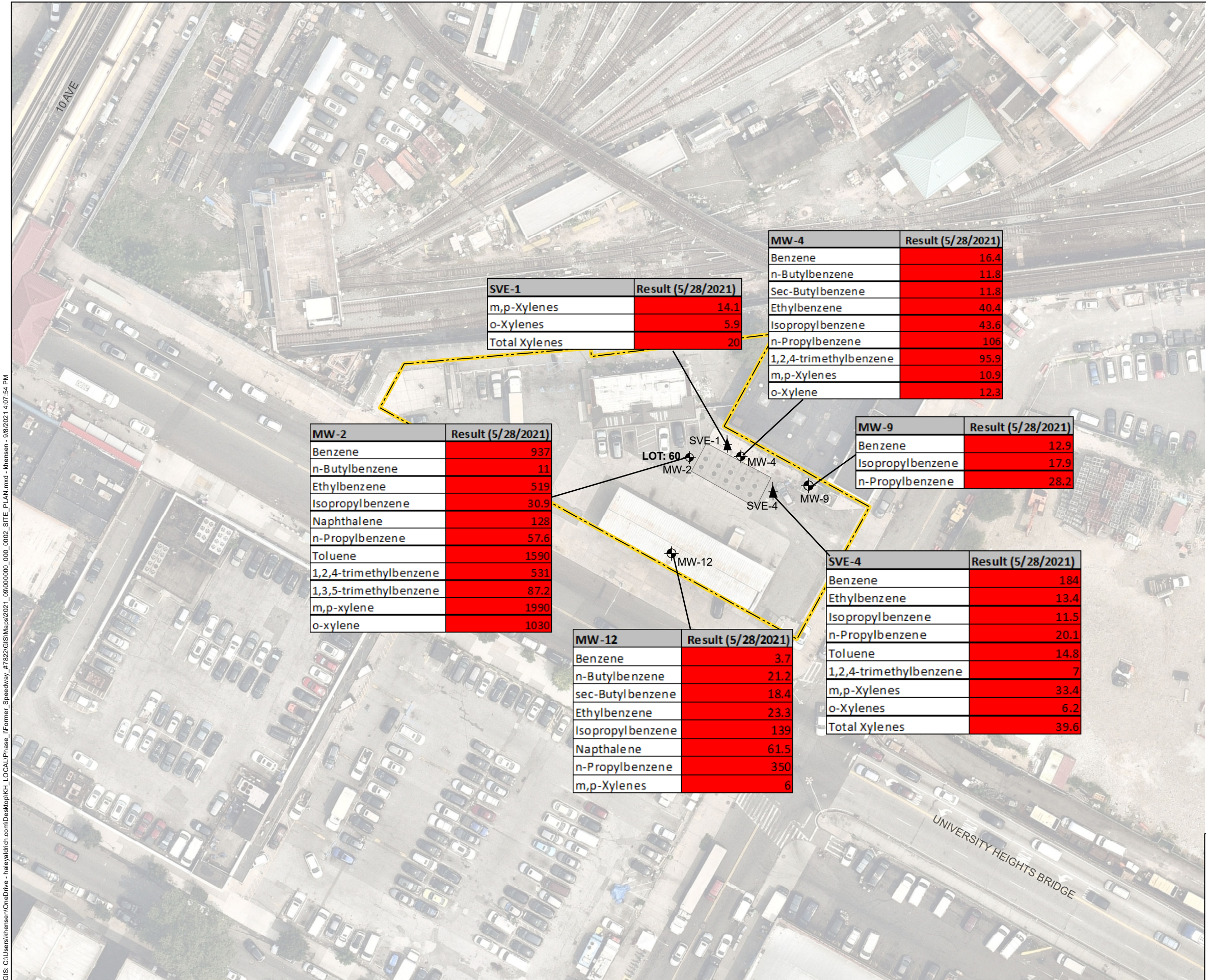
Mg/kg = milligram/kilogram

SECTION III.3: SAMPLING DATA

For impacted groundwater, a Figure is attached below that depicts the information requested in Section III.3 of the Application form. Data presented on these figures is limited to exceedances of the applicable SCGs for restricted residential use.

Figures from previous subsurface investigations for impacted medium which includes all information requested in Application Section III.3 (Figure 1-3)

GIS: C:\Users\krsen\OneDrive - halevaldrich.com\Desktop\KH_LOCAL\Phase_1\Fomer_Speedway_#7822\GIS\Mapa2021_09\000000_000_0002_SITE_PLAN.mxd - krsen - 9/8/2021 4:07:54 PM



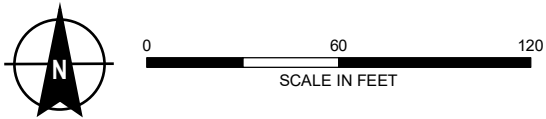
LEGEND

- BLOCK 2189 SITE BOUNDARY
- APPROXIMATE LOCATION OF UNDERGROUND STORAGE TANKS
- APPROXIMATE GROUNDWATER MONITORING WELL LOCATION
- APPROXIMATE SOIL VAPOR EXTRACTION POINT LOCATION

NOTES

- ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
- ASSESSOR PARCEL DATA SOURCE: KINGS COUNTY
- AERIAL IMAGERY SOURCE: NEARMAP, 22 JULY 2021

New York TOGS 111 Ambient Water Quality Standards		
Analyte	Units	NY-AWQS
Benzene	µg/L	1
n-Butylbenzene	µg/L	5
sec-Butylbenzene	µg/L	5
Ethylbenzene	µg/L	5
Isopropylbenzene	µg/L	5
Napthalene	µg/L	10
n-Propylbenzene	µg/L	5
Toluene	µg/L	5
1,2,4-Trimethylbenzene	µg/L	5
1,3,5-Trimethylbenzene	µg/L	5
n-Propylbenzene	µg/L	5
m,p-Xylenes	µg/L	5
o-Xylenes	µg/L	5
MTBE	µg/L	10



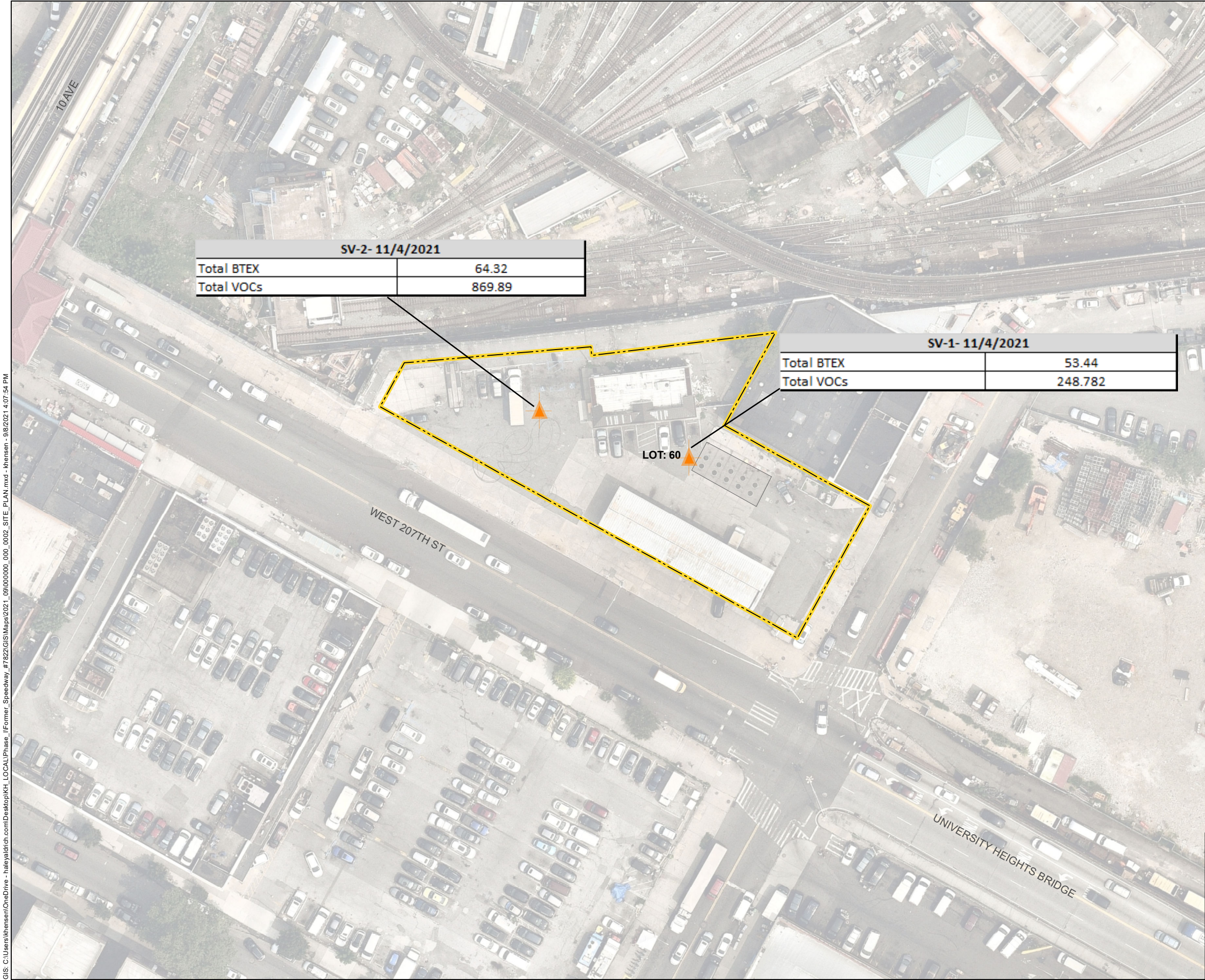
HALEY
ALDRICH

401 WEST 207TH STREET
NEW YORK, NEW YORK

MAP OF GROUNDWATER CHEMISTRY

OCTOBER 2021

FIGURE 1



LEGEND

- SITE BOUNDARY
- APPROXIMATE LOCATION OF UNDERGROUND STORAGE TANKS
- SOIL VAPOR SAMPLE LOCATION

SPEEDWAY SPECIFIC NOTES

- 1. GPR Survey performed by GPRS, Inc. on 28 October 2021.
- 2. Primary utility connections are from the storage shed to the kiosk.

NOTES

- 1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
- 2. ASSESSOR PARCEL DATA SOURCE: KINGS COUNTY
- 3. AERIAL IMAGERY SOURCE: NEARMAP, 22 JULY 2021



0 60 120
SCALE IN FEET

HALEY
ALDRICH

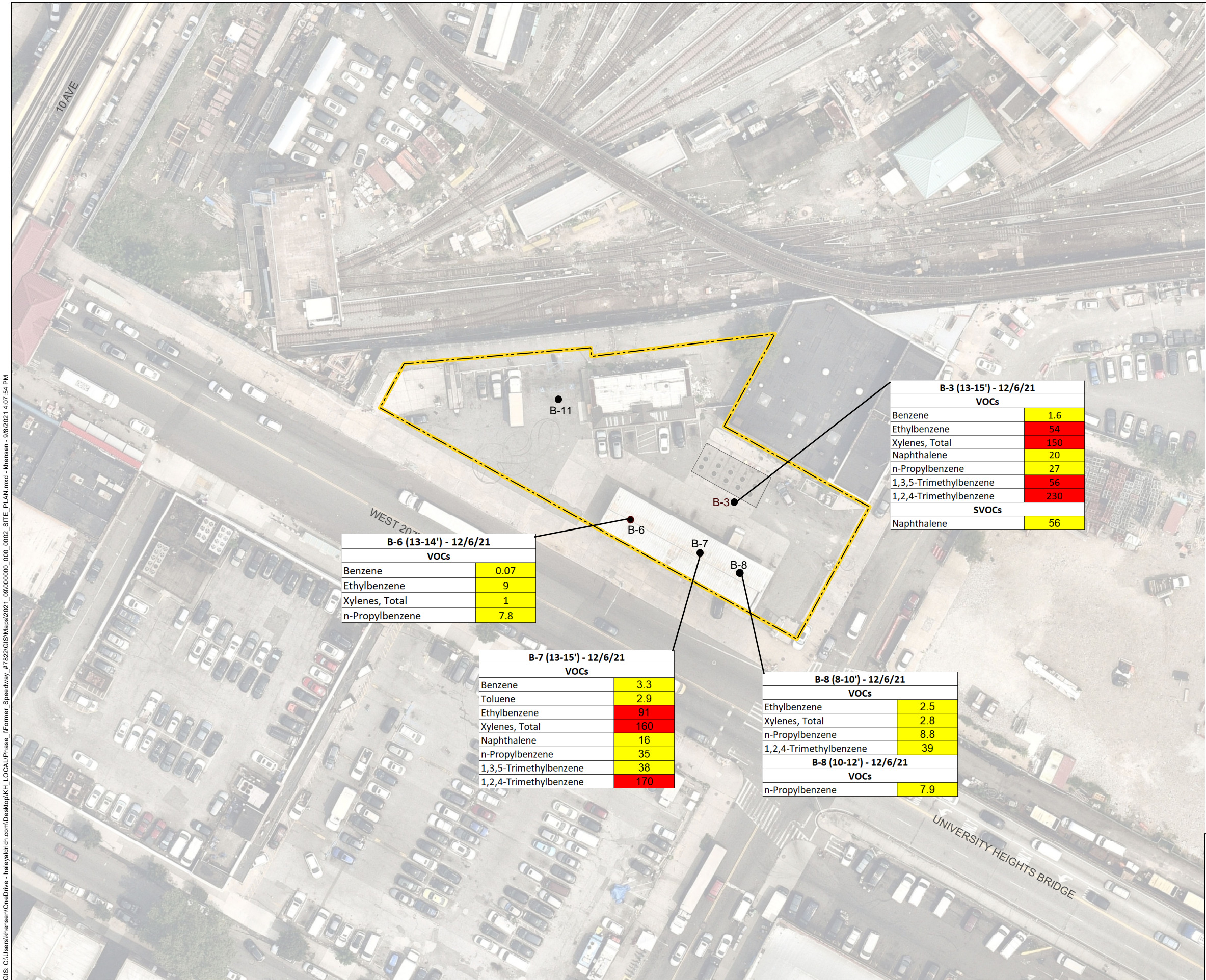
SPEEDWAY #7822 401
WEST 207TH STREET NEW
YORK, NEW YORK

SOIL VAPOR CHEMISTRY MAP

OCTOBER 2021

FIGURE 2

GIS: C:\Users\kensen\OneDrive - haleyaldrich.com\Desktop\KH_LOCAL\Phase_II\Fomer_Speedway_#7822\GIS\Maps\2021_09\0000000_000_0002_SITE_PLAN.mxd - kensen - 9/8/2021 4:07:54 PM



LEGEND

- BLOCK 2189 SITE BOUNDARY
- APPROXIMATE LOCATION OF UNDERGROUND STORAGE TANKS
- BORING LOCATION

NYCRR Part 375 Unrestricted and Restricted-Residential SCOs			
Analyte	Units	NY-RESRR	NY-UNRES
Benzene	mg/kg	4.8	0.06
Toluene	mg/kg	100	0.7
Ethylbenzene	mg/kg	41	1
Xylenes, Total	mg/kg	100	0.26
Naphthalene	mg/kg	100	12
n-Propylbenzene	mg/kg	100	3.9
1,3,5-Trimethylbenzene	mg/kg	52	8.4
1,2,4-Trimethylbenzene	mg/kg	52	3.6

NOTES

- ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
- ASSESSOR PARCEL DATA SOURCE: KINGS COUNTY
- AERIAL IMAGERY SOURCE: NEARMAP, 22 JULY 2021
- CONCENTRATIONS IN MG/KG

HALEY
ALDRICH

FORMER SPEEDWAY #7822
401 WEST 207TH STREET
NEW YORK, NEW YORK

SOIL CHEMISTRY MAP

DECEMBER 2021

FIGURE 3

SECTION III.4: PAST LAND USES

The Site was depicted as vacant and undeveloped until the mid-1930s when several low-rise auto garages were developed. Also at this time, more than 50 550-gal. capacity USTs were identified on the Site. By the late 1960s, the formerly identified auto houses were razed and the Site was depicted as a filling station that was partially developed with one low-rise structure and an overhead canopy covering a portion of the property. The development of the Site has not changed since the late 1960s, with the exception of a small low-rise building that was developed in the late 1960s that was utilized for auto laundry until approximately 2004 when it became a commercial convenience store. The Site has operated as an active retail petroleum station with a commercial convenience store since 2004.

ATTACHMENT D

Section IV: PROPERTY INFORMATION

SECTION IV: PROPERTY DESCRIPTION NARRATIVE

Site Location

The Site's address is 401 West 207th Street, New York, NY 10034. The Site is located in New York County, New York and is identified as Block 2189, Lot 60.

The Site is located in an urban commercial/industrial area of the Inwood neighborhood of New York, NY on the north side of West 207th Street between 9th and 10th Avenue and approximately 0.1 miles west of the Harlem River. The Site is bounded by the New York City Transit (NYCT) yard to the north and west, Ninth Avenue followed by a vacant lot to the east, and West 207th Street followed by a vacant commercial building to the south.

A Site location map is included in Figure 4. An aerial photograph of the Site is included in Figure 5. A tax map of the Site and surrounding properties is included as Figure 6. A surrounding land use map is included as Figure 7.

Site Features

The Site is 0.63 acres in size and is improved with two buildings; one of which is utilized for storage and the other as a commercial convenience store.

Current Zoning and Land Use

The Site is currently an active retail petroleum station that is zoned R8-A and R9-A for residential use with a commercial C2-4 overlay. The surrounding properties are currently used for commercial, residential, and manufacturing/transportation purposes. The nearest residential buildings are located south of the Site on West 206th Street. The proposed development of this property is consistent with the current zoning.

As a result of the CEQR process, Block 2189 Lot 60 was assigned an environmental E-Designation (E-459) – Inwood Rezoning Action, for hazardous materials, noise (window wall attenuation & alternate ventilation), and air components (HVAC limited to natural gas & exhaust stack location limitations) resulting from a City Environmental Quality Review (CEQR) effective 8 August 2018 (CEQR #10DCP024K). Satisfaction of the E-Designation requirements is subject to review and approval by the New York City Mayor's Office of Environmental Remediation (NYCOER) to obtain a Notice to Proceed (NTP) or a Notice of No Objection (NNO) prior to obtaining building permits.

Past Land Use

The Site was vacant and undeveloped until the mid-1930s, from the mid-1930s to the late-1960s, the Site operated as auto-garages and various auto-related purposes, from the late-1960s through the present, the Site operated as a gasoline filling station. Additionally, an auto-laundry facility was utilized from the late-1960s until approximately 2004 when it became a commercial convenience store. The Site remained unchanged since 2004 and actively operates as a filling station.

Records for historic bulk petroleum storage (PBS No. 2-297453) include a total of 51 current/former USTs listed in the database. Thirty-eight 550-gallon, four 2,000-gallon, and four 4,000-gallon USTs have been closed and removed. There are five 4,000-gallon gasoline/ethanol USTs that are currently in use at the Site. Several spills have been reported at the Site between 1995 and 2007 due to tank test failure, gasoline affecting on-Site soil, and human error. In 1998, a total of 1,643.72 tons of petroleum-impacted soil was removed from the Site. Data collected in December 1998 (following soil removal) indicates

concentrations of VOCs in soils above non-detect limits. Spill #02-01957 was assigned 23 May 2002 to consolidate various spill cases linked to the Site assigned between 1995 to 2002 and to address petroleum contamination remaining in soil, groundwater, and soil vapor following the tank removal. This Spill case remains open. The updated PBS record and spill records provided by NYSDEC are included as attachments.

Site Geology and Hydrogeology

Based on previous Site investigations, the stratigraphy of the Site, from the surface down, consists primarily of fill material consisting of brown silty sand with gravel extending to at least 6 ft bgs underlain by fine to coarse sand with gravel. Bedrock is anticipated at a depth of approximately 20-80 ft bgs and consists primarily of the metamorphic Cambrian-Ordovician Inwood Marble formation. Groundwater was encountered at approximately 9-11 ft bgs and groundwater flow is to the east towards the Harlem River.

SECTION IV.3: EN-ZONE

The Site is located in New York County Census Tract 299, which is EnZone Type A because the poverty rate is 31.4%. The Requestor, therefore, seeks a determination that the Site is eligible for tangible property tax credits.

SECTION IV.5: ENVIRONMENTAL ASSESSMENT

Based on the previous reports, it has been determined that the primary contaminants of concern for the Site are petroleum-related VOCs in soil vapor, groundwater and soil. Additional investigation is necessary to fully characterize and delineate the Site contamination. A summary of findings from the 28 May 2021 groundwater monitoring event performed by EnviroTrac and the Limited ESI conducted by Haley & Aldrich on 4 November 2021 and 6 December 2021 is provided below. A summary analytical data results are provided in Section III.2 and laboratory reports are included in the attached USB drive.

Groundwater:

Groundwater results were compared to NYSDEC 6NYCRR Part 703.5 Class GA Ambient Water Quality Standards (AWQS). The most recent quarterly groundwater monitoring event was conducted by EnviroTrac on 28 May 2021. Several petroleum-related VOCs were detected above AWQS standards including benzene (maximum concentration 937 µg/L), n-butylbenzene (maximum concentration 21.2 µg/L), sec-butylbenzene (maximum concentration 18.4 µg/L), ethylbenzene (maximum concentration 519 µg/L), isopropylbenzene (maximum concentration 139 µg/L), naphthalene (maximum concentration 128 µg/L), n-propylbenzene (maximum concentration 350 µg/L), toluene (maximum concentration 1,590 µg/L), 1,2,4-trimethylbenzene (maximum concentration 531 µg/L), 1,3,5-trimethylbenzene (maximum concentration 87.2 µg/L), m,p-xylenes (maximum concentration 1990 µg/L), o-xylenes (maximum concentration 1030 µg/L).

Soil Vapor:

Total benzene, toluene, ethylbenzene, and xylenes (BTEX) concentrations ranged from 53.44 µg/m³ in SV-1 to 64.32 µg/m³ in SV-2. High BTEX and VOCs in soil vapor are indicative of a source area and require further investigation to identify and evaluate on Site source(s).

It should be noted that high method detection limits were reported for soil vapor sample SV-2. This is likely due to the fact that SV-2 was diluted in the laboratory to accommodate for the high concentration of a non-target compound that was detected in this soil vapor sample (i.e., a compound outside of the TO-15 compound list). Based on the analytical data provided, it can be stated that concentrations of TO-15 compounds do not exist at or above the method detection limits reported; however, concentrations may be present below this reported value. Non-target compounds with high detections include 2,2,4-Trimethylpentane, a known component of gasoline, at 135 $\mu\text{g}/\text{m}^3$. Additional compounds associated with solvent usage were detected above laboratory detection limits including n-hexane (221 $\mu\text{g}/\text{m}^3$), 2-butanone (83.5 $\mu\text{g}/\text{m}^3$), cyclohexane (40.3 $\mu\text{g}/\text{m}^3$) and heptane (50.8 $\mu\text{g}/\text{m}^3$). Detections of these compounds are indicative of a source associated with gasoline and solvents not identified due to constraints of invasive testing at the Site. Based on available data, it does not appear there are off-site impacts related to this site.

Soil:

Multiple VOCs were detected above the RRSCOs. Ethylbenzene was detected above the RRSCO of 41 mg/kg in two borings (maximum detection 91 mg/kg in B-7 [13-15']). Total xylenes were detected above the RRSCO of 100 mg/kg in two borings (maximum detection 160 mg/kg in B-7 [13-15']). 1,2,4-Trimethylbenzene was detected above the RRSCO of 52 mg/kg in two borings (maximum detection 230 mg/kg in B-3 [13-15']) and 1,3,5-Trimethylbenzene was detected above the RRSCO of 52 mg/kg in one boring, B-3 (13-15') at 56 mg/kg.

SECTION IV.6: NYSDEC SPILLS ASSOCIATED WITH PROPERTY

Spill #97-06124 (Reported 20 August 1997, Closed 20 April 2007): This spill was reported at the Site due to a tank test failure. NYSDEC closed the spill on 30 June 2004, however this spill case was reassigned under Spill #02-01957 (details below) to address remaining petroleum contamination at the Site.

Spill #00-10612 (Reported 21 December 2000, Closed 9 December 2003): This spill was reported at the Site due to human error when a worker drilled through a product dispensing pipeline. Approximately 5 gallons of product was cleaned up. NYSDEC closed the spill on 9 December 2003, however this spill case was reassigned under Spill #97-06124 (details above) to further investigate remaining petroleum contamination at the Site.

Spill #95-16087 (Reported 15 March 1996, Closed 9 December 2003): This spill case was reported at the Site when contaminated soil was encountered during the removal of 50 underground storage tanks (USTs) from the Site by EMS Environmental, Inc. in March 1996. A total of 1,643.72 tons of contaminated soil was excavated and disposed off-Site during the tank decommissioning and subsequent new tank installation process. Soil samples collected at the base and sidewalls of the tank excavations indicated high levels of benzene, toluene, ethylbenzene, and xylenes (BTEX) concentrations in more than one soil sample collected. Additionally, headspace vapor analyses of soil samples collected revealed volatile organic compound (VOC) concentrations ranging from non-detect to more than 2,000 parts per million (ppm) in more than one location. NYSDEC closed the spill on 9 December 2003, however this spill case was reassigned under Spill #97-06124 (details above) to further investigate remaining petroleum contamination at the Site.

Spill #95-04685 (Reported 1 February 1995, Closed 9 December 2003): This spill case was assigned to the Site when samples collected for a dewatering permit indicated the presence of gasoline. NYSDEC closed

the spill on 9 December 2003, however this spill case was reassigned under Spill #97-06124 (details above) to further investigate remaining petroleum contamination at the Site.

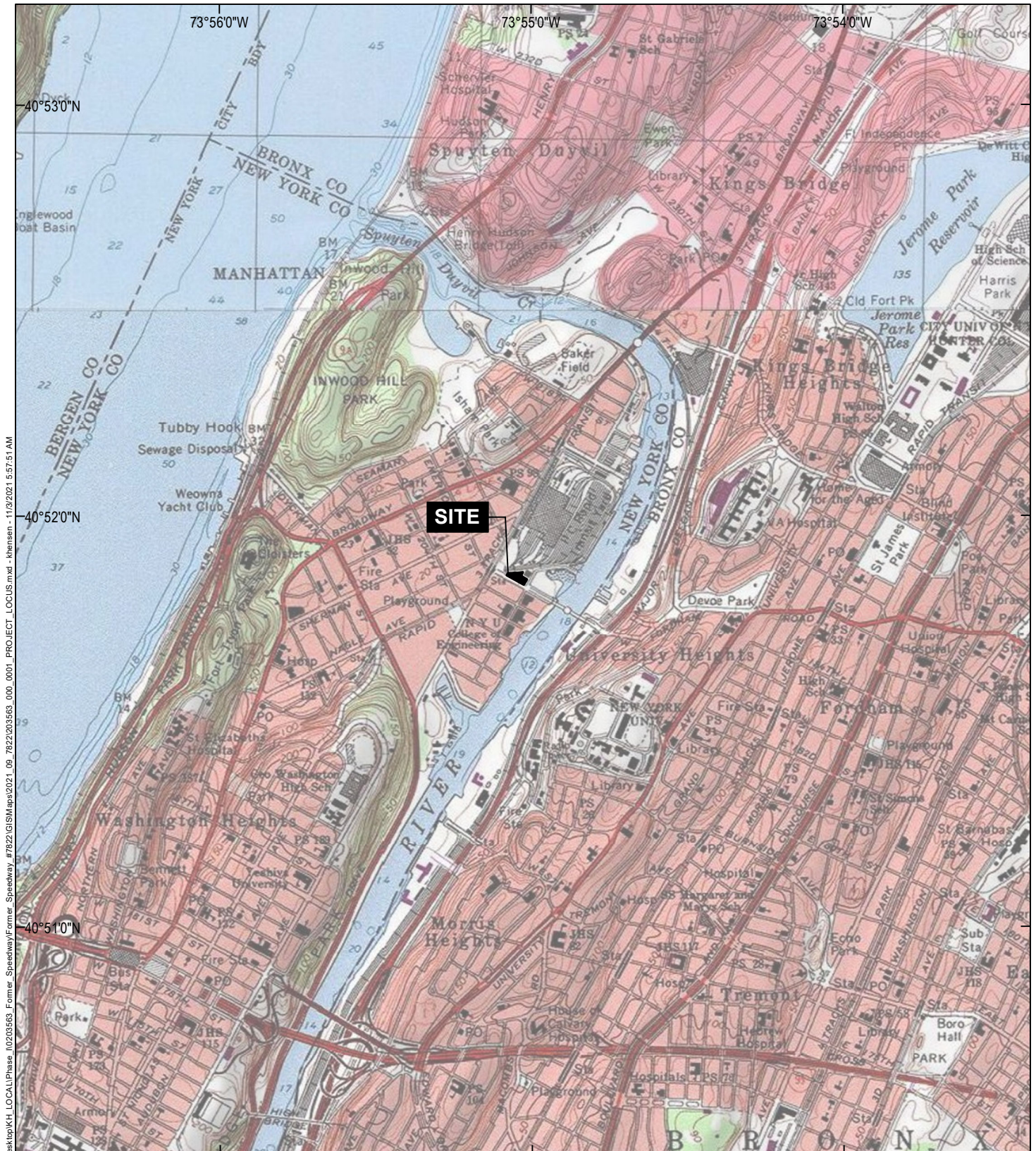
Spill #02-06149 (Reported 13 September 2002, Closed 3 April 2003): This spill case was reported at the Site due to fuel leaking from a submersible turbine pump sump resulting in a spill of approximately 20 gallons of gasoline. Appropriate repairs were made to the sump and the remote fill line and NYSDEC closed the spill on 3 April 2003.

Spill #07-00699 (Reported 18 April 2007, Closed 21 June 2007): This spill case was assigned to the Site when petroleum contaminated soil was encountered while digging a trench for the installation of a sewer line in front of the gas station. Contaminated soil was not used as backfill and NYSDEC closed the spill on 21 June 2007. However, this spill case was reassigned under Spill #02-01957 (details below) to address remaining petroleum contamination at the Site.

Spill #13-09515 (Reported 30 December 2013, Closed 9 January 2014): This spill case was assigned to the Site due to equipment failure. A flex line was found to be leaking beneath a dispenser and approximately 5 gallons of gasoline was cleaned from the spill. NYSDEC closed the spill on 9 January 2014 requiring no further investigation.

Spill #18-04462 (Reported 25 July 2018, Closed 1 August 2018): This spill case was assigned to the Site due to equipment failure. Water was discovered in a tank with an unknown entry point. The tank was out of service until further investigation could be performed and NYSDEC closed the spill on 1 August 2018.

Spill #02-01957 (Reported 23 May 2002, remains open): This spill case was assigned to consolidate various spill cases linked to the Site as well as address the unknown quantity of gasoline affecting soil. In 2002, contamination was observed, in the form of free product, in a trench excavation located downgradient of the Site. An SVE/AS was installed in 2003 as an interim remedial measure; and, in 2007, remedial investigation commenced to further investigate the contamination and light non-aqueous phase liquid (LNAPL) present at the Site. Additional monitoring wells were installed, and groundwater samples were collected on a quarterly basis to monitor the presence of BTEX, MTBE and other petroleum constituents in groundwater. High levels of these contaminants were reported in groundwater samples collected throughout this investigation. In 2019, injection wells were installed at the Site and additional remedial measures were implemented, which include: routine chemical groundwater injections of RegenOx (since 2019); and Enhanced Fluid Recovery (EFR) events. The regulatory database indicates that quarterly groundwater sampling events, chemical injections and ERF events will continue.



GIS: C:\Users\Whensen\OneDrive - HaleyAldrich.com\Desktop\KH_LOCAL\Phase 1\0203563_Fomer_Speedway\Fomer_Speedway\Former_Speedway_#7822\GISMap2021_09_7822\03563_000_0001_PROJECT_LOCUS.mxd - Whensen - 11/3/2021 5:57:51 AM



MAP SOURCE: USGS
SITE COORDINATES: 40°51'51"N, 73°55'02"W

**HALEY
ALDRICH**

FORMER SPEEDWAY #7822
401 WEST 207TH STREET
NEW YORK, NEW YORK

PROJECT LOCUS

APPROXIMATE SCALE: 1 IN = 2000 FT
NOVEMBER 2021

FIGURE 4

C:\Users\kensen\OneDrive - haleyaldrich.com\Desktop\KH_LOCAL\Phase_II\Former_Speedway_#782\GIS\Maps\2021_09\0000000_000_0002_SITE_PLAN.mxd - kensen - 9/8/2021 4:07:54 PM



LEGEND



BLOCK 2189 SITE BOUNDARY



APPROXIMATE LOCATION OF UNDERGROUND STORAGE TANKS

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL DATA SOURCE: KINGS COUNTY
3. AERIAL IMAGERY SOURCE: NEARMAP, 22 JULY 2021
4. UST - UNDERGROUND STORAGE TANK



0 60 120
SCALE IN FEET

**HALEY
ALDRICH**

401 WEST 207TH STREET
NEW YORK, NY 10034

SITE PLAN



OCTOBER 2021

FIGURE 5

GIS: C:\Users\khensen\OneDrive - haleyaldrich.com\Desktop\KH_LOCAL\Phase_1\0203563_Former_Speedway\Former_Speedway_Figure_6_TAX_MAP.mxd - khensen - 10/21/2021 8:56:19 AM



LEGEND

-  BLOCK 2189 SITE BOUNDARY
-  TAX LOT BOUNDARY

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL DATA SOURCE: KINGS COUNTY
3. AERIAL IMAGERY SOURCE: NEARMAP, 22 JULY 2021



0 60 120
SCALE IN FEET

**HALEY
ALDRICH**

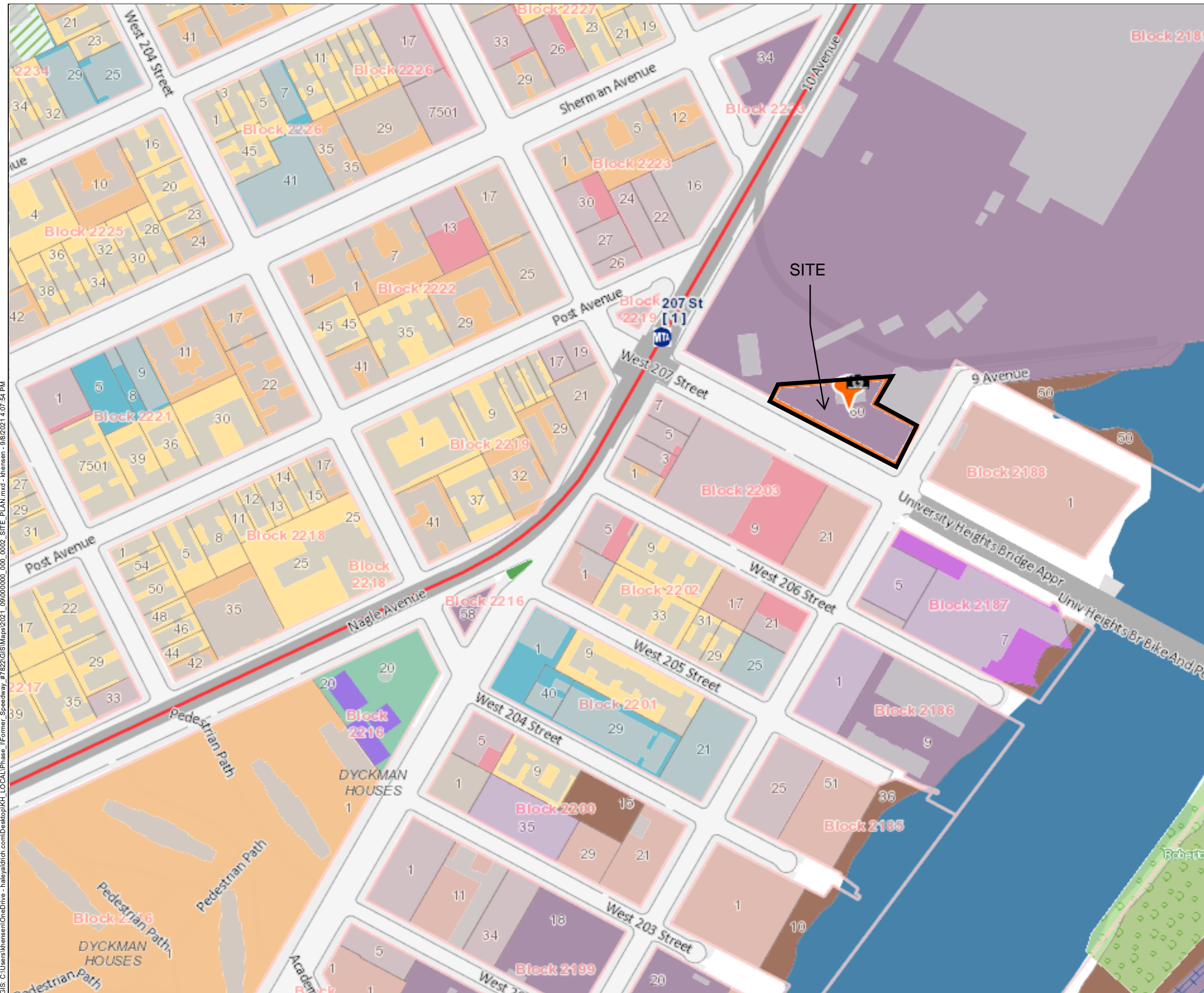
401 WEST 207TH STREET
NEW YORK, NY 10034

TAX MAP

OCTOBER 2021

FIGURE 6

C:\Users\kensen\OneDrive - haleyaldrich.com\Desktop\KH_LOCAL\Phase_1\Fomer_Speedway_#7820\GIS\Map2021_09\000000_00_002 SITE_PLAN.mxd - kensen - 9/8/2021 4:07:54 PM



LEGEND:

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

HALEY
ALDRICH

401 WEST 207TH STREET
NEW YORK, NY 10034

SURROUNDING LAND USE MAP

OCTOBER 2021

FIGURE 7



PBS Number
2-297453

New York State Department of Environmental Conservation
PETROLEUM BULK STORAGE CERTIFICATE
625 Broadway, 11th Floor, Albany, NY 12233-7020 Phone: 518-402-9553

Region 2 NYSDEC - PBS Unit
One Hunters Point Plaza, 1st Floor
47-40 21st Street, L.I. City, NY 11101-6454
(718) 482-6454

<u>TANK NUMBER</u>	<u>TANK LOCATION</u>	<u>DATE INSTALLED</u>	<u>TANK TYPE</u>	<u>PRODUCT STORED</u>	<u>CAPACITY (GALLONS)</u>	<u>DATE LAST TESTED</u>	<u>TESTING DUE DATE</u>
046	Underground	04/01/1996	Fiberglass Reinforced Plastic (FRP)	Gasoline/Ethanol	4,000		
047	Underground	04/01/1996	Fiberglass Reinforced Plastic (FRP)	Gasoline/Ethanol	4,000		
048	Underground	04/01/1996	Fiberglass Reinforced Plastic (FRP)	Gasoline/Ethanol	4,000	08/01/1997	
049	Underground	04/01/1996	Fiberglass Reinforced Plastic (FRP)	Gasoline/Ethanol	4,000	08/01/1997	
050	Underground	04/01/1996	Fiberglass Reinforced Plastic (FRP)	Diesel	4,000	08/01/1997	

* Aboveground tanks require monthly visual inspections and may need documented internal inspections as described in 6 NYCRR Part 613

OWNER:
HESS CORPORATION
1 HESS PLAZA
WOODBIDGE, NJ 07095

SITE:
HESS 32517
401 WEST 207TH STREET @ 9TH AVE.
NEW YORK, NY 10034

ON-SITE HESS CORP.
OPERATOR: (732) 750-6000
**PRIMARY
OPERATOR:**
EMERGENCY HESS CORP.
CONTACT: (732) 750-6000

ISSUED BY: Commissioner
Joe Martens
PBS NUMBER: 2-297453
DATE ISSUED: 03/16/2010
EXPIRATION DATE: 05/23/2015
FEE PAID: \$500.00

MAILING CORRESPONDENCE:

JANICE FLAHERTY
HESS CORP.
1 HESS PLAZA
WOODBIDGE, NJ 07095

As an authorized representative of the above named facility, I affirm under penalty of perjury that the information displayed on this form is correct to the best of my knowledge. Additionally, I recognize that I am responsible for assuring that this facility is in compliance with all sections of 6 NYCRR Parts 612, 613 and 614, and applicable sections of 6 NYCRR Subpart 374-2 (used oil tanks only), not just those cited below:

- The facility must be re-registered if there is a transfer of ownership.
- The Department must be notified within 30 days prior to adding, replacing, reconditioning, or permanently closing a stationary tank.
- The facility must be operated in accordance with the code for storing petroleum, 6NYCRR Part 613.
- Any new facility or substantially modified facility must comply with 6NYCRR Part 614.
- **This certificate must be signed and posted on the premises at all times.** Posting must be at the tank, at the entrance of the facility, or the main office where the storage tanks are located.
- Any person with knowledge of a spill, leak or discharge must report the incident to DEC within two hours (1-800-457-7362).

Signature of Representative/ Owner

Date

Name and Title of Authorized Representative/Owner (Please Print)



PBS Number
2-297453

New York State Department of Environmental Conservation
PETROLEUM BULK STORAGE CERTIFICATE
625 Broadway, 11th Floor, Albany, NY 12233-7020 Phone: 518-402-9553

Region 2 NYSDEC - PBS Unit
One Hunters Point Plaza, 1st Floor
47-40 21st Street, L.I. City, NY 11101-6454
(718) 482-6454

<u>TANK NUMBER</u>	<u>TANK LOCATION</u>	<u>DATE INSTALLED</u>	<u>TANK TYPE</u>	<u>PRODUCT STORED</u>	<u>CAPACITY (GALLONS)</u>	<u>DATE LAST TESTED</u>	<u>TESTING DUE DATE</u>
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048	Underground	04/01/1996	Fiberglass Reinforced Plastic (FRP)	Gasoline/Ethanol	4,000	08/01/1997	
049	Underground	04/01/1996	Fiberglass Reinforced Plastic (FRP)	Gasoline/Ethanol	4,000	08/01/1997	
050	Underground	04/01/1996	Fiberglass Reinforced Plastic (FRP)	Diesel	4,000	08/01/1997	

* Aboveground tanks require monthly visual inspections and may need documented internal inspections as described in 6 NYCRR Part 613

SITE:
HESS 32517
401 WEST 207TH STREET @ 9TH AVE.

NEW YORK, NY 10034

OWNER:
HESS CORPORATION
1 HESS PLAZA
WOODBIDGE, NJ 07095

Class B (Daily On-Site) Operator: SITE MANAGER
Class A (Primary) Operator: HESS CORPORATION
Emergency Contact Name: JIM HAWARD
Emergency Contact Phone: (732) 750-6000

ISSUED BY: Commissioner
Joe Martens
PBS NUMBER: 2-297453
DATE ISSUED: 03/16/2010
EXPIRATION DATE: 05/23/2015
FEE PAID: \$500.00

MAILING CORRESPONDENCE:
JANICE FLAHERTY
HESS CORPORATION
1 HESS PLAZA
WOODBIDGE, NJ 07095

Facility Phone Number
(212) 569-3634

As an authorized representative of the above named facility, I affirm under penalty of perjury that the information displayed on this form is correct to the best of my knowledge. Additionally, I recognize that I am responsible for assuring that this facility is in compliance with all sections of 6 NYCRR Parts 612, 613 and 614, and applicable sections of 6 NYCRR Subpart 374-2 (used oil tanks only), not just those cited below:

- The facility must be re-registered if there is a transfer of ownership.
- The Department must be notified within 30 days prior to adding, replacing, reconditioning, or permanently closing a stationary tank.
- The facility must be operated in accordance with the code for storing petroleum, 6NYCRR Part 613.
- Any new facility or substantially modified facility must comply with 6NYCRR Part 614.
- **This certificate must be signed and posted on the premises at all times.** Posting must be at the tank, at the entrance of the facility, or the main office where the storage tanks are located.
- Any person with knowledge of a spill, leak or discharge must report the incident to DEC within two hours (1-800-457-7362).

Signature of Representative/ Owner

Date

Name and Title of Authorized Representative/Owner (Please Print)

**PBS Number****2-297453**

New York State Department of Environmental Conservation

PETROLEUM BULK STORAGE CERTIFICATE

625 Broadway, 11th Floor, Albany, NY 12233-7020 Phone: 518-402-9553

Region 2 NYSDEC - PBS Unit

One Hunters Point Plaza, 1st Floor

47-40 21st Street, L.I. City, NY 11101-5407

(718) 482-6454

<u>TANK NUMBER</u>	<u>TANK LOCATION</u>	<u>DATE INSTALLED</u>	<u>TANK TYPE</u>	<u>PRODUCT STORED</u>	<u>CAPACITY (GALLONS)</u>	<u>DATE LAST TESTED</u>	<u>TESTING DUE DATE</u>
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050	Underground	04/01/1996	Fiberglass Reinforced Plastic (FRP)	Diesel	4,000	08/01/1997	

* Aboveground tanks require monthly visual inspections and may need documented internal inspections as described in 6 NYCRR Part 613

SITE:

HESS # 32517

401 WEST 207TH STREET @ 9TH AVE.

NEW YORK, NY 10034

FACILITY OWNER:

HESS RETAIL STORES LLC

ONE HESS PLAZA

WOODBIDGE, NJ 07095

Tank Owner Name:

Same as Property Owner

Facility Phone Number

(212) 569-3634

MAILING CORRESPONDENCE:

JIM HOWARD

HESS RETAIL STORES LLC

ONE HESS PLAZA

WOODBIDGE, NJ 07095

As an authorized representative of the above named facility, I affirm under penalty of perjury that the information displayed on this form is correct to the best of my knowledge. Additionally, I recognize that I am responsible for assuring that this facility is in compliance with all sections of 6 NYCRR Parts 612, 613 and 614, and applicable sections of 6 NYCRR Subpart 374-2 (used oil tanks only), not just those cited below:

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Posting must be at the tank, at the entrance of the facility, or the main office where the storage tanks are located.

-- Any person with knowledge of a spill, leak or discharge must report the incident to DEC within two hours (1-800-457-7362).

Signature of Representative/ Owner

Date

Name and Title of Authorized Representative/Owner (Please Print)

Class B (Daily On-Site) Operator: SITE MANAGER**Class A (Primary) Operator:** HESS CORPORATION**Emergency Contact Name:** JIM HOWARD**Emergency Contact Phone Number:** (732) 750-6220ISSUED BY: Commissioner
Joe MartensPBS NUMBER: **2-297453**

DATE ISSUED: 03/16/2010

EXPIRATION DATE: 05/23/2015

FEE PAID: \$500.00



PBS Number

2-297453

New York State Department of Environmental Conservation

PETROLEUM BULK STORAGE CERTIFICATE

625 Broadway, 11th Floor, Albany, NY 12233-7020 Phone: 518-402-9553

Region 2 NYSDEC - PBS Unit

One Hunters Point Plaza, 1st Floor

47-40 21st Street, L.I. City, NY 11101-6454

(718) 482-6454

<u>TANK NUMBER</u>	<u>TANK LOCATION</u>	<u>DATE INSTALLED</u>	<u>TANK TYPE</u>	<u>PRODUCT STORED</u>	<u>CAPACITY (GALLONS)</u>	<u>DATE LAST TESTED</u>	<u>TESTING DUE DATE</u>
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050	Underground	04/01/1996	Fiberglass Reinforced Plastic (FRP)	Diesel	4,000	08/01/1997	

* Aboveground tanks require monthly visual inspections and may need documented internal inspections as described in 6 NYCRR Part 613

SITE:

HESS # 32517

401 WEST 207TH STREET @ 9TH AVE.

NEW YORK, NY 10034

OWNER:

HESS RETAIL STORES LLC

ONE HESS PLAZA

WOODBIDGE, NJ 07095

Tank Owner Name:

Same as Property Owner

Facility Phone Number

(212) 569-3634

MAILING CORRESPONDENCE:

JANICE FLAHERTY

HESS RETAIL STORES LLC

ONE HESS PLAZA

WOODBIDGE, NJ 07095

Class B (Daily On-Site) Operator: SITE MANAGER

Class A (Primary) Operator: HESS CORPORATION

Emergency Contact Name: JIM HOWARD

Emergency Contact Phone: (732) 750-6220

ISSUED BY: Commissioner
Joe Martens

PBS NUMBER: 2-297453

DATE ISSUED: 04/02/2015

EXPIRATION DATE: 05/23/2020

FEE PAID: \$500.00

As an authorized representative of the above named facility, I affirm under penalty of perjury that the information displayed on this form is correct to the best of my knowledge. Additionally, I recognize that I am responsible for assuring that this facility is in compliance with all sections of 6 NYCRR Parts 612, 613 and 614, and applicable sections of 6 NYCRR Subpart 374-2 (used oil tanks only), not just those cited below:

-- The facility must be re-registered if there is a transfer of ownership.

-- The Department must be notified within 30 days prior to adding, replacing, reconditioning, or permanently closing a stationary tank.

-- The facility must be operated in accordance with the code for storing petroleum, 6NYCRR Part 613.

-- Any new facility or substantially modified facility must comply with 6NYCRR Part 614.

-- This certificate must be signed and posted on the premises at all times.

Posting must be at the tank, at the entrance of the facility, or the main office where the storage tanks are located.

-- Any person with knowledge of a spill, leak or discharge must report the incident to DEC within two hours (1-800-457-7362).

Signature of Representative/ Owner

Date

Name and Title of Authorized Representative/Owner (Please Print)



PBS Number
2-297453

New York State Department of Environmental Conservation
PETROLEUM BULK STORAGE CERTIFICATE
625 Broadway, 11th Floor, Albany, NY 12233-7020 Phone: 518-402-9553

Region 2 NYSDEC - PBS Unit
47-40 21st Street, 1st Floor
Long Island City, NY 11101-5407
(718) 482-6454

<u>TANK NUMBER</u>	<u>TANK LOCATION</u>	<u>DATE INSTALLED</u>	<u>TANK TYPE</u>	<u>PRODUCT STORED</u>	<u>CAPACITY (GALLONS)</u>	<u>DATE LAST TESTED</u>	<u>TESTING DUE DATE</u>
046	Underground	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000		
047	Underground	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000		
048	Underground	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000	08/01/1997	
049	Underground	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000	08/01/1997	
050	Underground	04/01/1996	Fiberglass Reinforced Plastic (FRP)	diesel	4,000	08/01/1997	

* Aboveground tanks require monthly visual inspections and may need documented internal inspections as described in 6 NYCRR Part 613

SITE:
SPEEDWAY # 7822
401 WEST 207TH STREET @ 9TH AVE.
NEW YORK, NY 10034

FACILITY OWNER:
HESS RETAIL STORES LLC
500 SPEEDWAY DRIVE
ENON, OH 45323

Tank Owner Name:
Same as Property Owner

Class B (Daily On-Site) Operator: SITE MANAGER

Class A (Primary) Operator: SCOTT FLEMING

Emergency Contact Name: SCOTT FLEMING

Emergency Contact Phone Number: (937) 207-1832

ISSUED BY: Commissioner
Joe Martens
PBS NUMBER: **2-297453**
DATE ISSUED: 04/02/2015
EXPIRATION DATE: 05/23/2020
FEE PAID: \$500.00

MAILING CORRESPONDENCE:

SCOTT FLEMING
SPEEDWAY LLC
500 SPEEDWAY DRIVE
ENON, OH 45323

As an authorized representative of the above named facility, I affirm under penalty of perjury that the information displayed on this form is correct to the best of my knowledge. Additionally, I recognize that I am responsible for assuring that this facility is in compliance with all sections of 6 NYCRR Parts 612, 613 and 614, and applicable sections of 6 NYCRR Subpart 374-2 (used oil tanks only), not just those cited below:

- The facility must be re-registered if there is a transfer of ownership.
 - The Department must be notified within 30 days prior to adding, replacing, reconditioning, or permanently closing a stationary tank.
 - The facility must be operated in accordance with the code for storing petroleum, 6NYCRR Part 613.
 - Any new facility or substantially modified facility must comply with 6NYCRR Part 614.
 - **This certificate must be signed and posted on the premises at all times.**
- Posting must be at the tank, at the entrance of the facility, or the main office where the storage tanks are located.
- Any person with knowledge of a spill, leak or discharge must report the incident to DEC within two hours (**1-800-457-7362**).

Signature of Representative/ Owner Date

Name and Title of Authorized Representative/Owner (Please Print)



PBS Number
2-297453

New York State Department of Environmental Conservation
PETROLEUM BULK STORAGE CERTIFICATE
625 Broadway, 11th Floor, Albany, NY 12233-7020 Phone: 518-402-9553

Region 2 NYSDEC - PBS Unit
47-40 21st Street, 1st Floor
Long Island City, NY 11101-5407
(718) 482-6454

<u>TANK NUMBER</u>	<u>TANK LOCATION</u>	<u>DATE INSTALLED</u>	<u>TANK TYPE</u>	<u>PRODUCT STORED</u>	<u>CAPACITY (GALLONS)</u>
046	Underground including vaulted with no access for inspection	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000
047	Underground including vaulted with no access for inspection	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000
048	Underground including vaulted with no access for inspection	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000
049	Underground including vaulted with no access for inspection	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000
050	Underground including vaulted with no access for inspection	04/01/1996	Fiberglass Reinforced Plastic (FRP)	diesel	4,000

* Aboveground tanks require monthly visual inspections and may need documented internal inspections as described in 6 NYCRR Section 613-4.3

FACILITY NAME AND ADDRESS :

SPEEDWAY # 7822
401 WEST 207TH STREET @ 9TH AVE.
NEW YORK, NY 10034

FACILITY (PROPERTY) OWNER:

SPEEDWAY LLC
500 SPEEDWAY DR
ENON, OH 45323

Tank Owner Name :
SPEEDWAY LLC

Facility Phone Number
(212) 569-3634

MAILING CORRESPONDENCE:

SCOTT FLEMING
SPEEDWAY LLC
500 SPEEDWAY DRIVE
ENON, OH 45323

ISSUED BY: Acting Commissioner
Basil Seggos

PBS NUMBER: **2-297453**

DATE ISSUED: 04/02/2015

EXPIRATION DATE : 09/30/2019

FEE PAID: \$500.00

As the owner of this facility and/or the tanks at this facility, the receipt, posting, and use of this certificate is an acknowledgement that I am responsible to the extent required by law for ensuring that this facility is in compliance with all regulations for the bulk storage of petroleum including those regarding equipment requirements, inspections, handling procedures, recordkeeping, registration requirements, providing advanced notice to the Department of major changes to a tank system, spill reporting, and all other applicable requirements. Violations may be punishable as a criminal offense and/or a civil violation in accordance with applicable state and federal law.

This registration certificate must be kept current and conspicuously posted at this facility at all times. Posting must be at the tank, at the entrance of the facility, or the main office where the storage tanks are located.

Spills must be reported to the DEC within two hours (1-800-457-7362).

Signature of Facility Owner/Authorized Representative Date

Printed Name and Title of Facility Owner/Authorized Representative



PBS Number
2-297453

New York State Department of Environmental Conservation
PETROLEUM BULK STORAGE CERTIFICATE
625 Broadway, 11th Floor, Albany, NY 12233-7020 Phone: 518-402-9553

Region 2 NYSDEC - PBS Unit
47-40 21st Street, 1st Floor
Long Island City, NY 11101-5407
(718) 482-6454

<u>TANK NUMBER</u>	<u>TANK LOCATION</u>	<u>DATE INSTALLED</u>	<u>TANK TYPE</u>	<u>PRODUCT STORED</u>	<u>CAPACITY (GALLONS)</u>
046	Underground including vaulted with no access for inspection	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000
047	Underground including vaulted with no access for inspection	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000
048	Underground including vaulted with no access for inspection	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000
049	Underground including vaulted with no access for inspection	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000
050	Underground including vaulted with no access for inspection	04/01/1996	Fiberglass Reinforced Plastic (FRP)	diesel	4,000

* Aboveground tanks require monthly visual inspections and may need documented internal inspections as described in 6 NYCRR Section 613-4.3

FACILITY NAME AND ADDRESS:

SPEEDWAY # 7822
401 WEST 207TH STREET @ 9TH AVE.
NEW YORK, NY 10034

FACILITY (PROPERTY) OWNER:

SPEEDWAY LLC
500 SPEEDWAY DR
ENON, OH 45323

Tank Owner Name:
SPEEDWAY LLC

Facility Phone Number
(585) 349-3056

MAILING CORRESPONDENCE:

SCOTT FLEMING
SPEEDWAY LLC
500 SPEEDWAY DRIVE
ENON, OH 45323

Class B (Daily On-Site) Op: MICHAEL MATRI
Class A (Primary) Operator: MICHAEL MATRI
Emergency Contact Name: SCOTT FLEMING
Emergency Contact Phone Number: (937) 207-1832

ISSUED BY: Commissioner
Basil Seggos
PBS NUMBER: **2-297453**
DATE ISSUED: 04/02/2015
EXPIRATION DATE: 09/30/2019
FEE PAID: \$500.00

As the owner of this facility and/or the tanks at this facility, the receipt, posting, and use of this certificate is an acknowledgement that I am responsible to the extent required by law for ensuring that this facility is in compliance with all regulations for the bulk storage of petroleum including those regarding equipment requirements, inspections, handling procedures, recordkeeping, registration requirements, providing advanced notice to the Department of major changes to a tank system, spill reporting, and all other applicable requirements. Violations may be punishable as a criminal offense and/or a civil violation in accordance with applicable state and federal law.

This registration certificate must be kept current and conspicuously posted at this facility at all times. Posting must be at the tank, at the entrance of the facility, or the main office where the storage tanks are located.

Spills must be reported to the DEC within two hours (1-800-457-7362).

Signature of Facility Owner/Authorized Representative _____ Date _____

Printed Name and Title of Facility Owner/Authorized Representative _____



PBS Number
2-297453

New York State Department of Environmental Conservation
PETROLEUM BULK STORAGE CERTIFICATE
625 Broadway, 11th Floor, Albany, NY 12233-7020 Phone: 518-402-9553

Region 2 NYSDEC - PBS Unit
47-40 21st Street, 1st Floor
Long Island City, NY 11101-5407
(718) 482-6454

<u>TANK NUMBER</u>	<u>TANK SUBPART</u>	<u>TANK CATEGORY</u>	<u>TANK LOCATION</u>	<u>DATE INSTALLED</u>	<u>TANK TYPE</u>	<u>PRODUCT STORED</u>	<u>CAPACITY (GALLONS)</u>
046	2	2	Underground including vaulted with no access for inspection	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000
047	2	2	Underground including vaulted with no access for inspection	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000
048	2	2	Underground including vaulted with no access for inspection	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000
049	2	2	Underground including vaulted with no access for inspection	04/01/1996	Fiberglass Reinforced Plastic (FRP)	gasoline/ethanol	4,000
050	2	2	Underground including vaulted with no access for inspection	04/01/1996	Fiberglass Reinforced Plastic (FRP)	diesel	4,000

PBS regulations are available at http://www.dec.ny.gov/docs/remediation_hudson_pdf/part613text.pdf.

FACILITY NAME AND ADDRESS:

SPEEDWAY # 7822
401 WEST 207TH STREET @ 9TH AVE.
New York, NY 10034

FACILITY (PROPERTY) OWNER:

SPEEDWAY LLC
500 SPEEDWAY DR
ENON, OH 45323

Tank Owner Name:

Same as Property Owner

Facility Phone Number

(585) 349-3056

MAILING CORRESPONDENCE:

BRANDIE LEHMAN
SPEEDWAY LLC
500 SPEEDWAY DRIVE
ENON, OH 45323

ISSUED BY: Commissioner
Basil Seggos

PBS NUMBER: **2-297453**

DATE ISSUED: 04/02/2015

EXPIRATION DATE: 09/30/2019

FEE PAID: \$500.00

As the owner of this facility and/or the tanks at this facility, the receipt, posting, and use of this certificate is an acknowledgement that I am responsible to the extent required by law for ensuring that this facility is in compliance with all regulations for the bulk storage of petroleum including those regarding equipment requirements, inspections, handling procedures, recordkeeping, registration requirements, providing advanced notice to the Department of major changes to a tank system, spill reporting, and all other applicable requirements. Violations may be punishable as a criminal offense and/or a civil violation in accordance with applicable state and federal law.

This registration certificate must be kept current and conspicuously posted at this facility at all times. Posting must be at the tank, at the entrance of the facility, or the main office where the storage tanks are located.

Spills must be reported to the DEC within two hours (1-800-457-7362).

Signature of Facility Owner/Authorized Representative

Date

Printed Name and Title of Facility Owner/Authorized Representative



Department of
Environmental
Conservation

Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 2

Spill Number: 0201957

Spill Date/Time

Spill Date: 05/23/2002 **Spill Time:** 05:30:00 PM

Call Received Date: 05/23/2002 **Call Received Time:** 05:45:00 PM

Location

Spill Name: FORMER HESS STATION 32517

Address: 401 WEST 207TH STREET

City: MANHATTAN **County:** New York

Spill Description

Material Spilled **Amount Spilled** **Resource Affected**

gasoline UNKNOWN Soil

Cause: Unknown

Source: Gasoline Station or other PBS Facility

Waterbody:

Record Close

Date Spill Closed: Not closed

If you have questions about this reported incident, please contact the [Regional Office](#) where the incident occurred.

Refine This Search

ATTACHMENT E

Section VI: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

SECTION VI: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

Current Owner and Operator

The current owner is Speedway LLC. The Requestor, 401 W 207th Realty LLC is in contract to purchase the property and remediate and redevelop the Site. The current property owner provided authorization for 401 W 207th Realty LLC to take all necessary actions to enter into and carry out the obligations of the BCP. A copy of the access agreement letter is provided as an attachment in Section I: Requestor Information.

Previous Owners and Operators

List of Previous Owners and Operators of 401 West 207th Street.

Date	Document Type	First Party	Second Party	First Party Address	Second Party Address	Relationship of First Party to Applicant
9/30/2014	Both RPTT and RETT	Hess Corporation	Speedway LLC	1 Hess Plaza, Woodbridge, NJ	500 Speedway Drive, Enon, OH	None
4/24/2014	Deed	Hess Corporation	Hess Retail Stores LLC	1185 Avenue of the Americas, New York, NY	1 Hess Plaza, Woodbridge, NJ	None
10/10/2002	Maps	City of New York	Not Available	Not Available	Not Available	None
Pre 2002 (Ownership records prior to 2002 were not readily available for review)	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown

Reference: New York City Department of Finance Automated City Register Information System (ACRIS) website: <https://a836-acris.nyc.gov/DS/DocumentSearch/Index>. Current and former addresses and telephone numbers of the previous property owners are not available. There is no relationship between the Requestor's corporate members and any of the previous owners.

A list of current and previous operators of 401 West 207th Street are provided in the below table.

Name	Relationship to Property	Address and Phone Number	Relationship to Applicant
Speedway	Operator (present)	401 West 207 th Street Phone No.: 212-569-3634	None
Merit Gasoline Stations, Merit Carwash	Operator (1980s to mid-2000s)	401 West 207 th Street Phone No.: Not Available	None
Inwood Car Wash Inc,	Operator (1970s to 1980s)	401 West 207 th Street Phone No.: Not Available	None
Packes Bros Gas Station	Operators (late-1940s to early-1960s)	401 West 207 th Street Phone No.: Not Available	None
Miramar Service Station	Operator (1930s to 1940s)	401 West 207 th Street Phone No.: Not Available	None

ATTACHMENT F

Section VII: REQUESTOR ELIGIBILITY INFORMATION

SECTION VII: REQUESTOR ELIGIBILITY INFORMATION

Volunteer Status

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, and did not 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).

Requestor Relationship to Property

The current property owner provided authorization for 401 W 207th Realty LLC to take all necessary actions to enter into and carry out the obligations of the BCP. A copy of the access agreement letter is provided as an attachment in Section I: Requestor Information.

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
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
Manhattan Borough President	Gale Brewer	212-531-1609	163 W 125 th Street, New York, NY 10027	info@manhattanbp.nyc.gov
Manhattan Community Board 12 District Manager	Ebenezer Smith	212-568-8500	530 West 166 th Street, 6 th Floor, New York, NY 10032	ebsmith@cb.nyc.gov
NY Senate District 31 Senator	Robert Jackson	212-544-0173	5030 Broadway, Suite 701, New York, NY 10034	jackson@nysenate.gov
NY State Assembly District 72 Member	Carmen N. De La Rosa	212-544-2278	210 Sherman Avenue, Suite A&C, New York, NY 10034	delarosa@nyassembly.gov

Owners, Residents, Occupants

The Site is currently developed as a retail petroleum station.

Owner/Operator	Contact Name	Mailing Address	Email
Speedway LLC	Mark Redicker	500 Speedway Drive, Enon, OH 45323	maredicker@speedway.com

Adjacent Properties

Below is a list of the adjoining properties which are also detailed on Figure 8.

Owner/Entity Name	Contact Name	Site Use	Property Address	Owner Mailing Address
NYC Transit Authority	Not Available	Transportation & Utility	10 th Avenue	2 Broadway, New York, NY 10004
HP 3875 Ninth Avenue Housing Dev. Fund CO. INC.	Eliezer S. Weiss	Vacant Land	3875 9 th Avenue	242 West 36 th Street, 3 rd Floor, New York, NY 10018
Harlem River Ninth Avenue Development LLC	David Dishy	Parking Facilities	408 West 207 th Street	1865 Palmer Avenue, Suite 203, Larchmont, NY 10538
Flair Beverage Corp	Not Available	Industrial & Manufacturing	3859 9 th Avenue	3857 9 th Avenue, New York, NY 10034
Flair Beverage Corp	Not Available	Industrial & Manufacturing	3851 9 th Avenue	3857 9 th Avenue, New York, NY 10034
West 207 Grocery Owners LLC	John Hughes	Commercial & office buildings	430 West 207 th Street	421 7 th Avenue, 15 th Floor, New York, NY 10001

Local News and Media

Owner/Entity Name	Type	Address	Phone	Website
The Manhattan Times	Newspaper	5030 Broadway, Suite 807, New York, NY 10034	212-569-5800	https://www.manhattantimesnews.com/
ABC7	Television	7 Lincoln Square, New York, NY 10023	877-847-6397	https://abc7ny.com/place/inwood/
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 401 West 207th Street Redevelopment Site located at 401 West 207th Street, New York, 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
Inwood Academy for Leadership	730' (northwest)	Christina Reyes	212-304-0103	3898 10 th Avenue, New York, NY 10034
Inwood Academy for Leadership Charter School	1050' (southwest)	Christina Reyes	646-665-5570	433 West 204 th Street, New York, NY 10034
Washington Heights Academy	1580' (west)	Manuel Ramirez	212-304-3320	202 Sherman Avenue, New York, NY 10034
P.S. 098 Shorac Kappock	2100' (north)	Manuel Ramirez	212-927-7870	512 West 212 th Street, New York, NY
Good Shepherd School	2460' (northwest)	Geraldine Lavery	212-567-5800	600 Isham Street, New York, NY
M314 Muscota New School	2640' (northwest)	Camille Wallin	212-544-0614	4862 Broadway, New York, NY 10034

Public School 5 Ellen Lurie	2640' (south)	Christopher Anest	212-567-8109	3703 10 th Avenue, New York, NY 10040
Galex Family Daycare	770' (southwest)	Not Available	212-569-9535	449 West 206 th Street, New York, NY 10034
Little Tots Daycare	1760' (northwest)	Rossyn Marciano Duarte	347-851-0078	514 W 211 th Street, Nw York, NY 10034
Step By Step Group Family Day Care	1930' (northwest)	Not Available	212-569-1880	4966 Broadway, New York, NY 10034
Little Jewel Childcare, INC.	2320' (northwest)	Not Available	917-378-1608	4915 Broadway, #2m, New York, NY 10034
Cradle to Crayons Daycare Corp.	2430' (northwest)	Not Available	347-307-0409	57 Cooper Street, #1a, New York, NY 10034
Smart Start Learning Center	2640' (northwest)	Cristina Alvarez	929-202-7187	125 Seaman Avenue, #2h, New York, NY 10034
Happy Shiny Faces Daycare	2800' (northwest)	Not Available	347-327-2485	136 Seaman Avenue, New York, NY 10034
Little Daydreamers Early Learning Center	2900' (northwest)	Deborah Leiva	917-771-9028	103 Seaman Avenue, Suite C, New York, NY 10034
Ortiz, Rosa Daycare	2110' (southwest)	Rosa Ortiz	929-205-7262	584 Academy Suite #5, New York, NY 10034 (located in 135 Sherman Avenue Food Corporation)
Little Red Daycare	2400' (southwest)	Nairobi Iglesias	646-544-2463	176 Nagle Avenue, #2j, New York, NY 10034

Document Repository:

Manhattan Community Board 12 and the Inwood Library were notified on 19 October 2021 via email regarding utilizing their space as document repositories.

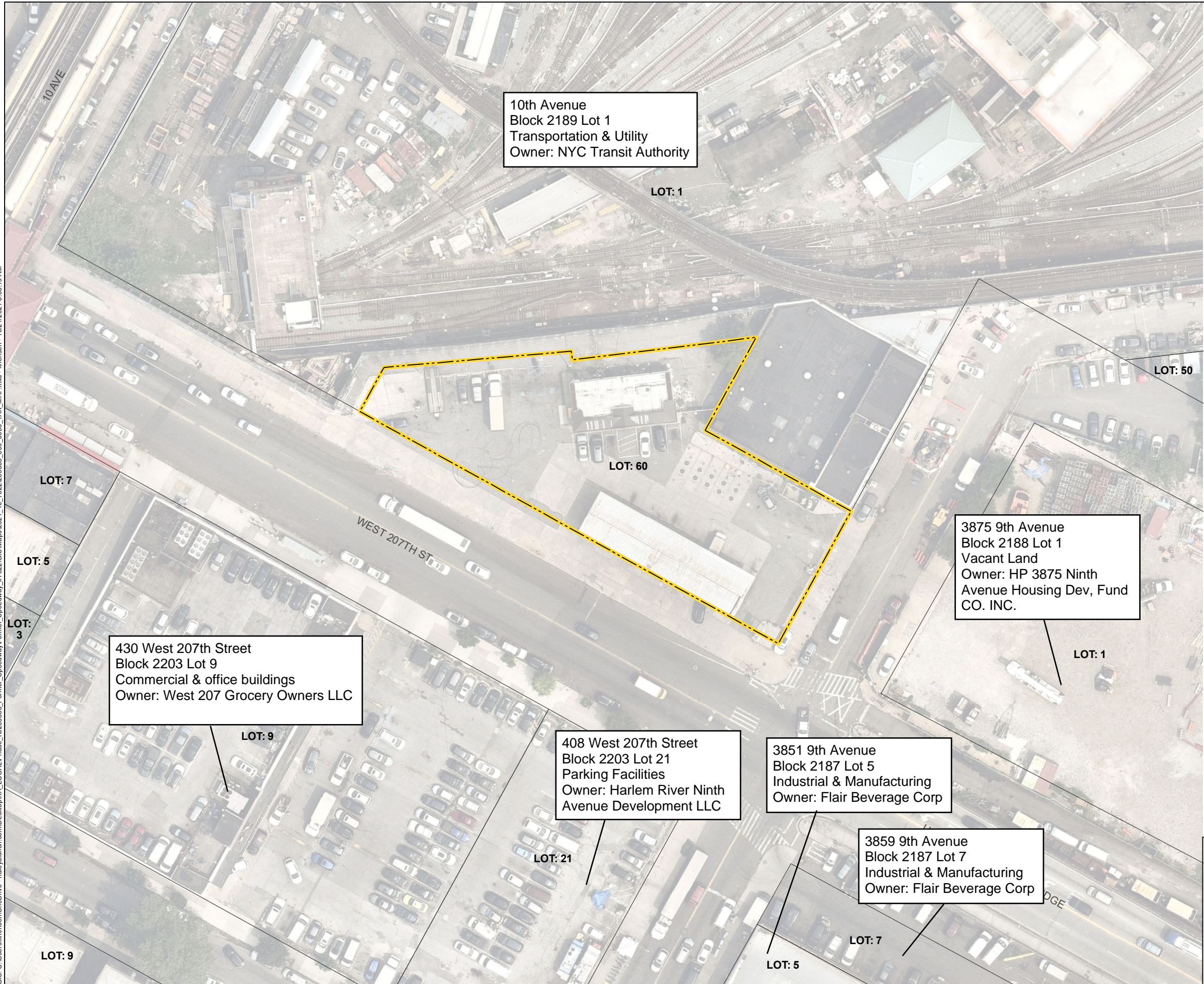
Documentation of confirmation from the Inwood Library agreeing to act as a document repository is attached below. The Inwood Library has requested that hard copies be provided of all project-related documents. Documentation of the outreach to the Manhattan Community Board 12 is attached below. Multiple attempts were made by phone, email, and in person to request confirmation from the community board with no response. The repository information is detailed below:

Owner/Entity Name	Contact	Address	Phone	Email
Manhattan Community Board 12	Ebenezer Smith	530 West 166 th Street, 6A, New York, NY 10032	212-568-8500	ebsmith@cb.nyc.gov
Inwood Library	Danita Nichols	4857 Broadway, New York, NY 10034	212-942-2445	danitanichols@nypl.org

Community Board:

Owner/Entity Name	Contact	Address	Phone	Email
Manhattan Community Board 12	Ebenezer Smith	530 West 166 th Street, 6A, New York, NY 10032	212-568-8500	ebsmith@cb.nyc.gov

GIS: C:\Users\kensen\OneDrive - haleyaldrich.com\Desktop\KH_LOCAL\Phase_1\0203563_Former_Speedway\Former_Speedway_Figure_8\2021_10_7622\GIS\Map\2021_10_7622\203563_000_0003_TAX_MAP.mxd - kensen - 10/21/2021 8:56:19 AM



10th Avenue
Block 2189 Lot 1
Transportation & Utility
Owner: NYC Transit Authority

LOT: 1

LOT: 60

LOT: 50

3875 9th Avenue
Block 2188 Lot 1
Vacant Land
Owner: HP 3875 Ninth
Avenue Housing Dev, Fund
CO. INC.

LOT: 1

430 West 207th Street
Block 2203 Lot 9
Commercial & office buildings
Owner: West 207 Grocery Owners LLC

LOT: 9

408 West 207th Street
Block 2203 Lot 21
Parking Facilities
Owner: Harlem River Ninth
Avenue Development LLC

LOT: 21



3851 9th Avenue
Block 2187 Lot 5
Industrial & Manufacturing
Owner: Flair Beverage Corp

3859 9th Avenue
Block 2187 Lot 7
Industrial & Manufacturing
Owner: Flair Beverage Corp

LOT: 7

LOT: 5

LEGEND

-  BLOCK 2189 SITE BOUNDARY
-  TAX LOT BOUNDARY

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. ASSESSOR PARCEL DATA SOURCE: KINGS COUNTY
3. AERIAL IMAGERY SOURCE: NEARMAP, 22 JULY 2021



0 60 120
SCALE IN FEET

**HALEY
ALDRICH**

401 WEST 207TH STREET
NEW YORK, NEW YORK

ADJOINING SITE MAP

OCTOBER 2021

FIGURE 8

Section IX: Acknowledgement from the Inwood Library Agreeing to Act as Document Repository

From: Danita Nichols
To: [Commisso, Sarah](#)
Subject: Re: NYSDEC Brownfield Cleanup Program- Document Repository Request- 401 West 207th Street
Date: Saturday, November 6, 2021 9:55:17 AM

CAUTION: External Email

Hello Sarah,

I'm sorry to be so late responding. Yes, we are a repository site. Hard copies are preferable as we do not have library equipment that will play the CD.

Danita

On Tue, Oct 26, 2021 at 12:32 PM Commisso, Sarah <SCommisso@haleyaldrich.com> wrote:

Good afternoon,

I wanted to follow up on the previous email I sent regarding the use of the Inwood Library as a document repository during the investigation and remediation of the property located at 401 West 207th Street, New York, NY

Attached please see the letter indicating that the Inwood Library would be willing to serve as a document repository for the project. Please send back to us when you have a chance and please contact me with any questions.

Thank you,

Sarah

Sarah Commisso

Staff Geologist

Haley & Aldrich, Inc.

237 West 35th Street, 16th Floor

New York, NY 10123

T: (646) 277-5693

C: (516) 317-9861

www.haleyaldrich.com

From: Commisso, Sarah

Sent: Tuesday, October 19, 2021 12:01 PM

To: danitanichols@nypl.org

Cc: Bellew, James <JBellew@haleyaldrich.com>; Conlon, Mari
<MConlon@haleyaldrich.com>

Subject: NYSDEC Brownfield Cleanup Program- Document Repository Request- 401 West 207th Street

Good afternoon,

Haley & Aldrich of New York is formally requesting permission to include the Inwood Library as a document repository during the investigation and remediation of the property located at 401 West 207th Street, New York, NY. It is anticipated that over the course of the next 1-2 years several documents (electronic version on CD) related to the environmental investigation and remediation will be delivered to the Inwood Library. The proposed investigation and remediation will be done in coordination with the New York State Department of Environmental Conservation.

Upon delivery it is requested that these documents be made available for public review. If hard copies are preferred alternative to CD please advise.

Attached please see the letter indicating that the Inwood Library would be willing to serve as a document repository for the project. Please send back to us when you have a chance and please contact me with any questions.

Thank you,

Sarah

Sarah Commisso

Staff Geologist

Haley & Aldrich, Inc.

237 West 35th Street, 16th Floor

New York, NY 10123

T: (646) 277-5693

C: (516) 317-9861

www.haleyaldrich.com

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Danita Nichols

Library Manager

Pronouns: She/Her

Inwood Library

The New York Public Library

4857 Broadway, Manhattan, NY 10034

212-942-2445

nypl.org

Section IX: Request to Manhattan Community Board 12 to Act as Document Repository

(Confirmation from Community Board 12 has been requested multiple times. Community Board 12 has historically acted as a document repository. Community Board personnel have recently informed Haley & Aldrich of a policy change in which they will not sign or confirm repository status pro forma but will sign documentation of receipt once documents are submitted via USB.)

Conlon, Mari

From: Commisso, Sarah
Sent: Tuesday, October 26, 2021 12:30 PM
To: ebsmith@cb.nyc.gov
Subject: RE: NYSDEC Brownfield Cleanup Program- Document Repository Request- 401 West 207th Street
Attachments: 2021-1018-HANY-401 W 207 St- CB12 Repository Letter.pdf

Good afternoon,

I wanted to follow up on the previous email I sent regarding the use of the Manhattan Community Board 12 as a document repository during the investigation and remediation of the property located at 401 West 207th Street, New York, NY

Attached please see the letter indicating that the Manhattan Community Board 12 would be willing to serve as a document repository for the project. Please send back to us when you have a chance and please contact me with any questions.

Thank you,
Sarah

Sarah Commisso
Staff Geologist

Haley & Aldrich, Inc.
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From: Commisso, Sarah
Sent: Tuesday, October 19, 2021 11:58 AM
To: ebsmith@cb.nyc.gov
Cc: Bellew, James <JBellew@haleyaldrich.com>; Conlon, Mari <MConlon@haleyaldrich.com>
Subject: NYSDEC Brownfield Cleanup Program- Document Repository Request- 401 West 207th Street

Good afternoon,

Haley & Aldrich of New York is formally requesting permission to include the Manhattan Community Board 12 as a document repository during the investigation and remediation of the property located at 401 West 207th Street, New York, NY. It is anticipated that over the course of the next 1-2 years several documents (electronic version on CD) related to the environmental investigation and remediation will be delivered to the Community Board 12. The proposed investigation and remediation will be done in coordination with the New York State Department of Environmental Conservation.

Upon delivery it is requested that these documents be made available for public review. If hard copies are preferred alternative to CD please advise.

Attached please see the letter indicating that the Manhattan Community Board 12 would be willing to serve as a document repository for the project. Please send back to us when you have a chance and please contact me with any questions.

Thank you,
Sarah

Sarah Commisso
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ATTACHMENT H

Section X: LAND USE FACTORS

SECTION X: LAND USE FACTORS

Existing Zoning:

According to the New York City Planning Commission Zoning Map 3a, the Site, identified as Block 2189 Lot 60 on the New York City tax map, is located within a residential R8-A and R9-A district with a commercial C2-4 overlay. R8 and R9 districts are characterized as high-density residential districts with apartment buildings that can range from mid-rise, eight- to ten-story buildings to much taller buildings set back from the street on larger zoning lots. The C2-4 zoning district is primarily residential with commercial uses on the street level. The commercial uses usually include retail, restaurants, and services for the day to day needs of a residential neighborhood. The Site is currently occupied by an active retail petroleum station operated by Speedway LLC.

The Site is listed with an environmental E-Designation (E-459) – Inwood Rezoning Action, for hazardous materials, noise (window wall attenuation & alternate ventilation), and air components (HVAC limited to natural gas & exhaust stack location limitations) resulting from a CEQR effective 8 August 2018 (CEQR #10DCP024K). Satisfaction of the E-Designation requirements is subject to review and approval by the NYCOER to obtain a NTP or a NNO prior to obtaining building permits.

The proposed redevelopment plans to maintain zoning that is consistent with the current zoning amendments.

Current Use and Potential Contamination Sources

The approximately 0.63-acre Site is occupied by an active retail petroleum station operated by Speedway LLC.

Petroleum station use can result in contamination of petroleum related volatile and semi-volatile organic compounds such as BTEX, polycyclic aromatic hydrocarbons and total petroleum hydrocarbons. Petroleum contaminants impact soil, groundwater and soil vapor. Impacts to the subsurface at petroleum stations are typically related to the USTs and associated underground piping systems utilized for operations. Further, Brooklyn, where the site is located, is an area typical of urban fill subject to impacts from heavy metals, including lead, arsenic, mercury, etc., and PAHs which also impact soil and groundwater.

Intended Use Post-Remediation

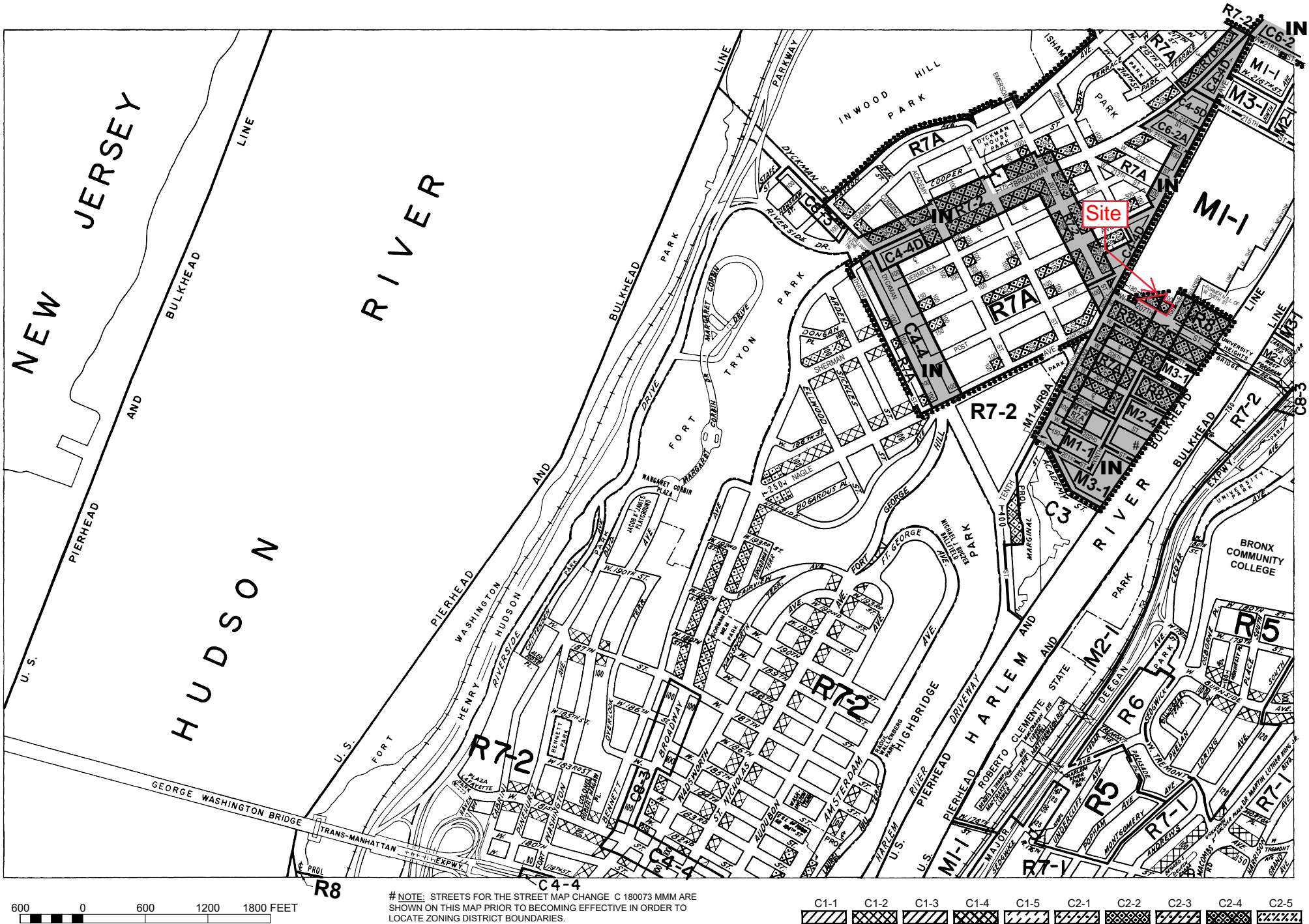
While the development plans are conceptual at this time, the planned project will consist of a residential building with an affordable housing component anticipated to be pursuant with 421-a.

Consistency with Applicable Zoning Laws/Maps

According to the New York City Planning Commission Zoning Map 3a, the Site is located within a residential R8-A and R9-A district with a commercial C2-4 overlay. The Site was included in the Special Inwood District Zoning Resolution Established in 2018. The proposed development of this property is consistent with the current zoning. The applicable zoning map is included as an attachment.

Comprehensive Plans

The proposed use is consistent with local and area plans. The Site was included in the Special Inwood District Zoning Resolution established in 2018 to promote the development of affordable housing, encourage economic development that benefits the local community, facilitate the development of open space along the Harlem River, and preserve community character west of 10th Avenue.



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows on R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

- R – RESIDENTIAL DISTRICT
- C – COMMERCIAL DISTRICT
- M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

08-08-2018 C 180204(A) ZMM

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

MAP KEY

	1b	1d
	3a	3c
	3b	3d

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ZONING
MAP
3a

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.

- 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 Section

ATTACHMENT I: SUPPLEMENTAL QUESTIONS SECTION: SITES SEEKING TANGIBLE PROPERTY CREDITS IN NYC

EnZone Project Determination

Census Tract 299

Census Tract 299	
EnZoneType A	
FIPS	36061029900
County_FIP	36061
Geography	Census Tract 299
County	New York County
UnempRate	15.4
NYS_UR	11.5
Pov_Rate	31.4
CountyPR	17.7
CountyRate	35.4
Criteria_B	
Both_AB	
Criteria_A	Y
Type	YA

