



SUBMITTAL INSTRUCTIONS:

1. Compile the application package in the following manner:
 - a. one file in non-fillable PDF of the application form plus supplemental information, excluding any previous environmental reports and work plans, if applicable
 - b. if the application requires submittal of previous environmental reports to support the addition of new property, an affordable housing agreement to support the determination for tangible property credits in New York City, or other large files, please include each as a separate PDF.
2. Compress all files (PDFs) into one zipped/compressed folder
3. Submit the application to the Site Control Section either via email or ground mail, as described below.

Please select only ONE submittal method – do NOT submit both email and ground mail.

a. VIA EMAIL:

- Upload the compressed folder to the NYSDEC File Transfer Service (<http://fts.dec.state.ny.us/fts>) or another file-sharing service.
- Copy the download link into the body of an email with any other pertinent information or cover letter attached to the email.
- Subject line of the email: “*Amendment Application NEW - *Site Name* - *Site Code**”
- Email your submission to DESiteControl@dec.ny.gov – **do NOT copy Site Control staff.**

b. VIA GROUND MAIL:

- Save the application file(s) and cover letter to an external storage device (e.g., thumb drive, flash drive). Do NOT include paper copies of the application or attachments.
- Mail the external storage device to the following address:
 Chief, Site Control Section
 Division of Environmental Remediation
 625 Broadway, 11th Floor
 Albany, NY 12233-7020

SITE NAME:	Willets Point Development
SITE CODE:	C241146



Department of
Environmental
Conservation

**BROWNFIELD CLEANUP PROGRAM (BCP)
APPLICATION TO AMEND BROWNFIELD
CLEANUP AGREEMENT AND AMENDMENT**

Please refer to the attached instructions for guidance on completing this application.

Submission of a full BCP application will be required should this application be determined to be a major amendment. If the amendment seeks to add or subtract more than an insignificant acreage of property to the BCA, applicants are encouraged to consult with the DEC project team prior to submitting this application.

PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

1. Check the appropriate box(es) below based on the nature of the amendment modification(s) requested:

<input type="checkbox"/>	Amendment to modify the existing BCA (check one or more boxes below):
<input type="checkbox"/>	Add applicant(s)
<input type="checkbox"/>	Substitute applicant(s)
<input type="checkbox"/>	Remove applicant(s)
<input type="checkbox"/>	Change in name of applicant(s)
<input type="checkbox"/>	Amendment to reflect a transfer of title to all or part of the brownfield site:
	a. A copy of the recorded deed must be provided. Is this attached? Yes <input type="radio"/> No <input type="radio"/>
	b. <input type="checkbox"/> Change in ownership <input type="checkbox"/> Additional owner (such as a beneficial owner)
	c. Pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been submitted prior to a transfer of ownership. If this has not yet been submitted, include the form with this application. Is this form attached? Yes <input type="radio"/> No <input type="radio"/> Submitted on: _____
<input type="checkbox"/>	Amendment to modify description of the property(ies) listed in the existing BCA
<input checked="" type="checkbox"/>	Amendment to expand or reduce property boundaries of the property(ies) listed in the existing BCA
<input type="checkbox"/>	Sites in Bronx, Kings, New York, Queens or Richmond Counties ONLY: amendment to request determination that the site is eligible for tangible property credit component of the brownfield redevelopment tax credit.
<input checked="" type="checkbox"/>	Other (explain in detail below)

2. REQUIRED: Please provide a brief narrative describing the specific requests included in this amendment:

See Attachment A

SECTION I: CURRENT AGREEMENT INFORMATION	
<i>This section must be completed in full. Attach additional pages as necessary.</i>	
BCP SITE NAME: Willets Point Development	BCP SITE CODE: C241146
NAME OF CURRENT APPLICANT(S): Queens Development Group, LLC, et al. (see continuation sheet)	
INDEX NUMBER OF AGREEMENT: C241146-10-13	DATE OF ORIGINAL AGREEMENT: 12/16/2013

SECTION II: NEW REQUESTOR INFORMATION			
<i>Complete this section only if adding new requestor(s) or the name of an existing requestor has changed.</i>			
NAME:			
ADDRESS:			
CITY/TOWN:			ZIP CODE:
PHONE:	EMAIL:		
REQUESTOR CONTACT:			
ADDRESS:			
CITY/TOWN:			ZIP CODE:
PHONE:	EMAIL:		
REQUESTOR'S CONSULTANT:	CONTACT:		
ADDRESS:			
CITY/TOWN:			ZIP CODE:
PHONE:	EMAIL:		
REQUESTOR'S ATTORNEY:	CONTACT:		
ADDRESS:			
CITY/TOWN:			ZIP CODE:
PHONE:	EMAIL:		
		Y	N
1. Is the requestor authorized to conduct business in New York State?		<input type="radio"/>	<input type="radio"/>
2. If the requestor is a corporation, LLC, LLP, or other entity requiring authorization from the NYS Department of State (NYSDOS) to conduct business in NYS, the requestor's name must appear exactly as given above in the NYSDOS Corporation & Business Entity Database. A print-out of entity information from the NYSDOS database must be submitted with this application. Is this print-out attached?		<input type="radio"/>	<input type="radio"/>
3. Requestor must submit proof that the party signing this application and amendment has the authority to bind the requestor. This would be documentation showing the authority to bind the requestor in the form of corporate organizational papers, a Corporate Resolution or an Operating Agreement or Resolution for an LLC. Is this proof attached?		<input type="radio"/>	<input type="radio"/>
4. If the requestor is an LLC, the names of the members/owners must be provided. Is this information attached?		N/A <input type="radio"/>	<input type="radio"/>
5. Describe the new requestor's relationship to all existing applicants:			

Continuation Sheet

Referenced in Part I, Section I of the Current Agreement Information and Part II of the Existing Agreement Information

1. Queens Development Group, LLC
2. QDG Hotel Partners, LLC
3. QDG 126th Street partners, LLC
4. QDG Parking Partners, LLC
5. QDG Retail Partners, LLC
6. Willets Point Phase I Owner, LLC
7. Willets Point Phase I LIHTC Owner, L.P.

SECTION III: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

Complete this section only if a transfer of ownership has taken place. Attach additional pages if necessary.

Owner listed below is: <input type="checkbox"/> Existing Applicant <input type="checkbox"/> New Applicant <input type="checkbox"/> Non-Applicant		
OWNER'S NAME:		CONTACT:
ADDRESS:		
CITY/TOWN:		ZIP CODE:
PHONE:	EMAIL:	
OPERATOR:		CONTACT:
ADDRESS:		
CITY/TOWN:		ZIP CODE:
PHONE:	EMAIL:	

SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION

Complete this section only if adding new requestor(s). Attach additional pages if necessary.

If answering "yes" to any of the following questions, please provide additional information as an attachment. Please refer to ECL § 27-1407 for details.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input type="radio"/>
2. Is the requestor presently subject to an existing order for the investigation, removal or remediation relating to contamination at the site?	<input type="radio"/>	<input type="radio"/>
3. Is the requestor subject to an outstanding claim by the Spill Fund for the site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	<input type="radio"/>	<input type="radio"/>
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of (i) any provision of the subject law; (ii) any order or determination; (iii) any regulation implementing ECL Article 27 Title 14; or (iv) any similar statute or regulation of the state or federal government? If so, provide additional information as an attachment.	<input type="radio"/>	<input type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as site name, address, DEC site number, reason for denial, and any other relevant information.	<input type="radio"/>	<input type="radio"/>
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 or contaminants?	<input type="radio"/>	<input type="radio"/>
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?	<input type="radio"/>	<input type="radio"/>
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of the Department, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to the Department?	<input type="radio"/>	<input type="radio"/>

SECTION IV: NEW REQUESTOR ELIGIBILITY INFORMATION (continued)		Y	N	
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?		<input type="radio"/>	<input type="radio"/>	
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?		<input type="radio"/>	<input type="radio"/>	
11. Are there any unregistered bulk storage tanks on-site which require registration?		<input type="radio"/>	<input type="radio"/>	
12. THE NEW 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:				
<input type="checkbox"/> 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.	<input type="checkbox"/> 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 a 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 they have 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's liability arises solely as a result of ownership, operation of or involvement with the site, they must submit a statement describing why they should be considered a volunteer – be specific as to the appropriate care taken.			
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?		N/A <input type="radio"/>	Y <input type="radio"/>	N <input type="radio"/>
14. Requestor's relationship to the property (check all that apply): <input type="checkbox"/> Prior Owner <input type="checkbox"/> Current Owner <input type="checkbox"/> Potential/Future Purchaser <input type="checkbox"/> Other: _____				
15. If the 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 being added to the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?		N/A <input type="radio"/>	Y <input type="radio"/>	N <input type="radio"/>

SECTION V: PROPERTY DESCRIPTION AND REQUESTED CHANGES

Complete this section only if property is being added to or removed from the site, a lot merger or other change to site SBL(s) has occurred, or if modifying the site address for any reason.

1. Property information on current agreement (as modified by any previous amendments, if applicable):

ADDRESS: 126th St./Willets Point Blvd.

CITY/TOWN Queens

ZIP CODE: 11368

CURRENT PROPERTY INFORMATION

TOTAL ACREAGE OF CURRENT SITE: 22.868

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

See Continuation Sheet

2. Requested change (check appropriate boxes below):

a. Addition of property (may require additional citizen participation depending on the nature of the expansion – see instructions)

PARCELS ADDED:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

TOTAL ACREAGE TO BE ADDED: _____

b. Reduction of property

PARCELS REMOVED:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

See Continuation Sheet

TOTAL ACREAGE TO BE REMOVED: 2.656

c. ~~Change to SBL (e.g., lot merge, subdivision, address change)~~ -- New Sites' SBLs

NEW PROPERTY INFORMATION:

PARCEL ADDRESS

SECTION

BLOCK

LOT

ACREAGE

See Continuation Sheet

3. TOTAL REVISED SITE ACREAGE: 20.212 (Combined acreage of all New Sites)

4. For all changes requested in this section, documentation must be provided. Required attachments are listed in the application instructions. Is the required documentation attached?

Y <input checked="" type="radio"/>	N <input type="radio"/>
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CONTINUATION SHEET

Section V, Item 1 – Property Information on Current BCA * (as modified by any previous amendments)

*Per discussion with DEC Counsel Jennifer Andaloro on July 28, 2023, acreages for individual Lots not required.

Section No.	Block (Current)	Lot (Current)
Queens (4)	1820	9
Queens (4)	1820	18
Queens (4)	1822	17
Queens (4)	1823	19
Queens (4)	1823	20
Queens (4)	1823	21
Queens (4)	1823	23
Queens (4)	1823	26
Queens (4)	1823	28
Queens (4)	1823	55
Queens (4)	1823	52
Queens (4)	1823	47
Queens (4)	1823	44
Queens (4)	1823	40
Queens (4)	1823	33
Queens (4)	1824	100
Queens (4)	1824	1
Queens (4)	1824	12
Queens (4)	1824	53
Queens (4)	1824	19
Queens (4)	1824	21
Queens (4)	1824	26
Queens (4)	1824	28
Queens (4)	1824	45
Queens (4)	1824	40
Queens (4)	1824	38
Queens (4)	1824	33
Queens (4)	1825	150
Queens (4)	1825	1
Queens (4)	1825	19
Queens (4)	1825	21
Queens (4)	1825	25
Queens (4)	1825	28
Queens (4)	1825	58
Queens (4)	1825	55
Queens (4)	1825	53
Queens (4)	1825	48

Queens (4)	1825	46
Queens (4)	1825	30
Queens (4)	1825	37
Queens (4)	1833	120
Queens (4)	1833	117
Queens (4)	1833	111
Queens (4)	1833	112
Queens (4)	1833	155
Queens (4)	1833	103
Queens (4)	1833	130
Queens (4)	1833	135
Queens (4)	1833	140
Queens (4)	1833	141
Queens (4)	1833	143
Queens (4)	1833	151
Queens (4)	1833	158
Queens (4)	1833	172

Section V, Item 2b – Reduction of Property[†]

[†]Per discussion with DEC Counsel Jennifer Andaloro on July 28, 2023, acreages for individual Lots not required.

Section No.	Block No.	Lot No.
Queens (4)	1833	111
Queens (4)	1833	112
Queens (4)	1833	141
Queens (4)	1833	151
Queens (4)	1833	155
Total Acreage to be Removed:		2.656

Section V, Item 2c – New Sites’ SBLs[‡]

[‡]Per discussion with DEC Counsel Jennifer Andaloro on July 28, 2023, acreages for individual Lots not required.

C241146, Willets Point Development Phase 1 Housing Building 1 and 2		
Street Address: 126-01 Roosevelt Avenue, Queens, NY 11356		
Centroid Latitude: 40°45'22.89" N; Longitude: 73°50'32.24" W (NYLI NAD83)		
Section No.	Block	Lot
Queens (4)	1833	120
Queens (4)	1833	130
Queens (4)	1833	135
Total Acreage:		3.114

C241146-B, Willets Point Development Phase 1 Senior Affordable		
Street Address: 38-02 126th Lane, Queens, NY 11356		
Centroid Latitude: 40°45'25.39"N; Longitude: 73°50'30.84"W (NYLI NAD83)		
Section No.	Block	Lot
Queens (4)	1833	140
Total Acreage:		0.370

C241146-C, Willets Point Development Stadium		
Street Address: 37-11 126th Street, Queens, NY 11356		
Centroid Latitude: 40°45'29.99"N; Longitude: 73°50'36.06"W (NYLI NAD83)		
Section No.	Block	Lot
Queens (4)	1823	19
Queens (4)	1823	20
Queens (4)	1823	21
Queens (4)	1823	23
Queens (4)	1823	26
Queens (4)	1823	28
Queens (4)	1823	33
Queens (4)	1823	40
Queens (4)	1823	44
Queens (4)	1823	47
Queens (4)	1823	52
Queens (4)	1823	55
Queens (4)	1824	1
Queens (4)	1824	12
Queens (4)	1824	19
Queens (4)	1824	21
Queens (4)	1824	26
Queens (4)	1824	28
Queens (4)	1824	33
Queens (4)	1824	38
Queens (4)	1824	40
Queens (4)	1824	45
Queens (4)	1824	53
Queens (4)	1824	100
Queens (4)	1825	1
Queens (4)	1825	19
Queens (4)	1825	21
Queens (4)	1825	25
Queens (4)	1825	28
Queens (4)	1825	30
Queens (4)	1825	37

Queens (4)	1825	46
Queens (4)	1825	48
Queens (4)	1825	53
Queens (4)	1825	55
Queens (4)	1825	58
Queens (4)	1825	150
Queens (4)	1833	103
Total Acreage:		9.993

C241146-D, Willets Point Development SCA School		
Street Address: 38-15 126th Lane, Queens, NY 11356		
Centroid Latitude: 40°45'27.05"N; Longitude: 73°50'30.04"W (NYLI NAD83)		
Section No.	Block	Lot
Queens (4)	1833	143
Total Acreage:		0.856

241146-E, Willets Point Development Triangle Parcel		
Street Address: 38-27 126th Street, Queens, NY 11356		
Centroid Latitude: 40°45'22.95"N; Longitude: 73°50'35.47"W (NYLI NAD83)		
Section No.	Block	Lot
Queens (4)	1833	117
Total Acreage:		2.311

C241146-F, Willets Point Development T-Parcel		
Street Address: 126-36 34th Avenue, Queens, NY 11356		
Centroid Latitude: 40°45'35.12"N; Longitude: 73°50'37.72"W (NYLI NAD83)		
Section No.	Block	Lot
Queens (4)	1822	17
Total Acreage:		1.022

C241146-G, Willets Point Development Northern Parcel		
Street Address: 126-30 Northern Boulevard, Queens, NY 11356		
Centroid Latitude: 40°45'38.20"N; Longitude: 73°50'41.01"W (NYLI NAD83)		
Section No.	Block	Lot
Queens (4)	1820	9
Queens (4)	1820	18
Total Acreage:		1.426

C241146-H, Willets Point Development L-Parcel		
Street Address: 38-25 126th Lane, Queens, NY 11356		
Centroid Latitude: 40°45'28.72"N; Longitude: 73°50'28.06"W (NYLI NAD83)		
Section No.	Block	Lot
Queens (4)	1833	158
Queens (4)	1833	172
Total Acreage:		1.120

Section V, Item 3 – Total Revised Site Acreage

New Site No.	New Site Name	New Site Acreages
C241146	Willets Point Development Phase 1 Housing Building 1 and 2	3.114
C241146-B	Willets Point Development Phase 1 Senior Affordable	0.370
C241146-C	Willets Point Development Stadium	9.993
C241146-D	Willets Point Development SCA School	0.856
C241146-E	Willets Point Development Triangle Parcel	2.311
C241146-F	Willets Point Development T-Parcel	1.022
C241146-G	Willets Point Development Northern Parcel	1.426
C241146-H	Willets Point Development L-Parcel	1.120
Combined Acreage of All New Sites:		20.212

**APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT SUPPLEMENT
QUESTIONS FOR SITE SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY**

Complete this section only if the site is located within the five counties comprising New York City and the requestor is seeking a determination of eligibility for tangible property credits. Provide supporting documentation as required. Refer to the application instructions for additional information.

	Y	N
1. Is the site located in Bronx, Kings, New York, Queens or Richmond County?	<input type="radio"/>	<input type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see DEC's website for more information.	<input type="radio"/>	<input type="radio"/>
4. Is the property upside down as defined below?	<input type="radio"/>	<input type="radio"/>
<p>From ECL 27-1405(31):</p> <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>		
5. Is the project and affordable housing project as defined below?	<input type="radio"/>	<input type="radio"/>
<p>From 6 NYCRR 375-3.2(a) as of August 12, 2016:</p> <p>(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.</p> <p>(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’ household’s annual gross income.</p> <p>(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 homeowners at a defined maximum percentage of the area median income.</p> <p>(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.</p>		

APPLICATION SUPPLEMENT FOR NYC SITES (continued)	Y	N
<p>6. Is the project a planned renewable energy facility site as defined below?</p> <p>From ECL 27-1405(33) as of April 9, 2022:</p> <p>“Renewable energy facility site” shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.</p> <p>From Public Service Law Article 4 Section 66-p as of April 23, 2021:</p> <p>(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.</p>	<input type="radio"/>	<input type="radio"/>
<p>7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and meets the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?</p> <p>From ECL 75-0111 as of April 9, 2022:</p> <p>(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.</p>	<input type="radio"/>	<input type="radio"/>

PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT**EXISTING AGREEMENT INFORMATION**

BCP SITE NAME: Willets Point Development

BCP SITE CODE: C241146

NAME OF CURRENT APPLICANT(S): Queens Development Group, LLC, et al. (see continuation sheet)

INDEX NUMBER OF AGREEMENT: C241146-10-13

DATE OF ORIGINAL AGREEMENT 12/16/2013

Declaration of Amendment:

By the requestor(s) and/or applicant(s) signature(s) below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. 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.

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 obligations held under the Agreement or those same laws.

STATEMENT OF CERTIFICATION AND SIGNATURES: NEW REQUESTOR

Complete the appropriate section (individual or entity) below only if this Amendment adds a new requestor. Attach additional pages as needed.

(Individual)

I hereby affirm that the 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. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am _____ (title) of _____ (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.

_____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

Continuation Sheet

Referenced in Part I, Section I of the Current Agreement Information and Part II of the Existing Agreement Information

1. Queens Development Group, LLC
2. QDG Hotel Partners, LLC
3. QDG 126th Street partners, LLC
4. QDG Parking Partners, LLC
5. QDG Retail Partners, LLC
6. Willets Point Phase I Owner, LLC
7. Willets Point Phase I LIHTC Owner, L.P.

STATEMENT OF CERTIFICATION AND SIGNATURES: EXISTING APPLICANT(S)

An authorized representative of each applicant must complete and sign the appropriate section (individual or entity) below. Attach additional pages as needed.

(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. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am Authorized Signatory (title) of Queens Development Group LLC (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. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 09/18/2023 Signature: Glenn Goldstein

Print Name: Glenn Goldstein

PLEASE SEE THE FOLLOWING PAGE FOR SUBMITTAL INSTRUCTIONS

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

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Signature by the Department:

DATED: _____

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

By:

Andrew O. Guglielmi, Director
Division of Environmental Remediation

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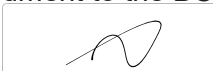
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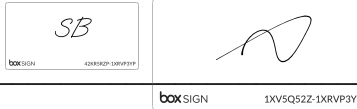
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Attachment A

The purpose of this BCA Application to Amend is to divide the site into eight (8) distinct BCP sites to facilitate post-remedial development, simplify long-term EC/IC implementation, and confirm that the rights and responsibilities as to each site will be limited to the Applicant parties to that new or revised site's BCA and COC holders for that new or revised site. More specifically, the Amendment Application proposes to:

- i. reduce the size of the Willets Point Development BCP Site C241146 ("Existing Site") to 3.114 acres), which will retain BCP Site number C241146);
- ii. Remove 2.656 acres (Lots 111, 112, 141, 151, and 155 of Block 1833) from the site boundary which will become new roadways owned by the City of New York;
- iii. Divide the remainder of the 20.212 acres of the Existing Site into seven (7) new BCP Sites (the "New Sites") having site numbers C241156 B through H).

Fee ownership of the Existing Site has not changed and the Application to Amend will have no impact on the remedial program required. A property narrative description, environmental assessment, latitude/longitude for the centroids and new configuration of the divided BCP Sites can be found in Attachment D. Street addresses for the BCP Sites can be found in Section V of this Application.

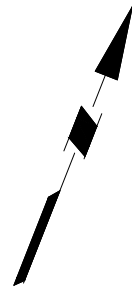
All seven (7) Volunteer Applicants will remain Applicants on the reduced Existing Site Amended BCA, but not on the BCAs for the seven (7) New Sites that will only include the following five (5) Applicants: Queens Development Group, LLC; QDG Hotel Partners, LLC; QDG 126th Street Partners, LLC; QDG Parking Partners, LLC; and QDG Retail Partners, LLC.

As a condition of the proposed site split in this Amendment, each new or amended (as to the reduced size BCP Site C241146) brownfield site cleanup agreement (BCA) will provide as follows:

1. The BCA parties ("Applicants") would waive and agree not to claim: (1) site preparation and on-site groundwater remediation credits with respect to operable unit 2 (OU-2) of the Existing Site or the New Sites to be created from what is now OU-2; and (2) tangible property credits with respect to New Sites C241146-B through C241146-G. Applicants will be eligible to claim site preparation and tangible property credits for the reduced size BCP Site C241146.

2. All site preparation and groundwater remediation costs incurred up to the effective date of the site split amendment (or the BCAs for the New Sites, if later) in connection with Block 1833, Lots 111, 112, 120, 130, 135, 140, 143 and 151 (f/k/a OU-1) shall be ascribed to the reduced size BCP Site C241146 for all tax credit purposes including calculating the site preparation and groundwater remediation components for the reduced size BCP Site C241146 and calculating the "3X" limit for the reduced size BCP Site C241146 tangible credits (in Tax Law section 21(a)(3-a)). The BCA for the reduced size BCP Site C241146 will retain the original execution date of December 16, 2013.

Attachment B

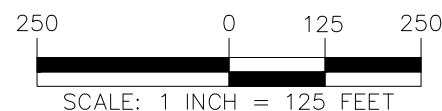
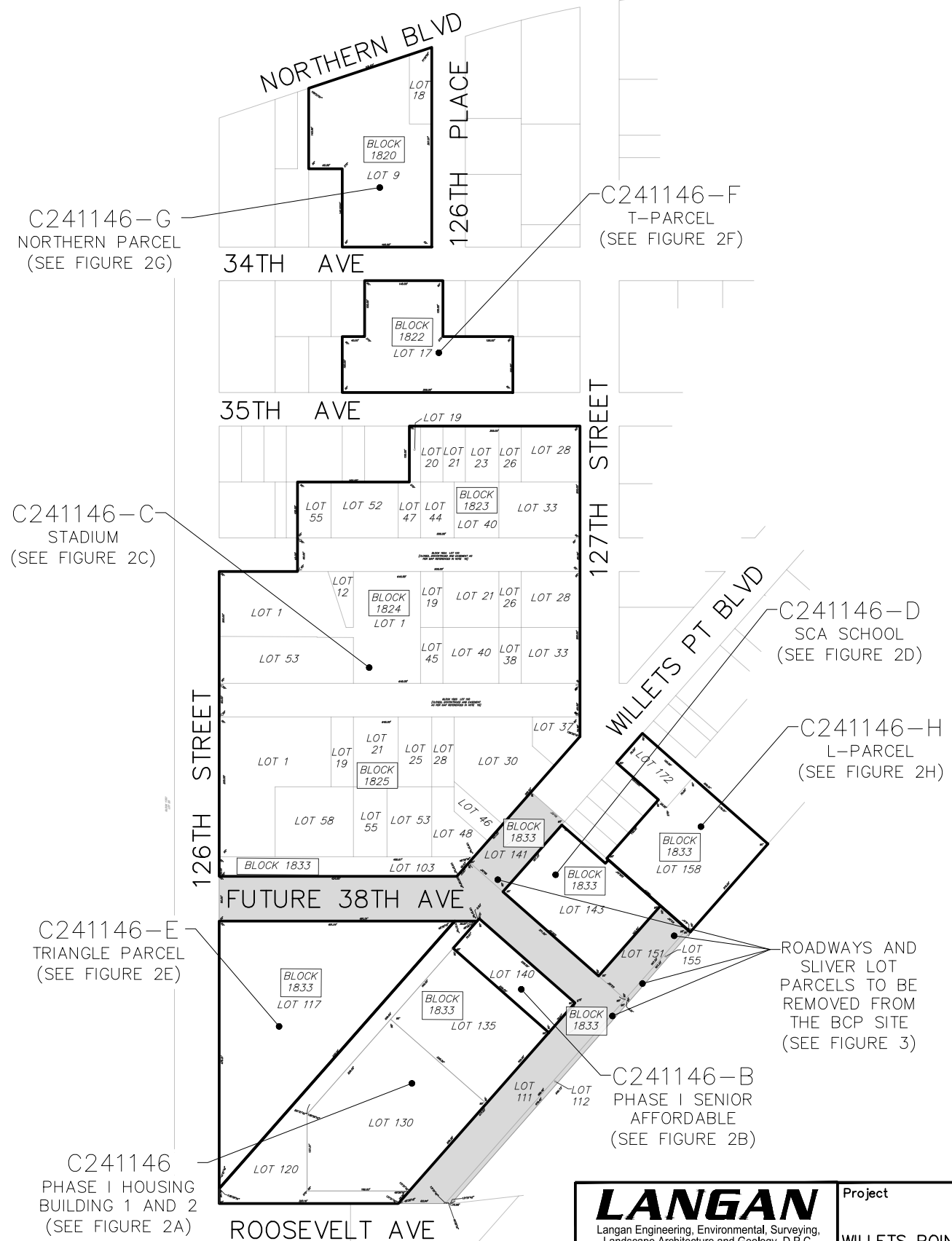


LEGEND:

- PROPOSED BCP SITE BOUNDARY
- AREA TO BE REMOVED FROM BCP SITE NO. C241146
- TAX LOT LINE

GENERAL NOTES:

1. BACKGROUND IS BASED ON DRAFT WILLETS POINT DEVELOPMENT BOUNDARY, TOPOGRAPHIC, AND UTILITY SURVEY, DATED JULY 28, 2023, PREPARED BY LANGAN.



WARNING: IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.

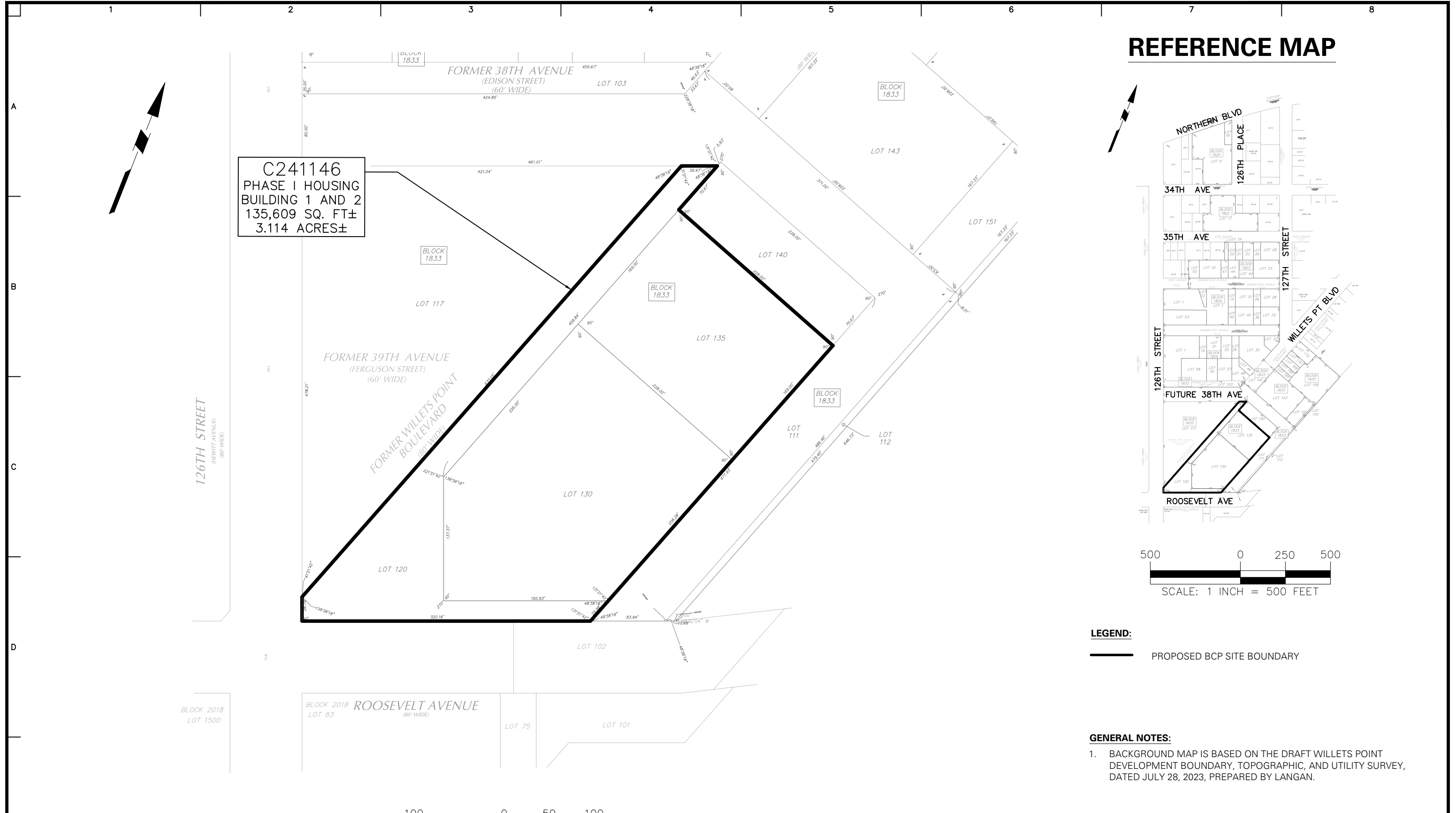
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 21 Penn Plaza, 360 West 31st Street, 8th Floor
 New York, NY 10001
 T: 212.479.5400 F: 212.479.5444 www.langan.com

Project	WILLETS POINT DEVELOPMENT
QUEENS	NEW YORK

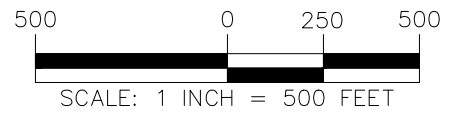
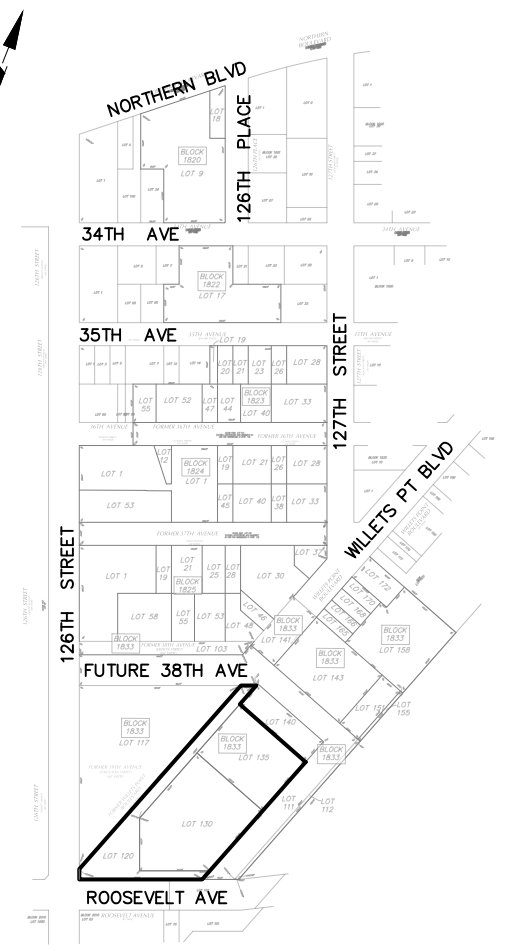
Figure Title	SITE SPLIT OVERVIEW
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Project No.	170197601
Date	08/23/2023
Drawn By	CG
Checked By	NP

Figure	1
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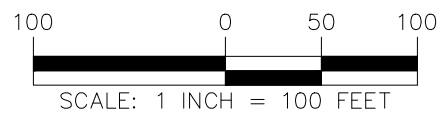
REFERENCE MAP



LEGEND:
 PROPOSED BCP SITE BOUNDARY

- GENERAL NOTES:**
1. BACKGROUND MAP IS BASED ON THE DRAFT WILLETS POINT DEVELOPMENT BOUNDARY, TOPOGRAPHIC, AND UTILITY SURVEY, DATED JULY 28, 2023, PREPARED BY LANGAN.

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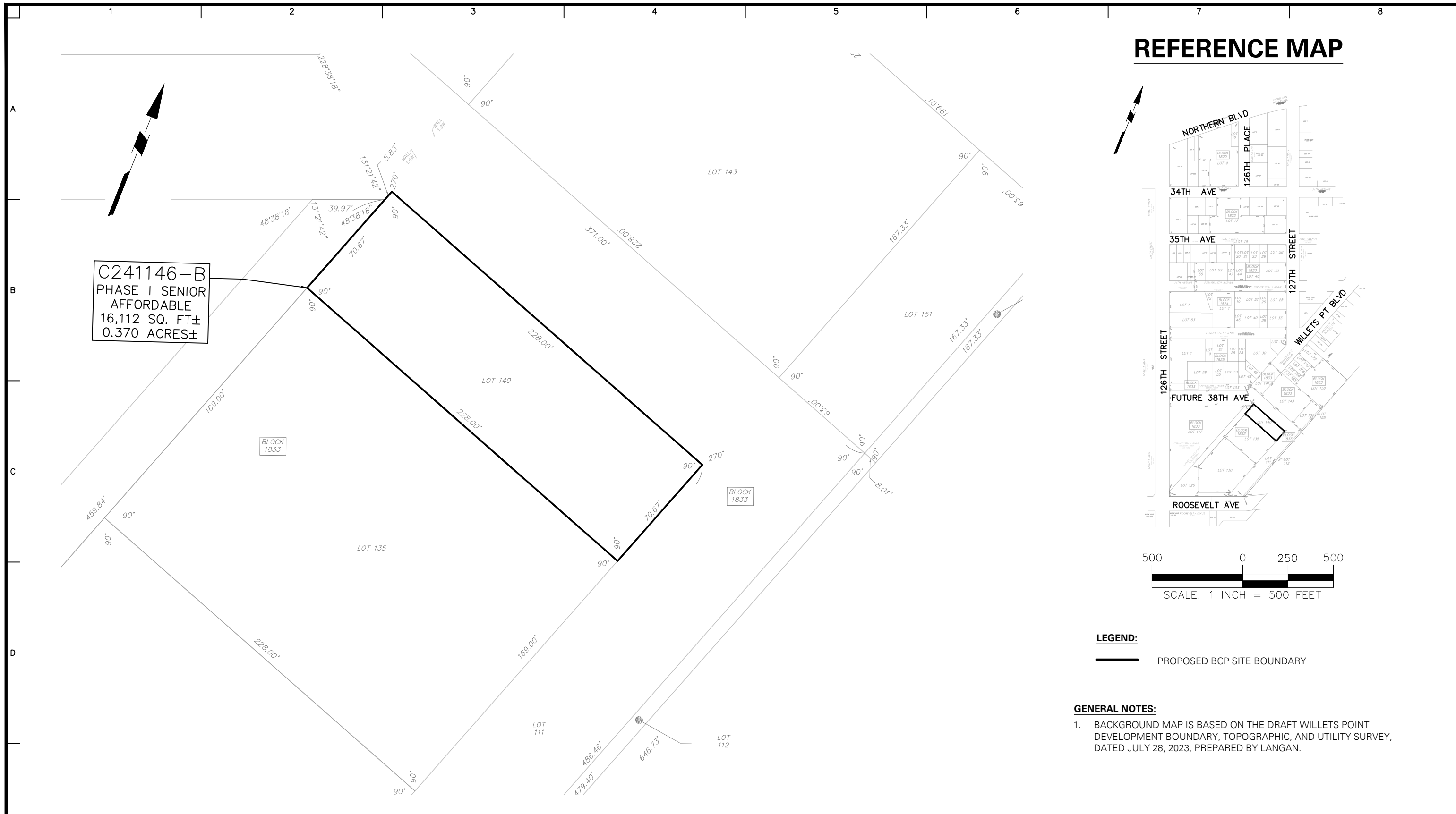
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Project
 WILLETS POINT DEVELOPMENT
 PHASE I HOUSING
 BUILDING 1 AND 2
 (C241146)
 BLOCK No. 1833, LOT Nos. 120, 130 & 135
 QUEENS NEW YORK

Figure Title
 SITE PLAN

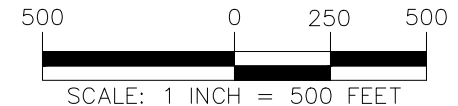
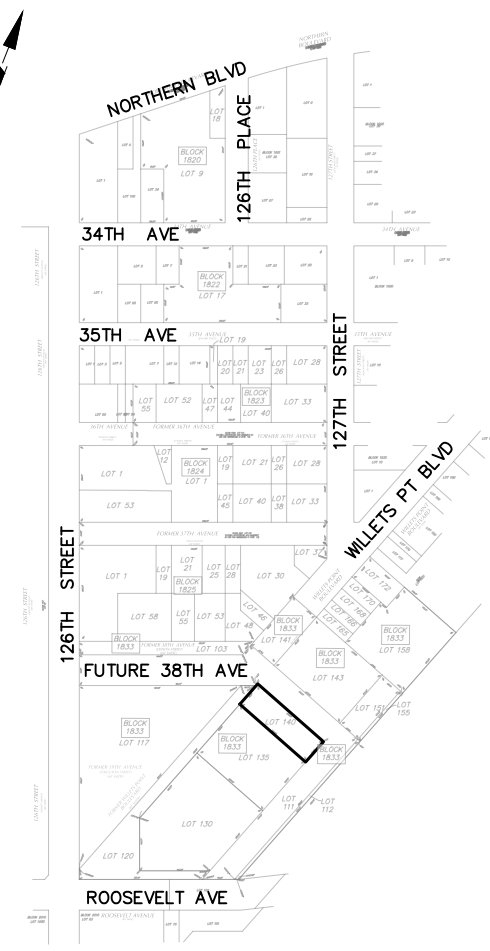
Project No.
 170197601
 Date
 08/23/2023
 Drawn By
 CG
 Checked By
 NP

Figure No.
 2A



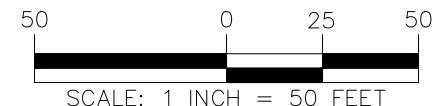
C241146-B
PHASE I SENIOR AFFORDABLE
16,112 SQ. FT±
0.370 ACRES±

REFERENCE MAP



LEGEND:
 PROPOSED BCP SITE BOUNDARY

- GENERAL NOTES:**
- BACKGROUND MAP IS BASED ON THE DRAFT WILLETS POINT DEVELOPMENT BOUNDARY, TOPOGRAPHIC, AND UTILITY SURVEY, DATED JULY 28, 2023, PREPARED BY LANGAN.

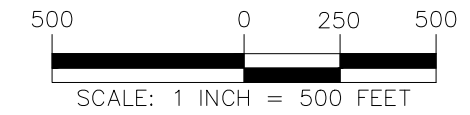
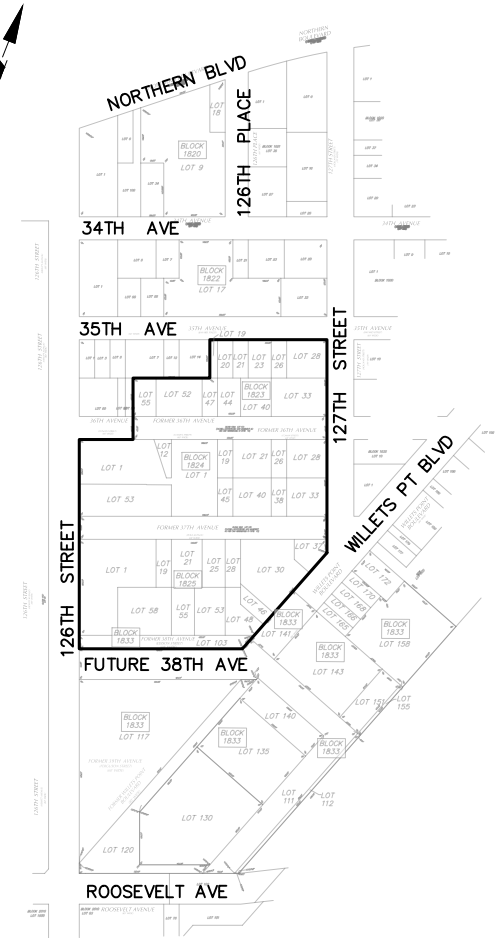


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	Date 08/23/2023	Drawn By CG	Checked By NP	

C241146-C
STADIUM
435,302 SQ. FT±
9.993 ACRES±

REFERENCE MAP

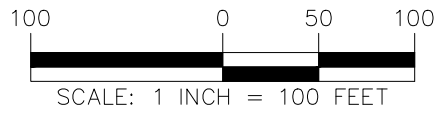
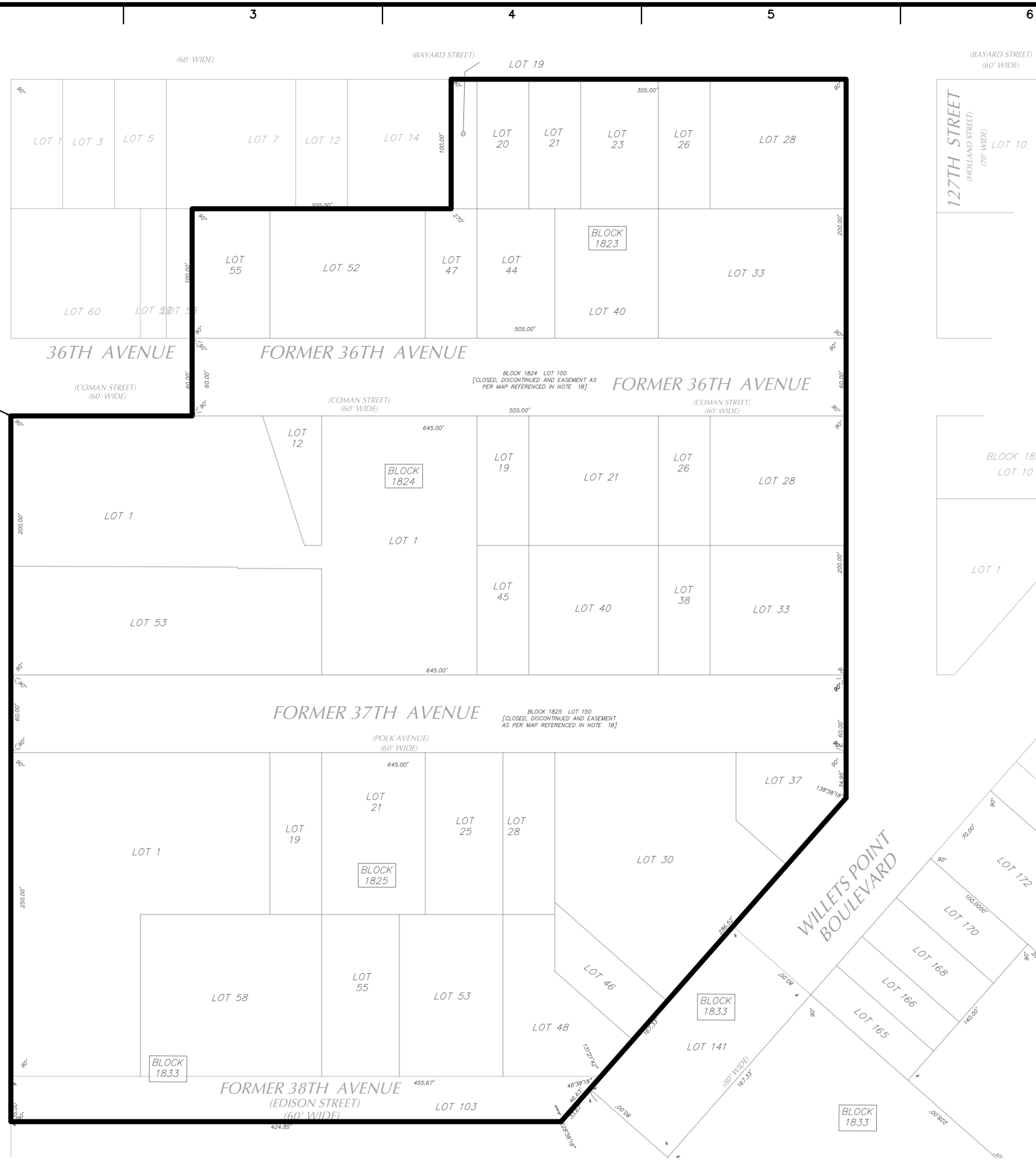


LEGEND:

— PROPOSED BCP SITE BOUNDARY

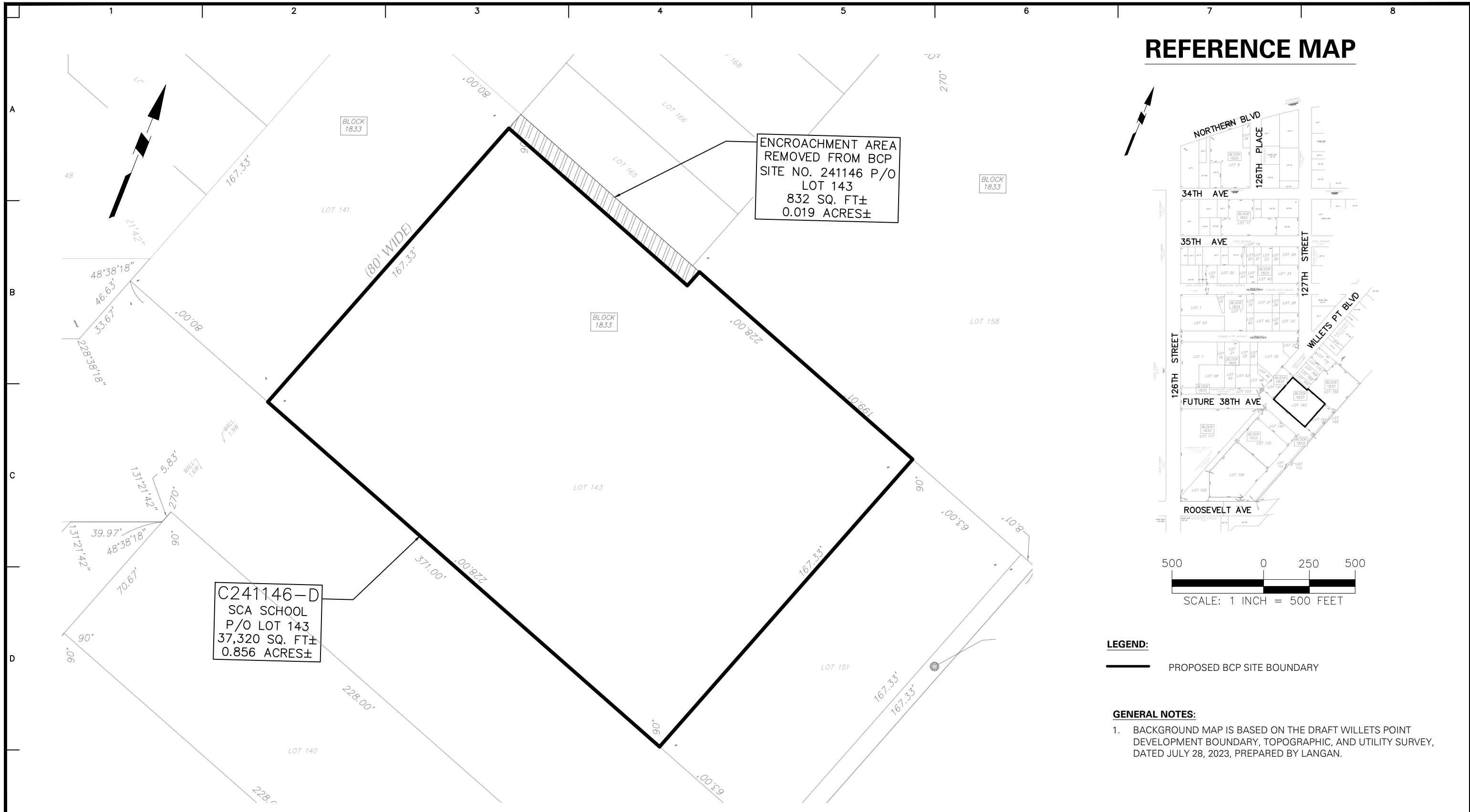
GENERAL NOTES:

1. BACKGROUND MAP IS BASED ON THE DRAFT WILLETS POINT DEVELOPMENT BOUNDARY, TOPOGRAPHIC, AND UTILITY SURVEY, DATED JULY 28, 2023, PREPARED BY LANGAN.



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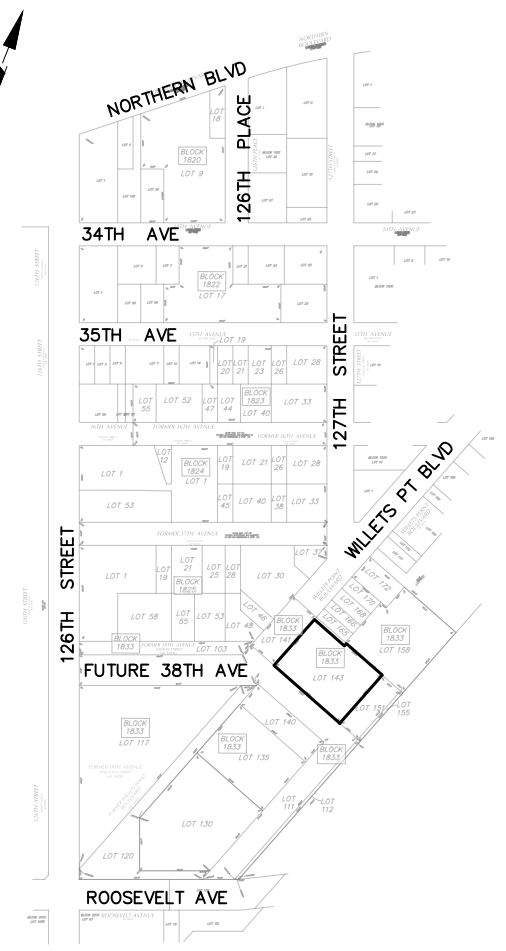
<p>LANGAN Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. 21 Penn Plaza, 360 West 31st Street, 8th Floor New York, NY 10001 T: 212.479.5400 F: 212.479.5444 www.langan.com</p>	<p>Project WILLETS POINT DEVELOPMENT STADIUM (C241146-C)</p> <p><small>BLOCK No. 1823, LOT Nos. 19, 20, 21, 23, 26, 28, 33, 40, 44, 47, 52, & 55, BLOCK No. 1824, LOT Nos. 1, 12, 19, 21, 26, 28, 33, 38, 40, 45, 53, & 100, BLOCK No. 1825, LOT Nos. 1, 19, 21, 25, 28, 30, 37, 46, 48, 53, 55, 58, & 150, & BLOCK No. 1833, LOT No. 103</small></p>	<p>Figure Title SITE PLAN</p>	<p>Project No. 170197601</p>	<p>Figure No. 20</p>
			<p>Date 08/23/2023</p>	
		<p>Drawn By CG</p>		
		<p>Checked By NP</p>		



ENCROACHMENT AREA
 REMOVED FROM BCP
 SITE NO. 241146 P/O
 LOT 143
 832 SQ. FT±
 0.019 ACRES±

C241146-D
 SCA SCHOOL
 P/O LOT 143
 37,320 SQ. FT±
 0.856 ACRES±

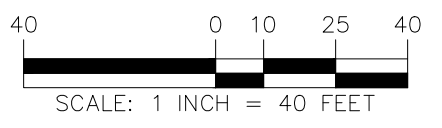
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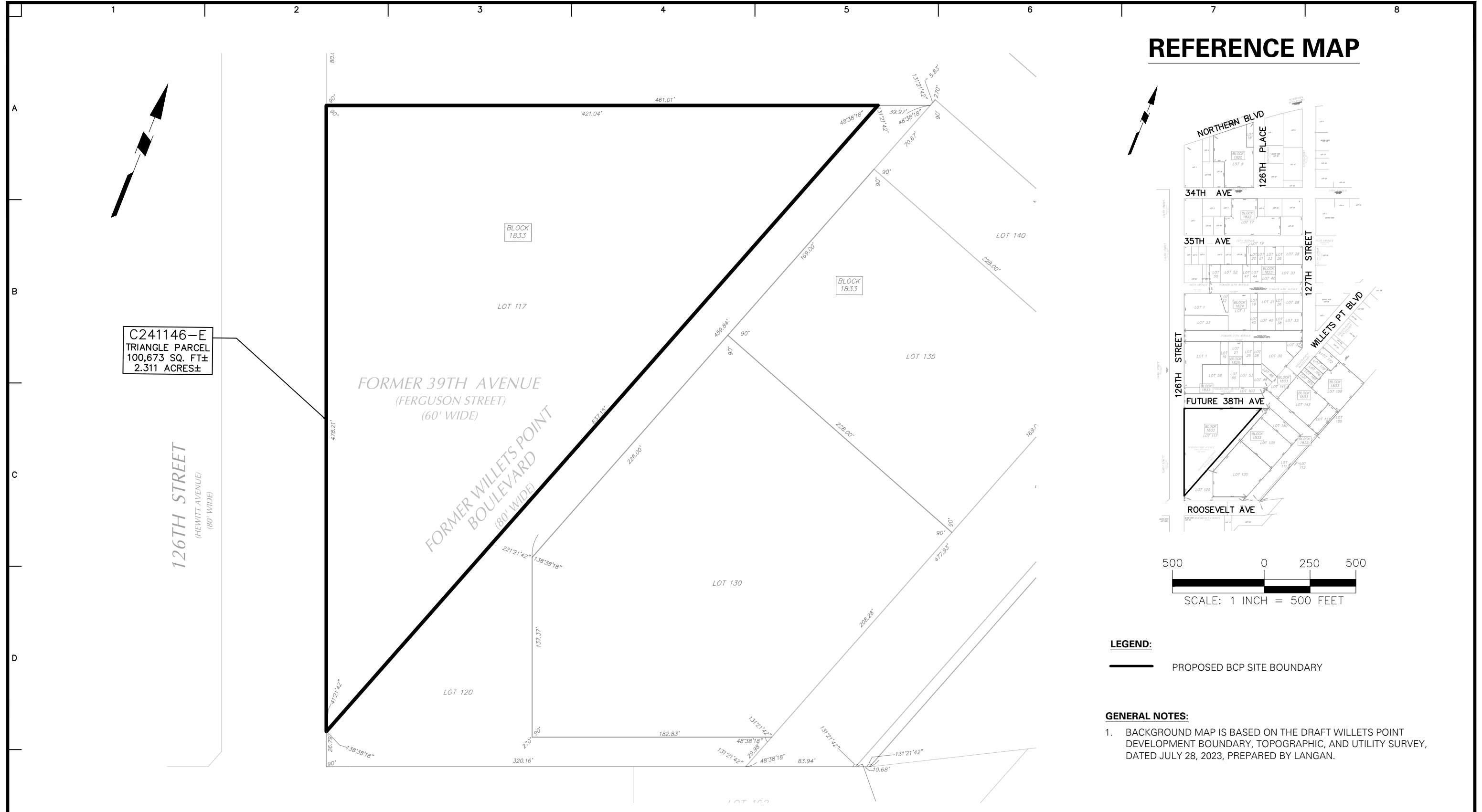
LEGEND:
 — PROPOSED BCP SITE BOUNDARY

GENERAL NOTES:
 1. BACKGROUND MAP IS BASED ON THE DRAFT WILLETS POINT DEVELOPMENT BOUNDARY, TOPOGRAPHIC, AND UTILITY SURVEY, DATED JULY 28, 2023, PREPARED BY LANGAN.

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			Date 08/23/2023	
			Drawn By CG	
			Checked By NP	

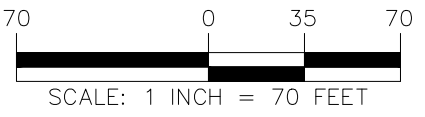


C241146-E
TRIANGLE PARCEL
100,673 SQ. FT±
2.311 ACRES±

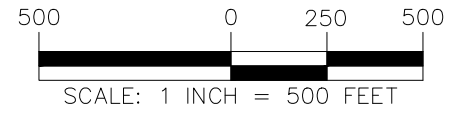
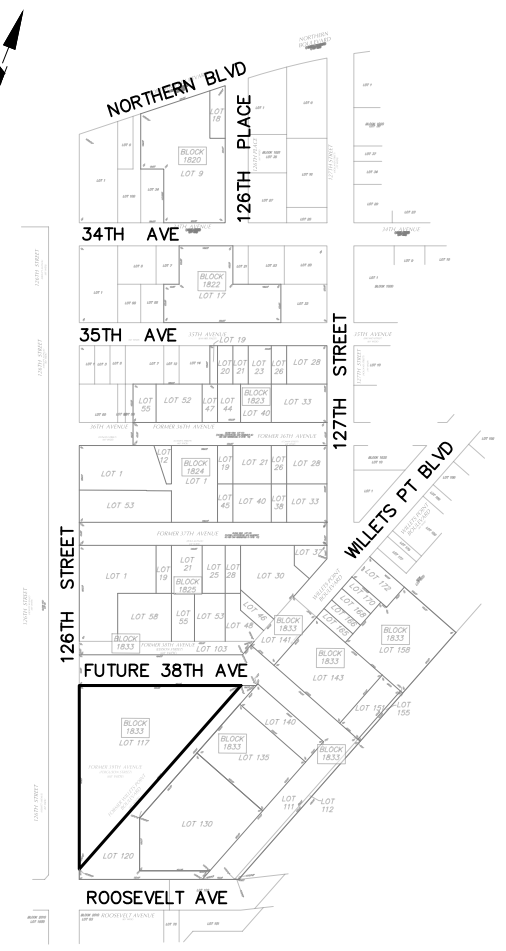
126TH STREET
(HEWITT AVENUE)
(80' WIDE)

FORMER 39TH AVENUE
(FERGUSON STREET)
(60' WIDE)

FORMER WILLETS POINT
BOULEVARD
(80' WIDE)



REFERENCE MAP



LEGEND:

— PROPOSED BCP SITE BOUNDARY

GENERAL NOTES:

1. BACKGROUND MAP IS BASED ON THE DRAFT WILLETS POINT DEVELOPMENT BOUNDARY, TOPOGRAPHIC, AND UTILITY SURVEY, DATED JULY 28, 2023, PREPARED BY LANGAN.

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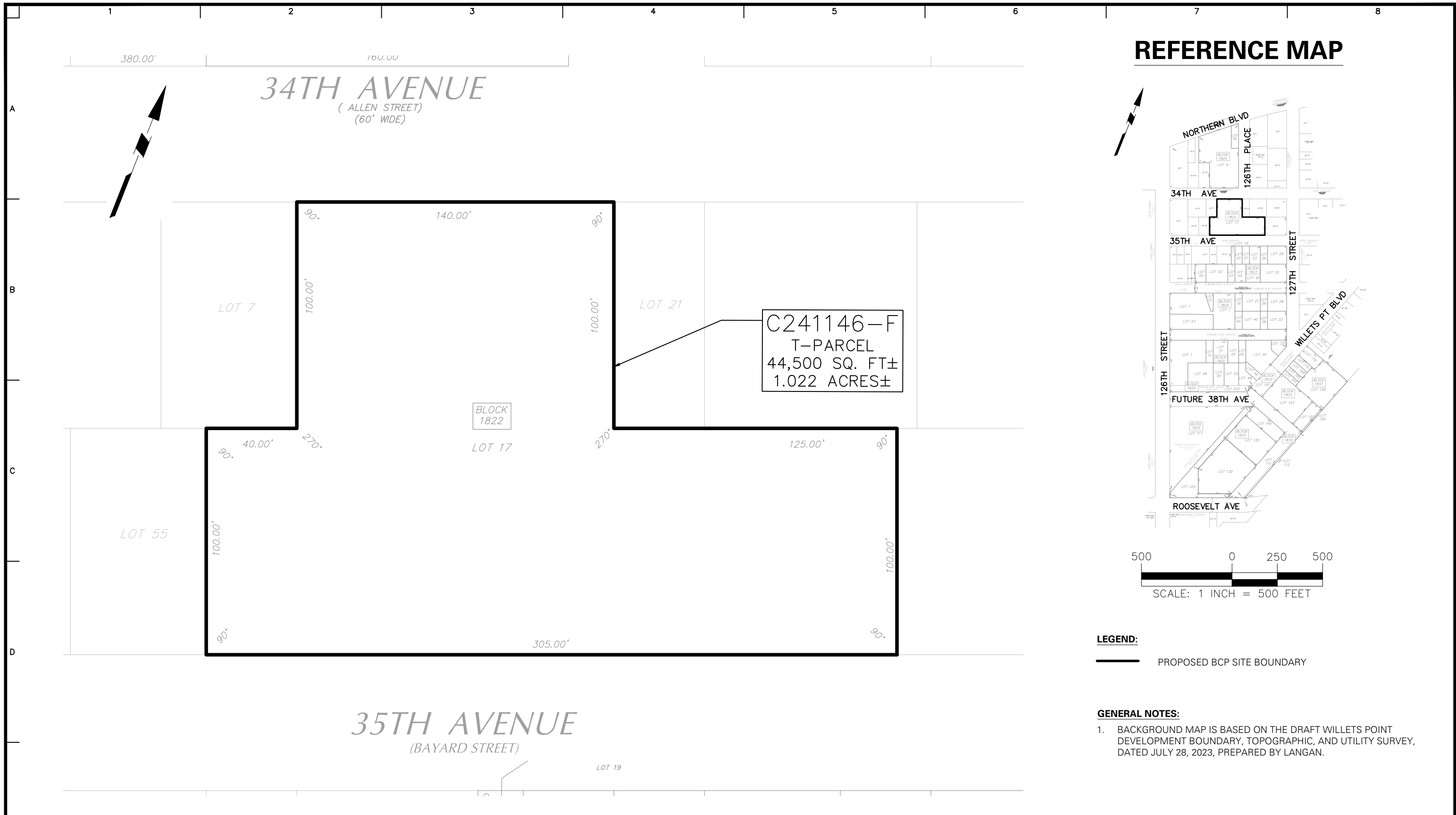
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New York, NY 10001
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Project
WILLETS POINT DEVELOPMENT
TRIANGLE PARCEL
(C241146-E)
BLOCK No. 1833, LOT No. 117
QUEENS NEW YORK

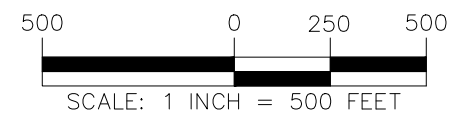
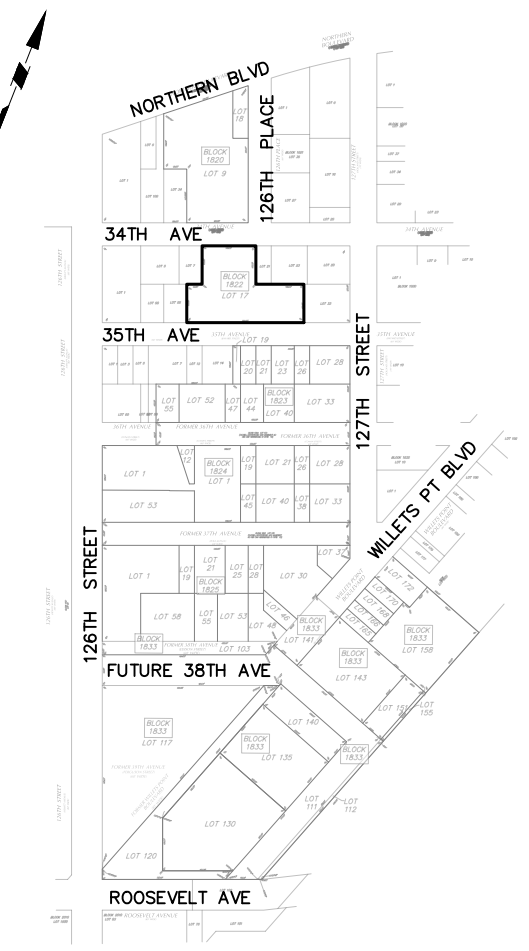
Drawing Title
SITE PLAN

Project No.
170197601
Date
08/23/2023
Drawn By
CG
Checked By
NP

Figure No.
2E



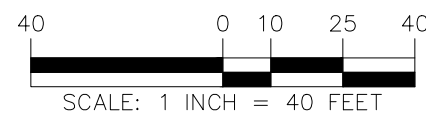
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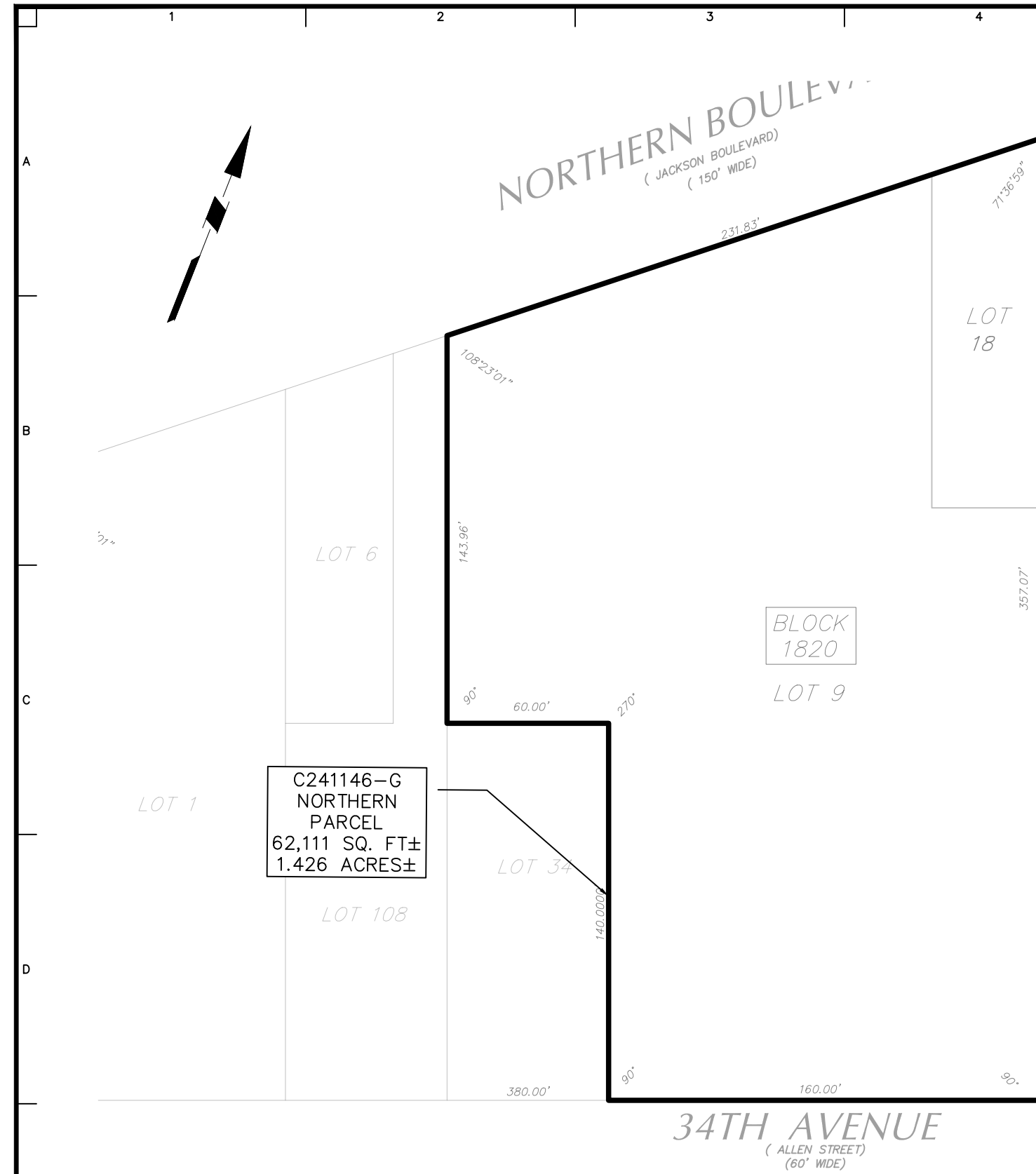
LEGEND:
 PROPOSED BCP SITE BOUNDARY

GENERAL NOTES:
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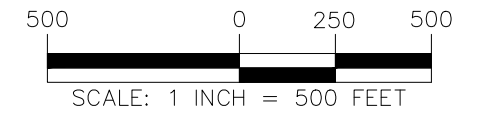
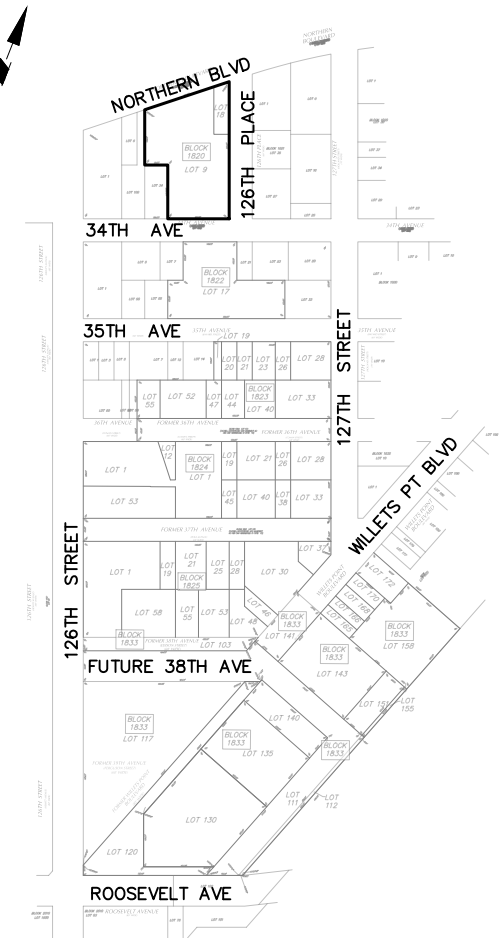
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			Date 08/23/2023	
			Drawn By CG	
			Checked By NP	



REFERENCE MAP



LEGEND:

PROPOSED BCP SITE BOUNDARY

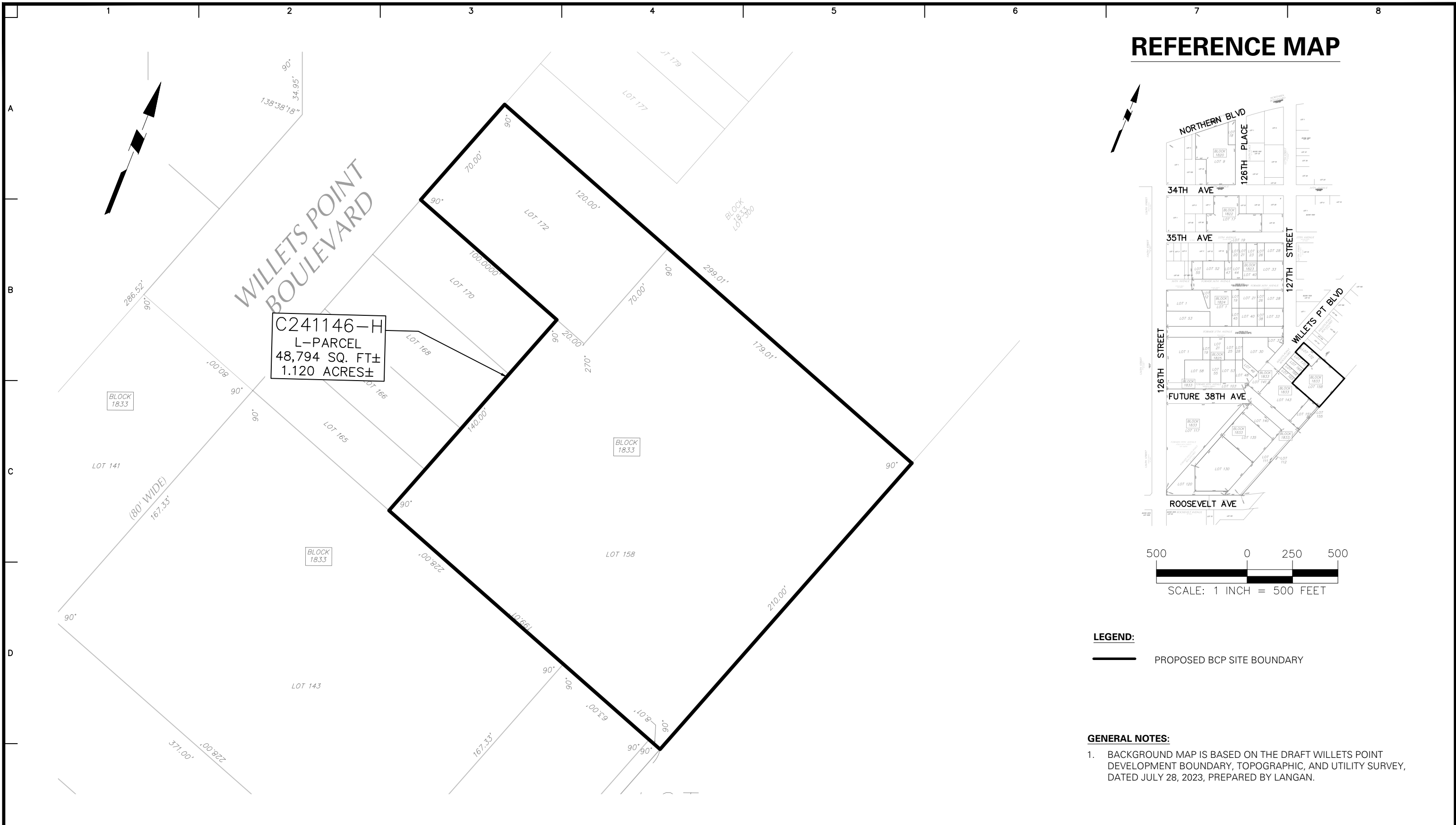
GENERAL NOTES:

- BACKGROUND MAP IS BASED ON THE DRAFT WILLETS POINT DEVELOPMENT BOUNDARY, TOPOGRAPHIC, AND UTILITY SURVEY, DATED JULY 28, 2023, PREPARED BY LANGAN.

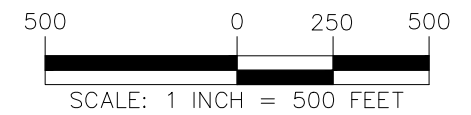
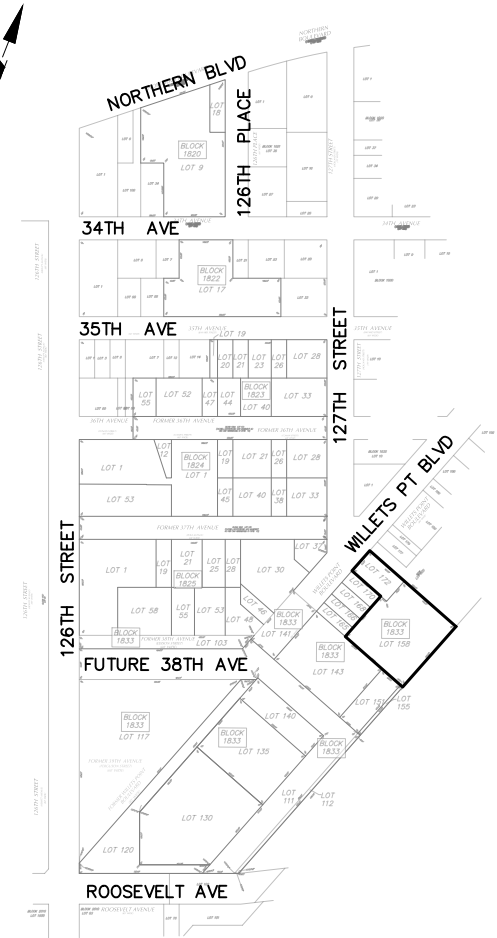
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	© 2021 Langan			



REFERENCE MAP



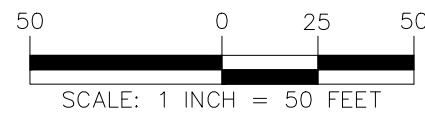
LEGEND:

— PROPOSED BCP SITE BOUNDARY

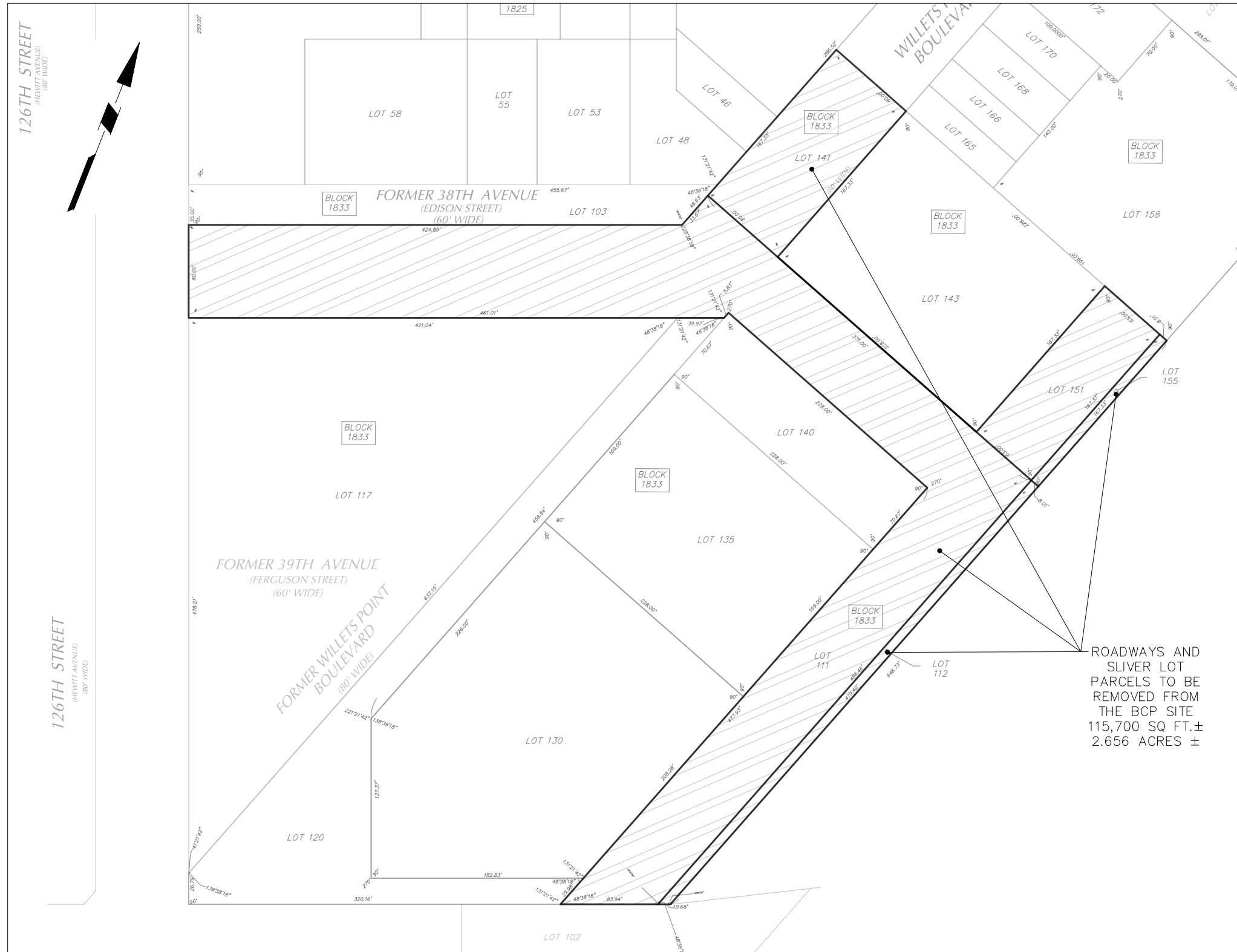
GENERAL NOTES:

1. BACKGROUND MAP IS BASED ON THE DRAFT WILLETS POINT DEVELOPMENT BOUNDARY, TOPOGRAPHIC, AND UTILITY SURVEY, DATED JULY 28, 2023, PREPARED BY LANGAN.

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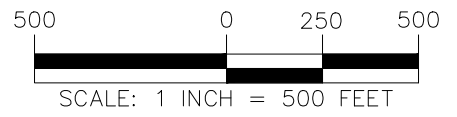
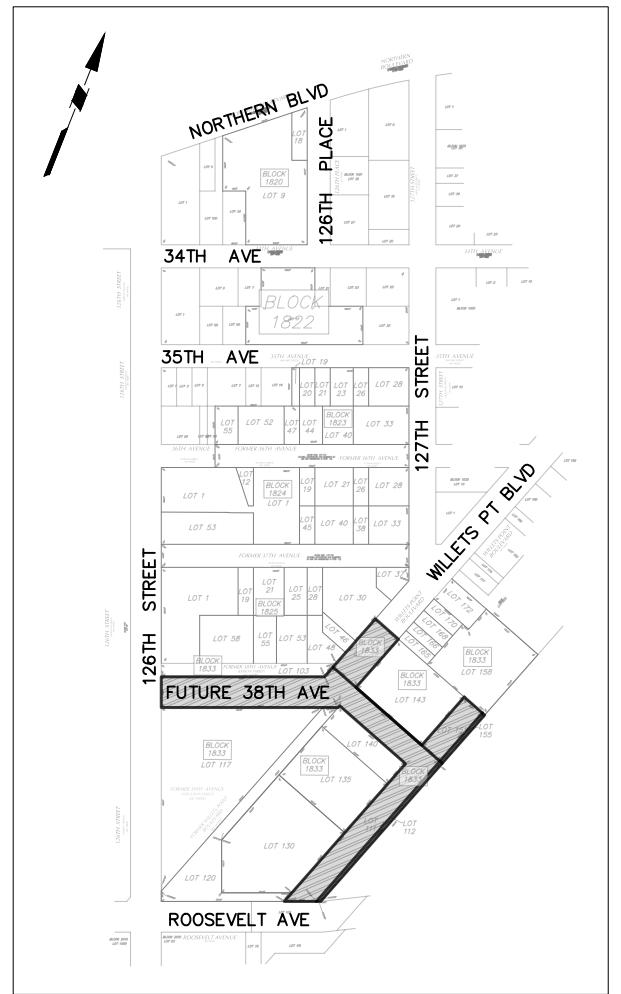


<p>Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. 21 Penn Plaza, 360 West 31st Street, 8th Floor New York, NY 10001 T: 212.479.5400 F: 212.479.5444 www.langan.com</p>	<p>Project WILLETS POINT DEVELOPMENT L-PARCEL (C241146-H) BLOCK No. 1833, LOT Nos. 158 & 172 QUEENS NEW YORK</p>	<p>Drawing Title SITE PLAN</p>	<p>Project No. 170197601</p>	<p>Figure No. 2H</p>
	<p>Date 08/23/2023</p>	<p>Drawn By CG</p>	<p>Checked By NP</p>	



ROADWAYS AND SLIVER LOT PARCELS TO BE REMOVED FROM THE BCP SITE
115,700 SQ FT. ±
2.656 ACRES ±

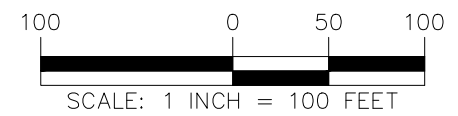
REFERENCE MAP



LEGEND:
 PROPOSED AREA TO BE REMOVED FROM BCP SITE

GENERAL NOTES:
 1. BACKGROUND MAP IS BASED ON THE DRAFT WILLETS POINT DEVELOPMENT BOUNDARY, TOPOGRAPHIC, AND UTILITY SURVEY, DATED JULY 28, 2023, PREPARED BY LANGAN.

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			Date 08/28/2023	
			Drawn By CG	
			Checked By NP	

Attachment C



New York City Economic Development Corporation

January 24, 2013

Ms. Jane H. O'Connell
Chief, Superfund and Brownfield Cleanup Section
Region 2
NYS Department of Environmental Conservation
47-40 21st Street
Long Island City, NY 11101-5401

Re: Willetts Point Brownfield Site (Site)
Queens, New York

Dear Ms. O'Connell:

We are writing to confirm that, even though the New York City Economic Development Corporation (EDC) has elected not to become a co-applicant to the New York State Brownfield Cleanup Program (BCP) for the above-captioned Site, EDC will nevertheless provide access to the Site to Queens Development Group, LLC (QDG), the contract vendee in order to assist QDG in fulfilling its obligations under the BCP.

Very truly yours,

A handwritten signature in cursive script that reads "Miriam G. Harris".

Miriam G. Harris
Senior Vice President – Real Estate Transaction Services

Attachment D

Property Description Narrative

Location

The 3.114-acre Willetts Point Development Phase I Housing Building 1 and 2 Brownfield Cleanup Program (BCP) Site (Site) is located in the Willetts Point neighborhood of Queens, New York at 126-01 Roosevelt Avenue. The Site is comprised of Queens Borough Block 1833, Lots 120, 130, and 135 (the centroid of this Site is at Latitude 40°45'22.89", Longitude 73°50'32.24")¹, and was formerly part of the 22.868-acre Willetts Point Development BCP Site.

The Site was remediated as part of Operable Unit 1 (OU-1, an approximately 7.784-acre part of the 22.868-acre Willetts Point Development BCP Site), in accordance with the Brownfield Cleanup Agreement dated as of December 16, 2016, as amended (BCA), the September 18, 2019 New York State Department of Environmental Conservation (NYSDEC)-approved Interim Remedial Measure Work Plan (IRMWP), and the May 11, 2021 New York State Department of Environmental Conservation (NYSDEC)-approved Remedial Action Work Plan (RAWP).

This amendment to the BCA removes 2.656 acres from the BCP, and divides the balance of the current 22.868-acre Willetts Point Development BCP Site into eight separate BCP sites (BCP Site Nos. C241146 and C241146-B through C241146-H). This Site will retain the BCP Site Number C241146.

Current Zoning/Use

The Site is currently vacant. The entire project area is zoned C4-4 (commercial) with a Special Willetts Point District (WP) overlay. The intended use of the Site is for residential and commercial.

Historical Site Use

Prior to the 1900s, the Willetts Point area was a tidally influenced salt marsh. From the early 1900s to the early 1930s, the Willetts Point area was used as a dumping ground for coal ash from residential and municipal heating operations in greater New York City. In the late 1930s, Willetts Point and nearby Flushing Corona Park were graded and redeveloped. Previously deposited coal ash was left in place as fill. The Willetts Point area was developed primarily with automotive uses, including small auto repair shops, filling stations, and scrapyards. These automotive-centric industrial activities characterized the Willetts Point area through about 2015, when they were largely shutdown.

Site Geology and Hydrogeology

The Site is situated on a former tidal wetland that was filled in during use as a municipal landfill. The ash fill and nonnative fill extends from the immediate surface to a depth of approximately 15-20 feet below

¹ Horizontal datum is referenced to the New York State Plan Coordinate System NYLI NAD83.

surface grade. An organic material and clay layer is present beneath the fill material. Groundwater flows radially toward the northwest toward Flushing Bay. Groundwater has been identified as shallow as several feet below surface grade. Groundwater has been identified as shallow as several feet below surface grade. Additional geological and hydrogeological details are described in the February 23, 2021 Remedial Investigation Report (RIR).

Environmental Assessment

Remediation began under the IRMWP between October 17, 2019 and February 12, 2020, and was later completed in March 2022 in accordance with the RAWP, as documented in the NYSDEC-approved July 5, 2023 Construction Completion Report (CCR) for OU-1. A Final Engineering Report (FER) specific to the Willetts Point Development Phase I Housing Building 1 and 2 BCP Site is forthcoming and planned for submission to NYSDEC in October 2023. The description below pertains to pre-remediation conditions of the Site.

Potential sources of contamination include former automotive industrial uses, current automotive industrial uses of surrounding properties, and contaminated fill. Historical on-site and current off-site automotive industrial operations at the Site are sources of petroleum-related volatile organic compounds (VOCs), petroleum-related semi-volatile organic compounds (SVOCs), and VOCs in soil vapor. One localized area of the Site appeared to be a source of petroleum-related VOCs and SVOCs in groundwater and soil vapor. The site-wide presence of contaminated fill throughout the 22.868-acre Willetts Point Development BCP Site has been established as a source of SVOCs, PCBs, pesticides, and metals in soil.

Based on previous investigations and available data, the primary contaminants of concern include VOCs, SVOC, polychlorinated biphenyls (PCBs), and metals in soil/fill; VOCs, SVOCs, metals, and PFAS in groundwater; and VOCs in soil vapor. The exceedances of applicable remedial criteria within this Site are similar to those throughout the 22.868-acre Willetts Point Development BCP Site. A summary of impacted media from the RIR, and April 29, 2022 RIR is provided below..

Soil:

VOCs, SVOCs, total PCBs, and metals were detected in soil across the Site at concentrations above NYSDEC Part 375 Protection of Groundwater (PGW) and/or Restricted Residential (RR) Soil Cleanup Objectives (SCOs). Additional information on exceedances of soil samples can be found on Tables 3 through 5, and Figure 8A of the February 23, 2021 RIR located at the following link: <https://www.dec.ny.gov/data/DecDocs/C241146/>.

Groundwater:

VOCs, metals, and PFAS were detected above the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Class GA water (referred to collectively as SGVs) throughout the Site. Additional information on exceedances of groundwater samples can be found on Tables 10 and 11, and Figure 9 of the February 23, 2021 RIR.

Soil Vapor:

VOCs were detected in soil vapor throughout the Site. Additional information on soil vapor samples can be found on Table 12, and Figure 10 of the February 23, 2021 RIR.

Property Description Narrative

Location

The 0.370-acre Willetts Point Development Phase I Senior Affordable Brownfield Cleanup Program (BCP) Site (Site) is located in the Willetts Point neighborhood of Queens, New York at 38-02 126th Lane. The Site is comprised of Queens Borough Block 1833, Lot 140 (the centroid of this Site is at Latitude 40°45'25.39", Longitude 73°50'30.84")¹, and was formerly part of the 22.868-acre Willetts Point Development BCP Site.

The Site was remediated as part of Operable Unit 1 (OU-1, an approximately 7.784-acre part of the 22.868-acre Willetts Point Development BCP Site), in accordance with the Brownfield Cleanup Agreement dated as of December 16, 2016, as amended (BCA) and the May 11, 2021 New York State Department of Environmental Conservation (NYSDEC)-approved Remedial Action Work Plan (RAWP).

This amendment to the BCA removes 2.656 acres from the BCP, and divides the balance of the current 22.868-acre Willetts Point Development BCP Site into eight separate BCP sites (BCP Site Nos. C241146 and C241146-B through C241146-H). This Site will become BCP Site Number C241146-B.

Current Zoning/Use

The Site is currently vacant. The entire project area is zoned C4-4 (commercial) with a Special Willetts Point District (WP) overlay. The intended use of the Site is for residential and commercial.

Historical Site Use

Prior to the 1900s, the Willetts Point area was a tidally influenced salt marsh. From the early 1900s to the early 1930s, the Willetts Point area was used as a dumping ground for coal ash from residential and municipal heating operations in greater New York City. In the late 1930s, Willetts Point and nearby Flushing Corona Park were graded and redeveloped. Previously deposited coal ash was left in place as fill. The Willetts Point area was developed primarily with automotive uses, including small auto repair shops, filling stations, and scrapyards. These automotive-centric industrial activities characterized the Willetts Point area through about 2015, when they were largely shutdown; however, some of the automotive uses operated until demolition of the Willetts Point Development Phase I Senior Affordable BCP Site structures in 2017.

Site Geology and Hydrogeology

The Site is situated on a former tidal wetland that was filled in during use as a municipal landfill. The ash fill and nonnative fill extends from the immediate surface to a depth of approximately 15-20 feet below surface grade. An organic material and clay layer is present beneath the fill material. Groundwater flows

¹ Horizontal datum is referenced to the New York State Plan Coordinate System NYLI NAD83.

radially toward the northwest toward Flushing Bay. Groundwater has been identified as shallow as several feet below surface grade. Additional geological and hydrogeological details are described in the February 23, 2021 Remedial Investigation Report (RIR).

Environmental Assessment

Remediation was completed in March 2022, as documented in the NYSDEC-approved July 5, 2023 Construction Completion Report for OU-1. A Final Engineering Report (FER) specific to the Willetts Point Development Phase I Senior Affordable BCP Site is forthcoming and planned for submission to NYSDEC in October 2023. The description below pertains to pre-remediation conditions of the Site.

Potential sources of contamination include former automotive industrial uses, current automotive industrial uses of surrounding properties, and contaminated fill. Historical on-site and current off-site automotive industrial operations at the Site are sources of petroleum-related volatile organic compounds (VOCs), petroleum-related semivolatile organic compounds (SVOCs), and VOCs in soil vapor. A source of petroleum-related VOCs and SVOCs in groundwater and soil vapor was not identified on the Site. The site-wide presence of contaminated fill throughout the 22.868-acre Willetts Point Development BCP Site has been established as a source of SVOCs in soil.

Based on previous investigations and available data, the primary contaminants of concern include SVOCs in soil/fill. The exceedances of applicable remedial criteria within this Site are similar to those throughout the 22.868-acre Willetts Point Development BCP Site. A summary of impacted media from the pre-remediation RIR, and April 29, 2022 RIR is provided below.

Soil:

SVOCs were detected in soil at the Site at concentrations above NYSDEC Part 375 Protection of Groundwater (PGW) and/or Restricted Residential (RR) Soil Cleanup Objectives (SCOs). Additional information on exceedances of soil samples can be found on Tables 3 through 5, and Figure 8A of the February 23, 2021 RIR located at the following link: <https://www.dec.ny.gov/data/DecDocs/C241146/>.

Groundwater:

SVOCs were detected above the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Class GA water (referred to collectively as SGVs) on the Site. Additional information on groundwater samples can be found on Tables 10 and 11, and Figure 9 of the February 23, 2021 RIR.

Soil Vapor:

Contaminants of concern were not detected on the Site. Additional information on soil vapor samples can be found on Table 12, and Figure 10 of the February 23, 2021 RIR.

Property Description Narrative

Location

The 9.993-acre Willets Point Development Stadium Brownfield Cleanup Program (BCP) Site (Site) is located in the Willets Point neighborhood of Queens, New York at 37-11 126th Street. The Site is comprised of Queens Borough Tax Block 1823, Lots 19, 20, 21, 23, 26, 28, 33, 40, 44, 47, 52 and 55, Block 1824, Lots 1, 12, 19, 21, 26, 28, 33, 38, 40, 45, 53, and 100, Block 1825, Lots 1, 19, 21, 25, 28, 30, 37, 46, 48, 53, 55, 58, and 150, and Block 1833, Lot 103 (the centroid of this Site is at Latitude 40°45'29.99", Longitude 73°50'36.06")¹, and was formerly part of the 22.868-acre Willets Point Development BCP Site.

The Site was remediated as part of Operable Unit 2 (OU-2, an approximately 15.084-acre part of the 22.868-acre Willets Point Development BCP Site), in accordance with the Brownfield Cleanup Agreement (BCA) dated as of December 16, 2016, as amended and the June 7, 2022 New York State Department of Environmental Conservation (NYSDEC)-approved Remedial Action Work Plan (RAWP).

This amendment to the BCA removes 2.656 acres from the BCP, and divides the balance of the current 22.868-acre Willets Point Development BCP Site into eight separate BCP sites (BCP Site Nos. C241146 and C241146-B through C241146-H). This Site will become BCP Site Number C241146-C.

Current Zoning/Use

The Site is currently vacant. The entire project area is zoned C4-4 (commercial) with a Special Willets Point District (WP) overlay. The intended use of the Site is for residential and commercial.

Historical Site Use

Prior to the 1900s, the Willets Point area was a tidally influenced salt marsh. From the early 1900s to the early 1930s, the Willets Point area was used as a dumping ground for coal ash from residential and municipal heating operations in greater New York City. In the late 1930s, Willets Point and nearby Flushing Corona Park were graded and redeveloped. Previously deposited coal ash was left in place as fill. The Willets Point area was developed primarily with automotive uses, including small auto repair shops, filling stations, and scrapyards. These automotive-centric industrial activities characterized the Willets Point area through about 2015, when they were largely shutdown.

Site Geology and Hydrogeology

The Site is situated on a former tidal wetland that was filled in during use as a municipal landfill. The ash fill and nonnative fill extends from the immediate surface to a depth of approximately 15-20 feet below surface grade. An organic material and clay layer is present beneath the fill material. Groundwater flows

¹ Horizontal datum is referenced to the New York State Plan Coordinate System NYLI NAD83.

radially toward the northwest toward Flushing Bay. Groundwater has been identified as shallow as several feet below surface grade. Additional geological and hydrogeological details are described in the February 23, 2021 Remedial Investigation Report (RIR).

Environmental Assessment

Remediation is largely complete, and is anticipated to be completed by the end of September 2023. A Final Engineering Report (FER) specific to the Site is forthcoming and planned for submission to NYSDEC in October 2023. The description below pertains to pre-remediation conditions of the Site.

Potential sources of contamination include former automotive industrial uses, current automotive industrial uses of surrounding properties, and contaminated fill. Historical automotive industrial operations on the Site and current automotive industrial operations on adjoining properties are potential sources of petroleum-related volatile organic compounds (VOCs) and chlorinated VOCs (CVOCs) in soil, groundwater, or soil vapor and petroleum-related semivolatile organic compounds (SVOCs) and metals in soil and groundwater. Nuisance petroleum impacts were observed in soil borings in two localized areas on the Site as well as elevated concentrations of lead in localized areas in the northwest part of the Site. The site-wide presence of contaminated fill throughout the 22.868-acre Willets Point Development BCP Site has been established as a source of VOCs, SVOCs, polychlorinated biphenyls (PCBs), and metals in soil, groundwater, and/or soil vapor.

Based on previous investigations and available data, the primary contaminants of concern include VOCs, SVOC, pesticides, PCBs, metals, toxic characteristic leaching procedure (TCLP) metals and per- and polyfluoroalkyl substances (PFAS) in soil/fill; VOCs, SVOCs, metals, PFAS, and 1,4-dioxane in groundwater; and petroleum-related VOCs and CVOCs in soil vapor. The exceedances in this parcel are similar to those throughout the 22.868-acre Willets Point Development BCP Site. A summary of impacted media from the pre-remediation RIR, and April 29, 2022 RIR is provided below.

Soil:

VOCs, SVOCs, pesticides, PCBs, metals, TCLP metals and PFAS were detected in soil across the Site at concentrations above NYSDEC Part 375 Protection of Groundwater (PGW) and/or Restricted Residential (RR) Soil Cleanup Objectives (SCOs). Additional information on exceedances of soil samples can be found on Tables 3B through 3D, and Figures 7C through 7G of the April 29, 2022 RIR located at the following link: <https://www.dec.ny.gov/data/DecDocs/C241146/>.

Groundwater:

VOCs, SVOCs, metals, PFAS, and 1,4-dioxane were detected above the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Class GA water (referred to collectively as SGVs) throughout the Site. Additional information on exceedances of groundwater samples can be found on Tables 5B through 5D, and Figures 8B through 8D of the April 29, 2022 RIR.

Soil Vapor:

Petroleum-related VOCs and CVOCs were detected in soil vapor throughout the Site. Additional information on soil vapor samples can be found on Tables 6B through 6D, and Figures 9B through 9D of the April 29, 2022 RIR.

Property Description Narrative

Location

The 0.856-acre Willetts Point Development SCA School Brownfield Cleanup Program (BCP) Site (Site) is located in the Willetts Point neighborhood of Queens, New York at 38-15 126th Lane. The Site is comprised of Queens Borough Block 1833, Lot 143 (the centroid of this Site is at Latitude 40°45'27.05", Longitude 73°50'30.04")¹, and was formerly part of the 22.868-acre Willetts Point Development BCP Site.

The Site was remediated as part of Operable Unit 1 (OU-1, an approximately 7.784-acre part of the 22.868-acre Willetts Point Development BCP Site), in accordance with the Brownfield Cleanup Agreement dated as of December 16, 2016, as amended (BCA), the September 18, 2019 New York State Department of Environmental Conservation (NYSDEC)-approved Interim Remedial Measure Work Plan (IRMWP), and the May 11, 2021 NYSDEC-approved Remedial Action Work Plan (RAWP).

This amendment to the BCA removes 2.656 acres from the BCP, and divides the balance of the current 22.868-acre Willetts Point Development BCP Site into eight separate BCP sites (BCP Site Nos. C241146 and C241146-B through C241146-H). This Site will retain the BCP Site Number C241146-D.

Current Zoning/Use

The Site is currently vacant. The entire project area is zoned C4-4 (commercial) with a Special Willetts Point District (WP) overlay. The intended use of the Site is for residential and commercial.

Historical Site Use

Prior to the 1900s, the Willetts Point area was a tidally influenced salt marsh. From the early 1900s to the early 1930s, the Willetts Point area was used as a dumping ground for coal ash from residential and municipal heating operations in greater New York City. In the late 1930s, Willetts Point and nearby Flushing Corona Park were graded and redeveloped. Previously deposited coal ash was left in place as fill. The Willetts Point area was developed primarily with automotive uses, including small auto repair shops, filling stations, and scrapyards. These automotive-centric industrial activities characterized the Willetts Point area through about 2015, when they were largely shutdown.

Site Geology and Hydrogeology

The Site is situated on a former tidal wetland that was filled in during use as a municipal landfill. The ash fill and nonnative fill extends from the immediate surface to a depth of approximately 15-20 feet below surface grade. An organic material and clay layer is present beneath the fill material. Groundwater flows radially toward the northwest toward Flushing Bay. Groundwater has been identified as shallow as several

¹ Horizontal datum is referenced to the New York State Plan Coordinate System NYLI NAD83.

feet below surface grade. Groundwater has been identified as shallow as several feet below surface grade. Additional geological and hydrogeological details are described in the February 23, 2021 Remedial Investigation Report (RIR).

Environmental Assessment

Remediation began under the IRMWP between October 17, 2019 and February 12, 2020, and was later completed in March 2022 in accordance with the RAWP, as documented in the NYSDEC-approved July 5, 2023 Construction Completion Report (CCR) for OU-1. A Final Engineering Report (FER) specific to the Site is forthcoming and planned for submission to NYSDEC in November 2023. The description below pertains to pre-remediation conditions of the Site.

Potential sources of contamination include former automotive industrial uses, current automotive industrial uses of surrounding properties, and contaminated fill. Historical on-site and current off-site automotive industrial operations at the Site are sources of petroleum-related volatile organic compounds (VOCs), petroleum-related semivolatile organic compounds (SVOCs), and chlorinated VOCs (CVOCs) in soil, groundwater, and soil vapor. One localized area of the Site, an area infilled with automotive waste and car parts, appeared to be a source of petroleum-related VOCs and SVOCs in groundwater and soil vapor. The site-wide presence of contaminated fill throughout the 22.868-acre Willets Point Development BCP Site has been established as a source of VOCs, SVOCs, and metals in soil.

Based on previous investigations and available data, the primary contaminants of concern include VOCs, SVOCs, and metals in soil/fill; VOCs, SVOCs, polychlorinated biphenyls (PCBs), metals, and per- and polyfluoroalkyl substances (PFAS); and chlorinated VOCs (CVOCs) and VOCs in soil vapor. The exceedances of applicable remedial criteria within this Site are similar to those throughout the 22.868-acre Willets Point Development BCP Site. A summary of impacted media from the RIR, and April 29, 2022 RIR is provided below.

Soil:

VOCs, SVOCs, and metals were detected in soil at the Site at concentrations above NYSDEC Part 375 Protection of Groundwater (PGW) and/or Restricted Residential (RR) Soil Cleanup Objectives (SCOs). Additional information on exceedances of soil samples can be found on Tables 3 through 5 and Figure 8A of the February 23, 2021 RIR located at the following link: <https://www.dec.ny.gov/data/DecDocs/C241146/>.

Groundwater:

VOCs, SVOCs, PCBs, metals, and PFAS were detected above the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Class GA water (referred to collectively as SGVs) on the Site. Additional information on groundwater samples can be found on Tables 10 and 11 and Figure 9 of the February 23, 2021 RIR.

Soil Vapor:

Petroleum-related VOCs and CVOCs were detected in soil vapor throughout the Site. Additional information on soil vapor samples can be found on Table 12 and Figure 10 of the February 23, 2021 RIR.

Property Description Narrative

Location

The 2.311-acre Willetts Point Development Triangle Parcel Brownfield Cleanup Program (BCP) Site (Site) is located in the Willetts Point neighborhood of Queens, New York at 38-27 126th Street. The Site is comprised of Queens Borough Tax Block 1833, Lot 117 (the centroid of this Site is at Latitude 40°45'22.95", Longitude 73°50'35.47")¹, and was formerly part of the 22.868-acre Willetts Point Development BCP Site.

The Site was remediated under two operable units (OU-1, an approximately 7.784-acre part of the 22.868-acre Willetts Point Development BCP Site and OU-2, an approximately 15.084-acre part of the 22.868-acre Willetts Point Development BCP Site), in accordance with the Brownfield Cleanup Agreement (BCA) dated as of December 16, 2016, as amended and two New York State Department of Environmental Conservation (NYSDEC)-approved Remedial Action Work Plans (RAWP) dated May 11, 2021 and June 7, 2022.

This amendment to the BCA removes 2.656 acres from the BCP, and divides the balance of the current 22.868-acre Willetts Point Development BCP Site into eight separate BCP sites (BCP Site Nos. C241146 and C241146-B through C241146-H). This Site will become BCP Site Number C241146-E.

Current Zoning/Use

The Site is currently vacant. The entire project area is zoned C4-4 (commercial) with a Special Willetts Point District (WP) overlay. The intended use of the Site is for residential and commercial.

Historical Site Use

Prior to the 1900s, the Willetts Point area was a tidally influenced salt marsh. From the early 1900s to the early 1930s, the Willetts Point area was used as a dumping ground for coal ash from residential and municipal heating operations in greater New York City. In the late 1930s, Willetts Point and nearby Flushing Corona Park were graded and redeveloped. Previously deposited coal ash was left in place as fill. The Willetts Point area was developed primarily with automotive uses, including small auto repair shops, filling stations, and scrapyards. These automotive-centric industrial activities characterized the Willetts Point area through about 2015, when they were largely shutdown.

Site Geology and Hydrogeology

The Site is situated on a former tidal wetland that was filled in during use as a municipal landfill. The ash fill and nonnative fill extends from the immediate surface to a depth of approximately 15-20 feet below surface grade. An organic material and clay layer is present beneath the fill material. Groundwater flows

¹ Horizontal datum is referenced to the New York State Plan Coordinate System NYLI NAD83.

radially toward the northwest toward Flushing Bay. Groundwater has been identified as shallow as several feet below surface grade. Additional geological and hydrogeological details are described in the February 23, 2021 Remedial Investigation Report (RIR).

Environmental Assessment

Remediation was completed in May 2023. A small portion of the Site falls within the OU-1 area of the Willetts Point Development BCP Site and remediation of that area was documented in the NYSDEC-approved July 5, 2023 Construction Completion Report (CCR) for OU-1. A Final Engineering Report (FER) specific to the Site is forthcoming and planned for submission to NYSDEC in November 2023. The description below pertains to pre-remediation conditions of the Site.

Potential sources of contamination include former automotive industrial uses, current automotive industrial uses of surrounding properties, and contaminated fill. Historical on-site and current off-site automotive industrial operations at the Site are potential sources of petroleum-related volatile organic compounds (VOCs) and chlorinated VOCs (CVOCs) in groundwater and soil vapor and petroleum-related semivolatile organic compounds (SVOCs) and metals in groundwater. A chromium hotspot was identified in a localized portion of the Site. Nuisance petroleum impacts were observed in soil borings in two localized areas on the Site. The site-wide presence of contaminated fill throughout the 22.868-acre Willetts Point Development BCP Site has been established as a source of VOCs, SVOCs, polychlorinated biphenyls (PCBs), and metals in soil, groundwater, and/or soil vapor.

Based on previous investigations and available data, the primary contaminants of concern include VOCs, SVOCs, PCBs, metals, toxic characteristic leaching procedure (TCLP) metals and per- and polyfluoroalkyl substances (PFAS) in soil/fill; VOCs, SVOCs, metals, PFAS, and 1,4-dioxane in groundwater; and petroleum-related VOCs and CVOCs in soil vapor. The exceedances in this parcel are similar to those throughout the 22.868-acre Willetts Point Development BCP Site. A summary of impacted media from the pre-remediation RIR, and April 29, 2022 RIR is provided below.

Soil:

VOCs, SVOCs, pesticides, PCBs, metals, TCLP metals and PFAS were detected in soil across the Site at concentrations above NYSDEC Part 375 Protection of Groundwater (PGW) and/or Restricted Use Restricted Residential (RURR) Soil Cleanup Objectives (SCOs). Additional information on exceedances of soil samples can be found on Tables 3 through 5 and Figure 8A of the February 23, 2021 RIR, and Tables 3A and 4A, and Figures 7A and 7B of the April 29, 2022 RIR located at the following link: <https://www.dec.ny.gov/data/DecDocs/C241146/>.

Groundwater:

VOCs, SVOCs, PCBs, metals, PFAS, and 1,4-dioxane were detected above the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Class GA water (referred to collectively as SGVs) throughout the Site. In addition, light non-aqueous phase liquid (LNAPL) was observed in a monitoring well. Additional information on exceedances of groundwater

samples can be found on Tables 10 and 11 and Figure 9 of the February 23, 2021 RIR, and Table 5A, and Figure 8A of the April 29, 2022 RIR.

Soil Vapor:

Petroleum-related VOCs and CVOCs were detected in soil vapor throughout the Site. Additional information on soil vapor samples can be found on Table 12, and Figure 10 of the February 23, 2021 RIR, and Table 6A, and Figure 9A of the April 29, 2022 RIR.

Property Description Narrative

Location

The 1.022-acre Willetts Point Development T-Parcel Brownfield Cleanup Program (BCP) Site (Site) is located in the Willetts Point neighborhood of Queens, New York at 126-36 34th Avenue. The Site is comprised of Queens Borough Tax Block 1822, Lot 17 (the centroid of this Site is at Latitude 40°45'35.12", Longitude 73°50'37.72")¹, and was formerly part of the 22.868-acre Willetts Point Development BCP Site.

The Site was remediated as part of Operable Unit 2 (OU-2, an approximately 15.084-acre part of the 22.868-acre Willetts Point Development BCP Site), in accordance with the Brownfield Cleanup Agreement (BCA) dated as of December 16, 2016, as amended and the June 7, 2022 New York State Department of Environmental Conservation (NYSDEC)-approved Remedial Action Work Plan (RAWP).

This amendment to the BCA removes 2.656 acres from the BCP, and divides the balance of the current 22.868-acre Willetts Point Development BCP Site into eight separate BCP sites (BCP Site Nos. C241146 and C241146-B through C241146-H). This Site will become BCP Site Number C241146-F.

Current Zoning/Use

The Site is currently vacant. The entire project area is zoned C4-4 (commercial) with a Special Willetts Point District (WP) overlay. The intended use of the Site is for residential and commercial.

Historical Site Use

Prior to the 1900s, the Willetts Point area was a tidally influenced salt marsh. From the early 1900s to the early 1930s, the Willetts Point area was used as a dumping ground for coal ash from residential and municipal heating operations in greater New York City. In the late 1930s, Willetts Point and nearby Flushing Corona Park were graded and redeveloped. Previously deposited coal ash was left in place as fill. The Willetts Point area was developed primarily with automotive uses, including small auto repair shops, filling stations, and scrapyards. These automotive-centric industrial activities characterized the Willetts Point area through about 2015, when they were largely shutdown.

Site Geology and Hydrogeology

The Site is situated on a former tidal wetland that was filled in during use as a municipal landfill. The ash fill and nonnative fill extends from the immediate surface to a depth of approximately 15-20 feet below surface grade. An organic material and clay layer is present beneath the fill material. Groundwater flows radially toward the northwest toward Flushing Bay. Groundwater has been identified as shallow as several

¹ Horizontal datum is referenced to the New York State Plan Coordinate System NYLI NAD83.

feet below surface grade. Additional geological and hydrogeological details are described in the February 23, 2021 Remedial Investigation Report (RIR).

Environmental Assessment

Remediation was completed in May 2023. A Final Engineering Report (FER) specific to the Site is forthcoming and planned for submission to NYSDEC in November 2023. The description below pertains to pre-remediation conditions of the Site.

Potential sources of contamination include former automotive industrial uses, current automotive industrial uses of surrounding properties, and contaminated fill. Historical automotive industrial operations on the Site and current automotive industrial operations on adjoining properties are potential sources of petroleum-related volatile organic compounds (VOCs) and chlorinated VOCs (CVOCs) in soil, groundwater, or soil vapor and petroleum-related semivolatile organic compounds (SVOCs) and metals in soil and groundwater. Nuisance petroleum impacts were observed in two localized areas on the Site. The site-wide presence of contaminated fill throughout the 22.868-acre Willetts Point Development BCP Site has been established as a source of VOCs, SVOCs, polychlorinated biphenyls (PCBs), and metals in soil, groundwater, and/or soil vapor.

Based on previous investigations and available data, the primary contaminants of concern include VOCs, SVOCs, pesticides, PCBs, metals, and per- and polyfluoroalkyl substances (PFAS) in soil/fill; VOCs, metals, PFAS, and 1,4-dioxane in groundwater; and petroleum-related VOCs and CVOCs in soil vapor. The exceedances in this parcel are similar to those throughout the 22.868-acre Willetts Point Development BCP Site. A summary of impacted media from the pre-remediation RIR, and April 29, 2022 RIR is provided below.

Soil:

VOCs, SVOCs, PCBs, metals, and PFAS were detected in soil across the Site at concentrations above NYSDEC Part 375 Protection of Groundwater (PGW) and/or Restricted Residential (RR) Soil Cleanup Objectives (SCOs). Additional information on exceedances of soil samples can be found on Tables 3E and 4E and Figure 7H of the April 29, 2022 RIR located at the following link: <https://www.dec.ny.gov/data/DecDocs/C241146/>.

Groundwater:

VOCs, SVOCs, metals, PFAS, and 1,4-dioxane were detected above the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Class GA water (referred to collectively as SGVs) throughout the Site. Additional information on exceedances of groundwater samples can be found on Table 5E and Figure 8E of the April 29, 2022 RIR.

Soil Vapor

Petroleum-related VOCs and CVOCs were detected in soil vapor throughout the Site. Additional information on soil vapor samples can be found on Table 6E and Figure 9E of the April 29, 2022 RIR.

Property Description Narrative

Location

The 1.426-acre Willetts Point Development Northern Parcel Brownfield Cleanup Program (BCP) Site (Site) is located in the Willetts Point neighborhood of Queens, New York at 126-30 Northern Boulevard. The Site is comprised of Queens Borough Tax Block 1820, Lots 9 and 18 (the centroid of this Site is at Latitude 40°45'38.20", Longitude 73°50'41.01")¹, and was formerly part of the 22.868-acre Willetts Point Development BCP Site.

The Site was remediated as part of Operable Unit 2 (OU-2, an approximately 15.084-acre part of the 22.868-acre Willetts Point Development BCP Site), in accordance with the Brownfield Cleanup Agreement (BCA) dated as of December 16, 2016, as amended and the June 7, 2022 New York State Department of Environmental Conservation (NYSDEC)-approved Remedial Action Work Plan (RAWP).

This amendment to the BCA removes 2.656 acres from the BCP, and divides the balance of the current 22.868-acre Willetts Point Development BCP Site into eight separate BCP sites (BCP Site Nos. C241146 and C241146-B through C241146-H). This Site will become BCP Site Number C241146-G.

Current Zoning/Use

The Site is currently vacant. The entire project area is zoned C4-4 (commercial) with a Special Willetts Point District (WP) overlay. The intended use of the Site is for residential and commercial.

Historical Site Use

Prior to the 1900s, the Willetts Point area was a tidally influenced salt marsh. From the early 1900s to the early 1930s, the Willetts Point area was used as a dumping ground for coal ash from residential and municipal heating operations in greater New York City. In the late 1930s, Willetts Point and nearby Flushing Corona Park were graded and redeveloped. Previously deposited coal ash was left in place as fill. The Willetts Point area was developed primarily with automotive uses, including small auto repair shops, filling stations, and scrapyards. These automotive-centric industrial activities characterized the Willetts Point area through about 2015, when they were largely shutdown.

Site Geology and Hydrogeology

The Site is situated on a former tidal wetland that was filled in during use as a municipal landfill. The ash fill and nonnative fill extends from the immediate surface to a depth of approximately 15-20 feet below surface grade. An organic material and clay layer is present beneath the fill material. Groundwater flows radially toward the northwest toward Flushing Bay. Groundwater has been identified as shallow as several

¹ Horizontal datum is referenced to the New York State Plan Coordinate System NYLI NAD83.

feet below surface grade. Groundwater has been identified as shallow as several feet below surface grade. Additional geological and hydrogeological details are described in the February 23, 2021 Remedial Investigation Report (RIR).

Environmental Assessment

Remediation was completed in May 2023. A Final Engineering Report (FER) specific to the Site is forthcoming and planned for submission to NYSDEC in November 2023. The description below pertains to pre-remediation conditions of the Site.

Potential sources of contamination include former automotive industrial uses, current automotive industrial uses of surrounding properties, and contaminated fill. Historical on-site and current off-site automotive industrial operations on the Site and on adjoining properties are sources of petroleum-related volatile organic compounds (VOCs) and chlorinated VOCs (CVOCs) in soil, groundwater, or soil vapor and petroleum-related semivolatile organic compounds (SVOCs) and metals in soil and groundwater. The site-wide presence of contaminated fill has been established as a source of VOCs, SVOCs, polychlorinated biphenyls (PCBs), and metals in soil, groundwater, and/or soil vapor.

Based on previous investigations and available data, the primary contaminants of concern include VOCs, SVOCs, pesticides, PCBs, metals, and per- and polyfluoroalkyl substances (PFAS) in soil/fill; VOCs, metals, and PFAS in groundwater; and petroleum-related VOCs and CVOCs in soil vapor. The exceedances in this parcel are similar to those throughout the 22.868-acre Willetts Point Development BCP Site. A summary of impacted media from the RIR, and April 29, 2022 RIR is provided below..

Soil:

VOCs, SVOCs, pesticides, and metals were detected in soil across the Site at concentrations above NYSDEC Part 375 Protection of Groundwater (PGW) and/or Restricted Use Restricted Residential (RURR) Soil Cleanup Objectives (SCOs). Additional information on exceedances of soil samples can be found on Table 3G and Figure 7K of the April 29, 2022 RIR located at the following link: <https://www.dec.ny.gov/data/DecDocs/C241146/>.

Groundwater:

VOCs, SVOCs, metals, and PFAS were detected above the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Class GA water (referred to collectively as SGVs) throughout the Site. Additional information on exceedances of groundwater samples can be found on Table 5G and Figure 8G of the April 29, 2022 RIR.

Soil Vapor:

Petroleum-related VOCs and CVOCs were detected in soil vapor throughout the Site. Additional information on soil vapor samples can be found on Table 6G and Figure 9G of the April 29, 2022 RIR.

Property Description Narrative

Location

The 1.120-acre Willetts Point Development L-Parcel Brownfield Cleanup Program (BCP) Site (Site) is located in the Willetts Point neighborhood of Queens, New York at 38-25 126th Lane. The Site is comprised of Queens Borough Tax Block 1833, Lots 158 and 172 (the centroid of this Site is at Latitude 40°45'28.72", Longitude 73°50'28.06")¹, and was formerly part of the 22.868-acre Willetts Point Development BCP Site.

The Site was remediated as part of Operable Unit 2 (OU-2, an approximately 15.084-acre part of the 22.868-acre Willetts Point Development BCP Site), in accordance with the Brownfield Cleanup Agreement (BCA) dated as of December 16, 2016, as amended and the June 7, 2022 New York State Department of Environmental Conservation (NYSDEC)-approved Remedial Action Work Plan (RAWP).

This amendment to the BCA removes 2.656 acres from the BCP, and divides the balance of the current 22.868-acre Willetts Point Development BCP Site into eight separate BCP sites (BCP Site Nos. C241146 and C241146-B through C241146-H). This Site will become BCP Site Number C241146-H.

Current Zoning/Use:

The Site is currently vacant. The entire project area is zoned C4-4 (commercial) with a Special Willetts Point District (WP) overlay. The intended use of the Site is for residential and commercial.

Historical Site Use

Prior to the 1900s, the Willetts Point area was a tidally influenced salt marsh. From the early 1900s to the early 1930s, the Willetts Point area was used as a dumping ground for coal ash from residential and municipal heating operations in greater New York City. In the late 1930s, Willetts Point and nearby Flushing Corona Park were graded and redeveloped. Previously deposited coal ash was left in place as fill. The Willetts Point area was developed primarily with automotive uses, including small auto repair shops, filling stations, and scrapyards. These automotive-centric industrial activities characterized the Willetts Point area through about 2015, when they were largely shutdown.

Site Geology and Hydrogeology:

The Site is situated on a former tidal wetland that was filled in during use as a municipal landfill. The ash fill and nonnative fill extends from the immediate surface to a depth of approximately 15-20 feet below surface grade. An organic material and clay layer is present beneath the fill material. Groundwater flows radially toward the northwest toward Flushing Bay. Groundwater has been identified as shallow as several feet below surface grade. Groundwater has been identified as shallow as several feet below surface grade.

¹ Horizontal datum is referenced to the New York State Plan Coordinate System NYLI NAD83.

Additional geological and hydrogeological details are described in the February 23, 2021 Remedial Investigation Report (RIR).

Environmental Assessment

Remediation was completed in May 2023. A Final Engineering Report (FER) specific to the Site is forthcoming and planned for submission to NYSDEC in November 2023. The description below pertains to pre-remediation conditions of the Site.

Potential sources of contamination include former automotive industrial uses, current automotive industrial uses of surrounding properties, and contaminated fill. Historical on-site and current off-site automotive industrial operations on the Site are sources of petroleum-related volatile organic compounds (VOCs) and chlorinated VOCs (CVOCs) in soil, groundwater, or soil vapor and petroleum-related semivolatile organic compounds (SVOCs) and metals in soil and groundwater. Nuisance petroleum impacts were observed in a soil boring in one localized area on the Site. The site-wide presence of contaminated fill throughout the 22.868-acre Willetts Point Development BCP Site has been established as a source of VOCs, SVOCs, polychlorinated biphenyls (PCBs), and metals in soil, groundwater, and/or soil vapor.

Based on previous investigations and available data, the primary contaminants of concern include VOCs, SVOCs, pesticides, PCBs, metals, toxicity characteristic leaching procedure (TCLP) metals, and per- and polyfluoroalkyl substances (PFAS) in soil/fill; VOCs, SVOCs, PCBs, metals, PFAS, and 1,4-dioxane in groundwater; and petroleum-related VOCs and CVOCs in soil vapor. The exceedances in this parcel are similar to those throughout the 22.868-acre Willetts Point Development BCP Site. A summary of impacted media from the RIR, and April 29, 2022 RIR is provided below.

Soil:

VOCs, SVOCs, PCBs, metals, TCLP metals, and PFAS were detected in soil across the Site at concentrations above NYSDEC Part 375 Protection of Groundwater (PGW) and/or Restricted Residential (RR) Soil Cleanup Objectives (SCOs). Additional information on exceedances of soil samples can be found on Table 3F and Figures 7I and 7J of the April 29, 2022 RIR located at the following link: <https://www.dec.ny.gov/data/DecDocs/C241146/>.

Groundwater:

VOCs, SVOCs, PCBs, metals, PFAS, and 1,4-dioxane were detected above the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Class GA water (referred to collectively as SGVs) throughout the Site. Additional information on exceedances of groundwater samples can be found on Table 5F and Figure 8F of the April 29, 2022 RIR.

Soil Vapor:

Petroleum-related VOCs and CVOCs were detected in soil vapor throughout the Site. Additional information on soil vapor samples can be found on Table 6F and Figure 9F of the April 29, 2022 RIR.