



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION



BROWNFIELD CLEANUP PROGRAM (BCP)
AMENDMENT APPLICATION FOR CHANGE IN PARTY

07/07

Section I. Existing Application Information

BCP SITE NAME: Uniforms for Industry Site, 129-09 Jamaica Avenue BCP SITE NUMBER: C241103

NAME OF CURRENT APPLICANT(S): UFI, Inc.

INDEX NUMBER OF EXISTING AGREEMENT (if applicable): A2-0585-0307

Section II. Requestor Information

NAME Richmond Hill Housing Limited Partnership; Richmond Hill Housing GP LLC; Union Jamaica Commercial LLC; and, Union Jamaica LLC

ADDRESS 15 Verbena Avenue, Suite 100

CITY/TOWN Floral Park

ZIP CODE 11001

PHONE (516) 277-9300

FAX (516) 277-9325

E-MAIL

NAME OF REQUESTOR'S REPRESENTATIVE Sol Arker

ADDRESS 15 Verbena Avenue, Suite 100

CITY/TOWN Floral Park

ZIP CODE 11001

PHONE (516) 277-9300

FAX (516) 277-9325

E-MAIL sarker@arkercompanies.com

NAME OF REQUESTOR'S CONSULTANT Charles B. Sosik

ADDRESS 1808 Middle Country Road

CITY/TOWN Ridge

ZIP CODE 11961

PHONE (631) 504 6000

FAX (631) 924 2870

E-MAIL csosik2@optonline.net

NAME OF REQUESTOR'S ATTORNEY Jon Schuyler Brooks

ADDRESS c/o Phillips Nizer LLP, 666 Fifth Avenue

CITY/TOWN New York

ZIP CODE 10103

PHONE (212) 841-0780

FAX (212) 262-5152

E-MAIL jbrooks@phillipsnizer.com

THE REQUESTOR MUST CERTIFY THAT IT 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 contamination 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 contamination.

☒ 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 contamination.

NOTE: By checking this box, the requestor certifies that he/she has exercised appropriate care with respect to the contamination found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; and iii) prevent or limit human, environmental, or natural resource exposure to any previously released contamination.

Section II. Requestor Information (Continued)

Requestor's Relationship to Property (check one):

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

If requestor is not the site owner, requestor will have access to the property throughout the BCP project.

☐ Yes ☐ No

(Note: proof of site access must be submitted for non-owners)

Describe Requestor's Relationship to Existing Applicant:

The Existing Applicant has entered into an Agreement of Sale with Vista Developers Corp., an affiliate of the Requestors, and the Requestors will be responsible for all BCP related activities on behalf of Vista Developers Corp., and one or more of the Requestors will acquire beneficial ownership at Closing.

Briefly Describe Basis for Submitting this Amendment Application:

The purpose of the Amendment is to add Requestors to the BCA as Volunteers. The former contract vendee JAR, whose name currently appears on the BCA, is no longer involved with the site and should be administratively removed from the caption.

Section III. Current Site Owner/Operator Information (only include new information)

OWNER'S NAME (if different from requestor) UFI, Inc.

ADDRESS 173 Foster Avenue

CITY/TOWN Valley Stream

ZIP CODE 11530

PHONE (845) 623 0941

FAX (845) 623 1708

E-MAIL rsena@ufi-ny.com

OPERATOR'S NAME (if different from requestor or owner)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Section IV. Eligibility Information for Requestor (Please refer to ECL § 27-1407 for more detail)

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 relating to 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? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 4. Has the requestor been determined to have violated any provision of ECL Article 27? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 5. Has the requestor previously been denied entry to the BCP? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving contaminants? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 7. Has the requestor been convicted of a criminal offense that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 8. Has the requestor knowingly falsified or concealed material facts or knowingly submitted or made use of a false statement in a matter before the Department? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.8(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? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Statement of Certification and Signatures Requestor

(Individual)

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: _____

(Entity) Richmond Hill HOusing GP LLC (by UNION Jamaica LLC (its managing member)
by Sol Arker (managing member)

I hereby affirm that I am managing member (title) of Union Jamaica LLC (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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: Dec 7, 2009 Signature:  Print Name: Sol Arker**Statement of Certification and Signatures Existing Applicant**

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. If an Agreement exists, I will execute an Amendment to that Agreement if this Application for an Amendment is approved.

Date: _____ Signature: _____ Print Name: _____

(Entity)

I hereby affirm that I am _____ (title) of _____ (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. If an Agreement exists, _____ will execute an Amendment to that Agreement if this Application for an Amendment is approved.

Date: _____ Signature: _____ Print Name: _____

SUBMITTAL INFORMATION:

Three (3) complete copies are required.

- Two (2) copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF) on a CD or diskette, 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
- One (1) paper copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check DEC's website for the address of our regional offices: <http://www.dec.ny.gov/about/776.html>

FOR DEPARTMENT USE ONLY

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

PROJECT MANAGER: _____

Statement of Certification and Signatures Requestor

(Individual)

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Date: _____ Signature: _____ Print Name: _____

(Entity) Union Jamaica Commercial LLC (by Union Jamaica LLC (its managing member),
by Sol Arker (managing member)

I hereby affirm that I am managing member (title) of Union Jamaica LLC (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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: Dec 7, 2009 Signature: [Signature] Print Name: Sol Arker**Statement of Certification and Signatures Existing Applicant**

(Individual)

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Statement of Certification and Signatures - Requestor

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Date: _____ Signature: _____ Print Name: _____

(Entity) Union Jamaica LLC by Sol Arker (Managing Member)

I hereby affirm that I am managing member (title) of Union Jamaica LLC (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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: Dec 7, 2009 Signature:  Print Name: Sol Arker**Statement of Certification and Signatures - Existing Applicant**

(Individual)

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Date: _____ Signature: _____ Print Name: _____

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Statement of Certification and Signatures Requestor

(Individual)

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Date: _____ Signature: _____ Print Name: _____

(Entity) Richmond Hill Housing LP, by Richmond Hill HOusing GP LLC (its general partner) by Union Jamaica LLC (its managing member), by Sol Arker (Managing Member) I hereby affirm that I am managing member (title) of Union Jamaica LLC (entity), that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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: Dec 7, 2009 Signature:  Print Name: Sol Arker**Statement of Certification and Signatures Existing Applicant**

(Individual)

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Date: _____ Signature: _____ Print Name: _____

(Entity)

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Date: _____ Signature: _____ Print Name: _____

(Entity)

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Date: _____ Signature: _____ Print Name: _____

Statement of Certification and Signatures Existing Applicant

(Individual)

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Date: _____ Signature: _____ Print Name: _____

(Entity)

I hereby affirm that I am PRESIDENT (title) of UFF, INC. (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. If an Agreement exists, UFF, INC. will execute an Amendment to that Agreement if this Application for an Amendment is approved.

Date: 11/5/09 Signature: [Signature] Print Name: JEFFREY MANDEL**SUBMITTAL INFORMATION:**

Three (3) complete copies are required.

- Two (2) copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF) on a or diskette, must be sent to:

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