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# PERIODIC REVIEW REPORT

for

**23-01 42<sup>nd</sup> Road  
Long Island City, New York  
NYSDEC BCP Site No. C241152**

*Prepared For:*

**One QPS Owner, LLC  
c/o The Carlyle Group  
299 Park Avenue, 35<sup>th</sup> Floor  
New York, NY 10171**

*Prepared By:*

**Langan Engineering, Environmental, Surveying,  
Landscape Architecture and Geology, D.P.C.  
300 Kimball Drive  
Parsippany, New Jersey 07054  
NJ Certificate of Authorization No: 24GA27996400**

**19 March 2019  
100738801**

**LANGAN**

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NJ Certificate of Authorization No. 24GA27996400

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## **1.0 INTRODUCTION**

### **1.1 General**

This Periodic Review Report (PRR) was prepared by Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. on behalf of One QPS Owner, LLC c/o The Carlyle Group for the property located at 23-01 42<sup>nd</sup> Road in Long Island City, New York (the site) for the 2018 certification period (19 February 2018 to 19 February 2019). This PRR was prepared in accordance with the New York State Department of Environmental Conservation (NYSDEC)-approved 31 March 2015 Site Management Plan (SMP) revised on 15 May 2015. A periodic review of all institutional controls and engineering controls (IC/ECs) and a site evaluation are required to fulfill the 19 October 2015 Certificate of Completion for the site, which acknowledges that the applicable remediation requirements set forth in the New York State Environmental Conservation Law (ECL) have been achieved to the satisfaction of the NYSDEC Commissioner, pursuant to the 4 October 2013 Brownfield Cleanup Agreement (BCA) Index No. C241152-09-13 (NYSDEC Brownfield Cleanup Program [BCP] Site No. C241152). Site remediation was performed in accordance with the 20 September 2013 Interim Remedial Measures Work Plan (IRMWP) and the May 2014 Remedial Action Work Plan (RAWP).

### **1.2 Site Summary**

The site was used for manufacturing purposes from as early as 1947 and is located in an area of historical industrial usage. From 1936 through 2006, the site was occupied by a one-story warehouse building and was used as a garage with associated underground storage tanks (UST). Historical uses of properties surrounding the site include a filling station, an auto repair shop, multiple garages, and lacquer spraying. One 550-gallon gasoline UST, one 550-gallon #2 fuel oil UST, one 630-gallon #2 fuel oil UST, and one 5,000-gallon heating oil aboveground storage tank (AST) were decommissioned and removed as part of IRMWPs implementation. The current development is a 44-story residential apartment building with ground-floor amenity space. The building occupies the entire lot and does not have a cellar.

Subsurface investigations were conducted between November 2012 and November 2013. These investigations were documented in the November 2013 Remedial Investigation Report (RIR) revised in January 2014. The following list summarizes the results of the investigations:

- The contaminants of concern include:

Benzene	Benzo(b)fluoranthene	Lead
Benzo(a)anthracene	Indeno(1,2,3-cd)pyrene	Mercury
Benzo(a)pyrene	Copper	Trichloroethene (TCE)

- The contaminants of concern exceeded the applicable Standards, Criteria, and Guidance (SCG) for soil, groundwater and soil vapor.
- Polycyclic aromatic hydrocarbons (PAH) were detected in historic fill primarily in the western and southeastern portions of the site. Metals were detected in historic fill primarily in the northwestern portion of the site.
- Benzene was detected in groundwater samples from two wells in the southeastern portion of the site near the 550-gallon gasoline UST, but has not migrated off-site.
- TCE was detected in soil vapor and was attributed to migration from the northern-adjointing property that is being addressed pursuant to a separate BCA.

As discussed in Section 2.2, remediation was completed in 2014 and a Certification of Completion for the site was issued in October 2015. Site Management has been conducted in accordance with the approved SMP subsequent to that date.

### **1.3 Effectiveness of the Remedial Program**

The remedial program was designed to eliminate and mitigate environmental and potential human health exposure to adverse environmental conditions still present in soil and soil vapor underlying the site. The Institutional and Engineering Controls (IC/ECs) for the certification period achieved their remedial objectives.

#### **1.4 Compliance with the Site Management Plan**

All ICs and ECs remain fully in place for the certification period and continue to be effective.

#### **1.5 Recommendations**

No changes to the SMP are recommended at this time.

### **2.0 SITE OVERVIEW**

#### **2.1 Site Location**

The site is located in Long Island City, New York and is identified as Block 425, Lot 1 on the Queens Borough Tax Map. The rectangular site is situated on an about 0.343-acre parcel bound by a four-story building to the north, 24<sup>th</sup> Street to the east, 42<sup>nd</sup> Road to the south, and 23<sup>rd</sup> Street to the west. A site location map is shown on Figure 1.

#### **2.2 Site Background**

Interim remedial measures (IRM) were implemented between 13 November 2013 and 12 June 2014. Remedial activities implemented in accordance with the NYSDEC-approved RAWP were completed in October 2014. The components of the selected remedy include:

- Decommissioning and removal of one AST and three USTs;
- Excavation and off-site disposal of grossly-contaminated soil associated with the USTs;
- Collection and analysis of post-excavation documentation samples;
- Backfilling to development grade with clean fill, recycled concrete aggregate (RCA), or virgin, native crushed stone;
- Installation of ECs including a composite cover system and a sub-membrane depressurization (SMD) system;
- An environmental easement with ICs; and,
- Ongoing implementation of a Site Management Plan (SMP) to ensure the performance, effectiveness, and protectiveness of the IC/ECs.

With the exception of the installation of the above-grade components of the sub-membrane depressurization (SMD) system, remedial activities were completed as of October 2014. NYSDEC issued a Certificate of Completion on 19 October 2015. Superstructure construction of the 44-story building was completed between October 2014 and January 2017 and included installation of the above-slab components of the SMD system (e.g., blower and piping). The SMP inspections and SMD system startup testing were conducted on 27 and 30 January 2017, respectively. The New York City Department of Buildings (NYCDOB) issued a Certificate of Occupancy for floors 1 to 44 effective 7 February 2017.

### **3.0 IC/EC PLAN COMPLIANCE REPORT**

As residual contaminated soil, groundwater, and soil vapor exists beneath the site, IC/ECs are required to protect human health and the environment. The Engineering and Institutional Control Plan included in the SMP describes the procedures for the implementation and management of the IC/ECs.

#### **3.1 IC/EC Components**

Consistent with the Final Engineering Report (FER) and SMP, the site-specific IC/ECs are summarized below. As-built SMD system and composite cover layout plans are shown on Figures 2 and 3, respectively.

##### **3.1.1 Engineering Controls**

###### **3.1.1.1 Composite Cover System**

Exposure to remaining contamination in soil and historic fill material is prevented by a composite cover system placed over the site. This cover system is comprised of a minimum 14-inch-thick concrete building slab underlain by a vapor barrier membrane, which was installed as a contingency measure to prevent vapor intrusion.

###### **3.1.1.2 Submembrane Depressurization System**

An SMD system was incorporated into the foundation design to mitigate potential soil vapor intrusion into the site building.



The SMD system consists of horizontal, interconnected, 4-inch-diameter perforated high-density polyethylene (HDPE) piping placed in an 8-inch-thick layer of clean ¾-inch stone. The system underlies a vapor barrier membrane, which extends underneath the entire floor slab. The horizontal piping is connected to a vertical, subgrade vapor collection pipe located in the central portion of the site, southwest of the core mat. The collection pipe attaches to a 4-inch-diameter riser that extends through the floor slab.

### **3.1.2 Institutional Controls**

The site has a series of ICs in the form of site restrictions. Adherence to these ICs is required by the Environmental Easement included in Appendix A. Site restrictions that apply to the Controlled Property are:

- The property may only be used for restricted residential, commercial, and industrial uses provided that the long-term EC/ICs included in the SMP are employed.
- The property may not be used for a higher level of use, such as residential or unrestricted use, without additional remediation and amendment of the Environmental Easement, as approved by the NYSDEC.
- All future activities on the site that will disturb remaining contaminated material must be conducted in accordance with the SMP.
- The use of the groundwater underlying the property is prohibited without necessary water quality treatment, as determined by the New York State Department of Health (NYSDOH) or New York City Department of Health (NYCDOH).
- Vegetable gardens and farming in residual soil on the property are prohibited.
- The site owner or remedial party will submit to NYSDEC a written statement that certifies, under penalty of perjury, that:
  - (1) Controlled Property controls are unchanged from the previous certification or that any changes to the controls were NYSDEC approved; and,

- (2) Nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP. NYSDEC retains the right to access such Controlled Property at any time to evaluate the maintenance of any and all controls.

### **3.2 Goal Status and Corrective Measures**

No deviations of the IC/ECs have been documented during the certification period.

### **3.3 Conclusions and Recommendations**

The IC/ECs continue to function as designed and in compliance with the SMP. Maintenance recommendations are described in Section 5.4.

## **4.0 MONITORING PLAN COMPLIANCE REPORT**

### **4.1 Monitoring Plan Components**

The components of the Monitoring Plan are as follows:

- Quarterly inspections of the SMD system during the first year of operation, then annually thereafter;
  - As of January 2018, SMD system inspections are conducted annually.
- An annual inspection of the composite cover system; and,
- An annual site-wide inspection.

### **4.2 Summary of Monitoring Completed**

#### **4.2.1 SMD System Inspection**

An annual inspection of the SMD system was conducted on 18 January 2019. The SMD system inspection confirmed that the system is operational and functioning within the design criteria and the manufacturer's specifications for the certification period. Minor monitoring deficiencies identified during the inspections will be resolved during the next certification period and are summarized in Section 4.3. The SMD system inspection form is included in Appendix B.

#### **4.2.2 Composite Cover System Inspection**

The annual composite cover system inspection was conducted on 18 January 2019. The 14-inch-thick first-floor slab was inspected for quality and integrity. Damages or breaches to the composite cover system were not observed during the annual inspection event. No construction activity or indication of any construction activity during the certification period that included the breaching of the site cover system was observed. A composite cover system inspection form is included in Appendix C.

#### **4.2.3 Annual Site-Wide Inspection**

The annual site-wide inspection was conducted on 18 January 2019. This consisted of spot inspections of all ECs and verification of ICs. All IC/EC components inspected were functioning in compliance with the SMP and the site remains occupied with residential tenants. The completed site-wide inspection form is included as Appendix D.

#### **4.3 Monitoring Deficiencies**

No deficiencies were identified during the composite cover system and site-wide inspections. The following deficiencies were identified during the SMD system inspections:

- The pressure gauge before the blower's air filter should be replaced with a vacuum gauge. A negative reading was observed; however, an accurate vacuum measurement could not be recorded.
- Based on the duration of operation and manufacturer recommendations, the blower's air filter will be replaced during the next certification period.

The Volunteer will resolve the deficiencies during the next certification period.

#### **4.4 Conclusions and Recommendations**

No changes to the SMP are recommended at this time.

## **5.0 O&M PLAN COMPLIANCE REPORT**

### **5.1 O&M Plan Components**

The components of the O&M Plan are as follows:

- Continuous operation and maintenance, as necessary, of the SMD system.

### **5.2 SMD System O&M Activities**

The annual inspection consisted of documenting the accessible, above-grade components of the SMD system, testing the system alarm, taking flow velocity readings, and documenting the vacuum gauge readings.

#### **5.2.1 Evaluation of the SMD System**

The primary objective of the SMD system is to impart a negative pressure under the sub-slab membrane in relation to the building indoor air pressure. The negative pressure field captures soil vapor, which is expelled to the atmosphere above the building's roof via a vacuum blower system. The annual inspection indicated effective performance of the mitigation system.

### **5.3 O&M Deficiencies**

The blower's air filter and the pressure gauge installed directly before the blower's air filter will be replaced during the next certification period. The required maintenance does not impact the performance of the SMD system.

### **5.4 Conclusions and Recommendations**

No changes to the SMP are recommended at this time.

## **6.0 OVERALL CONCLUSIONS AND RECOMMENDATIONS**

### **6.1 SMP Compliance**

Each component of the SMP, including the IC/EC Plan, Monitoring Plan, and O&M Plan, was in compliance for the certification period.

## **6.2 Remedy Performance Evaluation**

### **6.2.1 SMD System**

The SMD system continues to operate as designed and is mitigating the potential exposure to soil vapor contaminants.

### **6.2.2 Composite Cover System**

Conditions of the 14-inch thick first floor slab covering the entire site were inspected for quality and integrity. The site-wide composite cover system was observed to be intact and continues to protect public health and the environment.

### **6.2.3 IC Components**

All ICs were maintained during the 2018 certification period, and the environmental easement remains in place.

## **6.3 Future Submittals**

Annual inspections of the SMD system and composite cover system and site-wide inspections will continue to be conducted as specified in the Reporting Plan of the NYSDEC-approved SMP. Forms and other information generated during regular monitoring events and inspections will be submitted at the time of the annual Periodic Review Report.

## **7.0 CERTIFICATION OF IC/ECS**

### **7.1 IC/EC Certification Form**

The completed IC/EC Certification Form is presented in Appendix E. Documentation of the transfer of the Certificate of Completion and NYCDOB work permits for alterations performed during the certification period are attached to the IC/EC Certification Form.

## 7.2 IC/EC Certification

I, Ronald D. Boyer, am currently a registered professional engineer licensed by the State of New York. I had primary direct responsibility for implementation of the remedial program for the 23-01 42<sup>nd</sup> Road site (NYSDEC BCA Index No. C241152-09-13, Site No. C241152).

I certify that the ICs/ECs are in place and effective and are performing as designed.

I certify that nothing has occurred that would impair the ability of the controls to protect the public health and environment and that nothing has occurred that would constitute a violation or failure to comply with any operation and maintenance plan for such controls.

I certify that all use restrictions, institutional controls, engineering controls, and all operation and maintenance requirements applicable to the site are contained in an environmental easement created and recorded pursuant ECL 71-3605 and that all affected local governments, as defined in ECL 71-3603, have been notified that such easement has been recorded. A Site Management Plan has been submitted by the applicant for the continual and proper operation, maintenance, and monitoring of all engineering controls employed at the site, including the proper maintenance of all remaining monitoring wells, and that such plan has been approved by the Department.

I certify that all information and statements in this certification are true. I understand that a false statement made herein is punishable as Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.



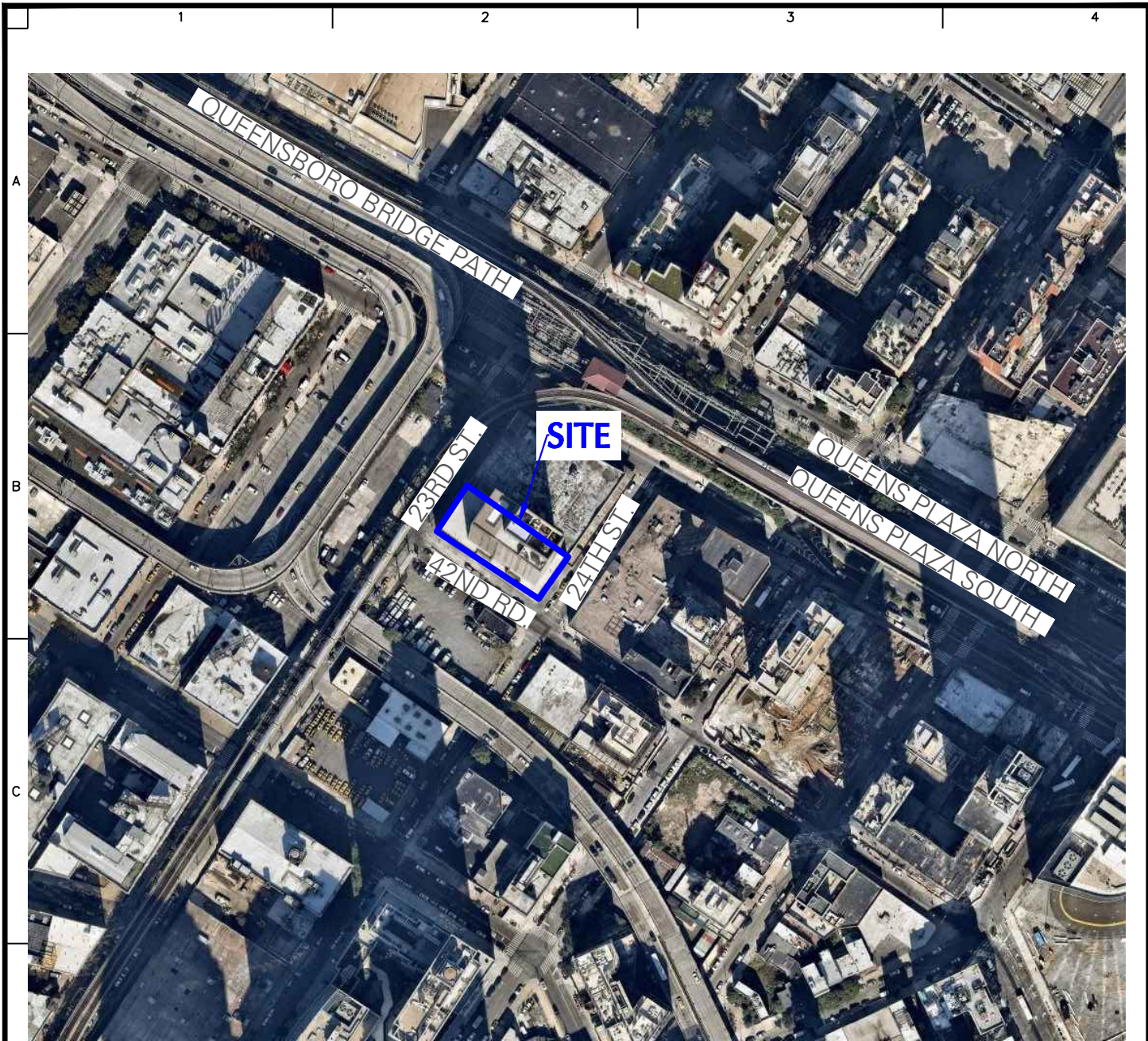
New York State Professional Engineer No.

3/19/19  
Date

*Ronald D. Boyer*  
Signature

It is a violation of Article 130 of New York State Education Law for any person to alter this document in any way without the express written verification of adoption by any New York State licensed engineer in accordance with Section 7209(2), Article 130, New York State Education Law.

# FIGURES



LEGEND:



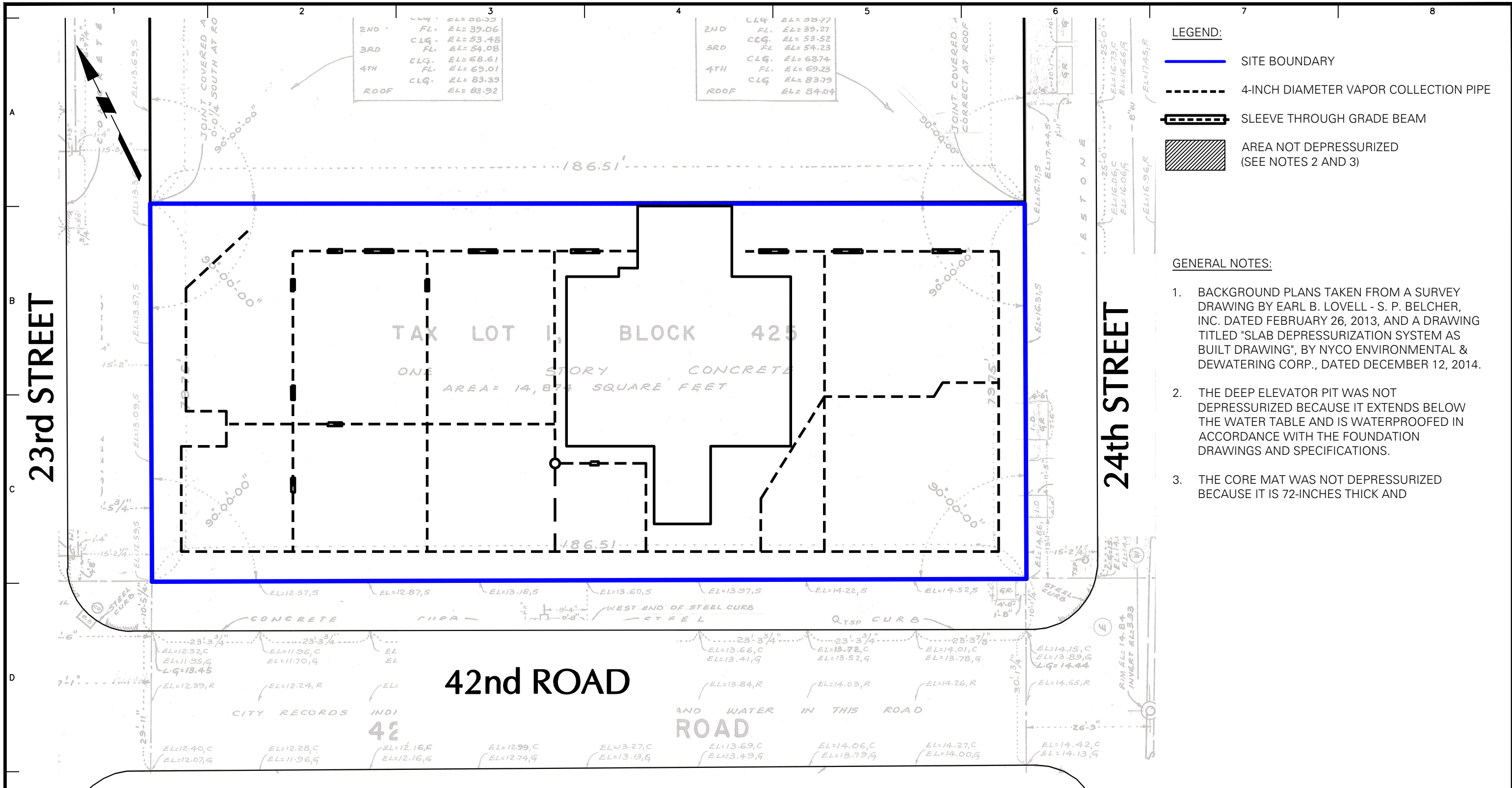
SITE BOUNDARY

NOTES:

1. BASE MAP TAKEN FROM NEARMAP (IMAGE DATE 10/15/2016)

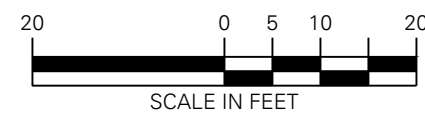
<p>21 Penn Plaza, 360 West 31st Street, 8th Floor New York, NY 10001 T: 212.479.5400 F: 212.479.5444 www.langan.com</p> <p>Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C. Langan Engineering and Environmental Services, Inc. Langan International LLC</p> <p>Collectively known as Langan</p>	Project	Figure Title	Project No.	Figure No.	
	<p><b>23-01 42nd ROAD</b></p> <p>BLOCK No. 425, LOT No. 1 LONG ISLAND CITY</p> <p>QUEENS NEW YORK</p>	<p><b>SITE LOCATION MAP</b></p>	170244602	<p><b>1</b></p>	
			Date		02/14/2017
			Scale		NTS
			Drawn By		VDP
Submission Date	-	Sheet 1 of 3			





- LEGEND:**
- SITE BOUNDARY
  - 4-INCH DIAMETER VAPOR COLLECTION PIPE
  - SLEEVE THROUGH GRADE BEAM
  - AREA NOT DEPRESSURIZED (SEE NOTES 2 AND 3)

- GENERAL NOTES:**
1. BACKGROUND PLANS TAKEN FROM A SURVEY DRAWING BY EARL B. LOVELL - S. P. BELCHER, INC. DATED FEBRUARY 26, 2013, AND A DRAWING TITLED "SLAB DEPRESSURIZATION SYSTEM AS BUILT DRAWING", BY NYCO ENVIRONMENTAL & DEWATERING CORP., DATED DECEMBER 12, 2014.
  2. THE DEEP ELEVATOR PIT WAS NOT DEPRESSURIZED BECAUSE IT EXTENDS BELOW THE WATER TABLE AND IS WATERPROOFED IN ACCORDANCE WITH THE FOUNDATION DRAWINGS AND SPECIFICATIONS.
  3. THE CORE MAT WAS NOT DEPRESSURIZED BECAUSE IT IS 72-INCHES THICK AND



**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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 Langan Engineering and Environmental Services, Inc.  
 Langan International LLC  
 Collectively known as Langan

Project  
**23-01 42nd ROAD**  
**QUEENS NEW YORK**  
 BLOCK No. 425, LOT No. 1  
 LONG ISLAND CITY

Figure Title  
**AS-BUILT SMD SYSTEM LAYOUT PLAN**

Project No. 170244602	Figure No.
Date 02/14/2017	<b>2</b>
Scale 1" = 20'	
Drawn By PMM	
Submission Date -	Sheet 2 of 3

23rd STREET

24th STREET

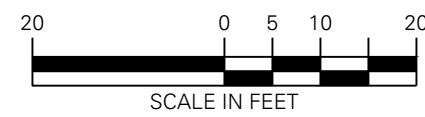
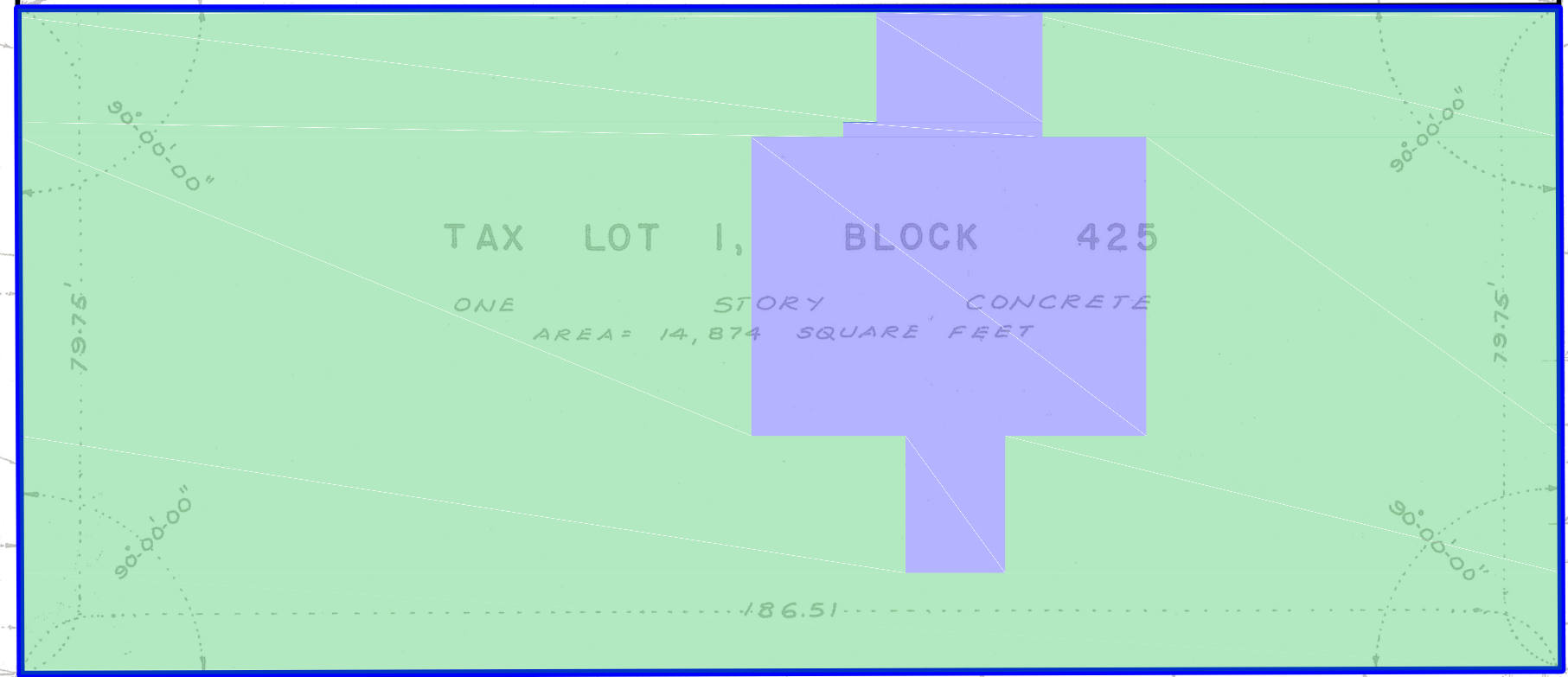
42nd ROAD

2ND	CLG	EL= 38.59
	FL	EL= 39.06
3RD	CLG	EL= 53.48
	FL	EL= 54.08
4TH	CLG	EL= 68.61
	FL	EL= 69.01
ROOF	CLG	EL= 83.39
		EL= 83.92

2ND	CLG	EL= 38.77
	FL	EL= 39.27
3RD	CLG	EL= 53.52
	FL	EL= 54.23
4TH	CLG	EL= 68.74
	FL	EL= 69.23
ROOF	CLG	EL= 83.79
		EL= 84.04

- LEGEND:**
- PROPERTY BOUNDARY LINE/  
EXTENT OF CONCRETE BUILDING SLAB
  - VAPOR BARRIER EXTENTS
  - WATERPROOFING EXTENTS

- NOTES:**
1. BACKGROUND PLANS TAKEN FROM A SURVEY DRAWING BY EARL B. LOVELL - S. P. BELCHER, INC. DATED FEBRUARY 26, 2013, AND A DRAWING TITLED "FOUNDATION PLAN AS BUILT DRAWING", BY NYCO ENVIRONMENTAL & DEWATERING CORP., DATED DECEMBER 15, 2014.
  2. VAPOR BARRIER MEMBRANE CONSISTED OF FLORPRUFE 120 AND WAS INSTALLED ABOVE THE SUBMEMBRANE DEPRESSURIZATION SYSTEM STONE LAYER AND BONDED TO THE BOTTOM OF THE FIRST-FLOOR SLAB.
  3. WATERPROOFING MEMBRANE CONSISTED OF PREPRUFE 300R ON THE BASE AND PREPRUFE 150R ON SIDEWALLS AND WAS BONDED TO THE BOTTOM AND OUTSIDE WALLS OF THE SLABS FOR THE ELEVATOR PIT AND CORE MAT.



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Project  
**23-01 42nd ROAD**  
 BLOCK No. 425, LOT No. 1  
 LONG ISLAND CITY  
 QUEENS NEW YORK

Figure Title  
**COMPOSITE  
 COVER LAYOUT  
 PLAN**

Project No.	170244602	Figure No.	3
Date	02/14/2017		
Scale	1" = 20'		
Drawn By	PMM		
Submission Date	-	Sheet	3 of 3

# **APPENDIX A**

## **Environmental Easement**



August 31, 2015

SIVE PAGET & RIESEL, P.C.  
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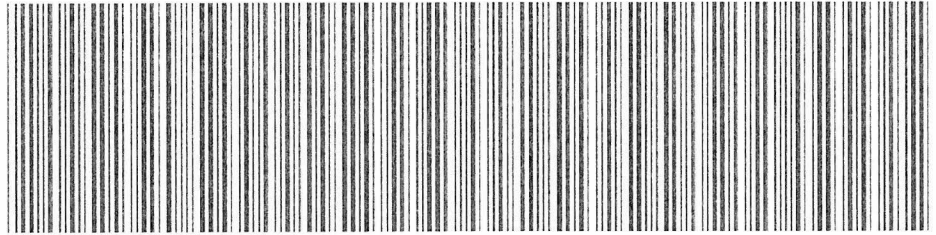
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**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 10**

**Document ID: 2015082401131001**

**Document Date: 07-31-2015**

**Preparation Date: 08-24-2015**

**Document Type: EASEMENT**

**Document Page Count: 9**

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NEW YORK, NY 10022  
KARY TORRES

<b>PROPERTY DATA</b>			
<b>Borough</b>	<b>Block</b>	<b>Lot</b>	<b>Unit Address</b>
QUEENS	425	1	Entire Lot 23-01 42ND ROAD
<b>Property Type: COMMERCIAL REAL ESTATE</b>			

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or DocumentID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**GRANTOR/SELLER:**

QPS 23-10 DEVELOPMENT LLC  
5 EAST 17TH STREET, 2ND FLOOR  
NEW YORK, NY 10003

**GRANTEE/BUYER:**

PEOPLE OF STATE OF NEW YORK  
BY COMMISSIONER DEPT OF ENVIRONMENTAL  
CONSERVATION, 625 BROADWAY  
ALBANY, NY 12233

**FEES AND TAXES**

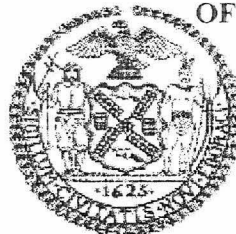
**Mortgage :**

Mortgage Amount:	\$	0.00
Taxable Mortgage Amount:	\$	0.00
Exemption:		
TAXES: County (Basic):	\$	0.00
City (Additional):	\$	0.00
Spec (Additional):	\$	0.00
TASF:	\$	0.00
MTA:	\$	0.00
NYCTA:	\$	0.00
Additional MRT:	\$	0.00
<b>TOTAL:</b>	<b>\$</b>	<b>0.00</b>
Recording Fee:	\$	82.00
Affidavit Fee:	\$	0.00

**Filing Fee:**

Filing Fee:	\$	100.00
NYC Real Property Transfer Tax:	\$	0.00
NYS Real Estate Transfer Tax:	\$	0.00

**RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE  
CITY OF NEW YORK**



Recorded/Filed 08-31-2015 13:31  
City Register File No. (CRFN):  
**2015000302414**

*Annette M Hill*

**City Register Official Signature**

**ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36  
OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW**

**THIS INDENTURE** made this 31<sup>st</sup> day of July, 2015, between Owner(s) QPS 23-10 Development LLC, having an office at 5 East 17th Street, 2nd Floor, New York, NY 10003, County of New York, State of New York (the "Grantor"), and The People of the State of New York (the "Grantee."), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

**WHEREAS**, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

**WHEREAS**, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

**WHEREAS**, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

**WHEREAS**, Grantor, is the owner of real property located at the address of 23-01 42nd Road in the City of New York, County of Queens and State of New York, known and designated on the tax map of the New York City Department of Finance as tax map parcel number: Block 425 Lot 1, being the same as that property conveyed to Grantor by deed dated December 28, 2012 and recorded in the City Register of the City of New York in CFRN #201300001222248. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately .3415 +/- acres, and is hereinafter more fully described in the Land Title Survey dated December 15, 2014 prepared by Earl B. Lovell – S.P. Belcher, Inc., which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

**WHEREAS**, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is

extinguished pursuant to ECL Article 71, Title 36; and

**NOW THEREFORE**, in consideration of the mutual covenants contained herein and the terms and conditions of Brownfield Cleanup Agreement Index Number: C241152-09-13, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement")

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for:

**Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii),  
Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial  
as described in 6 NYCRR Part 375-1.8(g)(2)(iv)**

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the New York City Department of Health and Mental Hygiene to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

(5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(6) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

(7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

(8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

(9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;

(10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section  
Division of Environmental Remediation  
NYSDEC  
625 Broadway  
Albany, New York 12233  
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

**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 Environmental Conservation Law.**

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:  
(i) are in-place;  
(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

B. If any person violates this Environmental Easement, the Grantee may revoke the Certificate of Completion with respect to the Controlled Property.

C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify Grantor of any failure to adequately cure the breach or suspected breach, and Grantee may take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement, including the commencement of any proceedings in accordance with applicable law.

D. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar any enforcement rights.

6. Notice. Whenever notice to the Grantee (other than the annual certification) or approval from the Grantee is required, the Party providing such notice or seeking such approval shall identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Brownfield Cleanup Agreement, State Assistance Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to:      Site Number: C241152  
Office of General Counsel  
NYSDEC  
625 Broadway  
Albany New York 12233-5500

With a copy to:                                      Site Control Section  
Division of Environmental Remediation  
NYSDEC  
625 Broadway  
Albany, NY 12233

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

**Remainder of Page Intentionally Left Blank**

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

QPS 23-10 Development LLC:

By: 

Print Name: KEVIN MALONEY

Title: AUTHORIZED REPRESENTATIVE Date: 6/30/15

**Grantor's Acknowledgment**

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF NEW YORK )

On the 30<sup>TH</sup> day of JUNE, in the year 2015, before me, the undersigned, personally appeared KEVIN MALONEY, 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.

  
Notary Public - State of New York

**FRANKLIN R. KAIMAN**  
Notary Public, State of New York  
No. 02KA4663586  
Qualified in Westchester County  
Commission Expires February 28, 2018

**THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK**, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

By:   
Robert W. Schick, Director  
Division of Environmental Remediation

**Grantee's Acknowledgment**

STATE OF NEW YORK    )  
  ) ss:  
COUNTY OF ALBANY    )

On the 31<sup>st</sup> day of July, in the year 2015, before me, the undersigned, personally appeared Robert W. Schick, 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/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public - State of New York

**David J. Chiusano**  
**Notary Public, State of New York**  
**No. 01CH5032146**  
**Qualified in Schenectady County**  
**Commission Expires August 22, 2018**

**SCHEDULE "A" PROPERTY DESCRIPTION**

ALL THAT LOT OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE IN THE BOROUGH AND COUNTY OF QUEENS, CITY AND STATE OF NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER FORMED- BY THE INTERSECTION OF THE EASTERLY SIDE OF ELY AVENUE AND THE NORTHERLY SIDE OF HENRY STREET;

RUNNING THENCE EASTERLY ALONG THE NORTHERLY SIDE OF HENRY STREET 186 FEET, 6 INCHES TO THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF HENRY STREET WITH THE WESTERLY SIDE OF WILLIAM STREET;

THENCE NORTHERLY ALONG THE WESTERLY SIDE OF WILLIAM STREET 79 FEET 9 INCHES;

THENCE WESTERLY PARALLEL WITH HENRY STREET 186 FEET 6 INCHES TO THE EASTERLY SIDE OF ELY AVENUE AT A POINT THEREIN DISTANT 79 FEET 9 INCHES NORTHERLY FROM THE POINT OF BEGINNING;

THENCE SOUTHERLY ALONG THE EASTERLY SIDE OF ELY AVENUE 79 FEET 9 INCHES TO THE POINT OR PLACE OF BEGINNING.

CONTAINING 14,874 SQUARE FEET (0.3415 ACRE)

## **APPENDIX B**

### **SMD System Inspection Checklist**

# SMD SYSTEM INSPECTION CHECKLIST

Site Name: 23-01 42nd Road Location: Long Island City, NY Project Number: 100738801

Inspector Name: Reid Balkind/Luke McCartney Date: 1/18/2019 Weather Conditions: Snowy, 32-38°F

Reason for Inspection (i.e., routine, severe weather condition, etc.): Routine Inspection/Follow-up

Check one of the following:  
(Y: Yes N: No NA: Not Applicable)

		Y	N	NA	Normal Situation	Remarks
<b>Records</b>						
1	Is the Operations & Maintenance Plan readily available on-site?	✓			Y	SMP on-site that includes O&M plan
2	Based on site records, when was the last inspection, maintenance, or repair event?			✓	NA	1/22/2018
3	Based on site records, was the system nonoperational for any amount of time since the last inspection, maintenance, or repair event? For how long? Provide details.		✓		N	System operational since startup
<b>Alarm System</b>						
4	Do the alarm lights indicate that the system is operational?	✓			Y	
<b>General System</b>						
5	Is there any construction activity, or indication of any construction activity within the past certification year (including any tenant improvements), that included the breaching of the floor slab, on-site at the time of this inspection?		✓		N	
6	If YES to number 5, is there documentation that the Soil Management Plan, HASP, and CAMP for the site was/is being followed?			✓	NA if N to 5/ Y if Y to 5	
7	If YES to number 5, is there documentation that all breaches in the floor slab have been sealed?			✓	NA if N to 5/ Y if Y to 5	
8	Does all visible SMD piping appear intact and undamaged?	✓			Y	
9	Have any intake points been constructed at the roof near (less than 10 feet) the SMD blower discharge point?		✓		N	
<b>SSD Blower Unit</b>						
10	Is the SMD blower operational at the time of the inspection?	✓			Y	See remarks 2 and 3
11	What is the VelociCalc Meter reading?			✓	NA	120.81 cfm
12	Is the SMD blower expelling air at the discharge point?	✓			Y	

**\*\*\*If the answer to any of the above questions indicates the SMD system is nonoperational or malfunctioning, or that this EC is in noncompliance, additional remarks must be provided and, where applicable, documentation attached to this checklist detailing additional inspection and repair activities\*\*\***

**Additional remarks:**

1. Slab penetrating piping part of SMD System located in first floor, blower located in mechanical room in 4th floor, discharge point located in 9th floor patio.

2. Blower gauge range is 0-100" water, reading shows > 100" water. Turned off blower and gauge needle moved left towards 0 as blower stopped. Gauge seems to be installed in wrong direction or not fine enough resolution.

3. Air filter should be replaced based on duration of operation/manufacturer recommendations.

**Minimum Inspection Schedule: Site-wide inspections will be conducted annually, per certification year, at a minimum**



## **APPENDIX C**

### **Composite Cover System Inspection Checklist**

# COMPOSITE COVER SYSTEM INSPECTION CHECKLIST

Site Name: 23-01 42nd Road Location: Long Island City, NY Project Number: 100738801

Inspector Name: Reid Balkind/Luke McCartney Date: 01/18/2019 Weather Conditions: Snowy, 32-38 degrees Fahrenheit

Reason for Inspection (i.e., routine, severe condition, etc.): Routine Site Inspection

Check one of the following:  
(Y: Yes N: No NA: Not Applicable)

		Y	N	NA	Normal Situation	Remarks
	<b>General</b>					
1	What are the current site conditions?			✓	NA	Site occupied by residential tenants, no evidence of construction activity.
	<b>Impermeable Cap</b>					
2	Are there any indications of a breach in the capping system at the time of this inspection?		✓		N	
3	Is there any construction activity, or indication of any construction activity within the past certification year (including any tenant improvements), that included the breaching of the capping system, on-site at the time of this inspection?		✓		N	
4	If YES to number 3, is there documentation that the Soil Management Plan, HASP, and CAMP for the site was/is being followed?			✓	NA	

**\*\*\*If the answer to any of the above questions indicate non-compliance with ECs for the site, additional remarks must be provided and, where applicable, documentation attached to this checklist detailing additional inspection and repair activities.\*\*\***

**Additional remarks:**

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**Minimum Inspection Schedule:**

- At a minimum, composite cover inspections will be conducted annually, per certification year.
- Additional composite cover inspections will also be conducted at times of severe weather condition events.
- Composite cover inspection events will use this checklist.

## **APPENDIX D**

### **Site-Wide Inspection Checklist**

# SITE INSPECTION CHECKLIST

Site Name: 23-01 42nd Road Location: Long Island City, NY Project Number: 100738801

Inspector Name: Reid Balkind/Luke McCartney Date: 01/18/2019 Weather Conditions: Snowy, 32-38 degrees Fahrenheit

Reason for Inspection (i.e., routine, severe weather condition, etc.): Routine Site Inspection

Check one of the following:  
(Y: Yes N: No NA: Not Applicable)

		Y	N	NA	Normal Situation	Remarks
<b>General</b>						
1	What are the current site conditions?			✓	NA	Site occupied by residential tenants, no evidence of construction activity.
2	Are all applicable site records (e.g., documentation of construction activity, SMD system maintenance and repair, most current easement, etc.) complete and up to date?	✓			Y	
<b>Environmental Easement</b>						
3	Has site use (restricted residential) remained the same?	✓			Y	
4	Does it appear that all environmental easement restrictions have been followed?	✓			Y	
<b>Impermeable Cap</b>						
5	Are there any indications of a breach in the capping system at the time of this inspection?		✓		N	
6	Are there any cracks in the building slabs?		✓		N	
7	Are there any cracks in the building walls?		✓		N	
8	Is there any construction activity, or indication of any construction activity within the past certification year (including any tenant improvements), that included the breaching of the capping system, on-site at the time of this inspection?		✓		N	
9	If YES to number 8, is there documentation that the Soil Management Plan, HASP, and CAMP for the site was/is being followed?			✓	NA if N to 6/ Y if Y to 6	

**\*\*\*If the answer to any of the above questions indicate non-compliance with any IC/ECs for the site, additional remarks must be provided and, where applicable, documentation attached to this checklist detailing additional inspection and repair activities.\*\*\***

**Additional remarks:**

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**Minimum Inspection Schedule:**

- At a minimum, site-wide inspections will be conducted annually, per certification year.
- Additional site-wide inspections will also be conducted at times of severe condition events.
- Site-wide inspection events will use this checklist.



# **APPENDIX E**

## **ICEC Certification Form**



**Enclosure 2**  
**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**Site Management Periodic Review Report Notice**  
**Institutional and Engineering Controls Certification Form**



	<b>Site Details</b>	<b>Box 1</b>
<b>Site No.</b>	<b>C241152</b>	
<b>Site Name</b> 23-01 42nd Road		
Site Address: 23-01 42nd Road    Zip Code: 11101		
City/Town: Long Island City		
County: Queens		
Site Acreage: 0.342		
Reporting Period: February 19, 2018 to February 19, 2019		
		YES    NO
1. Is the information above correct?		<input checked="" type="checkbox"/> <input type="checkbox"/>
If NO, include handwritten above or on a separate sheet.		
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?		<input checked="" type="checkbox"/> <input type="checkbox"/>
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?		<input type="checkbox"/> <input checked="" type="checkbox"/>
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?		<input checked="" type="checkbox"/> <input type="checkbox"/>
<b>If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.</b>		
5. Is the site currently undergoing development?		<input type="checkbox"/> <input checked="" type="checkbox"/>
		<b>Box 2</b>
		YES    NO
6. Is the current site use consistent with the use(s) listed below? Restricted-Residential, Commercial, and Industrial		<input checked="" type="checkbox"/> <input type="checkbox"/>
7. Are all ICs/ECs in place and functioning as designed?		<input checked="" type="checkbox"/> <input type="checkbox"/>
<b>IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.</b>		
<b>A Corrective Measures Work Plan must be submitted along with this form to address these issues.</b>		
_____ Signature of Owner, Remedial Party or Designated Representative		_____ Date

**Box 2A**

YES NO

8. Has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid?

**If you answered YES to question 8, include documentation or evidence that documentation has been previously submitted with this certification form.**

9. Are the assumptions in the Qualitative Exposure Assessment still valid?  
(The Qualitative Exposure Assessment must be certified every five years)

**If you answered NO to question 9, the Periodic Review Report must include an updated Qualitative Exposure Assessment based on the new assumptions.**

SITE NO. C241152

Box 3

**Description of Institutional Controls**Parcel

425-1

Owner~~QPS 23-10 Development LLC~~

One QPS Owner, LLC

Institutional Control

Ground Water Use Restriction  
Soil Management Plan  
Landuse Restriction  
Site Management Plan  
IC/EC Plan

O&amp;M Plan

The institutional control is in the form of an Environmental Easement for the controlled property that:

- requires the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
- allows the use and development of the controlled property for restricted residential, commercial and industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restricts the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or NYCDOH; and
- requires compliance with the Department-approved Site Management Plan.

Box 4

**Description of Engineering Controls**Parcel

425-1

Engineering Control

Vapor Mitigation  
Cover System

The engineering controls include:

1. A cover system consisting of either of the structures such as building, pavement, sidewalks comprising the site development or a soil cover in areas where the upper two feet of exposed surface soil exceeded the applicable Soil Cleanup Objectives (SCOs). Where the soil cover was required it is a minimum of two feet of soil, meeting the SCOs for cover material as set forth in 6 NYCRR Part 375-6.7(d) for restricted residential use. The soil cover was placed over a demarcation layer, with the upper six inches of soil of sufficient quality to maintain a vegetation layer.
2. Operation of a sub-slab depressurization system to prevent the migration of vapors into the building from the subsurface.

### Periodic Review Report (PRR) Certification Statements

1. I certify by checking "YES" below that:

a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES NO

2. If this site has an IC/EC Plan (or equivalent as required in the Decision Document), for each Institutional or Engineering control listed in Boxes 3 and/or 4, I certify by checking "YES" below that all of the following statements are true:

(a) the Institutional Control and/or Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;

(b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;

(c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;

(d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and

(e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES NO

**IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.**

**A Corrective Measures Work Plan must be submitted along with this form to address these issues.**

\_\_\_\_\_  
Signature of Owner, Remedial Party or Designated Representative

\_\_\_\_\_  
Date



IC CERTIFICATIONS  
SITE NO. C241152

Box 6

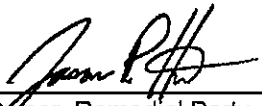
**SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE**

I certify that all information and statements in Boxes 1, 2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Jason Hart at 299 Park Avenue, 35<sup>th</sup> Floor New York, NY 10171  
print name print business address

am certifying as Owner (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.

  
Signature of Owner, Remedial Party, or Designated Representative  
Rendering Certification

3-18-19  
Date

IC/EC CERTIFICATIONS

Box 7

Qualified Environmental Professional Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Ronald Boyer at Langan Engineering, Environmental, Surveying,  
Landscape Architecture and Geology, D.P.C.  
300 Kimball Drive, Parsippany, NJ 07054,  
print name print business address

am certifying as a Qualified Environmental Professional for the One QPS Owner, LLC  
(Owner or Remedial Party)



Ronald D. Boyer  
Signature of Qualified Environmental Professional, for  
the Owner or Remedial Party, Rendering Certification

Stamp  
(Required for PE)

3/19/19  
Date

**Enclosure 3**  
**Periodic Review Report (PRR) General Guidance**

- I. Executive Summary: (1/2-page or less)
  - A. Provide a brief summary of site, nature and extent of contamination, and remedial history.
  - B. Effectiveness of the Remedial Program - Provide overall conclusions regarding:
    1. progress made during the reporting period toward meeting the remedial objectives for the site
    2. the ultimate ability of the remedial program to achieve the remedial objectives for the site.
  - C. Compliance
    1. Identify any areas of non-compliance regarding the major elements of the Site Management Plan (SMP, i.e., the Institutional/Engineering Control (IC/EC) Plan, the Monitoring Plan, and the Operation & Maintenance (O&M) Plan).
    2. Propose steps to be taken and a schedule to correct any areas of non-compliance.
  - D. Recommendations
    1. recommend whether any changes to the SMP are needed
    2. recommend any changes to the frequency for submittal of PRRs (increase, decrease)
    3. recommend whether the requirements for discontinuing site management have been met.
  
- II. Site Overview (one page or less)
  - A. Describe the site location, boundaries (figure), significant features, surrounding area, and the nature and extent of contamination prior to site remediation.
  - B. Describe the chronology of the main features of the remedial program for the site, the components of the selected remedy, cleanup goals, site closure criteria, and any significant changes to the selected remedy that have been made since remedy selection.
  
- III. Evaluate Remedy Performance, Effectiveness, and Protectiveness  
Using tables, graphs, charts and bulleted text to the extent practicable, describe the effectiveness of the remedy in achieving the remedial goals for the site. Base findings, recommendations, and conclusions on objective data. Evaluations and should be presented simply and concisely.
  
- IV. IC/EC Plan Compliance Report (if applicable)
  - A. IC/EC Requirements and Compliance
    1. Describe each control, its objective, and how performance of the control is evaluated.
    2. Summarize the status of each goal (whether it is fully in place and its effectiveness).
    3. Corrective Measures: describe steps proposed to address any deficiencies in ICECs.
    4. Conclusions and recommendations for changes.
  - B. IC/EC Certification
    1. The certification must be complete (even if there are IC/EC deficiencies), and certified by the appropriate party as set forth in a Department-approved certification form(s).
  
- V. Monitoring Plan Compliance Report (if applicable)
  - A. Components of the Monitoring Plan (tabular presentations preferred) - Describe the requirements of the monitoring plan by media (i.e., soil, groundwater, sediment, etc.) and by any remedial technologies being used at the site.
  - B. Summary of Monitoring Completed During Reporting Period - Describe the monitoring tasks actually completed during this PRR reporting period. Tables and/or figures should be used to show all data.
  - C. Comparisons with Remedial Objectives - Compare the results of all monitoring with the remedial objectives for the site. Include trend analyses where possible.
  - D. Monitoring Deficiencies - Describe any ways in which monitoring did not fully comply with the monitoring plan.
  - E. Conclusions and Recommendations for Changes - Provide overall conclusions regarding the monitoring completed and the resulting evaluations regarding remedial effectiveness.
  
- VI. Operation & Maintenance (O&M) Plan Compliance Report (if applicable)
  - A. Components of O&M Plan - Describe the requirements of the O&M plan including required activities, frequencies, recordkeeping, etc.
  - B. Summary of O&M Completed During Reporting Period - Describe the O&M tasks actually completed during this PRR reporting period.
  - C. Evaluation of Remedial Systems - Based upon the results of the O&M activities completed, evaluated

the ability of each component of the remedy subject to O&M requirements to perform as designed/expected.

- D. O&M Deficiencies - Identify any deficiencies in complying with the O&M plan during this PRR reporting period.
- E. Conclusions and Recommendations for Improvements - Provide an overall conclusion regarding O&M for the site and identify any suggested improvements requiring changes in the O&M Plan.

#### VII. Overall PRR Conclusions and Recommendations

- A. Compliance with SMP - For each component of the SMP (i.e., IC/EC, monitoring, O&M), summarize;
  - 1. whether all requirements of each plan were met during the reporting period
  - 2. any requirements not met
  - 3. proposed plans and a schedule for coming into full compliance.
- B. Performance and Effectiveness of the Remedy - Based upon your evaluation of the components of the SMP, form conclusions about the performance of each component and the ability of the remedy to achieve the remedial objectives for the site.
- C. Future PRR Submittals
  - 1. Recommend, with supporting justification, whether the frequency of the submittal of PRRs should be changed (either increased or decreased).
  - 2. If the requirements for site closure have been achieved, contact the Departments Project Manager for the site to determine what, if any, additional documentation is needed to support a decision to discontinue site management.

#### VIII. Additional Guidance

Additional guidance regarding the preparation and submittal of an acceptable PRR can be obtained from the Departments Project Manager for the site.

**NOTICE OF TRANSFER OF CERTIFICATE OF COMPLETION**

**Brownfield Cleanup Program**

**Pursuant to 6 NYCRR Part 375-1.9(f)**

23-01 42nd Road, Site ID No.: C241152

23-01 42nd Road, Long Island City, Queens County, New York

**PLEASE TAKE NOTICE**, that pursuant to Article 27, title 14 of the Environmental Conservation Law and 6 NYCRR 375-1.9(f), QPS 23-10 Development LLC, a Delaware limited liability company, hereby transfer(s) the Certificate of Completion (COC) issued by the Department of Environmental Conservation on October 19, 2015 for the site described below. Such COC was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Cleanup Agreement, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 27, title 14 had been or would be achieved in accordance with the time frame, if any, established in the remedial work plan.

**PLEASE TAKE NOTICE**, that 23-01 42nd Road is located at 23-01 42nd Road, Long Island City, Queens County, New York. The Site is bearing DEC site number: C241152 and is more fully described on Schedule A attached hereto ("Site"). The Tax Map Identification Number for site is Block 425, Lot 1.

**PLEASE TAKE NOTICE**, that a Notice of Certificate of Completion for the Site was filed in the Queens County Clerk's Office on (recorded date of filing) in Liber (#) Of Deeds at Page (#).

**PLEASE TAKE NOTICE**, that on November 29, 2018, QPS 23-10 Development LLC, a Delaware limited liability company, conveyed title to the Site to One QPS Owner, L.L.C., a Delaware limited liability company, by Deed recorded in Liber [(#)] Of Deeds at Page [(#)].

**PLEASE TAKE NOTICE**, QPS 23-10 Development LLC, a Delaware limited liability company, hereby transfers the Certificate to the following new property owner(s) as provided for pursuant to Article 27, title 14 of the Environmental Conservation Law and 6 NYCRR 375-1.9(f):

One QPS Owner, L.L.C.  
(*New Property Owner*)

c/o The Carlyle Group, 1001  
Pennsylvania Ave NW, Suite 220  
South, Washington DC 20004  
(*Address*)

30-0883914  
(*Employer Identification Number*)

---

(*Representative (if applicable)*)

---

(*Address*)

**PLEASE TAKE FURTHER NOTICE**, that if there is an environmental easement for this site, that One QPS Owner, L.L.C., a Delaware limited liability company, recognize(s) and agree(s) to implement the Department-approved Site Management Plan, and any amendments thereto, and to fully comply with all restrictions and affirmative obligations contained therein as well as in the Environmental Easement for the Site.

**WHEREFORE**, the undersigned have signed this Notice of Transfer of Certificate of Completion as of this \_\_\_\_ of \_\_\_\_\_, 2018.

QPS 23-10 DEVELOPMENT LLC,  
a Delaware limited liability company

By: \_\_\_\_\_  
Name:  
Title:

Sworn to before me this  
this \_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
Notary Public

ONE QPS OWNER, L.L.C.,  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Jason Hart  
Title: Vice President

Sworn to before me this  
this \_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
Notary Public



SCHEDULE A

Site

ALL that certain plot, piece or parcel of land situate, lying and being in the Borough and County of Queens, City and State of New York, more particularly bounded and described as follows:

BEGINNING at the corner formed by the intersection of the easterly side of Ely Avenue (now 23rd Street) and the northerly side of Henry Street (now 42nd Road);

RUNNING THENCE easterly along the northerly side of Henry Street (now 42nd Road) 186 feet 6 inches to the corner formed by the intersection of the northerly side of Henry Street (now 42nd Road) with the westerly side of William Street (now 24th Street);

THENCE northerly along the westerly side of William Street (now 24th Street) 79 feet 9 inches;

THENCE westerly parallel with Henry Street (now 42nd Road) 186 feet 6 inches to the easterly side of Ely Avenue (now 23rd Street) at a point therein distant 79 feet 9 inches northerly from the point of beginning;

THENCE southerly along the easterly side of Ely Avenue (now 23rd Street) 79 feet 9 inches to the point or place of BEGINNING



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NYC Department of Buildings  
Application Details

The below information does not include work types submitted in DOB NOW; use the [DOB NOW Public Portal](#) to access DOB NOW records.

JUMP TO:

Premises: 42-19 23 STREET QUEENS  
BIN: [4617250](#) Block: 425 Lot: 1

Job No: 421321947  
Document: 04 OF 4

Job Type: A3 - ALTERATION TYPE 3

- |  |                                  |                                    |                              |
|--|----------------------------------|------------------------------------|------------------------------|
| <a href="#">Document Overview</a>            | <a href="#">Items Required</a>   | <a href="#">Virtual Job Folder</a> | <a href="#">All Permits</a>  |
| <a href="#">Fees Paid</a>                    | <a href="#">Forms Received</a>   |                                    | <a href="#">All Comments</a> |
| <a href="#">Crane Information</a>            | <a href="#">Plan Examination</a> |                                    |                              |
| <a href="#">After Hours Variance Permits</a> |                                  |                                    |                              |

[DOB NOW: Inspections](#)

**This job is not subject to the Department's Development Challenge Process. For any issues, please contact the relevant borough office.**

POST APPROVAL AMENDMENT FOR DOC 01

----- \* PROFESSIONALLY CERTIFIED \* -----

**Last Action: PLAN EXAM - APPROVED 09/26/2018 (P)**

**Application approved on: 09/06/2016**

<b>Pre-Filed:</b> 09/26/2018	<b>Building Type:</b> Other	<b>Estimated Total Cost:</b> \$500.00
<b>Date Filed:</b> 09/26/2018		<b>Electronically Filed:</b> No
<b>Fee Structure:</b> STANDARD		
<b>Review is requested under Building Code:</b> 2008		

[Job Description](#) [Comments](#)

**1 Location Information (Filed At)**

<b>House No(s):</b> 23-01	<b>Street Name:</b> 42ND ROAD				
<b>Borough:</b> Queens	<b>Block:</b> 425	<b>Lot:</b> 1	<b>BIN:</b> <a href="#">4617250</a>	<b>CB No:</b> 402	
<b>Work on Floor(s):</b> 001 thru 044		<b>Apt/Condo No(s):</b>		<b>Zip Code:</b> 11101	

**2 Applicant of Record Information**

<b>Name:</b> KHALID S ALGENDE	
<b>Business Name:</b> MAJOR BUILDING CONSULTING	<b>Business Phone:</b> 646-626-7373
<b>Business Address:</b> 21 WEST 38TH STREET 11TH FLOOR NEW YORK NY 10018	<b>Business Fax:</b>
<b>E-Mail:</b> KH@MAJORBUILDINGSNYC.COM	<b>Mobile Telephone:</b>
	<b>License Number:</b> 073387

**Applicant Type:**  P.E.  R.A  Sign Hanger  R.L.A.  Other

**Directive 14 Applicant**

**Name:** KHALID S ALGENDE  
**Business Name:** MAJOR BUILDING CONSULTING  
**Business Address:** 21 WEST 38TH STREET 11TH FLOOR NEW YORK NY 10018  
**E-Mail:** KH@MAJORBUILDINGSNYC.COM

**Business Phone:** 646-626-7373

**Business Fax:**

**Mobile Telephone:**

**License Number:** 073387

**Applicant Type:** PE

**Previous Applicant of Record**

**Name:** DIEGO BALBAS  
**Business Name:** MAJOR BUILDING CONSULTING  
**Business Address:** 21 WEST 38TH STREET NEW YORK NY 10018  
**E-Mail:** SG@MAJORBUILDINGSNYC.COM

**Business Phone:** 646-626-7373

**Business Fax:**

**Mobile Telephone:**

**License Number:** 073387

**Applicant Type:** PE

**3 Filing Representative**

**Name:** DUNJ/JOEL/ALYSS PEJOVIC/MARIA/CICCHE  
**Business Name:** MAJOR BUILDING CONSULTING  
**Business Address:** 21 WEST 38TH STREET NEW YORK NY 10018  
**E-Mail:** JOEL@MAJORBUILDINGSNYC.COM

**Business Phone:** 646-626-7373

**Business Fax:** 646-626-7370

**Mobile Telephone:**

**Registration Number:** 2710

**4 Filing Status**

[Click Here to View](#)

**5 Job Types**

- Alteration Type 1 or Alteration Type 1 required to meet New Building requirements (28-101.4.5)
- Alteration Type 1, OT "No Work"  New Building
- Alteration Type 2  Full Demolition
- Alteration Type 3  Subdivision: Improved
- Sign  Subdivision: Condo
- Directive 14 acceptance requested?  Yes  No

**6 Work Types**

- BL - Boiler  FA - Fire Alarm  FB - Fuel Burning  FS - Fuel Storage
- FP - Fire Suppression  MH - Mechanical  PL - Plumbing  SD - Standpipe
- SP - Sprinkler  EQ - Construction Equipment  CC - Curb Cut
- OT - Other

**7 Plans/Construction Documents Submitted**

Plans Page Count: 0000

**8 Additional Information**

Enlargement proposed?

- No  Yes  Horizontal  Vertical

**9 Additional Considerations, Limitations or Restrictions**

Yes No

- Alt. required to meet New Building req's (28-101.4.5)

Yes No

- Alteration is a major change to exits
- Change in number of dwelling units
- Change in Occupancy / Use
- Change is inconsistent with current certificate of occupancy
- Change in number of stories

- 
- Facade Alteration   Infill Zoning
  - Adult Establishment   Loft Board
  - Compensated Development (Inclusionary Housing)   Quality Housing
  - Low Income Housing (Inclusionary Housing)   Site Safety Job / Project

- Single Room Occupancy (SRO) Multiple Dwelling
- Filing includes Lot Merger / Reapportionment

Included in LMCCC

**Work Includes:**

- Prefab wood I-joists
- Structural cold-formed steel
- Open-web steel joists

- Landmark
- Environmental Restrictions (Little E or RD)
- Unmapped/CCO Street
- Legalization
- Other, Specify:
- Filed to Comply with Local Law
- Restrictive Declaration / Easement
- Zoning Exhibit Record (I,II,III,etc)
- Filed to Address Violation(s)

- Work includes lighting fixture and/or controls, installation or replacement. [ECC §404 and §505]
- Work includes modular construction under New York State jurisdiction
- Work includes modular construction under New York City jurisdiction
- Structural peer review required per BC §1627      Peer Reviewer License No.(P.E.):
- Work includes permanent removal of standpipe, sprinkler or fire suppression related systems
- Work includes partial demolition as defined in AC §28-101.5, or the raising/moving of a building
- Structural Stability affected by proposed work

BSA Calendar No.(s):

CPC Calendar No.(s):

**10 NYCECC Compliance *New York City Energy Conservation Code* (Applicant Statement)**

Not Provided

**11 Job Description**

Related BIS Job Numbers:

Primary application Job Number:

**12 Zoning Characteristics**

District(s): NONE

Overlay(s):

Special District(s):

Map No.:

Street legal width (ft.):

Street status:  Public  Private

Zoning lot includes the following tax lots: Not Provided

Proposed: Use	Zoning Area (sq.ft.)	District	FAR
Proposed Totals:	--	--	--
Existing Total:	--	--	--

Proposed Lot Details: Lot Type:  Corner  Interior  Through

Lot Coverage (%):      Lot Area (sq.ft.):      Lot Width (ft.):

Proposed Yard Details:  No Yards Or

Front Yard (ft.):      Rear Yard (ft.):      Rear Yard Equivalent (ft.):

Side Yard 1 (ft.):      Side Yard 2 (ft.):

Proposed Other Details: Perimeter Wall Height (ft.):

Enclosed Parking?  Yes  No      No. of parking spaces:

**13 Building Characteristics**

Existing

2014/2008 Code Designations?

Occupancy Classification:

Yes  No

Construction Classification:

Yes  No

**Multiple Dwelling Classification:**

**Building Height (ft.):**

**Building Stories:**

**Dwelling Units:**

Mixed use building?  Yes  No

**14 Fill**

Not Applicable  Off-Site  On-Site  Under 300 cubic yards

**15 Construction Equipment**

Not Applicable

**16 Curb Cut Description**

Not Applicable

**17 Tax Lot Characteristics**

Not Provided

**18 Fire Protection Equipment**

Not Applicable

**19 Open Spaces**

**20 Site Characteristics**

Not Provided

**21 Demolition Details**

Not Applicable

**22 Asbestos Abatement Compliance**

**23 Signs**

Not Applicable

**24 Comments**

**Comments for PAA Document 04 Modifying Document 01**

**Description of Amendment**

REQUEST TO SUPERCEDE APPLICATION #421321947 FOR SIGN OFF ONLY

THIS IS NO WORK, TENANT PROTECTION PLAN.

**25 Applicant's Statements and Signatures ( See paper form or check [Forms Received](#) )**

Yes No

- For New Building and Alteration 1 applications filed under the 2008 or 2014 NYC Building Code only: does this building qualify for high-rise designation?
- Directive 14 applications only: I certify that the construction documents submitted and all construction documents related to this application do not require a new or amended Certificate of Occupancy as there is no change in use, exits, or occupancy.

**26 Owner's Information**

Not Applicable

Yes No

- Owner's Certification Regarding Occupied Housing (Remain Occupied)
- Owner's Certification Regarding Occupied Housing (Rent Control / Stabilization)
- Owner DHCR Notification
- Owner's Certification for Adult Establishment
- Owner's Certification for Directive 14 (if applicable)
-

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.



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NYC Department of Buildings  
Application Details

The below information does not include work types submitted in DOB NOW; use the [DOB NOW Public Portal](#) to access DOB NOW records.

Premises: 42-19 23 STREET QUEENS  
BIN: [4617250](#) Block: 425 Lot: 1

Job No: 440531122  
Document: 01 OF 1  
Job Type: A2 - ALTERATION TYPE 2

<a href="#">Document Overview</a>	<a href="#">Items Required</a>	<a href="#">Virtual Job Folder</a>	<a href="#">All Permits</a>	<a href="#">Schedule B</a>
<a href="#">Fees Paid</a>	<a href="#">Forms Received</a>		<a href="#">All Comments</a>	<a href="#">Plumbing Inspections</a>
<a href="#">Crane Information</a>	<a href="#">Plan Examination</a>			
<a href="#">After Hours Variance Permits</a>				

[DOB NOW: Inspections](#)

This job is not subject to the Department's Development Challenge Process. For any issues, please contact the relevant borough office.

----- \* PROFESSIONALLY CERTIFIED \* -----

**Last Action: PERMIT ISSUED - ENTIRE JOB/WORK 01/18/2019 (R)**  
**Application approved on: 01/15/2019**

**Pre-Filed:** 01/15/2019 **Building Type:** Other  
**Date Filed:** 01/15/2019  
**Fee Structure:** STANDARD  
**Review is requested under Building Code:** 2014

**Estimated Total Cost:** \$10,000.00  
**Electronically Filed:** Yes : Hub Self-Service

[Job Description](#) [Comments](#)

**1 Location Information (Filed At)**

**House No(s):** 42-20 **Street Name:** 24TH STREET  
**Borough:** Queens **Block:** 425 **Lot:** 1 **BIN:** [4617250](#) **CB No:** 402  
**Work on Floor(s):** 017 **Apt/Condo No(s):** 17C **Zip Code:** 11101

**2 Applicant of Record Information**

**Name:** PAUL FREITAS  
**Business Name:** C3D ARCHITECTURE, PLLC **Business Phone:** 212-233-3100  
**Business Address:** 307 7TH AVE #1407 NEW YORK NY 10001 **Business Fax:**  
**E-Mail:** PAUL@CONCEPTDDD.COM **Mobile Telephone:**  
**License Number:** 034945

**Applicant Type:**  P.E.  R.A  Sign Hanger  R.L.A.  Other

**Directive 14 Applicant**

Not Provided

**Previous Applicant of Record**

Not Applicable

### 3 Filing Representative

**Name:** RICHARD/PING P.VARGAS/HO

**Business Name:** RAYMOND HO ARCHITECT, PLLC

**Business Address:** 160 CLAREMONT AVE SUITE A SOUTH NEW YORK NY 10027

**E-Mail:** RVARGAS@RHARCHITECT.COM

**Business Phone:** 917-675-7787

**Business Fax:**

**Mobile Telephone:** 516-395-0327

**Registration Number:** 6659

### 4 Filing Status

[Click Here to View](#)

### 5 Job Types

Alteration Type 1 or Alteration Type 1 required to meet New Building requirements (28-101.4.5)

Alteration Type 1, OT "No Work"

New Building

Alteration Type 2

Full Demolition

Alteration Type 3

Subdivision: Improved

Sign

Subdivision: Condo

Directive 14 acceptance requested?  Yes  No

### 6 Work Types

BL - Boiler

FA - Fire Alarm

FB - Fuel Burning

FS - Fuel Storage

FP - Fire Suppression

MH - Mechanical

PL - Plumbing

SD - Standpipe

SP - Sprinkler

EQ - Construction Equipment

CC - Curb Cut

OT - GEN. CONSTR.

### 7 Plans/Construction Documents Submitted

Plans Page Count: 0002

### 8 Additional Information

Enlargement proposed?

No  Yes

Horizontal  Vertical

### 9 Additional Considerations, Limitations or Restrictions

Yes No

Alt. required to meet New Building req's (28-101.4.5)

Yes No

Alteration is a major change to exits

Change in number of dwelling units

Change in Occupancy / Use

Change is inconsistent with current certificate of occupancy

Change in number of stories

Facade Alteration

Adult Establishment

Compensated Development (Inclusionary Housing)

Low Income Housing (Inclusionary Housing)

Single Room Occupancy (SRO) Multiple Dwelling

Filing includes Lot Merger / Reapportionment

Infill Zoning

Loft Board

Quality Housing

Site Safety Job / Project

Included in LMCCC

**Work Includes:**

Prefab wood I-joists

Structural cold-formed steel

Open-web steel joists

Landmark

Environmental Restrictions (Little E or RD)

Unmapped/CCO Street

Legalization

Other, Specify:



- N** Filed to Comply with Local Law
- N** Restrictive Declaration / Easement
- N** Zoning Exhibit Record (I,II,III,etc)
- N** Filed to Address Violation(s)

- Work includes lighting fixture and/or controls, installation or replacement. [ECC §404 and §505]
- N** Work includes modular construction under New York State jurisdiction
- N** Work includes modular construction under New York City jurisdiction
- N** Structural peer review required per BC §1627 Peer Reviewer License No.(P.E.):
- N** Work includes permanent removal of standpipe, sprinkler or fire suppression related systems
- N** Work includes partial demolition as defined in AC §28-101.5, or the raising/moving of a building
- N** Structural Stability affected by proposed work

BSA Calendar No.(s):

CPC Calendar No.(s):

**10 NYCECC Compliance *New York City Energy Conservation Code* (Applicant Statement)**

To the best of my knowledge, belief and professional judgment, this application is in compliance with the NYCECC.

Code Compliance Path:  NYCECC  ASHARE

Energy Analysis:  Tabular  REScheck  COMcheck  Energy Modeling (EN1)

**11 Job Description**

APARTMENT RENOVATION OF APARTMENT 17C. ARCHITECTURAL WORKS AS PER PLANS. NO CHANGE IN EGRESS, USE OR OCCUPANCY UNDER THIS APPLICATION.

Related BIS Job Numbers:

Primary application Job Number:

**12 Zoning Characteristics**

District(s): M1-5/R9 - LIGHT MANUFACTURING DISTRICT (SPECIAL MIXED USE DISTRICT)

Overlay(s):

Special District(s): LIC - LONG ISLAND CITY MIXED USE

Map No.: 9b

Street legal width (ft.):

Street status:  Public  Private

Zoning lot includes the following tax lots: Not Provided

**13 Building Characteristics**

		2014/2008 Code Designations?
Occupancy Classification: Existing:	RES - RESID. BLDG - OLD CODE	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Proposed:	RES - RESID. BLDG - OLD CODE	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Construction Classification: Existing:	I-B: 3 HOUR PROTECTED	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Proposed:	I-B: 3 HOUR PROTECTED	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Multiple Dwelling Classification: Existing:	HAEA	
Proposed:	HAEA	
Building Height (ft.): Existing:	481	
Proposed:	481	
Building Stories: Existing:	44	
Proposed:	44	
Dwelling Units: Existing:	391	
Proposed:	391	

Mixed use building?  Yes  No

**14 Fill**

Not Applicable  Off-Site  On-Site  Under 300 cubic yards

**15 Construction Equipment**

Not Applicable

**16 Curb Cut Description**

Not Applicable

**17 Tax Lot Characteristics**

Not Provided

**18 Fire Protection Equipment**

Not Applicable

**19 Open Spaces**

**20 Site Characteristics**

Yes No

- Tidal Wetlands
- Coastal Erosion Hazard Area
- Fire District

Yes No

- Freshwater Wetlands
- Urban Renewal
- Flood Hazard Area

**Flood Hazard Area Information:**

Yes No

- Substantial improvement?
- Substantially damaged?
- Floodshields part of proposed work?

**21 Demolition Details**

Not Applicable

**22 Asbestos Abatement Compliance**

- The scope of work is exempt from the asbestos requirement as defined in the regulations promulgated by the NYC DEP (15 RCNY 1-23(b)) or is an alteration to a building constructed pursuant to plans submitted for approval on or after April 1,1987, in accordance with §28-106.1.

**23 Signs**

Not Applicable

**24 Comments**

**Comments for Document 01**

I HEREBY STATE THAT I HAVE EXERCISED A PROFESSIONAL STANDARD OF CARE IN CERTIFYING THAT THE FILED APPLICATION IS COMPLETE AND IN ACCORDANCE WITH APPLICABLE LAWS, INCLUDING THE RULES OF THE DEPARTMENT OF BUILDINGS, AS OF THIS DATE. I AM AWARE THE COMMISSIONER WILL RELY UPON THE TRUTH AND ACCURACY OF THIS STATEMENT. I HAVE NOTIFIED THE OWNER THAT THIS APPLICATION HAS BEEN PROFESSIONALLY CERTIFIED. IF AN AUDIT OR OTHER EXAM DISCLOSES NON-COMPLIANCE, I AGREE TO NOTIFY THE OWNER OF THE REMEDIAL MEASURES THAT MUST BE TAKEN TO MEET LEGAL REQUIREMENTS. I FURTHER REALIZE THAT ANY MISREPRESENTATION OR FALSIFICATION OF FACTS MADE KNOWINGLY OR NEGLIGENTLY BY ME, MY AGENTS OR EMPLOYEES OR BY OTHERS WITH MY KNOWLEDGE, WILL RENDER ME LIABLE FOR LEGAL AND DISCIPLINARY ACTION BY THE DEPARTMENT OF BUILDINGS AND OTHER APPROPRIATE AUTHORITIES, INCLUDING TERMINATION OF PARTICIPATION IN THE PROFESSIONAL CERTIFICATION PROCEDURES AT THE DEPARTMENT OF BUILDINGS.

**25 Applicant's Statements and Signatures ( See paper form or check [Forms Received](#) )**

Yes No

- For New Building and Alteration 1 applications filed under the 2008 or 2014 NYC Building Code only: does this building qualify for high-rise designation?
- Directive 14 applications only: I certify that the construction documents submitted and all construction documents related to this application do not require a new or amended Certificate of Occupancy as there is no change in use, exits, or occupancy.

**26 Owner's Information**

Name: ADAM GRUSHKO

Relationship to Owner: V.P.

Business Name: 1 QPS OWNER LLC

Business Phone: 212-977-5000

Business Address: 1675 BROADWAY C/O STONEHENGE MGMT. LL NEW YORK NY 10019

Business Fax:

E-Mail: AGRUSHKO@STONEHENGENYC.COM

Owner Type: PARTNERSHIP

Non Profit:  Yes  No

Yes No

- Owner's Certification Regarding Occupied Housing (Remain Occupied)

- Owner's Certification Regarding Occupied Housing (Rent Control / Stabilization)
- Owner DHCR Notification
- Owner's Certification for Adult Establishment
- Owner's Certification for Directive 14 (if applicable)

**Metes and Bounds**

To view metes and bounds, see the Plot Diagram (form PD-1). A scanned image may be available [here](#).

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If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.