

New York State Department of Environmental Conservation

Division of Environmental Remediation

Office of the Director, 12th Floor

625 Broadway, Albany, New York 12233-7011

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Joe Martens
Commissioner

Sent Via Email Only

September 23, 2014

Queens Development Group, LLC
QDG URA Corporation
QDG Hotel Partners, LLC
QDG 126th Street Partners, LLC
QDG Parking Partners LLC
QDG Retail Partners, LLC
Attn: Glenn Goldstein and Richard Browne
c/o Related Companies
60 Columbus Circle
New York, NY 10023



Re: Brownfield Cleanup Agreement Amendment
Site No.: C241146
Site Name: Willets Point Development
BCA Index No.: C241146-10-13
Amendment No. 2

Dear Applicants:

This letter is forwarded to your attention to amend the Brownfield Cleanup Agreement ("BCA" or "Agreement") signed on December 16, 2013; and amended July 14, 2014. The purpose of this 2nd amendment is to add language related to an Independent Environmental Monitor which was contained in Paragraph VI of the original draft BCA mailed to you on October 8, 2013, but which was inadvertently omitted from the revised BCA mailed to you on October 31, 2013. The language is as follows:

VI. Independent Environmental Monitor

The Applicant shall engage and compensate an Independent Environmental Monitor ("IEM") as an independent contractor to oversee all field activities at the Site conducted pursuant to the Remedial Investigation Work Plan, the Remedial Action Work Plan, and any Interim Remedial Measures Work Plan(s) until Department approval of the Final Engineering Report. The Applicant shall engage the IEM subject to the prior approval of the DEC Regional Hazardous Waste Remediation Engineer. The IEM shall be subject to dismissal by the Department without cause. The IEM shall report directly to the Department's Project Manager, as set forth in the approved Work Plans.

The above language is hereby incorporated into and is enforceable pursuant to the subject Agreement effective the date of this letter. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Please have authorized representatives counter sign and date this letter to acknowledge acceptance of the Amendment. **Please print this Amendment, have it signed, and send the original with signatures back to my attention at:**

New York State Department of Environmental Conservation
Division of Environmental Remediation
Attn: Robert Schick
625 Broadway, 12th Floor
Albany, New York 12233-7011

Please keep a copy of the countersigned letter as proof of the BCA Amendment. Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from any obligations held under the Agreement or those same laws.

Please contact me if you have any questions in this regard. Thank you for your assistance in this matter.









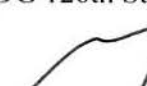
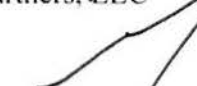
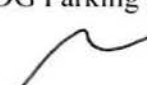

Sincerely,



Robert W. Schick, P.E., Director
Division of Environmental Remediation

The following Applicants, in signing this letter, do hereby acknowledge and accept the amendment to the BCA as set forth above.

ROV

 Queens Development Group, LLC	 Date	Sept 26, 2014	<u>Glenn A. Goldstein</u> By: Name (Please Print)
 QDG URA Corporation	 Date	Sept 26, 2014	<u>Glenn A. Goldstein</u> By: Name (Please Print)
 QDG Hotel Partners, LLC	 Date	Sept 26, 2014	<u>Glenn A. Goldstein</u> By: Name (Please Print)
 QDG 126th Street Partners, LLC	 Date	Sept 26, 2014	<u>Glenn A. Goldstein</u> By: Name (Please Print)
 QDG Parking Partners LLC	 Date	Sept 26, 2014	<u>Glenn A. Goldstein</u> By: Name (Please Print)
 QDG Retail Partners, LLC	 Date	Sept 26, 2014	<u>Glenn A. Goldstein</u> By: Name (Please Print)

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