

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 29, 2025

Seungha Steve Kim
4339 LLC
252-34 Leith Road
Little Neck, NY 11362

Re: Certificate of Completion
Former Liberty Brass Site
Queens, Queens County
Site No.C241178

Dear Mr. Kim:

The New York State Department of Environmental Conservation (NYSDEC) has completed a review of the Former Liberty Brass (C241178) project and has determined that the site did not meet the Brownfield Cleanup Program (BCP) Track 1 criteria within the requisite 5-year period. Therefore, in accordance with NYSDEC regulation and the Certificate of Completion (COC) issued December 26, 2018, a new COC has been generated indicating that the site has achieved Track 2 Restricted Residential Cleanup requirements. Enclosed please find an original, signed COC.

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

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

Scott Deyette, Director, Remedial Bureau B
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7016



If you have any questions, please do not hesitate to contact Scott Deyette, Director, Remedial Bureau B, at 518-402-9794.

Sincerely,

Andrew Guglielmi

Andrew Guglielmi
Division Director
Division of Environmental Remediation

Enclosure

ec w/ enclosure:

C. Vooris – NYSDOH, christine.vooris@health.ny.gov
S. McLaughlin – NYSDOH, scarlett.mclaughlin@health.ny.gov
Matt Gokey, matthew.gokey@tax.ny.gov
Paul Takac, paul.takac@tax.ny.gov
Linda Shaw, LSHAW@NYENVLAW.COM

ec w/o enc.:

S. Deyette
W. Bennett
L. Schmidt
K. Lewandowski

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)

CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name
4339 LLC

Address
252-34 Leith Road, Little Neck, NY 11362

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 11/12/15 **Agreement Execution:** 12/18/15

Agreement Index No.:C241178-11-15

Application Amendment Approval: 7/20/16

Agreement Amendment Execution: 7/20/16

Application Amendment Approval: 12/7/17

Agreement Amendment Execution: 12/7/17

SITE INFORMATION:

Site No.: C241178 **Site Name:** Former Liberty Brass Site

Site Owner: 4339 LLC

Street Address: 38-01 Queens Blvd

Municipality: Long Island City **County:** Queens

DEC Region: 2

Site Size: 0.517 Acres

Tax Map Identification Number(s): 219-9

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: Restricted-Residential, Commercial, and Industrial

Cleanup Track: Track 2: Restricted use with generic soil cleanup objectives

Tax Credit Provisions:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 40 %.

Eligibility for Tangible Property Credit is available through: Under-Utilized.

Tangible Property Credit Component Rate is 10%. Comprised of 10% Base.

Dependent upon the project being developed in a manner consistent with the approved Brownfield Cleanup Program application, additional rate increases may be available if the site is developed as affordable housing (5%), if the Certificate Holder receives a separate Determination of Conformance with the BOA from the Secretary of State (5%), if the site is located in a disadvantaged community and not located in an EnZone (5%), if the site is developed as a renewable energy facility site (5%), or if the site is used primarily for manufacturing activities (5%) not to exceed a maximum 24 %.

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 2018000265635.

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 finding any of the following:

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

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

Amanda Lefton
Commissioner
New York State Department of Environmental Conservation

By: Andrew Guglielmi Date: 12/26/18, revised 12/27/25

Andrew O. Guglielmi, Director
Division of Environmental Remediation

Exhibit A

Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

EASEMENT AREA LEGAL DESCRIPTION

ALL that lot of land in the Borough of Queens, City of New York, with the buildings thereon, situate, lying and being in the 1st Ward of the Borough and County of Queens, City and State of New York, bounded and described as follows:

BEGINNING at a corner formed by the intersection of the Northerly side of Queens Boulevard with the Easterly side of Van Pelt Street, now known as 38th Street,

RUNNING THENCE Easterly along the Northerly side of Queens Boulevard, as now laid out on the Final Topographical Map of the City of New York, 100 feet deed (100.03 feet survey);

THENCE Northerly parallel with Van Pelt Street, 225 feet deed (225.05 feet survey);

THENCE Westerly parallel with Queens Boulevard, 100 feet deed (100.03 feet survey) to the Easterly side of Van Pelt Street, and

THENCE Southerly along the Easterly side of Van Pelt Street, 225 deed (225.05 feet survey) feet to the corner, the point or place of BEGINNING.

ACREAGE: 0.5168

Exhibit B

Site Survey

REFERENCES:

- CITY OF NEW YORK OFFICE OF THE PRESIDENT OF THE BOROUGH OF QUEENS TOPOGRAPHICAL BUREAU SECTION MAP NO. 33, DATED SEPTEMBER 13, 1958.
- CITY OF NEW YORK OFFICE OF THE PRESIDENT OF THE BOROUGH OF QUEENS TOPOGRAPHICAL BUREAU SECTION MAP NO. 315, DATED SEPTEMBER 13, 1958.
- MAP OF BBL LOTS LOCATED ON QUEENS BOULEVARD GREENPOINT AVE, AVONST ST, LOWERY ST, AND QUEENS BOULEVARD, PREPARED BY CHAMONIX ABSTRACT, INC. FOR THE BOROUGH OF QUEENS, DONGAN CONSTRUCTION CO. AND THOMSON HILL LAND & IMPROVEMENT CO., FILED DECEMBER 17, 1965.
- CITY OF NEW YORK FIRE DEPARTMENT BUREAU OF FIRE ALARM TELEGRAPHY: SECTIONAL MAP NO. 23, LAST REVISED SEPTEMBER 27, 1965.
- CITY OF NEW YORK FIRE DEPARTMENT BUREAU OF FIRE ALARM TELEGRAPHY: SECTIONAL MAP NO. 33, LAST REVISED SEPTEMBER 27, 1965.
- PLAN SHOWING THE LOC-BIN OF UNDERGROUND SEWER LINES PROVIDED BY NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF WATER AND SEWER OPERATIONS, MAP PREPARED BY CHAMONIX ABSTRACT, INC., FILED DECEMBER 17, 1965.
- PLAN SHOWING THE LOCATION OF UNDERGROUND WATER LINES PROVIDED BY NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF WATER AND SEWER OPERATIONS, MAP PREPARED BY CHAMONIX ABSTRACT, INC., FILED DECEMBER 17, 1965.
- PLAN SHOWING THE LOCATION OF UNDERGROUND TELEPHONE LINES, PREPARED BY EMERGENCY CITY SURVEY, DATED JULY 14, 1965, PLATES 140 & 141.
- SEWER AND AUTOMATIC LINES PROVIDED BY NEW YORK CITY DEPARTMENT OF WATER & SEWER OPERATIONS.
- ALTA/CSM LAND TITLE SURVEY LOT 8, BLOCK 219, QUEENS BOULEVARD (WNY 25) BETWEEN 38TH & 38TH STREETS LONG ISLAND CITY, BOROUGH & COUNTY OF QUEENS, CITY & STATE OF NEW YORK, PREPARED BY CALLES SURVEYING GROUP, DATED AUGUST 15, 1975, LAST REVISED MARCH 1, 2015.

NOTES:

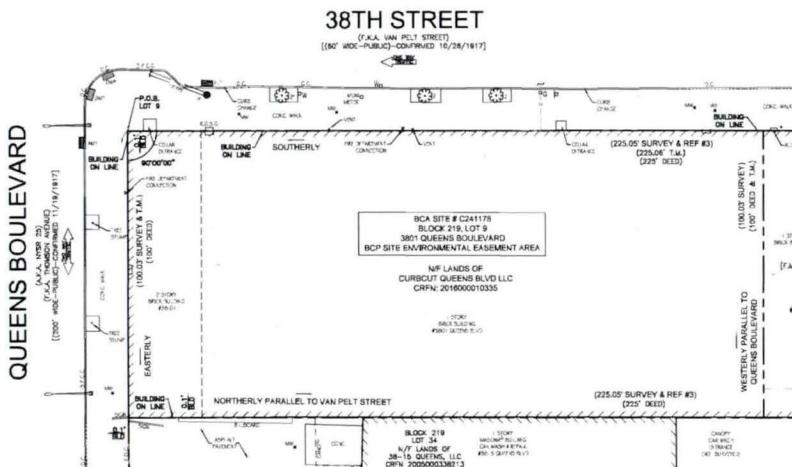
- PROPERTY KNOWN AND DESIGNATED AS LOT 9 IN BLOCK 219 ON THE NEW YORK CITY DIGITAL TAX MAP, PREPARED BY THE STATE OF NEW YORK, DATE OF SURVEY 7, 2008.
- AREA LOT 9, OR 0.018.
- LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. LOCATIONS AND SIZES ARE BASED ON PRIOR UTILITY MAINCUTS ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE AT THE TIME OF SURVEY. THE PRESENCE OF THESE UTILITIES DOES NOT MEAN THEY ARE PRESENT. THE AVAILABILITY OF UTILITY PLANS AND UTILITY MAINCUT DOES NOT ENSURE THE PRESENCE OF ALL UTILITIES. THE PRESENCE OF A UTILITY MAINCUT DOES NOT MEAN THE UTILITY IS ACTIVE. UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE, AND TYPE BY THE PROPERTY OWNER.
- THIS SURVEY WAS PREPARED WITH REFERENCE TO A TITLE COMMITMENT REPORT FOR LOT 8, BLOCK 219, PREPARED BY CHAMONIX ABSTRACT, LLC, AGENTS FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, DATED SEPTEMBER 13, 2013, AND A TITLE COMMITMENT REPORT FOR LOT 9, BLOCK 219, PREPARED BY CHAMONIX ABSTRACT, LLC, AGENTS FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, DATED SEPTEMBER 13, 2013, WHERE NO SURVEY RELATED ITEMS ARE CONTAINED IN BENCHERK.
- BY GRAPHIC PLOTTING, PROPERTY IS LOCATED IN FLOOD HAZARD ZONE X (AREAS DETERMINED TO BE DRAINED BY FLOODWATER FROM A FLOOD OF RECORD, DATED JUNE 16, 1916).
- THERE ARE NO VISIBLE STREAMS OR NATURAL WATERCOURSES IN THE PROPERTY AT THE TIME OF FIELD SURVEY.
- THE LOCATION AND EXTENTS OF UNDERGROUND TANKS AND VULTS HAVE NOT BEEN DETERMINED IN THIS SURVEY.
- CON ED REPLIED TO ISSUE GAS AND ELECTRIC PLANS FOR THIS SITE.



VICINITY MAP

MEETES AND BOUNDIS DESCRIPTION OF ENVIRONMENTAL EASEMENT AREA

ALL THAT LOT OF LAND IN THE BOROUGH OF QUEENS, CITY OF NEW YORK, WITH THE BUILDINGS THEREON, SITuate, LYING AND BEING IN THE 1ST (40') OF THE BOROUGH AND COUNTY OF QUEENS, CITY AND STATE OF NEW YORK, BEGUNNING AT A CORNER FORMED BY THE INTERSECTION OF THE NORTHERN SIDE OF QUEENS BOULEVARD WITH THE EASTERN SIDE OF VAN PELT STREET, NOW KNOWN AS 38TH STREET, RUNNNG THENCE EASTERNLY ALONG THE NORTHERN SIDE OF QUEENS BOULEVARD, 100 FEET DEED (100.03 FEET SURVEY), THENCE NORTHERLY, PARALLEL WITH THE NORTHERN SIDE OF VAN PELT STREET, 225 FEET DEED (225.03 FEET SURVEY), THENCE WESTERLY, PARALLEL WITH QUEENS BOULEVARD, 100 FEET DEED (100.03 FEET SURVEY) TO THE EASTERN SIDE OF VAN PELT STREET, AND THENCE SOUTHERLY, PARALLEL WITH THE EASTERN SIDE OF VAN PELT STREET, 225 DEED (225.03 FEET SURVEY) PERTINENT TO THE CORNER, THE POINT OR PLACE OF BEGINNING, CONTAINING 22.312 SF, OR 0.2188 AC.



QUEENS BOULEVARD



MAP LEGEND

- PROPERTY LINE
- EXIST. BUILDING FOOTPRINT AT GROUND LEVEL & DOORWAY
- APPROX. LOCATION U.G. GAS LINE PERIODICLY MARKED
- WATER VALVE
- GAS VALVE
- MANHOLE
- INLET
- STREET LIGHT
- DETECTABLE WARNING PAD
- MONITORING WELL
- CONCRETE CURB
- STEEL FACED CONCRETE CURB
- EDGE OF CONCRETE
- ROLL DOWN SECURITY GATE
- TAX MAP
- [T.M. 18] FILED MAP LOT (REF #)
- STRUCTURE AT GROUND LEVEL RELATIVE TO PROPERTY LINE
- TRICE & TRUNK SIZE

NOTE: ALL UTILITY COMPANIES DID NOT RESPOND TO MARKOUT REQUEST



MAP NOT DRAWN TO SCALE

UTILITIES:
THE FOLLOWING COMPANIES WERE NOTIFIED BY NEW YORK STATE ONE-CALL SYSTEM TO MARKOUT THE PROPERTY LINE AND EXISTING UTILITIES. THE LOCATION OF FACILITIES AFFECTING AND RELATING TO THIS SITE AND UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITY COMPANIES' RESPONSES TO THE NEW YORK STATE ONE-CALL SYSTEM. 1519408M & 1519408R (2015 MARKOUT)

UTILITY COMPANY
A & M CONTRACTORS
BUCHETT PARTNERS, LP
CONSOLIDATED EDISON CO. OF N.Y.
EDCO
MO
TWC
TUE WALTER CABLE-QUEENS
VERNON COMMUNICATIONS

PHONE NUMBER
(646) 471-5125
(610) 904-0512
(610) 904-0510
(609) 226-3427
(718) 772-3424
(718) 772-8600
(516) 797-1800

NOTE: ALL UTILITY COMPANIES DID NOT RESPOND TO MARKOUT REQUEST

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 environmental control and control for this Easement are set forth in the Site Management Plan (SMP). A copy of the SMP must be obtained by any party with an interest in the property. The SMP can be obtained from NYS Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at derweb@dec.ny.gov.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 87(2)(b) OF THE NEW YORK STATE EDUCATION LAW.

MEETES AND BOUNDIS DESCRIPTION OF PROPERTY

ENVIRONMENTAL EASEMENT SURVEY
LOT 9, BLOCK 219
380 QUEENS BOULEVARD (WNY 25) 38TH STREET
LONG ISLAND CITY, BOROUGH & COUNTY OF QUEENS
CITY & STATE OF NEW YORK

GALLAS SURVEYING GROUP
3801 QUEENS BOULEVARD
NORTH BUREAU, SUITE 200
TICKETTS, NY 11101
FAX: 718-584-8000
www.gallasy.com

DATE: 5-27-2016 SCALE: 1"=20' DRAWN: K.G.G. CHECKED: D.A.H.

FIELD DATE: 7-24-2016 FIELD WORK: 46 FIELD CREW: 132, 138 M.S./J.V.

FILE NO.: G15146 DRAWN NAME/SHEET NO.: G15146.DWG 1 of 1

GRAPHIC SCALE
0 10 20 30 40 50 FT
GRAPHIC SCALE
0 10 20 30 40 50 FT
1 foot = 20 ft

GREGORY S. GALLAS
NEW YORK PROFESSIONAL LAND SURVEYOR #P-216



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

Former Liberty Brass Site, Site ID No. C241178
38-01 Queens Blvd, Long Island City, NY, 11101
Long Island City, Queens County, Tax Map Identification Number: 219-9

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (NYSDEC) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to 4339 LLC for a parcel approximately 0.517 acres located at 38-01 Queens Blvd in Long Island City, Queens County.

PLEASE TAKE NOTICE, the Certificate was issued upon satisfaction of the Commissioner, following review by NYSDEC of the Final Engineering Report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the remediation requirements set forth in ECL Article 27, Title 14 have been or will be achieved in accordance with the time frames, if any, established in the Remedial Work Plan.

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

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

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

PLEASE TAKE NOTICE, 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 2018000265635.

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 NYSDEC's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

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

Former Liberty Brass Site, C241178
38-01 Queens Blvd, Long Island City, NY, 11101

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

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

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

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

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

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 2 Office located at 1 Hunters Point Plaza, 47-40 21st Street, Long Island City, NY 11101, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C241178>.

WHEREFORE, the undersigned has signed this Notice of Certificate

4339 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.

Please record and return to:

Signature and Office of individual
taking acknowledgment

4339 LLC
252-34 Leith Road
Little Neck, NY 11362