

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

December 22, 2020

Robert Birnbaum
Stalingrad Ventures LLC
320 Northern Blvd.
Great Neck, NY 11021

Re: Certificate of Completion
Former Hygrade Polishing and Plating Co.
Long Island City, Queens County
Site No. C241148

Dear Mr. Birnbaum:

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

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

- If you are the site owner, you must record the Notice of Certificate of Completion in the recording office for the county (or counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record the Notice within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the Notice is recorded within the time frame specified. A standard Notice of Certificate of Completion form is attached to this letter.
- Provide electronic copies of the recorded Notice and proof of recording to the Department's project manager. Please return the hard copy of the proof of recording to:

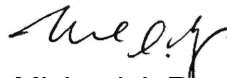
Wendi Zheng
New York State Department of Environmental Conservation
Division of Environmental Remediation
47-40 21st Street
Long Island City, NY 11101
wendi.zheng@dec.ny.gov



- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. The Department will develop a fact sheet announcing the issuance of the COC and describing the institutional and engineering controls (IC/ECs), if any, that are required at the site and distribute it to the County Listserv within 10 days;
- Implement the Department-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to the Department in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to the Department in April 2022.

If you have any questions regarding any of these items, please contact Wendi Zheng at (718) 482-7541.

Sincerely,



Michael J. Ryan, P.E.

Director

Division of Environmental Remediation

Enclosure

ec w/ enclosure:

B. O'Dell, brent.odell@woodplc.com

E. Weinstock, eric.weinstock@woodplc.com

J. Periconi, JPericoni@periconi.com

C. Vooris – NYSDOH, Christine.Vooris@health.ny.gov

S. McLaughlin – NYSDOH, scarlett.mclaughlin@health.ny.gov

J. Sullivan – NYSDOH, James.Sullivan@health.ny.gov

Matt Gokey, matthew.gokey@tax.ny.gov

Paul Takac, paul.takac@tax.ny.gov

ec w/o enc.:

G. Burke

J. O'Connell

S. Martinkat

W. Zheng

P. Foster

J. Simpson

J. Andaloro

K. Lewandowski

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

Stalingrad Ventures LLC

Address

320 Northern Blvd., Great Neck, NY 11021

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 3/25/15 **Agreement Execution:** 5/19/15

Agreement Index No.: C241148-03-15

Application Approval Amendment: none

Agreement Execution Amendment: 5/28/20

SITE INFORMATION:

Site No.: C241148 **Site Name:** Former Hygrade Polishing and Plating Co.

Site Owner: Stalingrad Ventures LLC

Street Address: 22-07 41st Avenue

Municipality: Long Island City

County: Queens

DEC Region: 2

Site Size: 0.057 Acres

Tax Map Identification Number(s): 409-6

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

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

CERTIFICATE ISSUANCE

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

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

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

Allowable Uses under the BCP: Commercial and Industrial

Cleanup Track: Track 4: Restricted use with site-specific soil cleanup objectives

Tax Credit Provisions:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 25 %.

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

The Remedial Program includes use restrictions or reliance on the long term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Queens County as 2019000161926.

LIABILITY LIMITATION

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

CERTIFICATE TRANSFERABILITY

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

CERTIFICATE MODIFICATION/REVOCATION

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

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

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

Basil Seggos
Commissioner
New York State Department of Environmental Conservation

By:  Date: 12/22/2020

Michael J. Ryan, P.E., Director
Division of Environmental Remediation

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

Former Hygrade Polishing and Plating Co., Site ID No. C241148
22-07 41st Avenue, Long Island City, NY 11101
Long Island City, Queens County, Tax Map Identification Number 409-6

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to Stalingrad Ventures LLC for a parcel approximately 0.057 acres located at 22-07 41st Avenue in Long Island City, Queens County.

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

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

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

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

PLEASE TAKE NOTICE, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Queens County as 2019000161926.

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

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

**Former Hygrade Polishing and Plating Co., C241148
22-07 41st Avenue, Long Island City, NY, 11101**

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

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

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

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

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

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 Office located at 47-40 21st Street, Long Island City, NY 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C241148/>.

WHEREFORE, the undersigned has signed this Notice of Certificate

Stalingrad Ventures LLC

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 20__, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Signature and Office of individual
taking acknowledgment

Please record and return to:

Robert Birnbaum
Stalingrad Ventures, LLC
320 Northern Blvd.
Great Neck, NY 11021

Exhibit A
Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

ALL that certain plot, piece or parcel of land situate, lying and being in the First Ward, Borough and County of Queens, City and State of New York in the former 3rd Ward of Long Island City, Queens County, known as Lot# 49 on a certain map entitled, "Map of Property adjoining Ravenswood in the Town of Newtown, Queens Long Island belonging to Abraham B. Payntar surveyed May, 1868 by P.G. Van Alst, C.S." and filed in the Office of the Clerk, now Register of Queens County, which according to Long Island City standard of measurements is bounded and described as follows:

BEGINNING at a point on the northeasterly line of 41st Avenue (formerly Wilbur Avenue), 50 feet 3/4 inches southeasterly from the corner formed by the northeasterly line of 41st Avenue and southeasterly line of 22nd Street (formerly Sunswich Street);

RUNNING THENCE northeasterly parallel with 22nd Street 100.01 feet;

THENCE southeasterly parallel with 41st Avenue 25 feet 1/4 inch;

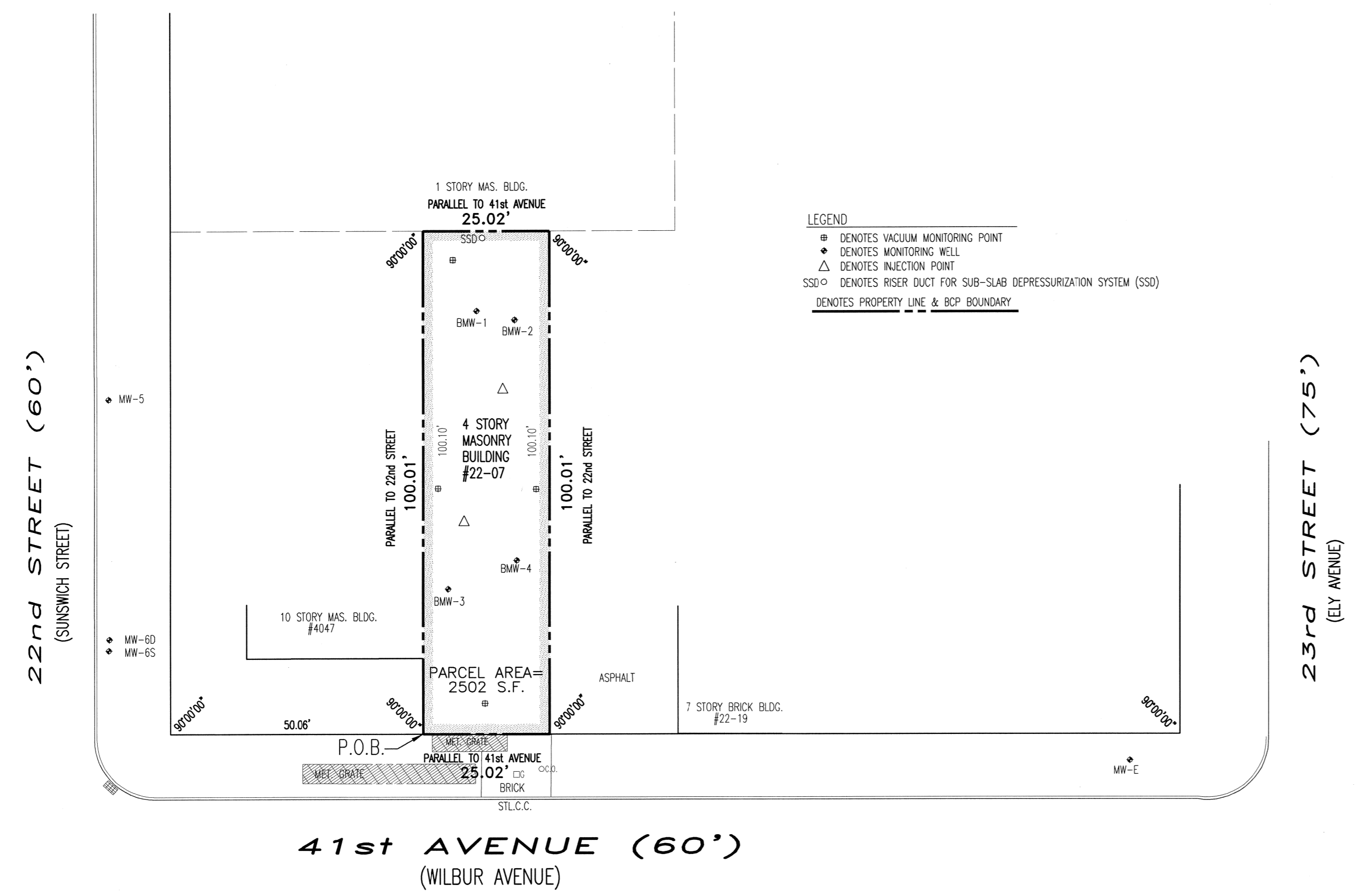
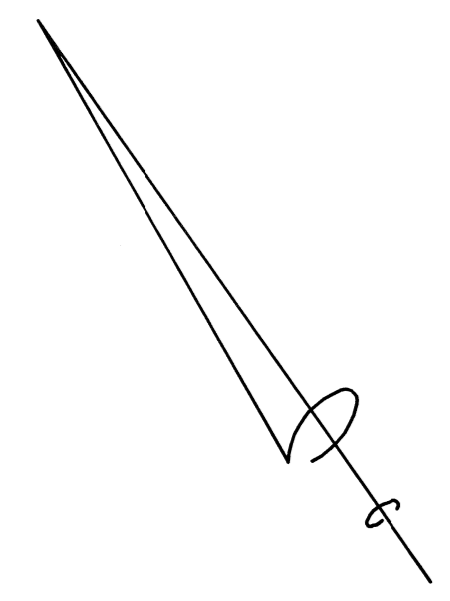
THENCE southwesterly again parallel with 22nd Street 100.01 feet to the northeasterly line of 41st Avenue; and

THENCE northwesterly along same 25 feet 1/4 inches to the point or place of BEGINNING.

Parcel having an area of 2,502 square feet or 0.0574 acres more or less.

For Information Only: Premises also known as 22-07 41st Avenue, Long Island City, New York. Block 409 Lot 6

Exhibit B
Site Survey



PointNo.	Northing(Y)	Eastng(X)	Elev(Z)	Description
201	213856.41	1000552.37	14.79	MW-5-RIM
202	213856.30	1000552.57	14.50	MW-5-PIPE
203	213817.08	1000525.18	14.52	MW-60-RIM
204	213817.13	1000525.50	14.18	MW-60-PIPE
205	213815.35	1000523.82	14.49	MW-65-RIM
206	213815.21	1000524.04	14.09	MW-65-PIPE
207	213681.57	1000677.41	16.32	MW-E-RIM
208	213681.48	1000677.58	16.21	MW-E-PIPE
213	213764.04	1000578.92	7.88	VAC-RIM
214	213804.42	1000595.78	7.83	VAC-RIM
215	213793.25	1000611.58	7.88	VAC-RIM
216	213839.98	1000624.17	7.88	VAC-RIM
217	213840.29	1000631.41	7.84	FLOOR AT SSD
218	213828.91	1000622.17	7.85	BW1-RIM
219	213829.20	1000622.31	7.52	BW1-CASE
220	213823.32	1000626.98	7.89	BW2-RIM
221	213823.26	1000627.60	7.57	BW2-CASE
222	213813.52	1000617.61	7.84	INJ-1P-1-RIM
223	213813.21	1000617.45	7.55	INJ-1P-1-CASE
224	213795.93	1000595.96	7.90	INJ-1P-2-RIM
225	213796.15	1000596.38	7.51	INJ-1P-2-CASE
226	213786.51	1000586.00	7.89	BW3-RIM
227	213786.96	1000585.93	7.42	BW3-CASE
228	213783.81	1000600.42	7.89	BW4-RIM
229	213783.76	1000600.22	7.40	BW4-CASE

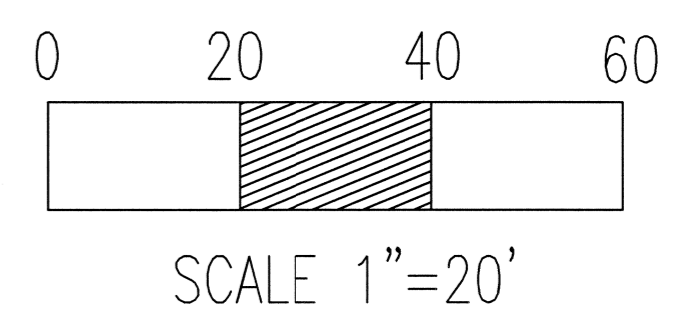
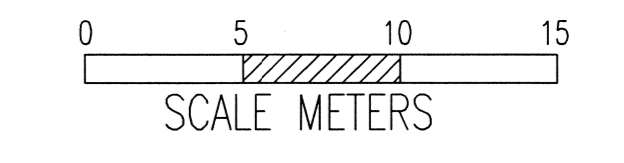
LEGAL DESCRIPTION (METES AND BOUNDS AND ENVIRONMENTAL EASEMENT DESCRIPTION)
Q.C.T.M. BLOCK 409 LOT 6

ALL that certain plot, piece or parcel of land, situate, lying and being in the First Ward, Borough and County of Queens, City and State of New York in the former 3rd Ward of Long Island City, Queens County, known as Lot #49 on a certain map entitled "Map of Property adjoining Ravenswood in the Town of Newtown, Queens Long Island belonging to Abraham B. Paynter surveyed May 1868 by P.G. Van Alst, C.S." and filed in the office of the clerk, now Register of Queens County, which according to Long Island City standard of measurements is bounded and described as follows:

BEGINNING at a point on the northeasterly line of 41st Avenue (formerly Wilbur Avenue) 50 feet 3/4 inches (50.06 feet) southeasterly from the corner formed by the northeasterly line of 41st Avenue and the southeasterly line of 22nd Street (formerly Sunswich Street).
Running thence;

Northeasterly, parallel to 22nd Street 100.01 feet; thence
Southeasterly, parallel with 41st Avenue, 25 feet 1/4 inch (25.02 feet); thence
Southwesterly, parallel to 22nd Street, 100.01 feet to the northeasterly line of 41st Avenue; thence
Northwesterly along 41st Avenue 25 feet 1/4 inch (25.02 feet) to the point or place of Beginning.
Parcel having an Area of 2,502 square feet or 0.0574 acres more or less.

"This property is subject to an environmental easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the New York Environmental Conservation Law. The engineering institutional controls for this Easement are set forth in the Site Management Plan (SMP). A copy of the SMP must be obtained by any party with an interest in the property. The SMP can be obtained from NYS Department of Environmental Conservation, Division of Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at derweb@dec.ny.gov"



EASEMENTS AND/OR SUBSURFACE STRUCTURES RECORDED OR UNRECORDED ARE NOT GUARANTEED UNLESS PHYSICALLY EVIDENT ON THE PREMISES AT THE TIME OF THE SURVEY. GUARANTEES INDICATED HEREON SHALL RUN ONLY TO THE PERSON(S) FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTIONS LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. GUARANTEES ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. THE OFFSETS (OR DIMENSIONS) SHOWN HEREON FROM THE STRUCTURES TO THE PROPERTY LINES ARE FOR A SPECIFIC PURPOSE AND USE AND THEREFORE ARE NOT INTENDED TO GUIDE THE ERECTION OF FENCES, RETAINING WALLS, POOLS, PATIOS, PLAYING AREAS, ADDITIONS TO BUILDINGS AND ANY OTHER CONSTRUCTION.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBSECTION 2, OF THE NEW YORK STATE EDUCATION LAW. © 2019

R:\DWGS-2017\12445-41st-AVE.DWG

<p>PHYSICAL ADDRESS: 22-07 41st AVENUE LONG ISLAND CITY, NY 11101</p>	<p>SURVEY OF PROPERTY SITUATE AT LONG ISLAND CITY BOROUGH OF QUEENS CITY AND STATE OF NEW YORK SCALE 1"=20' AUGUST 24, 2018</p>
<p>JOB NO.12445 REVISIONS: 10/3/18 1/24/2019</p>	<p>AMERICAN ENGINEERING & LAND SURVEYING P.C. 117161 country road - ste. 6 plainview, ny 11803 tel: 516.454.7500 fax: 516.822.2743 www.aesland.com</p> <p>STEPHEN E. RAWN, P.E., L.S. (L.S. NO. 49664)</p>

Q.C.T.M. BLK. 409 LOT 6



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 8/4/2020



SITE DESCRIPTION

SITE NO. **C241148**

SITE NAME Former Hygrade Polishing and Plating Co.

SITE ADDRESS: 22-07 41st Avenue ZIP CODE: 11101

CITY/TOWN: Long Island City

COUNTY: Queens

ALLOWABLE USE: Commercial and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES:	YES	NO
IC/EC Certification Plan	■	□
Monitoring Plan	■	□
Operation and Maintenance (O&M) Plan	■	□

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 04/30/2022

Description of Institutional Control

Stalingrad Ventures LLC
 320 Northern Blvd.
22-07 41st Avenue
 Environmental Easement
 Block: 409
 Lot: 6
 Sublot:
 Section:
 Subsection:
 S_B_L Image: 409-6
 Ground Water Use Restriction
 IC/EC Plan
 Monitoring Plan
 O&M Plan
 Site Management Plan
 Soil Management Plan

Description of Engineering Control

Stalingrad Ventures LLC

320 Northern Blvd.

22-07 41st Avenue

Environmental Easement

Block: 409

Lot: 6

Sublot:

Section:

Subsection:

S_B_L Image: 409-6

Cover System

Vapor Mitigation