

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



Department of
Environmental
Conservation

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

- [illegible]

- [illegible]



ALL THAT LOT OF LAND IN THE BOROUGH OF QUEENSBURY, CITY OF NEW YORK, WITH THE BOROUGHS THEREIN, SITUATE, LYING AND BEING IN THE WESTWARD OF THE BOROUGH AND COUNTY OF QUEENSBURY, CITY AND STATE OF NEW YORK, MORE PARTICULARLY DESCRIBED AND BOUNDARIES INDICATED AS FOLLOWS:

BEGINNING AT A CORNER FORMED BY THE INTERSECTION OF THE NORTH-WESTERLY SIDE OF QUEENSBURY BOULEVARD WITH THE EASTERLY SIDE OF VAN PELT STREET, NOW ADJACENT AS 38TH STREET;

RUNNING THENCE NORTHERLY, PARALLEL TO THE NORTHERLY SIDE OF QUEENSBURY BOULEVARD AS NOW Laid OUT FOR THE CONSTRUCTION OF THE NEW YORK STATE TOLL ROAD, 100 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE NORTH-WESTERLY SIDE OF QUEENSBURY BOULEVARD WITH THE EASTERLY SIDE OF VAN PELT STREET;

THENCE NORTHERLY, PARALLEL WITH VAN PELT STREET, 228 FEET DEED (228.05 FEET SURVEY);

THENCE WESTERLY, PARALLEL WITH QUEENSBURY 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 228 DEED (228.05 FEET SURVEY) FEET TO THE CORNER, THE POINT OF BEGINNING.

CONTAINING 2,312.57' OR 51,516 AC.

This property is subject to an environmental easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the New York Environmental Conservation Law. The engineering and institutional controls for this Easement are set forth in 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 deweb@dec.ny.gov.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP
BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF
SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE
EDUCATION LAW.

1	NOTE PER CLEFT COMMENTS	AGE	S-3
No.	DESCRIPTION OF REVISION	DATE	BY

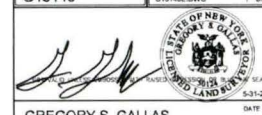
LOT 9, BLOCK 219
3801 QUEENS BOULEVARD (NYSR 25) @ 38TH
LONG ISLAND CITY, BOROUGH & COUNTY OF
CITY & STATE OF NEW YORK

**GALLAS
SURVEYING
GROUP**

2865 US ROUTE 1
NORTH BRUNSWICK, NJ 08902
TELE: 732-422-6700
FAX: 732-940-8796
www.williams-sonnet.com

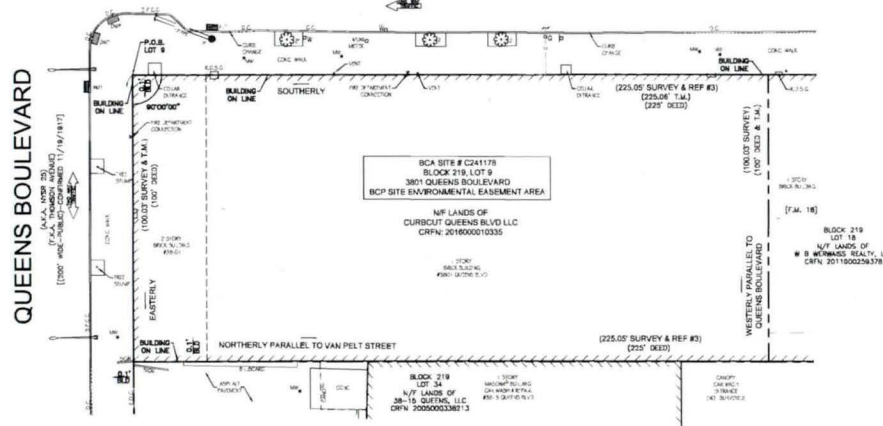
DATE	SCALE	DRAWN	CHECKED
5-27-2016	1"=20'	K.G.G.	D.A.H.
FIELD DATE	FIELD BOOK	PAGE	FIELD CREW
7-24 7-27-15	46	132, 138	M.S./J.V.

FILE NO.:	DRAWING NAME/SHEET NO.
G15146	G15146E DWD 1 of 1



GREGORY S. GALLAS
NEW YORK PROFESSIONAL LAND SURVEYOR #0214

(F.K.A. VAN PELT STREET)
[[60' WIDE-PUBLIC]-CONFIRMED 10/26/1917]



	PROPERTY LINE
	EXIST. BUILDING FOOTPRINT AT GROUND LEVEL & DOORWAY
	APPROX. LOCATION U.G. GAS LINE PER UTILITY MARKOUT
	WATER VALVE
	GAS VALVE
	MANHOLE
	INLET
	STREET LIGHT
	SIGN
	DETECTABLE WARNING PAD
	MONITORING WELL
	CONCRETE CURB
	DEPRESSED CURB
	STEEL FACED CONC. CURB
	EDGE OF CONCRETE
	ROAD DOMAIN SIGNATURE GATE
	TAX MAP
	FILED MAP LOT (REF #)
	DENOTES OFFSET OF STRUCTURE AT GROUND LEVEL RELATIVE TO PROPERTY LINE



WE HEREBY STATE REQUIRED NOTIFICATION BY CATALANES,
DESIGNING OR ANY PERSON PREPARED TO DESIGN THE CATH
SURFACE AIRPORT IN THE STATE.

THE FOLLOWING COMPANIES WERE NOTIFIED BY NEW YORK STATE ONE-CALL SYSTEM (1-800-272-4480) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES AFFECTING AND SERVING THIS SITE. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITY COMPANIES' RESPONSE TO THIS REQUEST (SEE SERIAL NUMBERS): 131940878, 131940880, 131940884 & 131940885 (2015 MARKOUT).

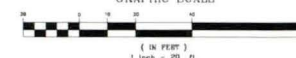
UTILITY COMPANY	PHONE NUMBER
AT&T CORPORATION	(903)753-3145
BLOCKET PARTNERS, LP	(813)904-4512
CONSOLIDATED EDISON CO. OF N.Y.	(800)778-8740
MO	(800)289-3427
RON	(718)472-2304
TIME WARNER CABLE-QUEENS	(800)382-8600

NOTE: ALL UTILITY COMPANIES DID NOT RESPOND TO MARKOUT REQUEST

GRAPHIC SCALE



GRAPHIC SCALE



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.

Signature and Office of individual
taking acknowledgment

Please record and return to:

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