PERIODIC REVIEW REPORT #8

for

27-21 44th DRIVE
Queens, New York
NYSDEC BCP Site No. C241164

Prepared For:

The Harrison Condominium
c/o RY Management Co, Inc.
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New York, New York 10128

Prepared By:

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LANGAN

12 July 2024
170281403

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1.0 INTRODUCTION

1.1 General

This Periodic Review Report was prepared in accordance with the New York State Department of Environmental Conservation (NYSDEC)-approved 13 November 2015 Site Management Plan (SMP) and Section 6.3 of NYSDEC Division of Environmental Remediation (DER)-10. The certification period is 22 June 2023 through 22 June 2024. A periodic review of all institutional controls and engineering controls (IC/ECs) and a site evaluation are required for fulfillment of the remedial action at 27-21 44th Drive (the site) under the Brownfield Cleanup Program (BCP), which is administered by the NYSDEC. The site was accepted into the BCP in accordance with Brownfield Cleanup Agreement (BCA) Index No. C241164-06-14, Site No. C241164, which was executed on 1 July 2014. Site remediation was performed in accordance with the 8 December 2014 Remedial Action Work Plan (RAWP). NYSDEC issued a Certificate of Completion for the site on 15 December 2015.

1.2 Site Description

The site is located in Queens County at 27-21 44th Drive and 44-18 Purves Street in Long Island City, New York and is identified as Queens Tax Block 268, Lot 7501 (formerly known as Lots 4 and 23). The site is bound by Purves Street to the east, a 35-story residential building to the south (Lot 1), 44th Drive to the west and a 27-story residential building (Lot 8) to the north. The site has approximately 25 feet of frontage along Purves Street and 100 feet of frontage along 44th Drive. A site location map is included as Figure 1.

The site is improved with a 27-story residential building with first-floor commercial space along 44th Drive. A ventilated cellar-level parking garage spans the majority of the site's lowest level (below grade on 44th Drive, and at grade on Purves Street). An area in the western portion of the cellar level contains a ventilated mechanical space for building support areas (e.g., mechanical rooms, refuse area, locker room).

1.3 Site Background and Environmental History

The site is within a historically industrial area of Long Island City, Queens and was developed as early as 1889. Historic site uses of former Lot 4 included a garage with a gasoline filling pump island and warehouses, and historic uses of former Lot 23 included labs, manufacturing, and leather goods and plating equipment businesses.

Several environmental investigations and reports were completed between October 2013 and September 2014: October 2013 Phase II Subsurface Investigation, January 2014 Phase I Environmental Site Assessment (ESA), and 27 September 2014 Remedial Investigation

Report (RIR). A summary of investigation findings for each report is provided in the 2014 RIR. The conclusions of the investigation reports are summarized as follows:

- A suspected underground storage tank (UST) and petroleum impacts were identified on the western side of former Lot 4. The impacts were associated with NYSDEC Spill No. 1302045.
- A site-wide layer of historic fill, extending from surface grade to a maximum depth of 11 feet below grade, was identified. This fill layer contained volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), and metals at concentrations above Restricted-Residential Use Soil Cleanup Objectives (SCO)[1].
- Chlorinated VOCs including tetrachloroethene (PCE) and trichloroethene (TCE) and petroleum-related compounds were detected in groundwater at concentrations exceeding Class GA Standards and Guidance Values (SGV)[2].
- PCE, TCE, and benzene, toluene, ethylbenzene, and xylene (BTEX) concentrations were detected in soil vapor above ambient air concentrations across the site.
- PCE and TCE impacts to groundwater and soil vapor were attributed to an off-site source.

1.4 Summary of Remedial Action

A Track 4 remediation was completed in accordance with the NYSDEC-approved 8 December 2014 RAWP between 5 May and 3 December 2015. A detailed account of the remedy is provided in the December 2015 Final Engineering Report, and is summarized as follows:

- Excavation and off-site disposal of hazardous lead-impacted historic fill, petroleum-impacted material, and contaminated non-hazardous historic fill exceeding the Track 4 Site-Specific SCOs to depths of 3.5 to 6 feet below grade surface (bgs) (elevation [el] 8[3] to el 2.5) throughout the site and as needed for source contamination removal
- Decommissioning, closure, and removal of four USTs and collection and analysis of endpoint soil samples for each UST location
- Collection and analysis of documentation soil samples collected from the excavation perimeter sidewalls and base, in accordance with NYSDEC DER-10 guidelines
- Collection of dewatering fluid and transportation for off-site disposal

[1] Restricted-Residential Use SCOs refers to NYSDEC Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (6 NYCRR) Part 375 Restricted Use Restricted-Residential SCOs.

[2] Class GA SGVs refers to NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality SGVs.

[3] Elevations herein are in feet and referenced to the North American Vertical Datum of 1988 (NAVD88).

- Backfilling excavations to development grade with recycled concrete aggregate (RCA) and 3/4-inch recycled stone

For contaminated soil remaining after remediation, the following controls were implemented:

Engineering Controls (ECs)

- Site cover system consisting of a site-wide 10-inch-thick reinforced concrete building slab above a vapor barrier
- Installation of a cellar ventilation system for areas that are not ventilated by the indoor parking garage. The parking garage and supplemental ventilation systems are consistent with the New York City Mechanical Code for a ventilated parking garage.

Institutional Controls (ICs)

- Execution of an environmental easement
- Implementation, maintaining and monitoring the ECs
- Prevention of exposure to remaining soil contaminants by controlling any disturbance below the site cover through an SMP
- Limitation on the use and development of the site to restricted-residential, commercial and industrial uses only

With the exception of the cellar ventilation system installation, remedial activities were completed as of 3 December 2015. The New York City Department of Buildings (NYCDOB) issued a final Certificate of Occupancy was issued on 30 May 2018. NYCDOB has not reported any new permits during this certification period.

1.5 Effectiveness of the Remedial Program

The remedial program was designed to mitigate environmental and potential human health exposure to adverse environmental conditions still present in soil, groundwater, and soil vapor. Building construction is complete and the cellar ventilation system is installed and operational. The ICs and ECs for the certification year meet the remedial objectives for the site.

1.6 Compliance

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

1.7 Recommendations

No changes to the SMP are recommended at this time.

2.0 IC/EC PLAN COMPLIANCE REPORT

Since remaining 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.

2.1 IC/EC Components

The following summarizes the IC/ECs implemented at the site:

- Maintenance of a site cover to prevent human exposure to remaining contaminated soils remaining under site structures. The site cover consists of a site-wide concrete slab underlain by a vapor barrier/waterproofing membrane. The location and type of the site cover system is shown on Figure 2.
- Operation and maintenance of the cellar ventilation system installed in areas that are not ventilated by the indoor parking garage to mitigate potential VOC vapor intrusion into the building. The lowest level of the building is ventilated in accordance with the New York City Mechanical Code. The ventilated areas are shown on Figure 2.
- The site may be used for Restricted-Residential as described in 6 NYCRR Part 375-1.8(g)(2)(iii), 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).
- All ECs must be operated, maintained, and inspected as specified in the SMP.
- The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the New York State Department of Health (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 NYSDEC.
- Data and information pertinent to site management must be reported at the frequency and in a manner defined in the SMP.
- All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP.
- Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP.
- Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP.
- 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 ensure

compliance with the restrictions identified by the Environmental Easement (included as Appendix A).

- The site shall not be used for single family housing residential purposes as defined in 6 NYCRR 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.

2.2 Goal Status and Corrective Measures

No IC/ECs deviation or ongoing deviations were observed during this certification year.

2.3 Conclusions and Recommendations

No additional modifications to the IC/ECs are proposed at this time.

3.0 MONITORING PLAN COMPLIANCE REPORT

3.1 Monitoring Plan Components

The components of the Monitoring Plan are as follows:

1. Annual inspection of the site cover system
2. Annual inspection of the cellar ventilation system
3. Annual site-wide inspection

The site cover, cellar ventilation system, and site-wide inspections were conducted concurrently on 28 May 2024. Site inspection photographs are provided in Appendix B. A summary of each inspection is presented in the following sections and the annual inspection form detailing inspection findings is provided as Appendix C.

3.2 Summary of Monitoring Completed

3.2.1 Site Cover System Inspection

A visual assessment of the site cover integrity was conducted to verify that the building slab remains a complete and protective barrier to remaining contaminated historic fill. Damages and/or breaches to the building slab were not identified during the annual inspection for this certification year.

3.2.2 Cellar Ventilation System Inspection

Visible components of the cellar ventilation system were installed, intact, and operational at the time of inspection. No ongoing deficiencies were noted.

3.2.3 Annual Site-wide Inspection

The annual site-wide inspection was completed on 28 May 2024 concurrent with the site cover and cellar ventilation system inspections. All IC/EC components inspected were in compliance with the SMP. Deviations or discrepancies were not observed.

3.3 Comparisons with Remedial Objectives

The objective of the annual inspections is to determine whether on-site ECs and ICs remain in-place and operational. The inspection on 28 May 2024 for this certification year indicated that ECs and ICs remain in-place and operational and that the remedial objectives for the site continue to be met.

3.4 Monitoring Deficiencies

Monitoring activities for this certification year fully complied with the SMP Monitoring Plan and NYSDEC's requests.

3.5 Conclusions and Recommendations

No changes to the SMP are recommended at this time.

4.0 O&M PLAN COMPLIANCE REPORT

4.1 O&M Plan Purpose

An Operation and Maintenance (O&M) Plan is included in the SMP and was prepared to inform requirements for continuous operation and maintenance, as necessary, of the cellar ventilation system.

4.2 Cellar Ventilation System O&M Activities

Visible components of the cellar ventilation system were installed, intact, and operational at the time of inspection.

4.2.1 Evaluation of Cellar Ventilation System

The primary objective of the cellar ventilation system is to provide sufficient air exchange for occupied space using an exhaust fan in accordance with New York City Mechanical Code for a ventilated parking garage. Continuous operation of the cellar ventilation system exhaust fan will indicate effective performance of this mitigation system. The cellar ventilation system will be continuously operated by building management.

4.3 O&M Deficiencies

No O&M deficiencies were identified at the time of inspection.

4.4 Conclusions and Recommendations

No changes to the SMP are recommended at this time.

5.0 OVERALL CONCLUSIONS AND RECOMMENDATIONS

5.1 SMP Compliance

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

5.2 Remedy Performance Evaluation

5.2.1 Site Cover System

The site building slabs were inspected for quality, integrity, and completeness. The site-wide cover system was confirmed to be intact and continues to be effective in protecting public health and the environment.

5.2.2 Cellar Ventilation System

The cellar ventilation system was placed into continuous operation to mitigate potential soil vapors from accumulating within non-parking garage areas. Visible components of the cellar ventilation system were installed, intact, and operational at the time of inspection.

5.2.3 IC Components

All ICs were maintained during the reporting period, and the Environmental Easement on the site remains in place.

5.3 Future Submittals

Inspections and monitoring of the site cover and cellar ventilation system will continue on an annual schedule. Site inspections will be performed on an annual basis, and forms and other information generated during regular monitoring events and inspections will be submitted at the time of the Periodic Review Report.

6.0 DER-31 GREEN REMEDIATION EVALUATION

The NYSDEC DER-31 Green Remediation Policy requires that green remediation concepts and techniques be considered during all stages of the remedial program (including site management), with the goal of improving the sustainability of the cleanup and summarizing the net environmental benefit of any implemented green technology. This section provides a discussion and evaluation of environmental impacts associated with site management activities for the site during the 2023 to 2024 reporting period, and a summary of green remediation goals for the 2024 to 2025 reporting period.

Green remediation principles and techniques were implemented to the extent feasible in the site management phase of the remedy as per DER-31. The green remediation components evaluated were as follows:

- Waste Generation
- Energy Usage
- Emissions
- Water Usage
- Land and/or Ecosystems

6.1 Waste Generation

Waste generation considers the management of waste associated with site management activities and any waste reduction projects including, but not limited to, material reuse and recycling. For the annual inspections, minimal to no waste was generated and electronic means of data collection (i.e., tablets) were used to reduce paper consumption.

6.2 Energy Usage

Energy usage considers the electrical usage for operation of garage ventilation system and site lighting needed for OM&M activities. The ventilation system is powered using the municipal grid, and therefore are subject to local energy supply means. It is anticipated that this system uses a total of 5,000 kilowatt hours of energy per year. Little to no electricity is used during the annual inspections except for charging equipment (e.g. PIDs,) if necessary.

6.3 Emissions

Emissions tracking considers fuel usage for transportation to and from the site for inspections. Fuel usage is required for transportation of personnel to and from the site, and transportation associated with screening/sampling equipment. During the 2023 to 2024 reporting period, personnel used public transportation to and from the site and in-house equipment was used so a courier was not needed.

6.4 Water Usage

Water usage considers sources of water for tasks such as decontamination, irrigation, etc. No water was used during the annual site inspections.

6.5 Land and/or Ecosystems

Land and/or ecosystems considers any disturbances and restoration of land and/or ecosystems as part of the implementation/operation of the remedy. No disturbances or restoration of land and/or ecosystems are required as part of site management activities.

6.6 Goals for Site Management Activities in 2024

While future development associated with the site's remedial program is not anticipated, goals for the project to incorporate green remediation principles and techniques include:

- Personnel will continue to utilize public transportation to and from the site when possible during annual site-wide inspections to reduce emissions;
- Langan equipment will be used when possible to eliminate the need for an equipment courier; and
- Tracking of detailed green remediation components to generate an environmental footprint analysis for the 2024 to 2025 reporting period.

Langan will continue to evaluate green remediation concepts and techniques for inclusion in site management, with the goal of improving the sustainability of the cleanup and site management activities.

7.0 CERTIFICATION OF IC/ECS

7.1 IC/EC Certification Form

The completed IC/EC Certification Form is provided as Appendix D.

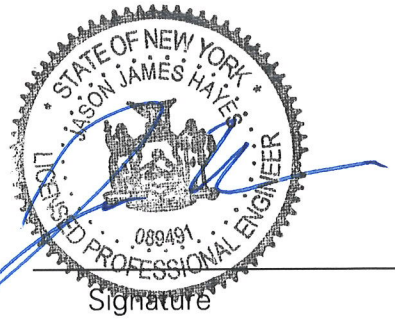
7.2 IC/EC Certification

I, Jason Hayes, P.E., of Langan, have been authorized and designated by the site owner to sign this certification for the site.

For each institutional or engineering control identified for the Site, I certify that to the best of my knowledge all of the following statements are true:

- The inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under my direction;
- The institutional control and/or engineering control employed at this site is unchanged from the date the control was put in place, or last approved by the Department;
- Nothing has occurred that would impair the ability of the control to protect the public health and environment;
- Nothing has occurred that would constitute a violation or failure to comply with any site management plan for this control;
- 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;
- Use of the site is compliant with the environmental easement;
- The engineering control systems are performing as designed and are effective;
- If a financial assurance mechanism is required under the oversight document for the Site, the mechanism remains valid and sufficient for the intended purpose under the document.
- 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 in this report is accurate and complete.

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.



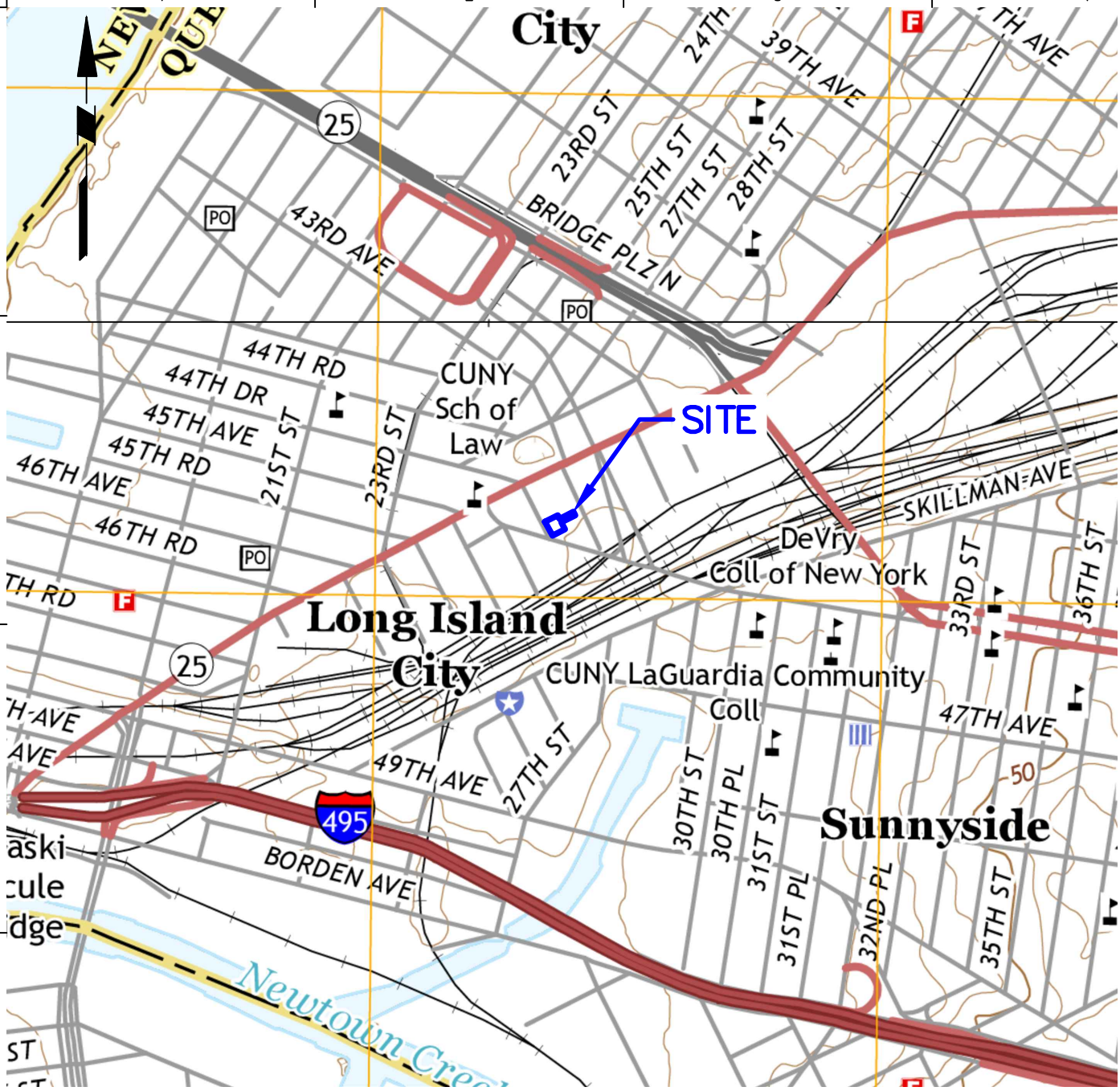
089491 — New York State Professional Engineer #

7-12-2024 — Date

Signature

It is a violation of Article 145 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 145, New York State Education Law.

FIGURES



LEGEND:

SITE BOUNDARY

NOTES:

1. BASE MAP TAKEN FROM UNITED STATES GEOLOGICAL SURVEY (USGS) 2016 7.5-MINUTE SERIES TOPOGRAPHIC MAP, CENTRAL PARK, NY-NJ AND BROOKLYN, NY.

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SCALE: 1 INCH = 1000 FEET

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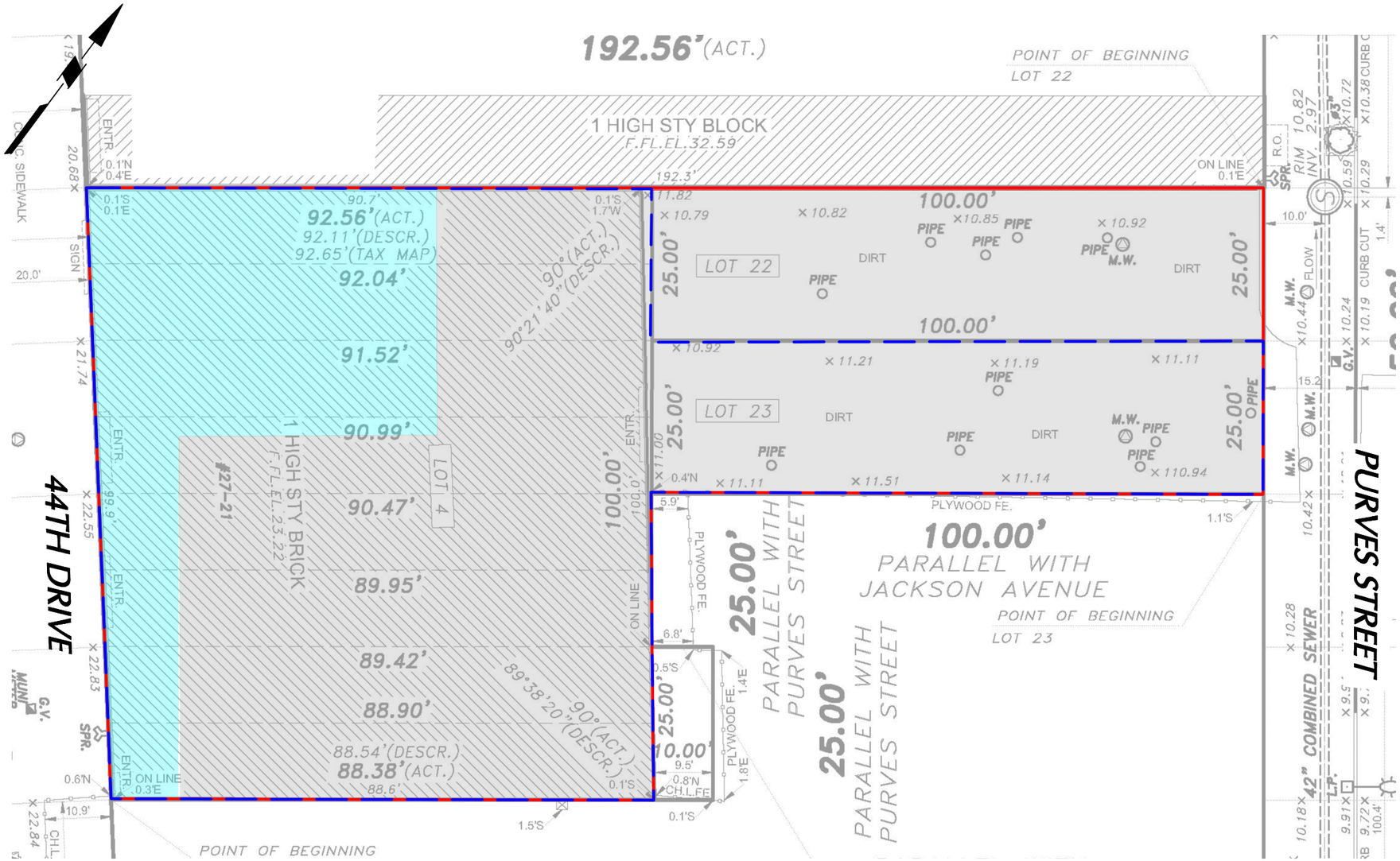
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Project	27-21 44TH DRIVE BLOCK No. 268, LOT No. 7501 LONG ISLAND CITY QUEENS COUNTY NEW YORK
Figure Title	SITE LOCATION MAP
Project No.	170281403
Date	6/2/2020
Drawn By	VDP
Checked By	PM
Figure No.	1
Sheet	1 of 2

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LEGEND:

- DEVELOPMENT FOOTPRINT
- BROWNFIELD CLEANUP PROGRAM (BCP) SITE FOOTPRINT
- VENTILATED CELLAR PARKING GARAGE
- MECHANICALLY VENTILATED CELLAR

NOTES:

1. BASE MAPS REFERENCED INCLUDE PERFECT POINT LAND SURVEYING RT "TOPOGRAPHICAL SURVEY", DATED APRIL 2, 2014, AND GF 55 PARTNERS CELLAR LEVEL PROGRESS SET DATED AUGUST 25, 2014.
2. ELEVATIONS (EL.) ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
3. 10-INCH CONCRETE SLAB, VAPOR BARRIER MEMBRANE, AND CELLAR VENTILATION SYSTEM COVER THE ENTIRE SITE.
4. THE CELLAR VENTILATION SYSTEM IS CONSISTENT WITH NEW YORK CITY MECHANICAL CODE FOR VENTILATED PARKING GARAGE.

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SCALE IN FEET

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Project
27-21 44TH DRIVE
BLOCK No. 268, LOT No. 7501
LONG ISLAND CITY
QUEENS COUNTY NEW YORK

Figure Title
ENGINEERING CONTROL LOCATION MAP

Project No.	170281403
Date	6/2/2020
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Checked By	PM

Figure No. 2
Sheet 2 of 2

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APPENDIX A
Environmental Easement

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

THIS INDENTURE made this 16th day of SEPTEMBER 2015, between Owner(s) Purves Development LLC, having an office at 42-44 22nd Street, Long Island City, New York 11101, County of Queens, 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 44-18 Purves Street and 27-21 44th Drive 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 268 Lots 4 and 23, being a portion of the property conveyed to Grantor by deed dated February 24, 2014 and recorded in the City Register of the City of New York as CRFN # 2014000077940. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 0.2651 +/- acres, and is hereinafter more fully described in the Land Title Survey dated May 29, 2015 prepared by Richard Tom, NYSPLS of Perfect Point Land Surveying RT, 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: C241164-06-14, 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 b 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: C241164
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.

Purves Development LLC:

By: Mark Gold

Print Name: Mark Gold

Title:_____ Date: 9/21/2015

Grantor's Acknowledgment

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

On the 2nd day of Sept, in the year 2015, before me, the undersigned, personally appeared Mark Gold, 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

JANE YOON
NOTARY PUBLIC
Queens County
COMMISSION EXPIRES
SEPTEMBER 23, 2017
STATE OF NEW YORK

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 16th day of September, in the year 2016 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, 20 19

SCHEDULE "A" PROPERTY DESCRIPTION

Legal Description of Environmental Easement: 27-21 44th Drive and 44-18 Purves Street, Long Island City, NY, BCP Site No. C241164, Queens Block 268, Lots 4 and 23

DESCRIPTION FOR TAX LOTS 4 & 23

ALL those certain plots, pieces or parcels of land, with the building and improvements thereon erected, 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 a point on the easterly side of 44th Drive (Nott Avenue) distant 59.94 feet northerly from the corner formed by the intersection of the easterly side of 44th Drive with the northeasterly side of Thompson Avenue;

RUNNING THENCE northerly along the easterly side of 44th Drive 100.04 feet (deed) (100.09 feet survey);

THENCE easterly and parallel with the southerly side of Jackson Avenue 92.11 feet (deed) (92.56 feet survey);

THENCE southerly along a line forming an interior angle of 90 degrees 21 minutes 40 seconds (deed) (90 degrees survey) with the last mentioned course 25 feet;

THENCE easterly parallel to Jackson Avenue 100.00 feet to the westerly side of Purves Street;

THENCE southerly at right angles with the last mentioned course 25.00 feet;

THENCE westerly at right angles with the last mentioned course 100.00 feet;

THENCE southerly at right angles with the last mentioned course 50.00 feet;

THENCE westerly along a line forming an interior angle of 89 degrees 38 minutes 20 seconds (deed) (90 degrees survey) with the last mentioned course 88.54 feet (deed) (88.38 feet survey) to the easterly side of 44th Drive and the point or place of BEGINNING.

APPENDIX B
Site Inspection Photographs



Photo 1, 05/28/2024: View of the building exterior (facing east)

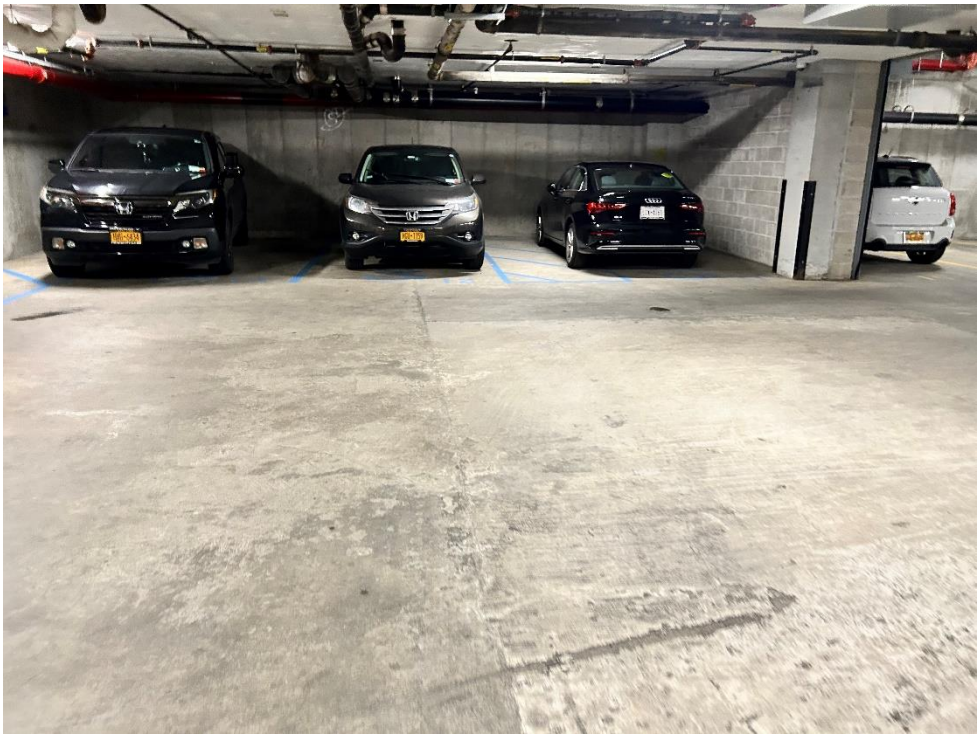


Photo 2, 05/28/2024: View of concrete building slab composite cover within parking garage (facing north)

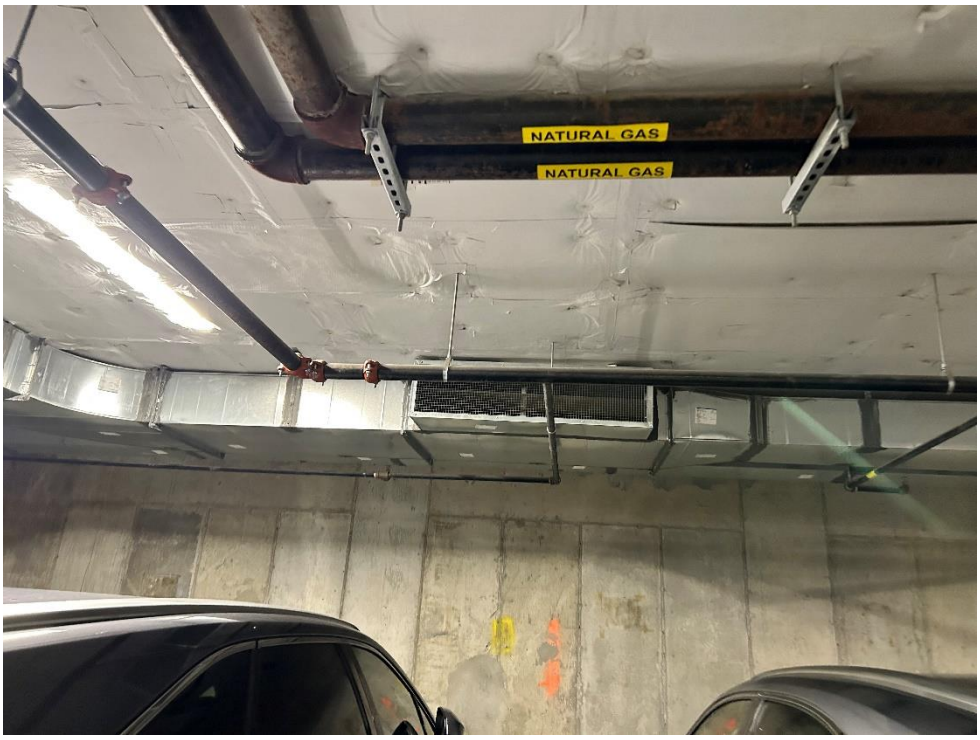


Photo 3, 05/28/2024: View of parking garage ventilation duct (facing west)



Photo 4, 05/28/2024: View of sub-slab drainage sump within parking garage (facing east)

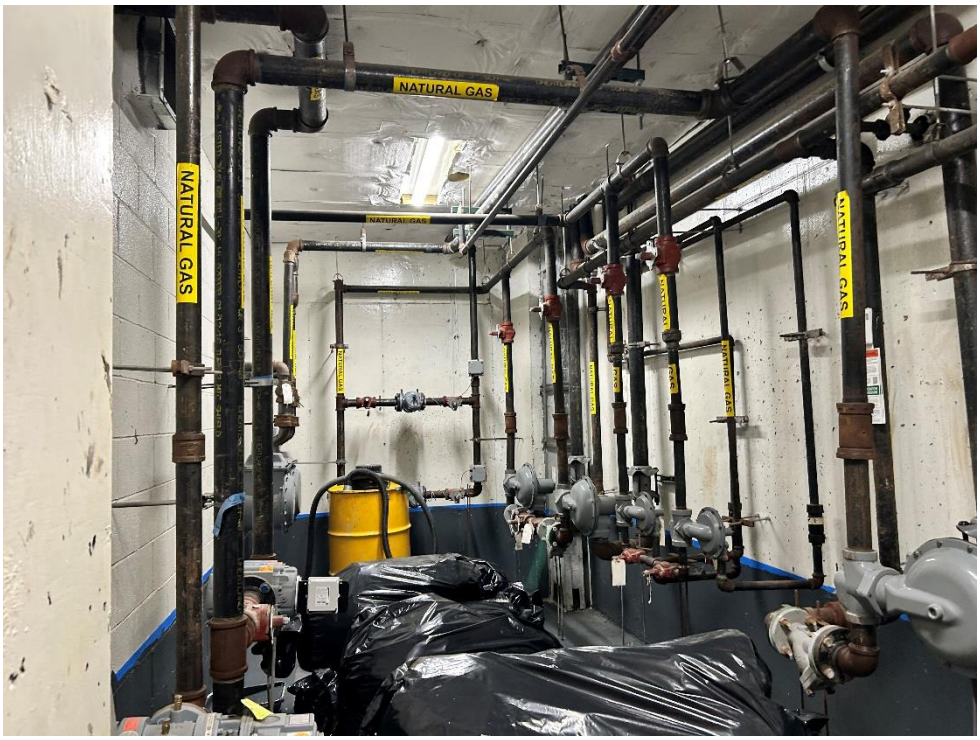


Photo 5, 05/28/2024: View of concrete building slab composite cover within the gas meter storage room (facing southwest)

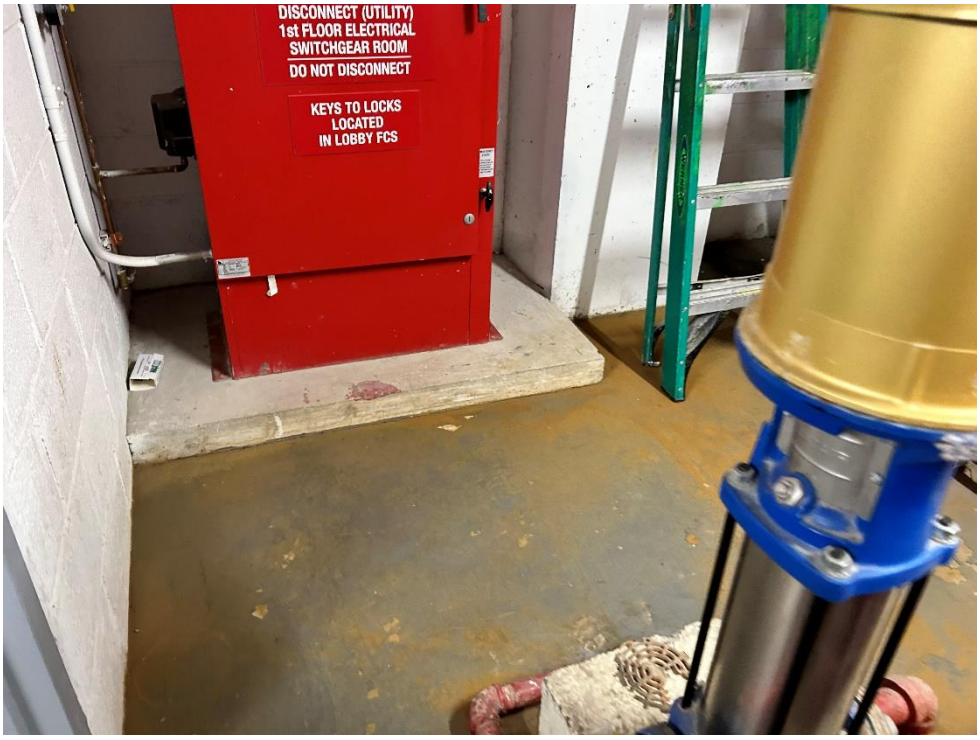


Photo 6, 05/28/2024: View of concrete building slab composite cover within fire pump room (facing southeast)

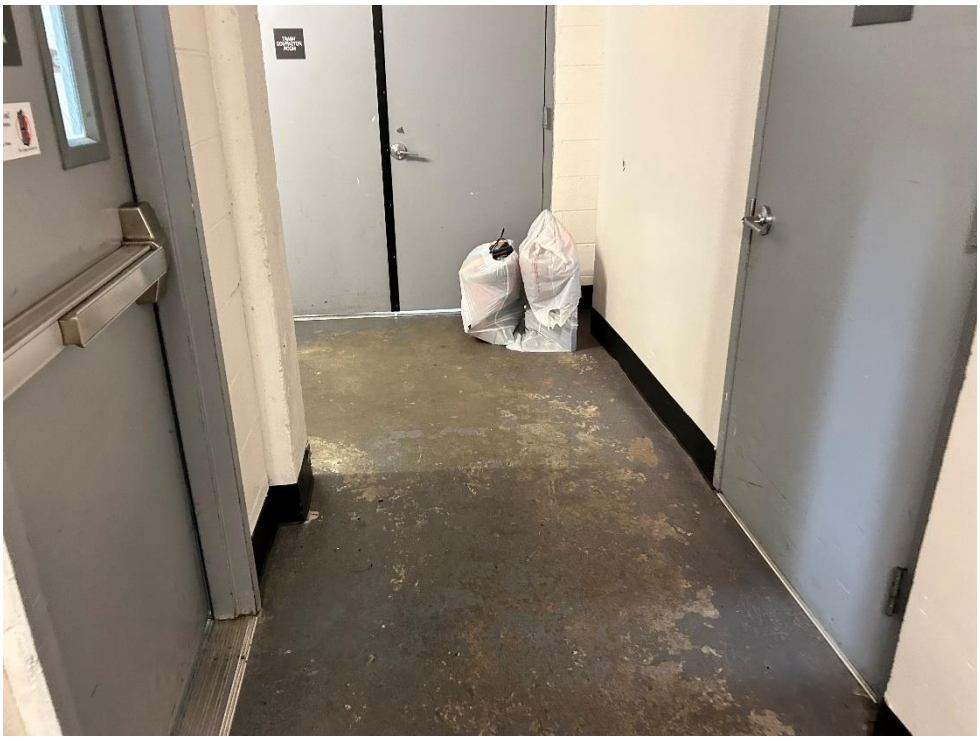


Photo 7, 05/28/2024: View of concrete building slab composite cover within cellar hallway (facing west)



Photo 8, 05/28/2024: View of cellar ventilation ducts along the cellar ceiling (facing southwest)

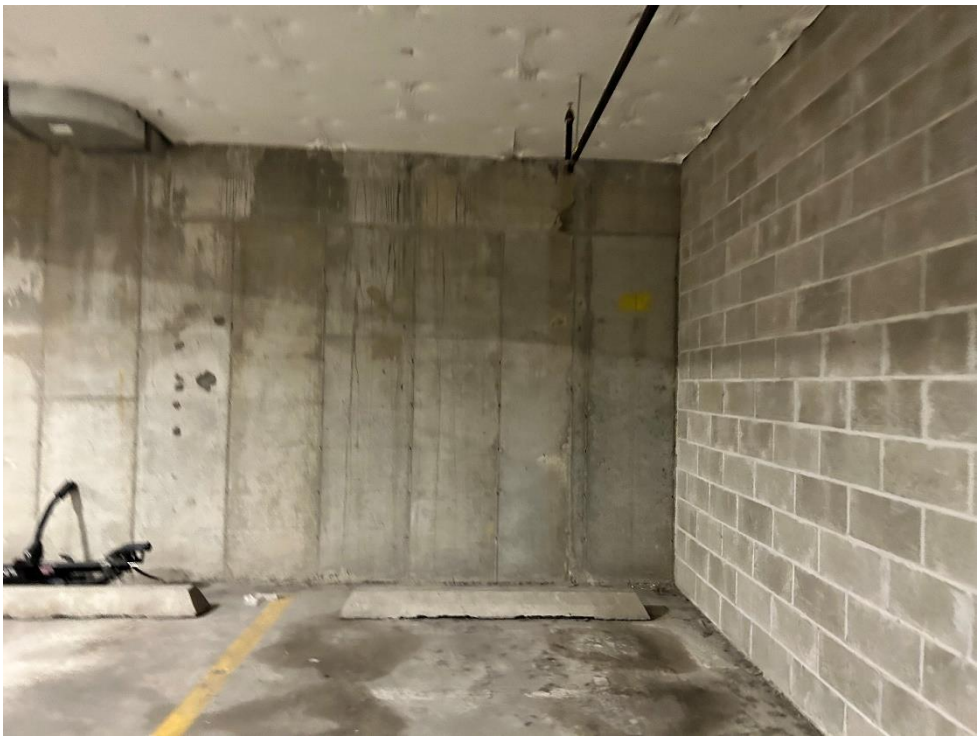


Photo 9, 05/28/2024: View of cellar foundation wall (facing west)

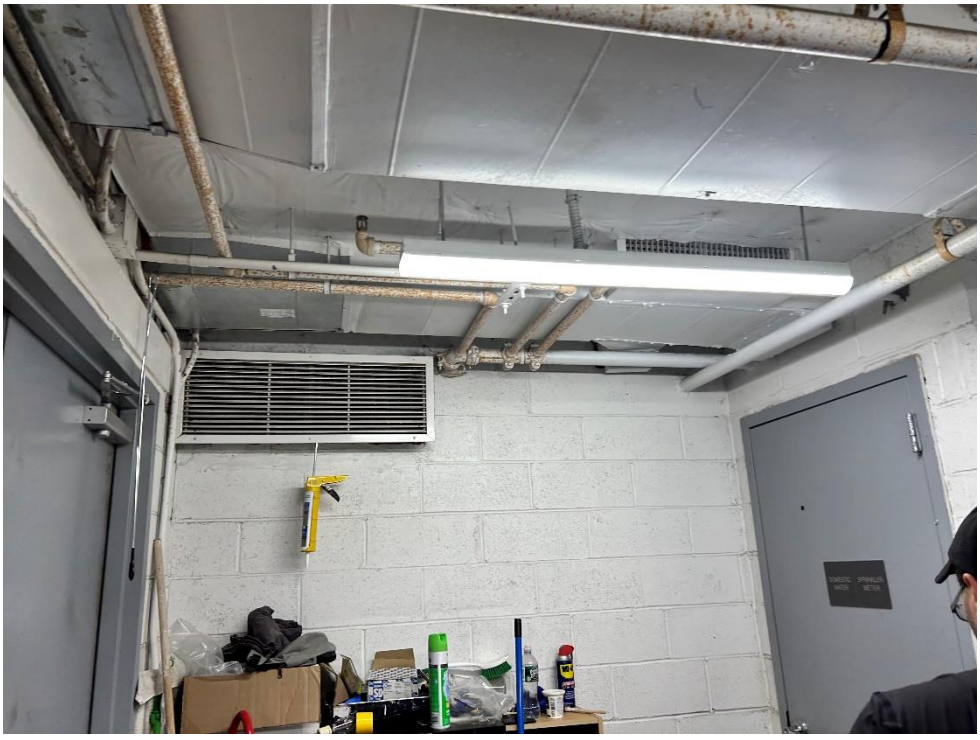


Photo 10, 05/28/2024: View of cellar vent within compactor room (facing southeast)

APPENDIX C
Annual Inspection Form

SITE WIDE INSPECTION CHECKLIST

Site Name: Purves Street Development Location: Long Island City, Queens, NY Project Number: 170281403

Inspector Name: Olivia O'Donnell Date: 5/28/24 Weather Conditions: Sunny 70s F

Reason for Inspection (i.e., routine, maintenance, severe condition, etc.): Annual Inspection

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

		Y	N	NA	Is the Situation Normal?	Remarks
	General					
1	What are the current site conditions?			X	Y	Building is completed and occupied.
2	Are all applicable site records (e.g., documentation of construction activity, ventilation system maintenance and repair, most current easement, etc.) complete and up to date?	X			Y	Not viewed on site but reviewed separately.
	Easement					
3	Has site use (restricted residential) remained the same?	X			Y	
4	Does it appear that all environmental easement restrictions have been followed?	X			Y	
	Composite Cover System					
5	Are there any indications of a breach in the capping system at the time of this inspection?		X		Y	The capping system was intact at the time of the inspection.
6	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?		X		Y	
7	If YES to number 7, is there documentation that the Soil Management Plan, HASP, and CAMP for the site was/is being followed?			X	Y	
	Cellar Ventilation System					
8	Are all visible cellar ventilation system components intact and operational at the time of this inspection?	X			Y	Visible cellar ventilation system components are installed and operational at the time of this inspection.

*****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:

Minimum Inspection Schedule:
- Site-wide inspections will be conducted annually, per certification year, at a minimum.
- Additional inspections will also be conducted at times of severe condition events.
- All inspection events will utilize this checklist.

APPENDIX D
Institutional and Engineering Controls Certification Form

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

Site Details **Box 1**

Site No. **C241164**

Site Name Purves Street Development

Site Address: 44-18 Purves Street and 27-21 44th Drive Zip Code: 11101
City/Town: Long Island City
County: Queens
Site Acreage: 0.265

Reporting Period: June 22, 2023 to June 22, 2024

	YES	NO
1. Is the information above correct?	☒	☐
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?	☐	☒
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	☐	☒
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	☐	☒
If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.		
5. Is the site currently undergoing development?	☐	☒

Box 2

	YES	NO
6. Is the current site use consistent with the use(s) listed below? Restricted-Residential, Commercial, and Industrial	☒	☐
7. Are all ICs in place and functioning as designed?	☒	☐

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.

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

	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. C241164 **Box 3**

Description of Institutional Controls

Parcel	Owner	Institutional Control
268-23	The Harrison Condominium	Ground Water Use Restriction Landuse Restriction Monitoring Plan Site Management Plan O&M Plan IC/EC Plan Soil Management Plan

Intuitional controls (ICs) mandate operation, maintenance, monitoring and reporting measures for all Engineering controls. ICs provide restriction on site usage and prevent future exposure to remaining contamination by controlling subsurface disturbances.

The site 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). All engineering Controls (ECs) must be operated and maintained as specified in the site management plan(SMP). All ECs must be inspected at a frequency and in a manner defined in the SMP. 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 first notify and obtain written approval to do so from the Department. Groundwater and other environmental or public health monitoring must be performed as defined in the SMP. 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. All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP. Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP. Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP. 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 restriction identified by this environmental easement.

268-4	The Harrison Condominium	Ground Water Use Restriction Soil Management Plan Landuse Restriction Monitoring Plan Site Management Plan O&M Plan IC/EC Plan

Intuitional controls (ICs) mandate operation, maintenance, monitoring and reporting measures for all Engineering controls. ICs provide restriction on site usage and prevent future exposure to remaining contamination by controlling subsurface disturbances.

The site 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). All engineering Controls (ECs) must be operated and maintained as specified in the site management plan(SMP). All ECs must be inspected at a frequency and in a manner defined in the SMP. 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 first notify and obtain written approval to do so from the Department. Groundwater and other environmental or public health monitoring must be performed as defined in the SMP. 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. All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP. Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP. Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP. 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 restriction identified by this environmental easement.

Box 4

Description of Engineering Controls

Parcel	Engineering Control
268-23	Vapor Mitigation Cover System
Engineering controls include a composite cover system to prevent future exposure to the residual contamination remaining in place and a cellar ventilation system to mitigate soil vapor intrusion.	
268-4	Vapor Mitigation Cover System
Engineering controls include a composite cover system to prevent future exposure to the residual contamination remaining in place and a cellar ventilation system to mitigate soil vapor intrusion.	

Box 5

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 Engineering Control 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 compete.

YES	NO
X	☐

2. For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:

   (a) The 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
X	☐

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. C241164

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 Eugene V. Gardner (print name) at 109-15 14th Ave., College Point, NY 11356 (print business address),

am certifying as Managing Agent (Owner or Remedial Party)

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

Eugene V. Gardner — July 22, 2024

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

EC CERTIFICATIONS

Box 7

Professional Engineer 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 JASON HAYES at 360 W 31ST ST., 7TH FL, NY, NY 10001,
print name print business address

am certifying as a Professional Engineer for the OWNER
(Owner or Remedial Party)

STATE OF NEW YORK
JASON JAMES HAYES
089491
LICENSED PROFESSIONAL ENGINEER

Signature of Professional Engineer, for the Owner or Remedial Party, Rendering Certification

Stamp (Required for PE)

7-17-2024
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.