

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

DEC 23 2015

Richard Xia
Eastern Emerald Group LLC
136-20 38th Avenue, Suite 10F
Flushing, NY 11354

Re: Certificate of Completion
Site Name: 112-21 Northern Boulevard
Site No. C241157
City of Corona, Queens County

Dear Mr. Xia:

Congratulations on having satisfactorily completed the remedial program at the 112-21 Northern Boulevard. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (DEC) 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 a notice of the COC 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 a notice of the COC within 30 days of the date that you acquire the site. A copy of the recorded notice should be provided to DEC's project manager. If you are a non-owner, you must work with the owner to assure the notice of COC is recorded within the time frame specified. A standard notice form is attached to this letter. Please return the proof of recording to:

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020

- Provide the notice of the COC to the Document Repositories within 10 days of issuance of the COC. DEC 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;



Department of
Environmental
Conservation

- Implement the DEC-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 DEC 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 DEC in April 2017; and

If you have any questions regarding any of these items, please contact the project manager for this site, Michael Haggerty, at 518-402-9767.

Sincerely,



Robert W. Schick, P.E.

Director

Division of Environmental Remediation

Enclosures

ec: Steve Russo, Greenburg Traurig, LLP
Nathan Epler, Roux Associates Inc.
Krista Anders, DOH
Albert DeMarco, DOH
Michael Ryan, DEC
Robert Cozzy, DEC
Sally Dewes, DEC
Michael Haggerty, DEC
Jane O'Connell, DEC
Dolores Tuohy, DEC
Patrick Foster, DEC
Andrew Guglielmi, DEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

Eastern Emerald Group LLC

Address

136-20 38th Avenue, Flushing, NY 11354

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 4/18/14 **Agreement Execution:** 4/25/14 **Agreement Index** C241157-04-14

Application Approval Amendment: none

Agreement Execution Amendment: none

SITE INFORMATION:

Site No.: C241157 **Site Name:** 112-21 Northern Boulevard

Site Owner: Eastern Emerald Group LLC

Street Address: 112-21 Northern Boulevard

Municipality: Corona **County:** Queens **DEC Region:** 2

Site Size: 1.675 Acres

Tax Map Identification Number(s): 1707-8

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: Unrestricted, Residential, Restricted-Residential, Commercial, and Industrial

Cleanup Track: Conditional Track 1: Unrestricted use, provided however, the remedial goals for groundwater and soil vapor are achieved within 5 years of the date of the Certificate. If these goals are not achieved, Track 2 Residential Use will apply and this Certificate shall be modified.

Tax Credit Provisions for Entities Taxable Under Article 9, 9-A, 32, and 33:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 50 %.

Tangible Property Credit Component Rate is 14 %.

Tax Credit Provisions for Entities Taxable Under Article 22 & S Corporations:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 50 %.

Tangible Property Credit Component Rate is 12 %.

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 2015000352956.

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

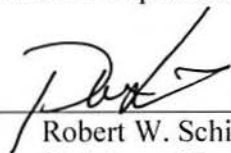
This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with ECL Section 27-1419 and 6NYCRR Part 375-1.9(e) upon a finding that:

- (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 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
Acting Commissioner
New York State Department of Environmental Conservation

By:



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

Date:

December 23, 2015

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

112-21 Northern Boulevard, Site ID No. C241157
112-21 Northern Boulevard, Corona NY 11369
New York City, Queens County, Block 1707 Lot 8

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 Richard Xia, Eastern Emerald Group LLC for a parcel approximately 1.675 acres located at the 112-21 Northern Boulevard in the City of New York, 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

Unrestricted use, provided however, the remedial goals for groundwater and soil vapor are achieved within 5 years of the date of the Certificate. If these goals are not achieved, Track 2 Residential Use will apply and this Certificate shall be modified.

- ☒ 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 Document ID 2015000352956.

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.

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

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at DEC's Region 2 located at 47-40 21st street, Long Island City N.Y. 11101, by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

Eastern Emerald Group 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:
Richard Xia
Eastern Emerald Group LLC
136-20 38th Avenue, Suite 10F
Flushing, NY 11354



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
12/14/2015



SITE DESCRIPTION

SITE NO. C241157

SITE NAME 112-21 Northern Boulevard

SITE ADDRESS: 112-21 Northern Boulevard **ZIP CODE:** 11369

CITY/TOWN: Corona

COUNTY: Queens

ALLOWABLE USE: Unrestricted, Residential, Restricted-Residential, 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: 04/30/2017

Description of Institutional Control

Eastern Emerald Group LLC

136-20 38th Avenue

112-21 Northern Boulevard

Environmental Easement

Block: 1707

Lot: 8

Sublot:

Section:

Subsection:

S_B_L Image: 1707-8

Ground Water Use Restriction

IC/EC Plan

Monitoring Plan

Site Management Plan

Description of Engineering Control

Exhibit A

Site Description

112-21 NORTHERN BOULEVARD
LEGAL DESCRIPTION

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

BEGINNING at the corner formed by the intersection of the southwesterly side of Astoria Boulevard with the easterly side of 112th Place, formerly 55th Street or Montgomery Street; RUNNING THENCE southeasterly along the southwesterly side of Astoria Boulevard and forming an interior angle of 65 degrees 12 minutes 28 seconds with the easterly side of 112th Place, 48.89 feet to a point of curve;

THENCE southeasterly still along the southwesterly side of Astoria Boulevard and along the arc of a curve bearing to the right having a radius of 376.854 feet, a distance of 212.49 feet to point;

THENCE southeasterly still along the southwesterly side of Astoria Boulevard, 193.41 feet to an angle point;

THENCE southerly still along the southwesterly side of Astoria Boulevard and forming an interior angle of 162 degrees 35 minutes 37.4 seconds with the last mentioned course, 28.94 feet to the northerly side of Northern Boulevard, formerly Jackson Avenue;

THENCE westerly along the northerly side of Northern Boulevard, 316.24 feet to the easterly side of 112th Place;

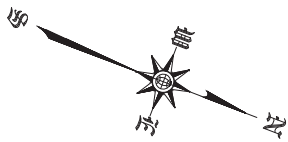
THENCE northerly along the easterly side of 112th Place, 369.98 feet to the southwesterly side of Astoria Boulevard, the point or place of BEGINNING.

Said premises being commonly known as 112-21 Northern Boulevard, Flushing, New York

BLOCK 1707 LOT 8

Exhibit B

Site Survey



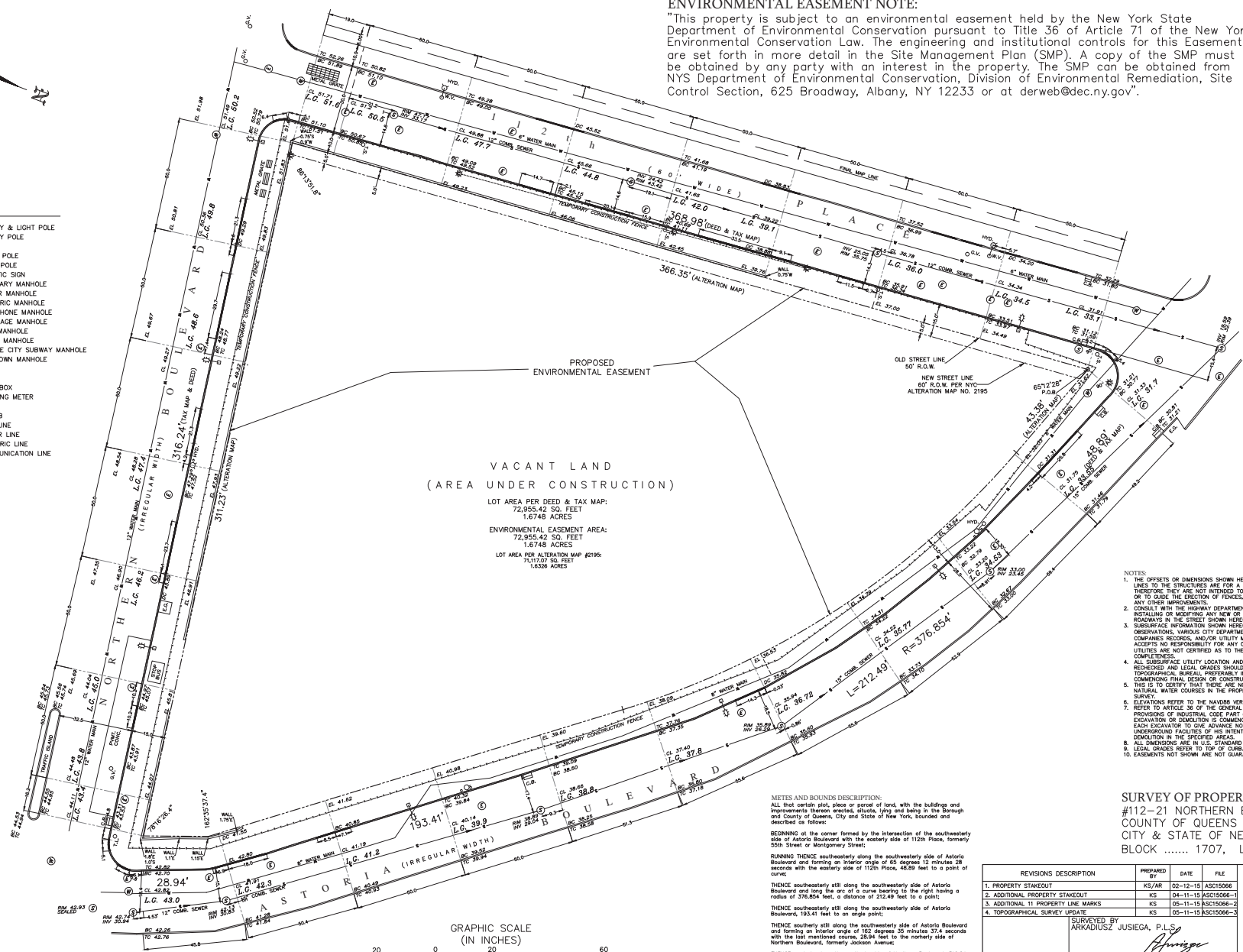
LEGEND & ABBREVIATIONS:

HR	HANDICAP RAMP	○	UTILITY & LIGHT POLE
TB	TRAFFIC BOX	○	UTILITY POLE
SF	STEEL FACE CURB	○	VENT
RD	ROOF DRAIN	○	LIGHT POLE
DC	DEPRESSED CURB	○	FLAG POLE
CB	CATCH BASIN	○	TRAFFIC SIGN
E.O.P.	EDGE OF PAVEMENT	○	SANITARY MANHOLE
PLNT.	PLANTER	○	WATER MANHOLE
TP	TREE PIT	○	ELECTRIC MANHOLE
CHM.	CHIMNEY	○	TELEPHONE MANHOLE
T.O.P.	TOP OF PIPE	○	DRAINAGE MANHOLE
B.O.P.	BOTTOM OF PIPE	○	GAS MANHOLE
L	LANDING	○	D.O.T. MANHOLE
TW	TOP OF WALL	○	EMPIRE CITY SUBWAY MANHOLE
T.P.	TOP OF PARAPET	○	UNKNOWN MANHOLE
THRESH.	THRESHOLD	○	INLET
T.C.H.	TOP OF CHIMNEY	○	MAIL BOX
T.B.	TOP OF BULKHEAD	○	PARKING METER
T.C.	TOP OF CURB	○	TREE
B.C.	BOTTOM OF CURB	○	SHRUB
F.S.M.	FINAL SECTION MAP	○	GAS LINE
○	FIRE HYDRANT	○	WATER LINE
○	SPRINKLER	○	ELECTRIC LINE
○	WATER VALVE	○	COMMUNICATION LINE
○	GAS VALVE	○	
○	OIL VALVE	○	
○	UNKNOWN VALVE	○	

Only copies from the original of this survey marked with an original of the land surveyor's embossed seal shall be considered to be valid true copies.

Unauthorised alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 720a, sub-section 2, of the New York State Education Law.

Certification indicated herein signifies that this survey was prepared in accordance with the existing Code of Practice for Land Surveying adopted by the New York State Association of Professional Land Surveyors. Said certification shall be only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed herein, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owner.



ENVIRONMENTAL EASEMENT NOTE:

"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 and institutional controls for this Easement are set forth in more detail 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 Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at derweb@dec.ny.gov."

VACANT LAND (AREA UNDER CONSTRUCTION)

LOT AREA PER DEED & TAX MAP:
72,955.42 SQ. FEET
1.6748 ACRES
ENVIRONMENTAL EASEMENT AREA:
72,955.42 SQ. FEET
1.6748 ACRES
LOT AREA PER ALTERATION MAP #2195:
71,727.55 SQ. FEET
1.6326 ACRES

METES AND BOUNDS DESCRIPTION:

ALL that certain plot, place or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough and County of Queens, City and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the southeasterly side of Astoria Boulevard with the easterly side of 112th Place, formerly 55th Street or Montgomery Street;

RUNNING THENCE southeasterly along the southeasterly side of Astoria Boulevard and forming an interior angle of 85 degrees 12 minutes 28 seconds with the easterly side of 112th Place, 46.89 feet to a point of curve;

THENCE southeasterly still along the southeasterly side of Astoria Boulevard and along the arc of a curve bearing to the right, having a radius of 376.854 feet, a distance of 212.49 feet to a point;

THENCE southeasterly still along the southeasterly side of Astoria Boulevard, 193.41 feet to an origin point;

THENCE southerly still along the southeasterly side of Astoria Boulevard and forming an interior angle of 182 degrees 35 minutes 37.4 seconds with the last mentioned course, 28.04 feet to the northerly side of Northern Boulevard, formerly 44th Avenue;

THENCE westerly along the northerly side of Northern Boulevard, 316.24 feet to the easterly side of 112th Place;

THENCE northerly along the easterly side of 112th Place, 368.98 feet to the southeasterly side of Astoria Boulevard, the point of place of BEGINNING.

NOTES:

- THE OFFSETS OR DIMENSIONS SHOWN HEREON FROM THE PROPERTY LINES TO THE STRUCTURES ARE FOR A SPECIFIC PURPOSE AND USE. THEREFORE THEY ARE NOT INTENDED TO MONUMENT PROPERTY LINES OR TO GUIDE THE DIRECTION OF FENCES, ADDITIONAL STRUCTURES OR ANY OTHER IMPROVEMENTS.
- CONSULT WITH THE HIGHWAY DEPARTMENT BEFORE DESIGNING, INSTALLING OR MODIFYING ANY NEW OR EXISTING CURBS, WALLS OR ROADWAYS IN THE STREET SHOWN HEREON.
- SUBSURFACE INFORMATION SHOWN HEREON WAS BASED ON VISUAL OBSERVATIONS, VARIOUS CITY DEPARTMENTS, AND/OR PRIVATE UTILITY COMPANIES RECORDS, AND/OR UTILITY MARKOUT. THIS SURVEYOR ACCEPTS NO RESPONSIBILITY FOR ANY OF THIS DATA. SUBSURFACE UTILITIES ARE NOT CERTIFIED AS TO THE ACCURACY AND/OR COMPLETENESS.
- ALL SUBSURFACE UTILITY LOCATION AND DEPTH SHOULD BE RECHECKED AND LEGAL GRADES SHOULD BE VERIFIED WITH THE TOPOGRAPHICAL BUREAU, PREFERABLY IN WRITING BEFORE COMMENCING FINAL DESIGN OR CONSTRUCTION.
- THIS IS TO CERTIFY THAT THERE ARE NO VISIBLE STREAMS OR NATURAL WATER COURSES IN THE PROPERTY AS SHOWN ON THIS SURVEY.
- ELEVATIONS REFER TO THE NAVD83 VERTICAL DATUM.
- REFER TO ARTICLE 36 OF THE GENERAL BUSINESS LAW AND THE PROVISIONS OF INDUSTRIAL CODE PART (RULE NO. 53) BEFORE ANY EXCAVATION OR DEMOLITION IS COMMENCED. THESE LAWS REQUIRE EACH EXCAVATOR TO GIVE ADVANCE NOTICE TO ALL OPERATORS OF UNDERGROUND FACILITIES WHO INTEND TO PERFORM EXCAVATION OR DEMOLITION IN THE SPECIFIED AREA.
- ALL DIMENSIONS ARE IN U.S. STANDARD MEASUREMENTS.
- LEGAL GRADES FROM 10' TO 12'0" CURB.
- EASEMENTS NOT SHOWN ARE NOT GUARANTEED.

SURVEY OF PROPERTY LOCATED AT:
#112-21 NORTHERN BOULEVARD, CORONA
COUNTY OF QUEENS
CITY & STATE OF NEW YORK
BLOCK 1707, LOT(S) 8

REVISIONS DESCRIPTION	PREPARED BY	DATE	FILE	CERTIFY TO:
1. PROPERTY STAKEOUT	KS/AR	02-12-15	ASC15066	
2. ADDITIONAL PROPERTY STAKEOUT	KS	04-11-15	ASC15066-1	
3. ADDITIONAL 11 PROPERTY LINE MARKS	KS	05-11-15	ASC15066-2	
4. TOPOGRAPHICAL SURVEY UPDATE	KS	05-11-15	ASC15066-3	

SURVEYED BY ARKADJUSZ JUSIEGA, P.L.S.	
N.Y.S. LICENSE NO. 005569	
<i>Arkadiusz Jusiega</i>	
AREK SURVEYING P.C.	
58 East Beverly Parkway Valley Stream, NY 11580 WWW.ASCNY.NET	
LICENSED IN N.Y. & N.J.	TEL: (516) 792-6676
Scale: 1" = 20'	Job No: ASC-15066
ORDERED BY: Eastern Emerald Group LLC	

