

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

December 18, 2020

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

Re: Certificate of Completion
Site No. C241157: 112-21 Northern Boulevard
Corona (Queens County)

Dear Mr. Xia:

Congratulations on having satisfactorily completed the remedial program at the 112-21 Northern Boulevard Brownfield Cleanup Program Site, No. C241157 (Site). Enclosed please find an original, signed Certificate of Completion (COC), replacing the COC issued on December 23, 2015 for the Site. The New York State Department of Environmental Conservation (Department) is pleased to inform you that the Track 1 COC requirements have been met and are hereby approved subject to the conditions below, allowing the revised Track 1 COC to replace the 2015 Conditional Track 1 COC for the Site.

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

- As the Site owner, you must record the Notice of Certificate of Completion (Notice) in the recording office for Queens County within 30 days of issuance of the COC. A standard Notice form is attached to this letter.
- Provide a hard and electronic copy of the recorded Notice and proof of recording to the Department's project manager:

Michael Haggerty
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233
michael.haggerty@dec.ny.gov

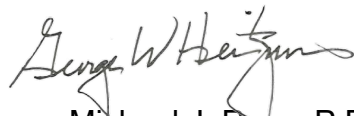
- Provide the Notice to the Site Document Repositories within 10 days of issuance of the COC.

The Department will develop a fact sheet announcing the issuance of the COC and distribute the fact sheet to the Department's remediation listserv for Queens County within 10 days of issuance of the COC.

Please be reminded that Eastern Emerald Group LLC has satisfied the Remedial Action Objective for soil vapor at the Site on the condition that future sub-grade parking provides continuous ventilation and complies with the New York City Mechanical Code. When building construction begins, or if the current building plans are modified, Eastern Emerald Group LLC is required to submit a "Change of Use" notification to the Department to ensure compliance with the COC. Please also note that per Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York Section 375-1.9(e)(iii), a COC may be modified or revoked by the Department upon a finding that there was a misrepresentation of a material fact tending to demonstrate that the cleanup levels at the Site were reached.

If you have any questions regarding any of the above, please contact Michael Haggerty at 518-402-9767.

Sincerely,



/for

Michael J. Ryan, P.E.

Director

Division of Environmental Remediation

Enclosure

ec w/ enclosure:

Greenburg Traurig, LLP
Steve Russo
MetLife Building
200 Park Avenue
New York, NY 10166
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Roux Associates Inc.
Nathan Epler
209 Shafter Street
Islandia, NY 11783
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ec w/o enc.:

M. Haggerty

H. Dudek

G. Burke

J. O'Connell

P. Foster

G. Heitzman

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name Eastern Emerald Group LLC	Address 136-20 38th Avenue, Flushing, NY 11354
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BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 4/18/14 **Agreement Execution:** 4/25/14

Agreement Index No.: 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: Track 1: Unrestricted use

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 %.

No Environmental Easement has been granted pursuant to ECL Article 71, Title 36 as there are no use restrictions and there is no reliance on the long-term employment of institutional controls

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.

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

Basil Seggos
Commissioner
New York State Department of Environmental Conservation

By:  Date: December 23, 2015

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

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

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) Eastern Emerald Group LLC for a parcel approximately 1.675 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
- ☒ 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.

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

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

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 located at 47-40 21st street, Long Island City N.Y. 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/siteC241157>.

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

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

RED BY: