

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
STATE SUPERFUND PROGRAM/BROWNFIELD CLEANUP PROGRAM
ECL §27-1301 *et seq.* and ECL §27-1401 *et seq.*

In the Matter a Remedial Program for

**PARTIAL TERMINATION OF
ORDER ON CONSENT AND
ADMINISTRATIVE SETTLEMENT**
Index No. R2-20170515-184

DEC Site Name: Former Liberty Brass Off-Site

DEC Site No.: C241178A

Herein referred to as "Site"

Associated with SCP Site No. C241178

Located at: 38-01 Queens Boulevard

Long Island City, New York

by: Liberty Brass Turning Co. and Ideal Trading Co., Inc.
Hereinafter referred to as "Respondents"

1. The New York State Department of Environmental Conservation ("Department"), which is responsible for inactive hazardous waste disposal site remedial programs pursuant to Article 27, Title 13 of the Environmental Conservation Law ("ECL") and Part 375 of Title 6 of the Official Compilation of Codes, Rules and Regulations ("6 NYCRR"), entered into an Order on Consent with Respondents on October 5, 2017 consistent with the authority granted to the Commissioner by such statute ("Consent Order") in relation to alleged off-site soil vapor contamination related to a site in the Brownfield Cleanup Program ("BCP") known as the Former Liberty Brass Site, DER site number: C241178 ("BCP Site").

2. Respondents consented to the issuance of the Consent Order without (i) an admission or finding of liability, fault, wrongdoing, or violation of any law, regulation, permit, order, requirement, or standard of care of any kind whatsoever; (ii) an acknowledgment that there has been a release or threatened release of hazardous waste at or from the BCP Site; and/or (iii) an acknowledgment that a release or threatened release of hazardous waste at or from the BCP Site constitutes a significant threat to the public health or environment.

3. Respondents have addressed and are continuing to address off-site soil vapor issues at an adjacent property to the north of the BCP Site known as the Werwaiss Warehouse property located at 22-15 43rd Avenue, Suite 300, Long Island City, NY owned by WB Werwaiss Realty LLC, and the Consent Order shall remain in fully force

and effective with respect to that property until such time as the Department in conjunction with the New York State Department of Health ("Health Department") determine that soil vapor mitigation as a result of alleged off-site vapor migration from the BCP Site is no longer deemed required and/or until such time as the owner no longer allows access for this purpose.

4. Respondents have also investigated off-site soil vapor issues at an adjacent property to the east of the BCP Site known as the Queens Health Care Center property ("QHC") located at 305 West 44th Street, Long Island City, NY owned by the New York Hotel Trades Council and Hotel Association of New York City, Health Care Center, Inc. ("Hotel Trades Council").

5. The Hotel Trades Council has agreed to enter into its own Consent Order Index No. CO 2-20250102-84 for DEC Site No. C241178A (OU-1B) dated 8/25/ 2025 to assume responsibility for the soil vapor mitigation required to be implemented at the QHC property pursuant to an approved Soil Vapor Mitigation work Plan (SVIMWP) and an agreement to record an environmental easement.

NOW, having considered this matter and being duly advised, **IT IS ORDERED THAT:**

I. Respondents are no longer subject to the Consent Order with respect to the QHC Property soil vapor mitigation requirements since these obligations have been assumed by the Hotel Trades Council pursuant to its own Consent Order Index No. CO 2-20250102-84 for DEC Site No. C241178A (OU-1B).

II. The Consent Order is hereby terminated with respect to the QHC DEC Site No. C241178A (OU-1B).

III. The Consent Order remains fully effective with respect to the Werwaiss Site until such time as the Department and Health Department determine that soil vapor mitigation as a result of alleged off-site vapor migration from the Liberty Brass Site is no longer deemed required and/or until such time as the owner no longer allows access for this purpose.

DATED: 8/25/25

AMANDA LEFTON
COMMISSIONER
NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By:

Andrew Guglielmi

Andrew Guglielmi, Director
Division of Environmental Remediation

CONSENT BY RESPONDENT IDEAL TRADING CO.

Respondent hereby consents to the issuing and entering of this Order, waives Respondent's right to a hearing herein as provided by law, and agrees to be bound by this Order.

By: David Zucker

Title: Vice President

Date: 8/11/25

STATE OF NEW YORK)
) s.s.:
COUNTY OF Nassau)

On the 11 day of August, in the year 2025, before me, the undersigned, personally appeared David Zuckerwise, 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.

Satvinder
Signature and Office of individual
taking acknowledgement



CONSENT BY RESPONDENT LIBERTY BRASS TURNING CO.

Respondent hereby consents to the issuing and entering of this Order, waives Respondent's right to a hearing herein as provided by law, and agrees to be bound by this Order.

By: David Zucker

Title: President

Date: 8/11/25

STATE OF NEW YORK)
) s.s.:
COUNTY OF NASSAU)

On the 11 day of August, in the year 2025, before me, the undersigned, personally appeared David Zuckerwise, 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.

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