



## BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

Yes

No

If yes, provide existing site number: \_\_\_\_\_

### PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 10*

#### Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY  
BCP SITE #:

NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Is the requestor authorized to conduct business in New York State (NYS)?

Yes

No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment. **Attachment A**

Do all individuals that will be certifying documents meet the requirements detailed below? Yes No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](#) and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

#### Section II. Project Description **Attachment B**

1. What stage is the project starting at?

Investigation

Remediation

NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.

2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): Yes No

3. Please attach a short description of the overall development project, including:

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

**Section III. Property's Environmental History****Attachment C**

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (***please submit the information requested in this section in electronic format only***):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF).**

**2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.**

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum			
Chlorinated Solvents			
Other VOCs			
SVOCs			
Metals			
Pesticides			
PCBs			
Other*			

\*Please describe: \_\_\_\_\_

**3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:**

- SAMPLE LOCATION
- DATE OF SAMPLING EVENT
- KEY CONTAMINANTS AND CONCENTRATION DETECTED
- FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE
- FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5
- FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX

**Attachment C**

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

**ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?\***

(\*answering No will result in an incomplete application)

Yes No

**4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):**

Coal Gas Manufacturing	Manufacturing	Agricultural Co-op	Dry Cleaner
Salvage Yard	Bulk Plant	Pipeline	Service Station
Landfill	Tannery	Electroplating	Unknown

Other: \_\_\_\_\_

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME				
ADDRESS/LOCATION				
CITY/TOWN		ZIP CODE		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL):				
COUNTY		SITE SIZE (ACRES)		
LATITUDE (degrees/minutes/seconds) ° ' "		LONGITUDE (degrees/minutes/seconds) ° ' "		
<b>Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed , please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.</b>				
Parcel Address	Section No.	Block No.	Lot No.	Acreage
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site.			Yes	No
2. Is the required property map attached to the application? (application will not be processed without map)			Yes	No
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See <a href="#">DEC's website</a> for more information)			Yes	No
If yes, identify census tract : _____				
Percentage of property in En-zone (check one):      0-49%                  50-99%                  100%				
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)?      Yes      No				
If yes, identify name of properties (and site numbers if available) in related BCP applications: _____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?			Yes	No
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? If yes, attach relevant supporting documentation.			Yes	No
7. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.			Yes	No

**Section IV. Property Information (continued)**

8. Are there any easements or existing rights of way that would preclude remediation in these areas?  
If yes, identify here and attach appropriate information. Yes No

Easement/Right-of-way Holder

Description

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

Description

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format?** Yes No  
**Attachments D**

**Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City**

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? Yes No  
If yes, requestor must answer questions on the supplement at the end of this form.
12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? Yes No
13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? Yes No

**NOTE:** If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: \_\_\_\_\_



**BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)**

<b>Section V. Additional Requestor Information</b> <b>See Instructions for Further Guidance</b>		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE			<b>Attachment E</b>
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF REQUESTOR'S CONSULTANT			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF REQUESTOR'S ATTORNEY			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
<b>Section VI. Current Property Owner/Operator Information – if not a Requestor</b>			
CURRENT OWNER'S NAME		OWNERSHIP START DATE:	
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
CURRENT OPERATOR'S NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
<b>PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".</b>			
<b>IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.</b>			
<b>Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)</b>			
If answering "yes" to any of the following questions, please provide an explanation as an attachment.			
1. Are any enforcement actions pending against the requestor regarding this site? Yes No			
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? Yes No			
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. Yes No			

**Section VII. Requestor Eligibility Information (continued)****Attachment F**

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. Yes No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. Yes No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? Yes No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? Yes No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? Yes No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? Yes No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? Yes No
11. Are there any unregistered bulk storage tanks on-site which require registration? Yes No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

**PARTICIPANT**

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

**VOLUNTEER**

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

**If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.**

## Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

Previous Owner      Current Owner      Potential /Future Purchaser      Other\_\_\_\_\_

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached?

Yes      No      Not Applicable

**Note: a purchase contract does not suffice as proof of access.**

## Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?  
If yes, please provide relevant information as an attachment.

Yes    No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305?  
If yes, please provide:      Site # \_\_\_\_\_      Class # \_\_\_\_\_

Yes    No
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?  
If yes, please provide:   Permit type: \_\_\_\_\_      EPA ID Number: \_\_\_\_\_  
                                        Date permit issued: \_\_\_\_\_      Permit expiration date: \_\_\_\_\_

Yes    No
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.

Yes    No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?  
If yes, please provide:      Order # \_\_\_\_\_

Yes    No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?  
If yes, please provide explanation as an attachment.

Yes    No

Section IX. Contact List Information Attachment G

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

**Section X. Land Use Factors****Attachment H**

1. What is the current municipal zoning designation for the site? \_\_\_\_\_

What uses are allowed by the current zoning? (Check boxes, below)

Residential      Commercial      Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use:    Residential    Commercial    Industrial    Vacant    Recreational    (check all that apply)

**Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.**

3. Reasonably anticipated use Post Remediation:    Residential    Commercial    Industrial    (check all that apply) **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing?

Yes    No

4. Do current historical and/or recent development patterns support the proposed use?

Yes    No

The property is located in what has historically been a commercial district, designated as C4-2 zoning for commercial and light residential uses. The project is part of a master redevelopment plan to support the recent commercial and residential uses in the surrounding area.

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.

Yes    No

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.

Yes    No

## XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

(By a requestor other than an individual)

I hereby affirm that I am President (title) of Young Nian Group LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 01/30/2019

Signature: 

Print Name: John Liang

### SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
  - Chief, Site Control Section
  - New York State Department of Environmental Conservation
  - Division of Environmental Remediation
  - 625 Broadway
  - Albany, NY 12233-7020

**FOR DEC USE ONLY**  
**BCP SITE T&A CODE:** \_\_\_\_\_

**LEAD OFFICE:** \_\_\_\_\_

**Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY.** Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

**BCP App Rev 10**

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	Yes	No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	Yes	No
<b>Please answer questions below and provide documentation necessary to support answers.</b>		
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see <a href="#">DEC's website</a> for more information.	Yes	No
2. Is the property upside down or underutilized as defined below?	Upside Down?	Yes No
	Underutilized?	Yes No
<p><b>From ECL 27-1405(31):</b></p> <p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p> <p><b>From 6 NYCRR 375-3.2(I) as of August 12, 2016:</b> (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p> <p>375-3.2:</p> <p>(I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or</p> <p>(c) there are no structures.</p> <p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.</p>		

### Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

Project is an Affordable Housing Project - Regulatory Agreement Attached;

Project is Planned as Affordable Housing, But Agreement is Not Yet Available\*  
(\*Checking this box will result in a “pending” status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);

This is Not an Affordable Housing Project.

#### From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(a) “Affordable housing project” means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants’ households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) “Area median income” means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

**BCP Application Summary (for DEC use only)****Site Name:****City:****Site Address:****County:****Zip:****Tax Block & Lot****Section (if applicable):****Block:****Lot:****Requestor Name:****City:****Requestor Address:****Zip:****Email:****Requestor's Representative (for billing purposes)****Name:****Address:****City:****Zip:****Email:****Requestor's Attorney****Name:****Address:****City:****Zip:****Email:****Requestor's Consultant****Name:****Address:****City:****Zip:****Email:****Percentage claimed within an En-Zone:****0%****<50%****50-99%****100%****DER Determination:**

Agree

Disagree

**Requestor's Requested Status:****Volunteer****Participant****DER/OGC Determination:**

Agree

Disagree

Notes:

**For NYC Sites, is the Requestor Seeking Tangible Property Credits:**

Yes

No

**Does Requestor Claim Property is Upside Down:**

Yes

No

**DER/OGC Determination:**

Agree

Disagree

Undetermined

Notes:

**Does Requestor Claim Property is Underutilized:**

Yes

No

**DER/OGC Determination:**

Agree

Disagree

Undetermined

Notes:

**Does Requestor Claim Affordable Housing Status:**

Yes

No

Planned, No Contract

**DER/OGC Determination:**

Agree

Disagree

Undetermined

Notes:



## **ATTACHMENT A**

### **SECTION I: REQUESTOR INFORMATION**

## **ATTACHMENT A**

### **SECTION I: REQUESTOR INFORMATION**

The Requestor, Young Nian Group LLC, a New York State limited liability company, is the developer and owner of the proposed Brownfield Cleanup Program property, identified as Block 4963, Lot 65 (the site). A copy of the NYS Department of State Division of Corporations entity information for Young Nian Group LLC (herein referred to as the "Requestor") is included with this attachment along with a copy of the deed for the property. Mr. Yufeng Pang is the sole owner and member of Young Nian Group LLC.

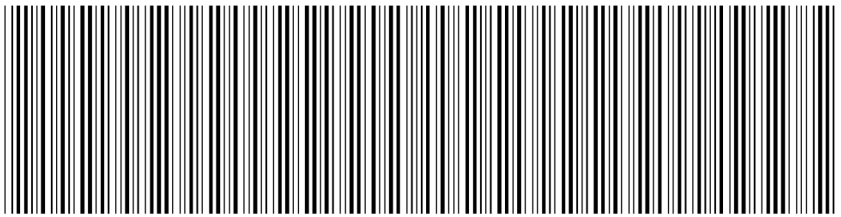
The Requestor certifies it is a Volunteer. The Requestor does not have nor has ever had a relationship with the past owners or operators of the site that caused the existing contamination.

Because (1) the Requestor did not contribute to the contamination at the site (2) the previous environmental reports prepared for the site prior to the Requestor's acquisition of the site concluded either that contamination was already present or did not reveal the presence of contamination ; (3) the Requestor has exercised due care required to maintain the bona fide purchaser defense and (4) the Requestor purchased the site after the documented contamination was present, the Requestor is a Volunteer.

Previous environmental reports performed for previous site owners identified contamination present at the site prior to the Requestor's involvement. The Requestor has no relationship with previous owners or operators that may have caused the contamination. The Requestor has maintained the site during its recent ownership and is volunteering for the Brownfield Cleanup Program to remediate existing site contamination. No new or current recognized environmental conditions demonstrating an on-going release were found on the site during the Requestor's period of ownership.

**NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER**

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2017102701539001001E8DAC

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 5**

**Document ID: 2017102701539001**

Document Date: 10-24-2017

Preparation Date: 10-27-2017

Document Type: DEED

Document Page Count: 4

**PRESENTER:**

FIRST AMERICAN TITLE (PICKUP) ANDREW  
666 THIRD AVE  
5TH FLOOR 873552 ADB  
NEW YORK, NY 10017  
212-850-0675  
ABATRES@FIRSTAM.COM

**RETURN TO:**

HENRY LEE M. FONG, ESQ  
11 EAST BROADWAY  
SUITE 14A  
NEW YORK, NY 10013

Borough	Block	Lot	Unit	Address
QUEENS	4963	65	Entire Lot	131-01 39TH AVENUE
<b>Property Type:</b> COMMERCIAL REAL ESTATE				

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or DocumentID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**GRANTOR/SELLER:**

131-01 39TH AVENUE OWNER LLC  
131-01 39TH AVENUE  
FLUSHING, NY 11354

**GRANTEE/BUYER:**

YOUNG NIAN GROUP LLC  
131-01 39TH AVENUE  
FLUSHING, NY 11354

**FEES AND TAXES**

**Mortgage :**

Mortgage Amount:	\$	0.00
Taxable Mortgage Amount:	\$	0.00
Exemption:		
TAXES: County (Basic):	\$	0.00
City (Additional):	\$	0.00
Spec (Additional):	\$	0.00
TASF:	\$	0.00
MTA:	\$	0.00
NYCTA:	\$	0.00
Additional MRT:	\$	0.00
<b>TOTAL:</b>	<b>\$</b>	<b>0.00</b>
Recording Fee:	\$	57.00
Affidavit Fee:	\$	0.00

**Filing Fee:**

	\$	250.00
NYC Real Property Transfer Tax:	\$	3,018,750.00
NYS Real Estate Transfer Tax:	\$	460,000.00

**RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE**



**CITY OF NEW YORK**

Recorded/Filed 11-02-2017 10:55  
City Register File No.(CRFN):  
**2017000406520**

*Annette McHill*

**City Register Official Signature**

**BARGAIN AND SALE DEED WITH COVENANT  
AGAINST GRANTOR'S ACTS**

**THIS INDENTURE**, made as of the 24<sup>th</sup> day of October, Two Thousand and Seventeen, between 131-01 39th Avenue Owner LLC, a Delaware limited liability company, having an office at 622 Third Ave, Suite 3308, New York, NY 10017, party of the first part, and Young Nian Group LLC, a New York limited liability company, having an office at 231 West 39 Street, Suite 309, New York, NY 10018, party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon, erected, situate, lying and being in the County and Borough of Queens, and State of New York bounded and described as follows:

See attached Schedule A

Said Premises designated as 131-01 39th Avenue, Flushing, New York.

Being and intended to be the same premises as conveyed to the party of the first part by Deed dated as of July 2, 2015 and recorded on August 17, 2015 in the Office of City Register of the City of New York under City Register File No.(CRFN): 2015000285028.

SUBJECT TO Covenants, Restrictions, Reservations and Easements set forth in Deed made by Metropolitan Petroleum Corporation to Lewmel Building & Equipment Corp., dated 12/30/1959 and recorded 1/3/1960 in Liber 7215 of Deeds, Page 37;

SUBJECT TO Sewer Declaration made by Lewmel Bldg & Equipt Corp. dated 7/18/1961 and recorded 7/18/1961 in Liber 7343 of Deeds, Page 410;

SUBJECT TO Sewer Declaration made by Lewmel Bldg & Equipt Corp. dated 9/7/1961 and recorded 9/7/1961 in Liber 7356 of Deeds, Page 407;

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises, TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any whatsoever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part for this will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this Indenture so requires.

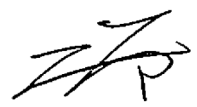
**IN WITNESS WHEREOF**, party of the first part has duly executed this Indenture the day and year first above written.

IN THE PRESENCE OF:

131-01 39th Avenue Owner LLC,  
a Delaware limited liability company

By: 131-01 39th Avenue Holdings LLC,  
a Delaware limited liability company  
Sole Member

By: Triple Star Realty LLC,  
a New York limited liability company  
Sole Member

By:   
[Name]: Yan Po Zhu  
[Title]: Chief Executive Officer

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

On the 24th day of October in the year 2017, before me, the undersigned personally appeared Yan Po Zhu personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) 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

MARK FRIEDMAN  
Notary Public, State of New York  
No. 01FR6079740  
Qualified Kings County  
Commission Expires Sept. 3, 2018

SCHEDULE A

LEGAL DESCRIPTION

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE THIRD WARD OF THE BOROUGH AND COUNTY OF QUEENS, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF 39TH AVENUE DISTANT 167.09 FEET WESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF LAWRENCE STREET WITH THE NORTHERLY SIDE OF 39TH AVENUE AS SAID STREET AND AVENUE ARE LAID OUT ON THE FINAL TOPOGRAPHICAL MAP OF THE CITY OF NEW YORK FOR THE BOROUGH OF QUEENS, WHICH POINT OF BEGINNING IS AT THE WESTERLY LINE OF LAND OF NORTH SHORE MOTOR SALES CORP.;

RUNNING THENCE ALONG THE NORTHERLY SIDE OF 39TH AVENUE SOUTH 76° 06' 25" WEST, 50 FEET TO ITS INTERSECTION WITH THE WESTERLY SIDE OF JANET PLACE AS LAID OUT ON SAID MAP;

THENCE ALONG THE WESTERLY SIDE OF JANET PLACE, SOUTH 12° 54' 35" EAST 24.68 FEET TO LAND NOW OR FORMERLY OF C.W. COPP;

THENCE ALONG SAID LAND SOUTH 77° 17' 45" WEST 582.71 FEET TO THE UNITED STATES PIER AND BULKHEAD LINE;

THENCE ALONG SAID UNITED STATES PIER AND BULKHEAD LINE, NORTH 19° 35' 53" EAST, 359.85 FEET (359 FEET SURVEY) TO LAND NOW OR FORMERLY ISLAND PETROLEUM CORP.;

THENCE ALONG SAID LAND SOUTH 88°55'37" EAST 410.31 FEET TO A POINT;

THENCE CONTINUING ALONG SAID LAND NORTH 76° 32' 10" EAST 41.16 FEET TO THE WESTERLY LINE OF LAND OF NORTH SHORE MOTOR SALES CORP.; AND

THENCE ALONG SAID LAND SOUTH 12° 54' 35" EAST 181.27 FEET TO THE NORTHERLY SIDE OF 39TH AVENUE AT THE POINT OR PLACE OF BEGINNING.

**BARGAIN AND SALE DEED  
WITH COVENANT AGAINST GRANTOR'S ACTS**

TITLE NO. 3020-873552

---

131-01 39th Avenue Owner LLC,

SECTION: \_\_\_\_\_

TO

BLOCK: 4963

LOT: 65

Young Nian Group LLC

COUNTY OR TOWN:

Queens

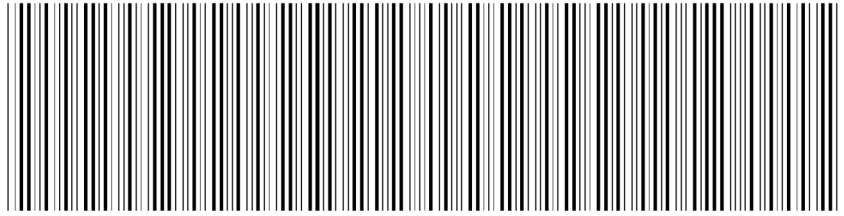
STREET ADDRESS  
\_\_\_\_\_

TAX BILLING ADDRESS:

**RETURN BY MAIL TO:**

Henry Lee M. Fong, Esq.  
11 East Broadway, Suite 14A  
New York, NY 10013  
Tel: (212) 385-0034

NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2017102701539001001S432D

**SUPPORTING DOCUMENT COVER PAGE**

**PAGE 1 OF 1**

**Document ID: 2017102701539001**

Document Date: 10-24-2017

Preparation Date: 10-27-2017

Document Type: DEED

**ASSOCIATED TAX FORM ID:** 2017102300252

**SUPPORTING DOCUMENTS SUBMITTED:**

Page Count

DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING

1

RP - 5217 REAL PROPERTY TRANSFER REPORT

1





The City of New York  
Department of Environmental Protection  
Bureau of Customer Services  
59-17 Junction Boulevard  
Flushing, NY 11373-5108

## Customer Registration Form for Water and Sewer Billing

### Property and Owner Information:

- (1) Property receiving service: BOROUGH: QUEENS BLOCK: 4963 LOT: 65
- (2) Property Address: 131-01 39TH AVENUE, QUEENS, NY 11354
- (3) Owner's Name: YOUNG NIAN GROUP LLC
- Additional Name:

### Affirmation:



Your water & sewer bills will be sent to the property address shown above.

### Customer Billing Information:

#### Please Note:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.
- B. Original bills for water and/or sewer service will be mailed to the owner, **at the property address or to an alternate mailing address**. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit [www.nyc.gov/dep](http://www.nyc.gov/dep) to provide us with the other party's information.

### Owner's Approval:

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A & B under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

Print Name of Owner:

Signature: 

Date (mm/dd/yyyy)

Name and Title of Person Signing for Owner, if applicable: Yan Feng Liang

C1. County Code  C2. Date Deed Recorded  /  /   
Month Day Year  
C3. Book  C4. Page   
OR  
C5. CRFN



STATE OF NEW YORK  
STATE BOARD OF REAL PROPERTY SERVICES

**RP - 5217NYC**

1. Property Location	131-01	39TH AVENUE	131-01	QUEENS	11354
	STREET NUMBER	STREET NAME		BOROUGH	ZIP CODE

2. Buyer Name

YOUNG NIAN GROUP LLC	
LAST NAME / COMPANY	FIRST NAME
LAST NAME / COMPANY	FIRST NAME

3. Tax Billing Address

Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)

LAST NAME / COMPANY	FIRST NAME
STREET NUMBER AND STREET NAME	CITY OR TOWN
	STATE
	ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed

1	# of Parcels	OR	<input type="checkbox"/>	Part of a Parcel
---	--------------	----	--------------------------	------------------

5. Deed Property Size

	X		OR		ACRES	
FRONT FEET		DEPTH				

8. Seller Name

131-01 39TH AVENUE OWNER LLC	
LAST NAME / COMPANY	FIRST NAME
LAST NAME / COMPANY	FIRST NAME

9. Check the box below which most accurately describes the use of the property at the time of sale:

A <input type="checkbox"/> One Family Residential	C <input type="checkbox"/> Residential Vacant Land	E <input checked="" type="checkbox"/> Commercial	G <input type="checkbox"/> Entertainment / Amusement
B <input type="checkbox"/> 2 or 3 Family Residential	D <input type="checkbox"/> Non-Residential Vacant Land	F <input type="checkbox"/> Apartment	H <input type="checkbox"/> Community Service
			I <input type="checkbox"/> Industrial
			J <input type="checkbox"/> Public Service

4A. Planning Board Approval - N/A for NYC

4B. Agricultural District Notice - N/A for NYC

Check the boxes below as they apply:

6. Ownership Type is Condominium ☐

7. New Construction on Vacant Land ☐

10. Sale Contract Date 8 / 15 / 2017  
Month Day Year

11. Date of Sale / Transfer 10 / 24 / 2017  
Month Day Year

12. Full Sale Price \$ 1 1 5 0 0 0 0 0 0 0  
 ( Full Sale Price is the total amount paid for the property including personal property  
 This payment may be in the form of cash, other property or goods, or the assumption  
 mortgages or other obligations.) *Please round to the nearest whole dollar amount.*

13. Indicate the value of personal  
 property included in the sale \_\_\_\_\_

A	<input type="checkbox"/>	Sale Between Relatives or Former Relatives
B	<input type="checkbox"/>	Sale Between Related Companies or Partners in Business
C	<input type="checkbox"/>	One of the Buyers is also a Seller
D	<input type="checkbox"/>	Buyer or Seller is Government Agency or Lending Institution
E	<input type="checkbox"/>	Deed Type not Warranty or Bargain and Sale (Specify Below)
F	<input type="checkbox"/>	Sale of Fractional or Less than Fee Interest (Specify Below)
G	<input type="checkbox"/>	Significant Change in Property Between Taxable Status and Sale Dates
H	<input type="checkbox"/>	Sale of Business is Included in Sale Price
I	<input type="checkbox"/>	Other Unusual Factors Affecting Sale Price (Specify Below)
J	<input checked="" type="checkbox"/>	None




15. Building Class K, 2 16. Total Assessed Value (of all parcels in transfer) 8 5 7 1 6 0 0

17. Borough, Block and Lot / Roll Identifier(s) ( If more than three, attach sheet with additional identifier(s) )

QUEENS 4963 65

**CERTIFICATION**

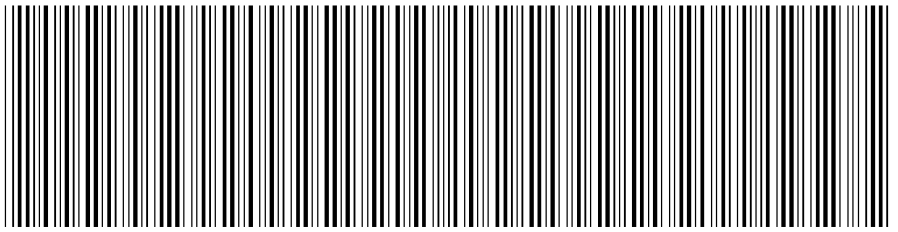
I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

 BUYER SIGNATURE 131-01 89TH AVENUE		BUYER BY YAN FONG CAR DATE 10/24/17		 BUYER'S ATTORNEY LAST NAME FONG		FIRST NAME Henry	
STREET NUMBER 131-01		STREET NAME (AFTER SALE) FLUSHING		AREA CODE 212		TELEPHONE NUMBER 385 0034	
CITY OR TOWN FLUSHING		STATE NY		ZIP CODE 11354		SELLER  SELLER SIGNATURE BY: YAN POZLO, POH sig.	
						DATE 10/24/17	

2017102300252201

**NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



2017102701539001001E8DAC

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 5**

**Document ID: 2017102701539001**

Document Date: 10-24-2017

Preparation Date: 10-27-2017

Document Type: DEED

Document Page Count: 4

**PRESENTER:**

FIRST AMERICAN TITLE (PICKUP) ANDREW  
666 THIRD AVE  
5TH FLOOR 873552 ADB  
NEW YORK, NY 10017  
212-850-0675  
ABATRES@FIRSTAM.COM

**RETURN TO:**

HENRY LEE M. FONG, ESQ  
11 EAST BROADWAY  
SUITE 14A  
NEW YORK, NY 10013

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
QUEENS	4963	65	Entire Lot	131-01 39TH AVENUE

**Property Type:** COMMERCIAL REAL ESTATE

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or DocumentID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**GRANTOR/SELLER:**

131-01 39TH AVENUE OWNER LLC  
131-01 39TH AVENUE  
FLUSHING, NY 11354

**GRANTEE/BUYER:**

YOUNG NIAN GROUP LLC  
131-01 39TH AVENUE  
FLUSHING, NY 11354

**FEES AND TAXES**

**Mortgage :**

Mortgage Amount: \$ 0.00

Taxable Mortgage Amount: \$ 0.00

Exemption:

TAXES: County (Basic): \$ 0.00

City (Additional): \$ 0.00

Spec (Additional): \$ 0.00

TASF: \$ 0.00

MTA: \$ 0.00

NYCTA: \$ 0.00

Additional MRT: \$ 0.00

**TOTAL:** \$ 0.00

Recording Fee: \$ 57.00

Affidavit Fee: \$ 0.00

**Filing Fee:**

\$ 250.00

**NYC Real Property Transfer Tax:**

\$ 3,018,750.00

**NYS Real Estate Transfer Tax:**

\$ 460,000.00

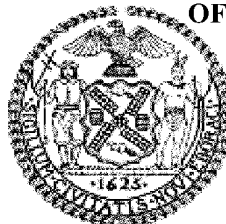
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**CITY OF NEW YORK**

Recorded/Filed 11-02-2017 10:55

City Register File No.(CRFN):

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*Annette M. Hill*

**City Register Official Signature**

**BARGAIN AND SALE DEED WITH COVENANT  
AGAINST GRANTOR'S ACTS**

**THIS INDENTURE**, made as of the 24<sup>th</sup> day of October, Two Thousand and Seventeen, between 131-01 39th Avenue Owner LLC, a Delaware limited liability company, having an office at 622 Third Ave, Suite 3308, New York, NY 10017, party of the first part, and Young Nian Group LLC, a New York limited liability company, having an office at 231 West 39 Street, Suite 309, New York, NY 10018, party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon, erected, situate, lying and being in the County and Borough of Queens, and State of New York bounded and described as follows:

See attached Schedule A

Said Premises designated as 131-01 39th Avenue, Flushing, New York.

Being and intended to be the same premises as conveyed to the party of the first part by Deed dated as of July 2, 2015 and recorded on August 17, 2015 in the Office of City Register of the City of New York under City Register File No.(CRFN): 2015000285028.

SUBJECT TO Covenants, Restrictions, Reservations and Easements set forth in Deed made by Metropolitan Petroleum Corporation to Lewmel Building & Equipment Corp., dated 12/30/1959 and recorded 1/3/1960 in Liber 7215 of Deeds, Page 37;

SUBJECT TO Sewer Declaration made by Lewmel Bldg & Equipt Corp. dated 7/18/1961 and recorded 7/18/1961 in Liber 7343 of Deeds, Page 410;

SUBJECT TO Sewer Declaration made by Lewmel Bldg & Equipt Corp. dated 9/7/1961 and recorded 9/7/1961 in Liber 7356 of Deeds, Page 407;

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TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises, TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any whatsoever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part for this will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this Indenture so requires.


**IN WITNESS WHEREOF**, party of the first part has duly executed this Indenture the day and year first above written.

IN THE PRESENCE OF:

131-01 39th Avenue Owner LLC,  
a Delaware limited liability company

By: 131-01 39th Avenue Holdings LLC,  
a Delaware limited liability company  
Sole Member

By: Triple Star Realty LLC,  
a New York limited liability company  
Sole Member

By:   
[Name]: Yan Po Zhu  
[Title]: Chief Executive Officer

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

On the 24th day of October in the year 2017, before me, the undersigned personally appeared Yan Po Zhu personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) 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

MARK FRIEDMAN  
Notary Public, State of New York  
No. 01FR6079740  
Qualified Kings County  
Commission Expires Sept. 3, 2018

## SCHEDULE A

### LEGAL DESCRIPTION

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE THIRD WARD OF THE BOROUGH AND COUNTY OF QUEENS, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF 39TH AVENUE DISTANT 167.09 FEET WESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF LAWRENCE STREET WITH THE NORTHERLY SIDE OF 39TH AVENUE AS SAID STREET AND AVENUE ARE LAID OUT ON THE FINAL TOPOGRAPHICAL MAP OF THE CITY OF NEW YORK FOR THE BOROUGH OF QUEENS, WHICH POINT OF BEGINNING IS AT THE WESTERLY LINE OF LAND OF NORTH SHORE MOTOR SALES CORP.;

RUNNING THENCE ALONG THE NORTHERLY SIDE OF 39TH AVENUE SOUTH  $76^{\circ} 06' 25''$  WEST, 50 FEET TO ITS INTERSECTION WITH THE WESTERLY SIDE OF JANET PLACE AS LAID OUT ON SAID MAP;

THENCE ALONG THE WESTERLY SIDE OF JANET PLACE, SOUTH  $12^{\circ} 54' 35''$  EAST 24.68 FEET TO LAND NOW OR FORMERLY OF C.W. COPP;

THENCE ALONG SAID LAND SOUTH  $77^{\circ} 17' 45''$  WEST 582.71 FEET TO THE UNITED STATES PIER AND BULKHEAD LINE;

THENCE ALONG SAID UNITED STATES PIER AND BULKHEAD LINE, NORTH  $19^{\circ} 35' 53''$  EAST, 359.85 FEET (359 FEET SURVEY) TO LAND NOW OR FORMERLY ISLAND PETROLEUM CORP.;

THENCE ALONG SAID LAND SOUTH  $88^{\circ} 55' 37''$  EAST 410.31 FEET TO A POINT;

THENCE CONTINUING ALONG SAID LAND NORTH  $76^{\circ} 32' 10''$  EAST 41.16 FEET TO THE WESTERLY LINE OF LAND OF NORTH SHORE MOTOR SALES CORP.; AND

THENCE ALONG SAID LAND SOUTH  $12^{\circ} 54' 35''$  EAST 181.27 FEET TO THE NORTHERLY SIDE OF 39TH AVENUE AT THE POINT OR PLACE OF BEGINNING.

**BARGAIN AND SALE DEED  
WITH COVENANT AGAINST GRANTOR'S ACTS**

TITLE NO. 3020-873552

---

**131-01 39th Avenue Owner LLC,**

**SECTION:** \_\_\_\_\_

**TO**

**BLOCK: 4963**

**LOT: 65**

**Young Nian Group LLC**

**COUNTY OR TOWN:**

**Queens**

**STREET ADDRESS**

\_\_\_\_\_

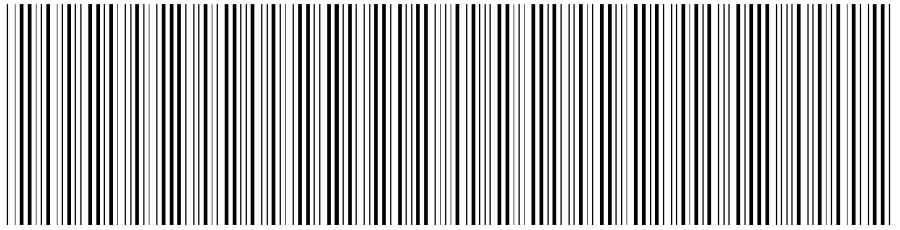
**TAX BILLING ADDRESS:**

**RETURN BY MAIL TO:**

Henry Lee M. Fong, Esq.  
11 East Broadway, Suite 14A  
New York, NY 10013  
Tel:(212) 385-0034



**NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER**



**2017102701539001001S432D**

**SUPPORTING DOCUMENT COVER PAGE**

**PAGE 1 OF 1**

**Document ID: 2017102701539001**  
Document Type: DEED

Document Date: 10-24-2017

Preparation Date: 10-27-2017

**ASSOCIATED TAX FORM ID:** 2017102300252

**SUPPORTING DOCUMENTS SUBMITTED:**

Page Count

DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING  
RP - 5217 REAL PROPERTY TRANSFER REPORT

1  
1



The City of New York  
Department of Environmental Protection  
Bureau of Customer Services  
59-17 Junction Boulevard  
Flushing, NY 11373-5108

## Customer Registration Form for Water and Sewer Billing

### Property and Owner Information:

- (1) Property receiving service: BOROUGH: QUEENS BLOCK: 4963 LOT: 65
- (2) Property Address: 131-01 39TH AVENUE, QUEENS, NY 11354
- (3) Owner's Name: YOUNG NIAN GROUP LLC
- Additional Name:

### Affirmation:



Your water & sewer bills will be sent to the property address shown above.

### Customer Billing Information:

#### Please Note:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.
- B. Original bills for water and/or sewer service will be mailed to the owner, **at the property address or to an alternate mailing address**. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit [www.nyc.gov/dep](http://www.nyc.gov/dep) to provide us with the other party's information.

### Owner's Approval:

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A & B under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

Print Name of Owner:

Signature:

Date (mm/dd/yyyy)

Name and Title of Person Signing for Owner, if applicable: Yan Feng Liang

FOR CITY USE ONLY

C1. County Code  C2. Date Deed Recorded  /  /   
 Month Day Year

C3. Book  OR C4. Page   
 C5. CRFN



## REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK  
STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

## PROPERTY INFORMATION

1. Property Location  131-01  39TH AVENUE  QUEENS  11354  
 STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name  YOUNG NIAN GROUP LLC   
 LAST NAME / COMPANY FIRST NAME

3. Tax Billing Address        
 Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form) LAST NAME / COMPANY FIRST NAME

4. Indicate the number of Assessment Roll parcels transferred on the deed  1 # of Parcels OR ☐ Part of a Parcel

5. Deed Property Size  FRONT FEET X  DEPTH OR  ACRES

6. Ownership Type is Condominium ☐

7. New Construction on Vacant Land ☐

8. Seller Name  131-01 39TH AVENUE OWNER LLC   
 LAST NAME / COMPANY FIRST NAME

9. Check the box below which most accurately describes the use of the property at the time of sale:

A ☐ One Family Residential C ☐ Residential Vacant Land E ☒ Commercial G ☐ Entertainment / Amusement I ☐ Industrial  
 B ☐ 2 or 3 Family Residential D ☐ Non-Residential Vacant Land F ☐ Apartment H ☐ Community Service J ☐ Public Service

## SALE INFORMATION

10. Sale Contract Date  8 / 15 / 2017  
 Month Day Year

11. Date of Sale / Transfer  10 / 24 / 2017  
 Month Day Year

12. Full Sale Price \$  1 1 5 0 0 0 0 0 0 0  
 ( Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

13. Indicate the value of personal property included in the sale

14. Check one or more of these conditions as applicable to transfer:

A ☐ Sale Between Relatives or Former Relatives  
 B ☐ Sale Between Related Companies or Partners in Business  
 C ☐ One of the Buyers is also a Seller  
 D ☐ Buyer or Seller is Government Agency or Lending Institution  
 E ☐ Deed Type not Warranty or Bargain and Sale (Specify Below)  
 F ☐ Sale of Fractional or Less than Fee Interest (Specify Below)  
 G ☐ Significant Change in Property Between Taxable Status and Sale Dates  
 H ☐ Sale of Business is Included in Sale Price  
 I ☐ Other Unusual Factors Affecting Sale Price (Specify Below)  
 J ☒ None



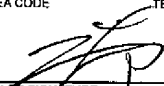
## ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

15. Building Class  K 2 16. Total Assessed Value (of all parcels in transfer)  8 5 7 1 6 0 0  
 17. Borough, Block and Lot / Roll Identifier(s) ( If more than three, attach sheet with additional identifier(s) )  
 QUEENS 4963 65

201710230025220101

**CERTIFICATION**

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

 BUYER SIGNATURE 131-01 39TH AVENUE		BUYER 10/24/17 DATE		 BUYER'S ATTORNEY LAST NAME 212 AREA CODE		FIRST NAME Henry 385 0034 TELEPHONE NUMBER	
STREET NUMBER FLUSHING		STREET NAME (AFTER SALE) NY		SELLER  SELLER SIGNATURE		10/24/17 DATE	
CITY OR TOWN		STATE		ZIP CODE 11354			

By: YAN POZLO, psh sig.

2017102300252201

# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through November 15, 2018.

---

Selected Entity Name: YOUNG NIAN GROUP LLC

Selected Entity Status Information

**Current Entity Name:** YOUNG NIAN GROUP LLC

**DOS ID #:** 5160216

**Initial DOS Filing Date:** JUNE 23, 2017

**County:** QUEENS

**Jurisdiction:** NEW YORK

**Entity Type:** DOMESTIC LIMITED LIABILITY COMPANY

**Current Entity Status:** ACTIVE

Selected Entity Address Information

**DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)**

YOUNG NIAN GROUP LLC

369 LEXINGTON AVENUE

SUITE 15A

NEW YORK, NEW YORK, 10017

**Registered Agent**

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this

information is not recorded and only available by  
[viewing the certificate.](#)

**\*Stock Information**

# of Shares	Type of Stock	\$ Value per Share
No Information Available		

\*Stock information is applicable to domestic business corporations.

**Name History**

Filing Date	Name Type	Entity Name
JUN 23, 2017	Actual	YOUNG NIAN GROUP LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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## **ATTACHMENT B**

### **SECTION II: PROJECT DESCRIPTION**

## **ATTACHMENT B**

### **SECTION II: PROJECT DESCRIPTION**

#### *Item 3 - Development Project Description*

The purpose of the project is to redevelop an underutilized and contaminated parcel, while implementing remedial measures that are protective of human health and the environment. The proposed redevelopment includes construction of two 17-story mixed-use residential and commercial buildings with a two-level shared cellar. The cellar will extend to about 16 feet below grade surface (bgs) and span across the building's footprint. The sub-cellar will extend to about 26 feet bgs and span across the eastern half of the site. As part of the development, 40 feet of shoreline will be remediated, leading into a new 13,850-square-foot public walkway along Flushing Creek. A new street will be constructed between the east and west buildings, connecting to 38<sup>th</sup> Avenue and 39<sup>th</sup> Avenue. The project is currently located within a C4-2 commercial district, corresponding to a residential district R6 equivalent. The proposed project is going through the Uniform Land Use Review Procedure (ULURP) to adapt the area zoning to the intended use of the land.

Remediation would be completed in accordance with an approved Remedial Action Work Plan (RAWP) and Construction Health and Safety Plan (CHASP), to address contamination conditions existing in soil, groundwater, and soil vapor.



Estimated Project Schedule

Item #	Action	2019												2020				
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY
Former Assi Market (131-01 39th Avenue)																		
1	Submission of the BCP Application, RIR, and RAWP																	
2	NYSDEC Application Review and 45-day Comment Period																	
3	NYSDEC Review of RIR																	
4	Execution of BCA																	
5	Waste Characterization Investigation																	
6	NYSDEC and NYSDOH Review of RAWP																	
7	NYSDEC Decision Document Issued																	
8	RAWP Implementation																	
9	Prepare and submit FER (and SMP and Environmental Easment if required)																	
10	Certificate of Completion																	

**Notes:**

1. BCA = Brownfield Cleanup Agreement
2. RIR = Remedial Investigation Report
3. RAWP = Remedial Action Work Plan
4. FER - Final Engineering Report
5. SMP - Site Management Plan

## **ATTACHMENT C**

### **SECTION III: PROPERTY'S ENVIRONMENTAL HISTORY**

## **ATTACHMENT C**

### **SECTION III: PROPERTY'S ENVIRONMENTAL HISTORY**

#### *Item 1 - Environmental Reports*

The following environmental reports were prepared for the site prior to the Requestor's involvement:

- *May 3, 2013 Phase I Environmental Site Assessment (ESA) prepared by ENCON Solutions, Inc. (ENCON)*
- *March 2016 Remedial Investigation Report (RIR) prepared by Advanced Cleanup Technologies, Inc. (ACT)*
- *February 19, 2016 131-01 39<sup>th</sup> Avenue Geotechnical Engineering Report, prepared by AKRF*
- *November 2018 Supplemental Remedial Investigation, prepared by Langan*

The Supplemental Remedial Investigation Report prepared by Langan Engineering Environmental, Surveying, Landscape Architecture and Geology, D.P.C. (Langan) is submitted as part of this application.

Environmental reports are summarized below and included with this attachment.

#### May 3, 2013 Phase I Environmental Site Assessment prepared by ENCON

The May 2013 Phase I ESA was conducted while the former site building was operating as a supermarket on the basement level and multi-tenant commercial spaces on the first-floor level. Historical site uses included manufacturing, commercial, and retail businesses. Recognized environmental conditions (REC) were not identified.

Surrounding property uses are described as heavy industrial from the 1930s to 1950s and light industrial uses from the 1950s to the present. The north-adjoining property operated as a major oil storage facility between 1988 and 2000, which contained over 1 million gallons of petroleum bulk storage of fuel oil and kerosene. Historical petroleum bulk storage was present on adjoining and surrounding lots. Records indicated a 500-gallon release of kerosene in 1987 and a 500-gallon release of fuel oil in 1988 (NYSDEC Spill No. 8707613 and 8803431), both of which were remediated under NYSDEC supervision. Based on the Phase I findings, historical uses of the site and surrounding properties were not considered Recognized Environmental Conditions (REC).

### March 2016 Remedial Investigation Report prepared by ACT

The March 2016 Remedial Investigation Report (RIR) was prepared to evaluate the nature and extent of contamination and provide sufficient information to establish remedial action objectives, evaluate remedial action alternatives, and select a remedy that is protective of human health and the environment. The RIR describes findings of a September 2014 Focused Subsurface Investigation performed by Athenica Environmental, Inc. that included observations of petroleum-impacted soil collected from above and below the groundwater table in the northern and southern parts of the site and petroleum-related contaminants in groundwater samples collected from the northwest and southern parts of the site. Petroleum-related contaminants were attributed to the former north-adjointing oil storage facility and south-adjointing truck repair facility. A supplemental Phase II investigation performed by ACT on November 5, 2014 referenced by the Athenica Environmental, Inc. report (not available for review) identified metals-impacted soil and chlorinated solvents in groundwater and soil vapor.

The Remedial Investigation included: (1) a geophysical survey, (2) installation of 13 soil borings and collection of 28 soil samples, (3) installation of 3 temporary monitoring wells and 3 permanent monitoring wells and collection of 6 groundwater samples, and (4) collection of 9 soil vapor samples. Results of the investigation are summarized as follows:

- Soil – Volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs), pesticides, polychlorinated biphenyls (PCBs), and metals were detected in soil at concentrations above Title 6 of the New York Codes, Rules and Regulations (6 NYCRR) Part 375 Unrestricted Use (UU) and Restricted Use Restricted-Residential (RURR) Soil Cleanup Objectives (SCOs).
- Groundwater – Petroleum-related and chlorinated VOCs, SVOCs, and metals were detected above the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values (SGVs) for Class GA Drinking Water.
- Soil Vapor – Up to 14 VOCs were detected in soil vapor, including tetrachloroethene (PCE) and trichloroethene (TCE), both of which were at concentrations above the New York State Department of Health (NYSDOH) Decision Matrix values at which mitigation is recommended.

### 131-01 39<sup>th</sup> Avenue Geotechnical Engineering Report, prepared by AKRF, dated February 19, 2016

AKRF completed a subsurface geotechnical investigation between January 8 and 26, 2016. Thirty borings were advanced to depths between 70 and 100 feet below grade surface (bgs) and three

groundwater observation wells were installed across the site. The following conclusions were drawn from the investigation:

- An uncontrolled fill layer within the upper 8 to 18 feet below the site was identified. The fill material consists of very loose to very dense brown to black sand with varying amounts of gravel, silt, brick, concrete, wood, glass, debris, cinders, and plastic fragments. The fill layer is underlain by varying amounts of silt, sand, and organic soil.
- Bedrock was not encountered during the investigation.
- Groundwater elevations ranged between about el 3.5 at the west side of the site to about el 8 at the east side of the site.

### **November 2018 Supplemental Remedial Investigation, prepared by Langan**

Langan completed a Supplemental Remedial Investigation in November 2018 to further evaluate the quality of soil, groundwater, and soil vapor. The supplemental investigation was conducted between October 31 and November 5, 2018 and consisted of the following field activities:

- A geophysical survey to locate potential underground storage tanks (USTs) and other subsurface structures
- Advancement of 20 soil borings to depths ranging between 15 and 30 feet bgs, and collection of 17 soil samples
- Installation of seven temporary groundwater monitoring wells and collection of seven groundwater samples
- Installation of six soil vapor sampling points and collection of six soil vapor samples

Field observations and laboratory analytical results are summarized below:

- Geophysical Survey - Anomalies consistent with USTs were not identified during the site-wide geophysical survey. Subsurface utilities including a sewer line, an electrical vault, and former utility lines, were identified within the former building footprint and in the southeast corner of the site.
- Soil - Evidence of petroleum impacts (e.g., staining, odors, and photoionization detector [PID] readings up to 300 parts per million [ppm]) were observed in samples collected from nine borings. VOCs, SVOCs, pesticides, metals, and localized PCBs were detected at concentrations above 6 NYCRR Part 375 UU and/or RURR SCOs in soil samples. Total lead (up to 2,150 milligrams per kilogram [mg/kg]) and mercury (up to 58.5 mg/kg) were identified at concentrations above the commercial and industrial SCOs, respectively.
- Groundwater - A sheen was observed on purge water while collecting groundwater samples from three temporary monitoring wells. A thin, non-measurable layer of oil-like

material was identified while gauging two temporary monitoring wells for groundwater depth. Oil-like globules were also observed on purge water while purging and sampling groundwater. Petroleum-related and chlorinated VOCs, SVOCs, pesticides, and inorganics were detected at concentrations above Class GA SGVs.

- Soil Vapor - Petroleum-related and chlorinated VOCs were detected in soil vapor samples collected throughout the site. Although not a standard for direct comparison, PCE and TCE concentrations were detected in samples located in the southeast and northwest part of the site at concentrations that would warrant mitigation when compared to the NYSDOH Decision Matrices. Total VOC concentrations ranged from 261 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) to 12,021  $\mu\text{g}/\text{m}^3$ .

#### Item 2- Sampling Data

Sampling data from the March 2016 Remedial Investigation and the November 2018 Supplemental Remedial Investigation were compared to applicable New York State criterion. Soil samples were compared to the 6 NYCRR Part 375 UU and RURR SCOs. Groundwater samples were compared to Class GA SGVs. Soil vapor samples were compared to the NYSDOH Decision Matrices. Laboratory analytical reports are included as attachments to the March 2016 RIR and November 2018 Supplemental Remedial Investigation report (appended to this attachment).

### **Soil**

Soil sample results were compared to the UU and RURR SCOs. Detected compounds that exceed UU SCOs are summarized below. Those detected compounds that also exceed RURR SCOs are in **bold**.

#### **VOCs**

- SB-16 (4-6'): acetone
- SB-13 (5-7'): PCE
- SB-19 (3-4'): total xylenes
- LEB01\_3-4: acetone
- LEB11\_13-14: **1,1-dichloroethane**, benzene, cis-1,2-dichloroethene, ethylbenzene, and total xylenes
- LEB14\_14-15: acetone
- LEB15\_14-15: acetone
- LEB20\_14-15: acetone and 2-Butanone

### **SVOCs**

- SB-17 (4-6'): **benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene** and chrysene
- SB-19 (0-2): **benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, and dibenzo(a,h)anthracene**
- SB-21 (4-6'): **benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene**
- LEB05\_8-9: **benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, chrysene, and indeno(1,2,3-cd)pyrene**
- LEB08\_14-15: **benzo(a)pyrene, benzo(b)fluoranthene, and indeno(1,2,3-cd)pyrene**
- LEB09\_3-4: **benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene**
- LEB19\_7-8: **benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, chrysene, and indeno(1,2,3-cd)pyrene**
- LEB20\_14-15: 3-methylphenol/4-methylphenol

### **Metals**

- SB-10 (0-2'): **cadmium, copper, lead, mercury,** and zinc
- SB-11 (0-2'): selenium
- SB-11 (6-8'): copper, lead, mercury, and zinc
- SB-12 (6-8'): **arsenic, copper, lead, mercury,** and selenium
- SB-13 (0-2'): copper, lead, mercury, and zinc
- SB-13 (5-7'): copper and mercury
- SB-14 (0-2'): mercury
- SB-14 (5-7'): lead, **mercury,** selenium, and zinc
- SB-15 (10-12'): nickel and selenium
- SB-16 (0-2'): **arsenic** and mercury
- SB-16 (4-6'): copper, nickel, selenium, and zinc
- SB-17 (0-2'): mercury
- SB-18 (9-11'): zinc
- SB-19 (0-2'): mercury

- SB-19 (3-4'): lead and zinc
- SB-20 (0-2'): **copper**, lead, and zinc
- SB-22 (0-2'): selenium
- LEB03\_1-2: nickel
- LEB08\_14-15: copper, **lead**, **mercury**, and zinc
- LEB09\_3-4: barium, copper, **lead**, mercury, and zinc
- LEB11\_13-14: copper, lead, and mercury
- LEB12\_13-14: **arsenic**, copper, **lead**, **manganese**, mercury, and zinc
- LEB14\_14-15: **arsenic**, **copper**, **lead**, **mercury**, and zinc
- LEB15\_14-15: lead and **mercury**
- LEB17\_19-21: copper, **mercury**, and zinc
- LEB18\_16-17: copper, **lead**, **mercury**, and zinc
- LEB19\_7-8: **arsenic**, **copper**, **lead**, **mercury**, and zinc
- LEB20\_14-15: **arsenic**, copper, **lead**, **mercury**, and zinc

#### ***Pesticides***

- SB-11(0-2'): 4,4'-DDD, 4,4'-DDE, 4,4'-DDT
- SB-14 (5-7'): 4,4'-DDD
- LEB01\_3-4: 4,4'-DDD
- LEB09\_3-4: 4,4'-DDT

#### ***Total PCBs***

- SB-11 (6-8')
- SB-12 (0-2')
- **SB-12 (6-8')**
- SB-13 (0-2')
- SB-13 (5-7')
- **SB-16 (0-2')**
- SB-16 (4-6')
- SB-17 (0-2')
- SB-17 (4-6')
- **LEB09\_3-4**



## **Groundwater**

Compounds detected above TOGS Class GA SGVs are summarized below.

### ***VOCs***

- TW-6: TCE
- MW-5: benzene, isopropylbenzene, and n-propylbenzene
- MW08\_110118: 1,2,4,5-tetramethylbenzene
- MW10\_110118: 1,2,4,5-tetramethylbenzene, isopropylbenzene and n-propylbenzene
- MW11\_110118: 1,2,4,5-tetramethylbenzene and chlorobenzene
- MW17\_110118: 1,2,4,5-tetramethylbenzene

### ***SVOCs***

- TW-4: benzo(a)anthracene, benzo(a)pyrene, benzo(b)-fluoranthene, benzo(k)fluoranthene, chrysene, and indeno(1,2,3-cd)pyrene
- MW-5: nitrobenzene
- MW08\_110118: benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, indeno(1,2,3-c,d)pyrene, naphthalene, and phenol
- MW11\_110518: benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, and indeno(1,2,3-c,d)pyrene
- MW14\_110518: benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, and indeno(1,2,3-c,d)pyrene
- MW17\_110518: benzo(a)anthracene, benzo(b)fluoranthene, chrysene

### ***Total Metals (Inorganics)***

- TW-2: magnesium, manganese and sodium
- TW-3: lead, manganese and sodium
- TW-5: manganese and sodium
- TW-6: manganese, selenium, and sodium
- TW-7: manganese and sodium
- MW08\_110118: iron, magnesium, manganese, and sodium
- MW10\_110118: iron, manganese, and sodium
- MW11\_110118: iron, lead, magnesium, manganese, and sodium
- MW14\_110118: iron, lead, manganese, mercury and sodium
- MW15\_110118: antimony, arsenic, iron, manganese, and sodium

- MW17\_110118: arsenic, iron, magnesium, manganese, and sodium
- MW20\_110118: arsenic, iron, lead, magnesium, manganese, mercury, and sodium

***Dissolved Metals (Dissolved Inorganics)***

- TW-2: magnesium, manganese and sodium
- TW-3: manganese and sodium
- TW-5: manganese and sodium
- TW-6: manganese and sodium
- TW-7: manganese and sodium

***Pesticides***

- MW17\_110118: aldrin

## **Soil Vapor**

Several petroleum-related and chlorinated VOCs were detected in soil vapor above typical background concentrations. Currently, there is no standard in New York State for direct comparison to soil vapor results; however, the NYSDOH provides a series of health guidance values. PCE (max. 1,430  $\mu\text{g}/\text{m}^3$ ), TCE (max. 119  $\mu\text{g}/\text{m}^3$ ), 1,1-dichloroethene (max. 235  $\mu\text{g}/\text{m}^3$ ), cis-1,2-dichloroethene (max. 16.8  $\mu\text{g}/\text{m}^3$ ), 1,1,1-trichloroethane (max. 4,510  $\mu\text{g}/\text{m}^3$ ), methylene chloride (max. 14  $\mu\text{g}/\text{m}^3$ ) were detected in soil vapor samples collected from across the site. Based on a comparison of the detected soil vapor concentrations to the NYSDOH Decision Matrices (revised May 2017), the recommended action is mitigation.

### **Known or Suspected Sources of Contaminants**

- Historical use of the site as an electronics manufacturer may have contributed to the release of hazardous substances, such as metals and chlorinated solvents, to the subsurface.
- Historical uses of the surrounding areas included industrial uses and auto repair facilities. Historical Sanborn® Maps and records indicate that large quantities of petroleum were stored on off-site properties adjoining the site to the east and south.
- Historic fill of unknown origin was identified in the subsurface and is a potential source of impacts.
- The north-adjoining property historically operated as a petroleum company, containing over 1 million gallons of bulk petroleum storage. At least two spills were reported and remediated and subsequently closed by the NYSDEC. Residual impacts, identified during previous investigations, may still be present and migrating onto the proposed BCP site.

### **Item 3 – Site Figures**

The following figures and tables summarize the concentrations of each contaminant by media type included in this attachment that exceed their respective criterion. Data tables, extracted from the 2016 RIR and 2018 Supplemental Investigation, are also appended to this attachment.

- Figure C-1: Site Plan and Sample Locations Map
- Figure C-2: Soil Sample Analytical Results Map
- Figure C-3: Groundwater Sample Analytical Results Map
- Figure C-4: Soil Vapor Sample Analytical Results Map
- Figure C-5: Extents of Petroleum Impacts Map

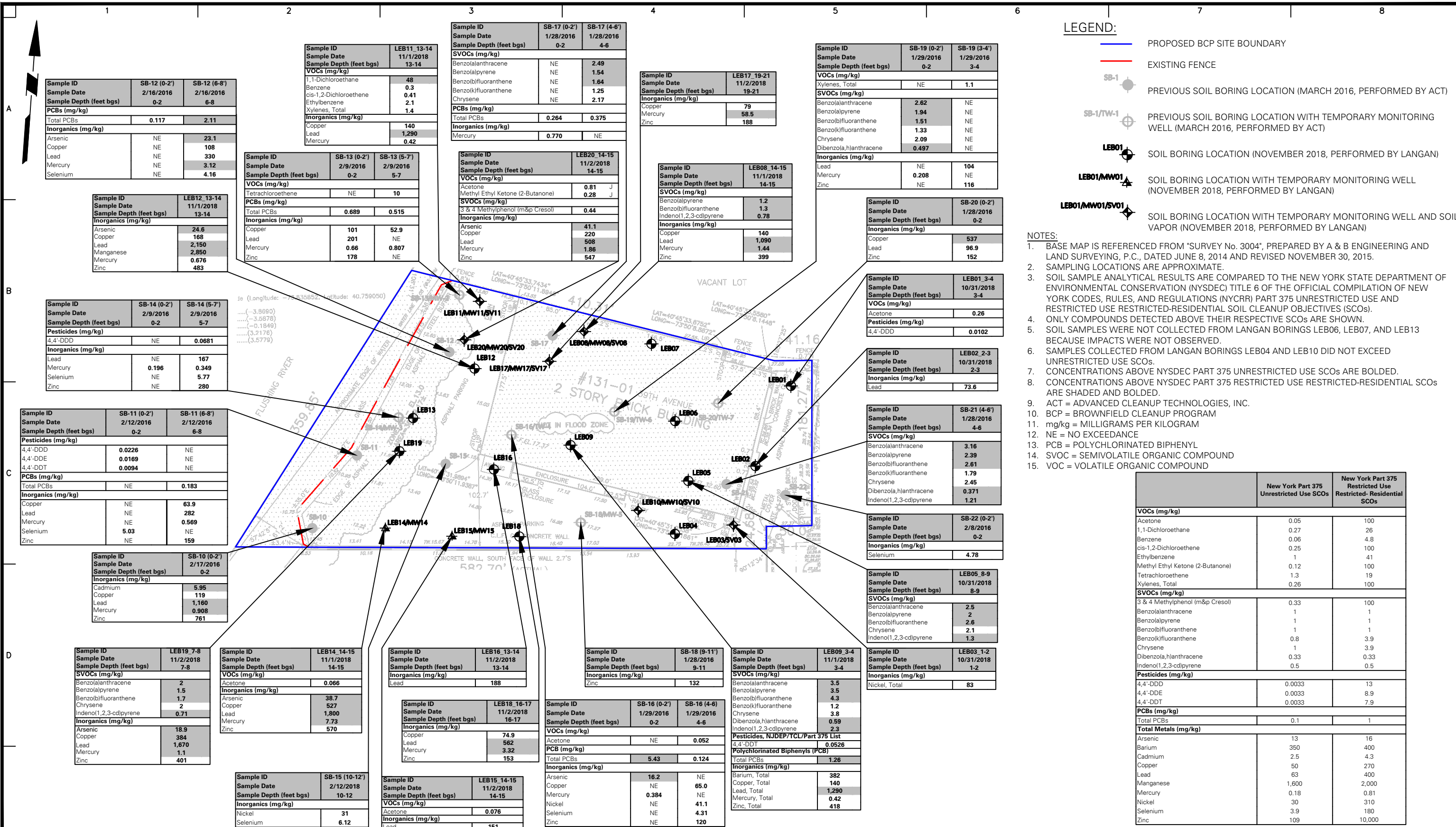
Item 4 – Past Uses of the Site

Prior to vacancy in 2018, the site had historically been occupied by commercial and industrial facilities since the early 1960s. According to available records, historical site uses prior to vacancy have included:

- Dean Advertising and EICO Electric Instrument Company (1967)
- Design Weather Inc. (1976)
- United States Post Office (1980 to 1994)
- Korea Town Plaza (1995 to 2006)
- Various Individual's Names, Retail stores and church (2000 to 2012)
- Supermarket, retail stores, and chiropractor's offices (2012-2016)

Past use of the surrounding properties were primarily industrial. Historical operations at adjoining properties have included truck and auto repair facilities, filling stations, auto service stations, auto sales shops, a petroleum facility (Island Petroleum Corp.) with over 1,000,000 gallons of bulk petroleum storage, and a concrete conduit construction company with machinery and gasoline tanks.





	New York Part 375 Unrestricted Use SCOs	New York Part 375 Restricted-Residential SCOs
<b>VOCs (mg/kg)</b>		
Acetone	0.05	100
1,1-Dichloroethane	0.27	26
Benzene	0.06	4.8
cis-1,2-Dichloroethene	0.25	100
Ethylbenzene	1	41
Methyl Ethyl Ketone (2-Butanone)	0.12	100
Tetrachloroethene	1.3	19
Xylenes, Total	0.26	100
<b>SVOCs (mg/kg)</b>		
3 & 4 Methylphenol (m&p Cresol)	0.33	100
Benzo(a)anthracene	1	1
Benzo(a)pyrene	1	1
Benzo(b)fluoranthene	1	1
Benzo(k)fluoranthene	0.8	3.9
Chrysene	1	3.9
Dibenz(a,h)anthracene	0.33	0.33
Indeno(1,2,3-cd)pyrene	0.5	0.5
<b>Pesticides (mg/kg)</b>		
4,4'-DDD	0.0033	13
4,4'-DDE	0.0033	8.9
4,4'-DDT	0.0033	7.9
<b>PCBs (mg/kg)</b>		
Total PCBs	0.1	1
<b>Total Metals (mg/kg)</b>		
Arsenic	13	16
Barium	350	400
Cadmium	2.5	4.3
Copper	50	270
Lead	63	400
Manganese	1,600	2,000
Mercury	0.18	0.81
Nickel	30	310
Selenium	3.9	180
Zinc	109	10,000

**LANGAN**  
Langan Engineering, Environmental, Surveying,  
Landscape Architecture and Geology, D.P.C.  
21 Penn Plaza, 360 West 31st Street, 8th Floor  
New York, NY 10001  
T: 212.479.5400 F: 212.479.5444 www.langan.com

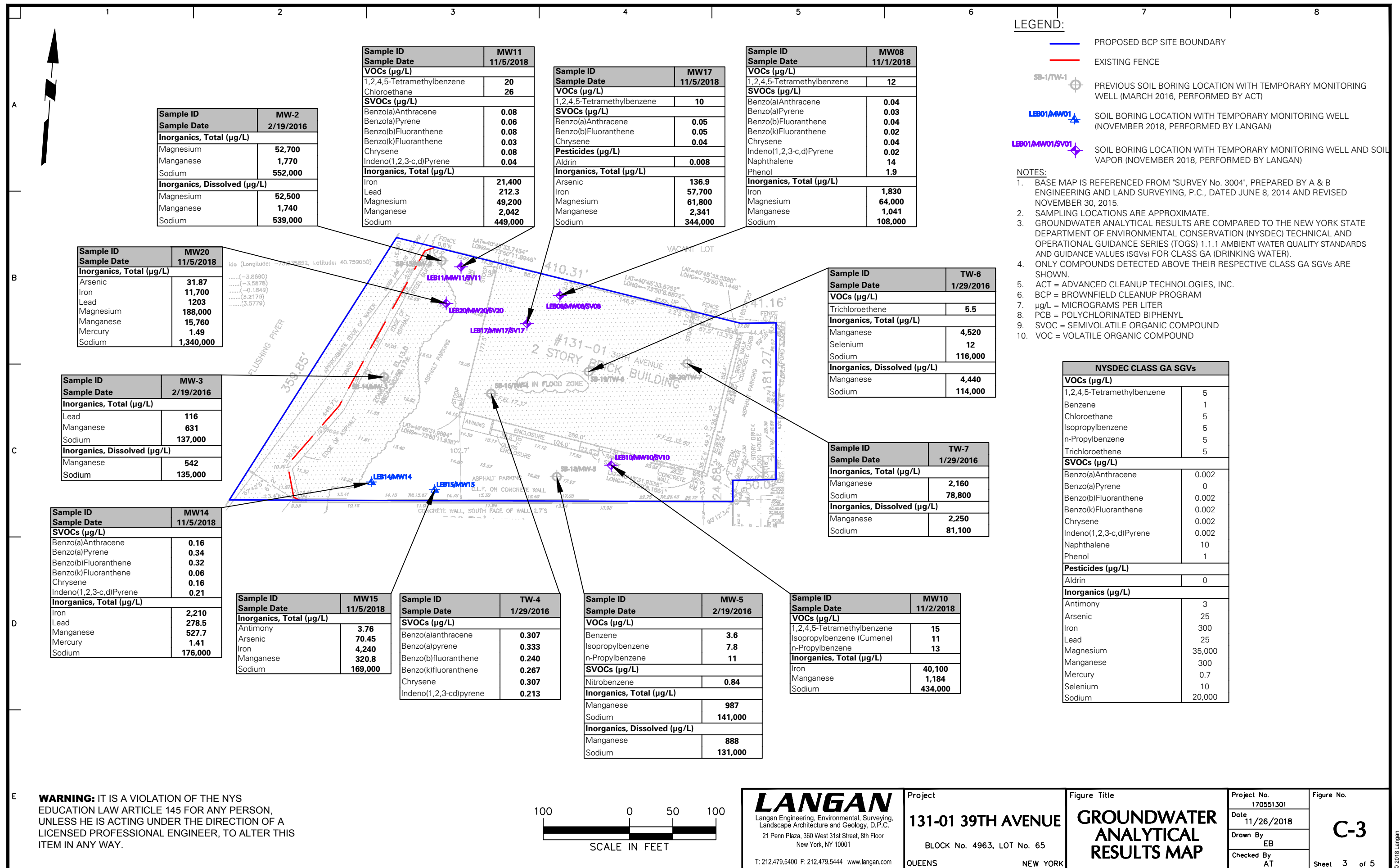
**Project**  
**131-01 39TH AVENUE**  
BLOCK No. 4963, LOT No. 65  
QUEENS NEW YORK

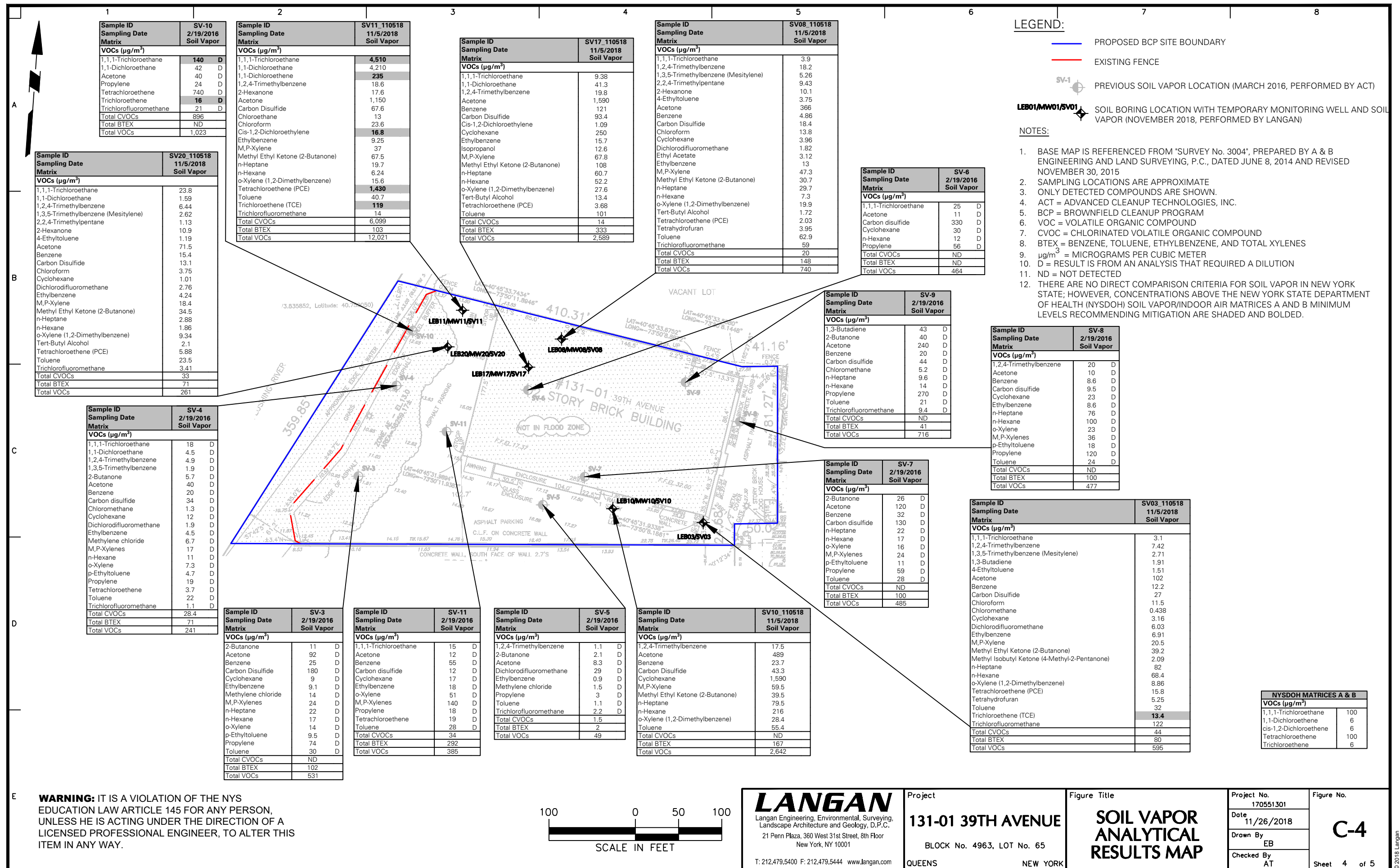
**Figure Title**  
**SOIL SAMPLE LOCATION AND RESULTS MAP**

**Project No.**  
170551301  
**Date**  
11/26/2018  
**Drawn By**  
EB  
**Checked By**  
AT

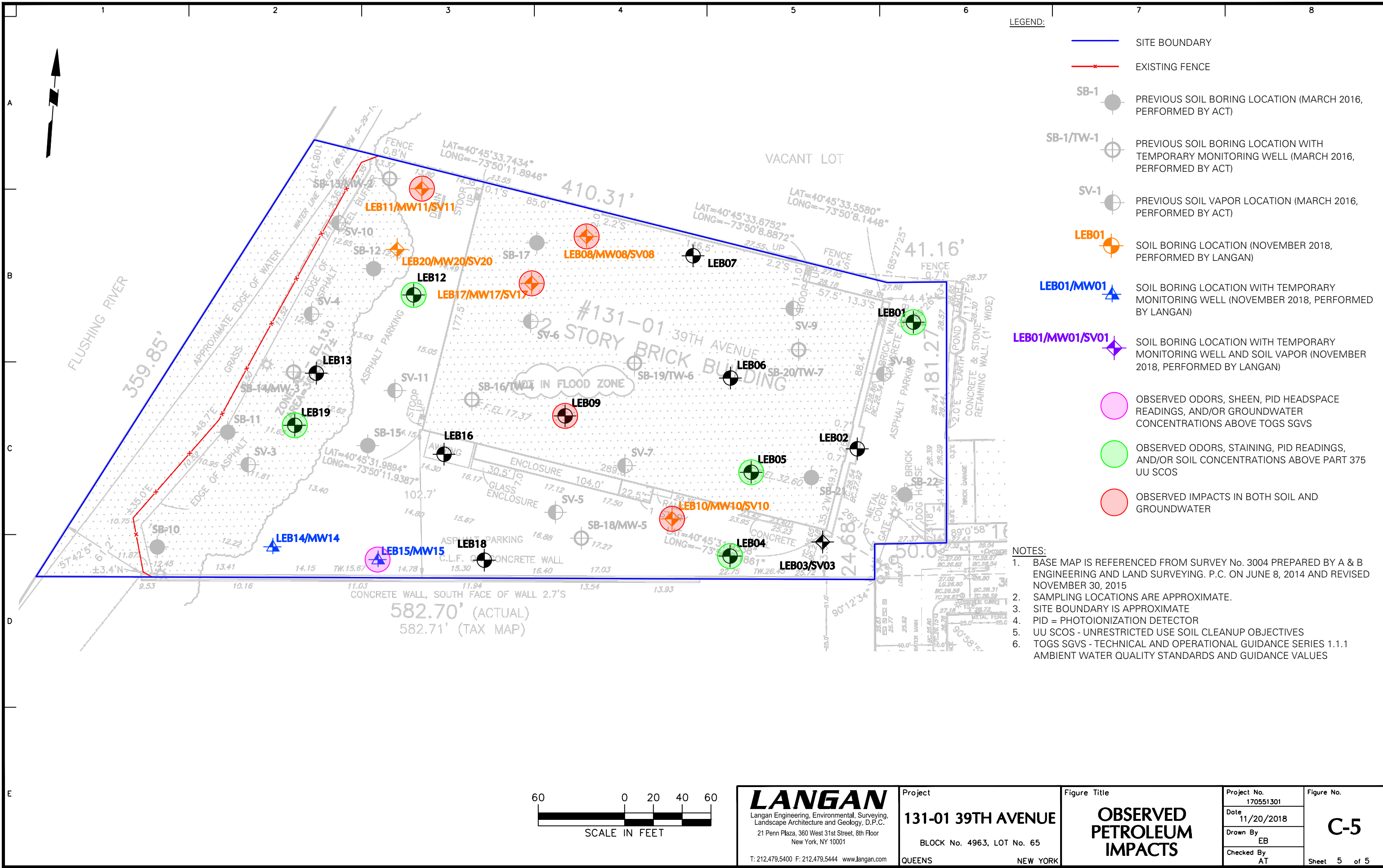
**Figure No.**  
**C-2**  
Sheet 2 of 5











**Table 1**  
**Limited Subsurface Investigation**  
**Soil Sample Analytical Results Summary**

**131-01 39th Avenue**  
**Queens, New York**  
**Langan Project No.: 170551301**

**Notes:**

1. Soil sample analytical results are compared to the New York State Department of Environmental Conservation (NYSDEC) Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (NYCRR) Part 375 Unrestricted Use and Restricted Use - Residential Soil Cleanup Objectives (SCO).
2. Only detected analytes are shown in the table.
3. Analytes detected with concentrations above Unrestricted Use SCOs are bolded.
4. Analytes detected with concentrations above Restricted Use Restricted-Residential SCOs are bolded and shaded.
5. Analytical results with reporting limits (RL) above Unrestricted Use SCOs are italicized.
6. ~ = Regulatory limit for this analyte does not exist
7. bgs = below grade surface
8. mg/kg = milligrams per kilogram
9. NA = Not analyzed

**Qualifiers:**

- I = The lower value for the two columns has been reported due to obvious interference.
- J = The analyte was detected above the Method Detection Limit (MDL), but below the Reporting Limit (RL); therefore, the result is an estimated concentration.
- P = The relative percent difference (RPD) between the results for the two columns exceeds the method-specified criteria.
- U = The analyte was analyzed for, but was not detected at a level greater than or equal to the RL; the value shown in the table is the RL.

Table 1  
Limited Subsurface Investigation  
Soil Sample Analytical Results

131-01 39th Avenue  
Queens, New York  
Langan Project No.: 170551301

Location			LEB01	LEB02	LEB03	LEB04	LEB05	LEB08	LEB09	LEB10	LEB11	LEB12	LEB14	LEB15	LEB16	LEB17	LEB18	LEB19	LEB20
Sample ID	NYSDEC Part	NYSDEC Part 375	LEB01_3-4	LEB02_2-3	LEB03_1-2	LEB04_14-15	LEB05_8-9	LEB08_14-15	LEB09_3-4	LEB10_13-15	LEB11_13-14	LEB12_13-14	LEB14_14-15	LEB15_14-15	LEB16_13-14	LEB17_19-21	LEB18_16-17	LEB19_7-8	LEB20_14-15
Sample Date	375 Unrestricted	Restricted Use -	10/31/2018	10/31/2018	10/31/2018	10/31/2018	10/31/2018	11/1/2018	11/1/2018	11/1/2018	11/1/2018	11/1/2018	11/1/2018	11/2/2018	11/2/2018	11/2/2018	11/2/2018	11/2/2018	11/2/2018
Depth Range (feet bgs)		Residential SCOs	3-4	2-3	1-2	14-15	8-9	14-15	3-4	13-15	13-14	13-14	14-15	14-15	13-14	19-21	16-17	7-8	14-15
Volatile Organic Compounds by method 8260/5035 (mg/kg)																			
1,1,1-Trichloroethane	0.68	100	0.026	U	0.00047	U	0.0005	U	0.025	U	0.061	U	0.067	U	0.00051	U	0.03	U	0.5
1,1-Dichloroethane	0.27	19	0.052	U	0.00094	U	0.001	U	0.05	U	0.12	U	0.13	U	0.001	U	0.059	U	48
1,1-Dichloroethene	0.33	100	0.052	U	0.00094	U	0.001	U	0.05	U	0.12	U	0.13	U	0.001	U	0.059	U	0.25
1,2,4,5-Tetramethylbenzene	~	~	0.82	U	0.0019	U	0.002	U	0.1	U	4.8	U	0.27	U	0.002	U	1.5	U	10
1,2,4-Trimethylbenzene	3.6	47	0.017	J	0.0019	U	0.00058	J	0.1	U	0.82	U	0.27	U	0.002	U	0.12	U	1.2
1,2-Dichlorobenzene	1.1	100	0.1	U	0.0019	U	0.002	U	0.1	U	0.26	U	0.27	U	0.002	U	0.12	U	0.39
1,3,5-Trimethylbenzene (Mesitylene)	8.4	47	0.1	U	0.0019	U	0.00024	J	0.1	U	0.19	J	0.27	U	0.002	U	0.12	U	0.13
1,4-Diethyl Benzene	~	~	0.2	U	0.0019	U	0.002	U	0.1	U	0.92	U	0.38	U	0.002	U	0.51	U	0.72
4-Ethyltoluene	~	~	0.053	J	0.0019	U	0.00053	J	0.1	U	0.088	J	0.27	U	0.002	U	0.12	U	1.2
Acetone	0.05	100	0.26	J	0.0094	U	0.01	U	0.5	U	1.2	U	1.3	U	0.01	U	0.59	U	1.9
Benzene	0.06	2.9	0.0088	J	0.00047	U	0.0005	U	0.025	U	0.061	U	0.067	U	0.00051	U	0.03	U	0.3
Bromomethane	~	~	0.1	U	0.0019	U	0.002	U	0.1	U	0.24	U	0.27	U	0.002	U	0.035	J	0.39
Chlorobenzene	1.1	100	0.026	U	0.00047	U	0.0005	U	0.025	U	0.061	U	0.067	U	0.00051	U	0.03	U	0.096
Chloroethane	~	~	0.1	U	0.0019	U	0.002	U	0.1	U	0.24	U	0.27	U	0.002	U	0.12	U	1.3
Chloroform	0.37	10	0.078	U	0.0014	U	0.0015	U	0.075	U	0.18	U	0.2	U	0.0024	U	0.089	U	0.028
Cis-1,2-Dichloroethylene	0.25	59	0.052	U	0.00094	U	0.001	U	0.05	U	0.12	U	0.13	U	0.001	U	0.059	U	0.41
Cymene	~	~	0.048	J	0.00094	U	0.001	U	0.05	U	0.45	U	0.13	U	0.001	U	0.059	U	0.05
Ethylbenzene	1	30	0.021	J	0.00094	U	0.00016	J	0.05	U	0.12	U	0.13	U	0.001	U	0.059	U	2.1
Isopropylbenzene (Cumene)	~	~	0.014	J	0.00094	U	0.001	U	0.05	U	0.12	U	0.017	J	0.001	U	0.3	U	0.22
M,P-Xylene	~	~	0.1	U	0.0019	U	0.00069	J	0.1	U	0.24	U	0.27	U	0.002	U	0.12	U	1.2
Methyl Ethyl Ketone (2-Butanone)	0.12	100	0.52	U	0.0094	U	0.01	U	0.5	U	1.2	U	1.3	U	0.01	U	0.59	U	1.9
Naphthalene	12	100	0.1	J	0.0037	U	0.004	U	0.2	U	2.6	U	0.69	U	0.0041	U	0.24	U	8.5
n-Butylbenzene	12	100	0.057	U	0.00094	U	0.001	U	0.05	U	0.73	U	0.15	U	0.001	U	0.6	U	2.1
n-Propylbenzene	3.9	100	0.025	J	0.00094	U	0.001	U	0.05	U	0.12	U	0.13	U	0.001	U	0.52	U	1.5
o-Xylene (1,2-Dimethylbenzene)	~	~	0.015	J	0.00094	U	0.001	U	0.05	U	0.12	U	0.13	U	0.001	U	0.059	U	0.17
Sec-Butylbenzene	11	100	0.092	U	0.00094	U	0.001	U	0.05	U	0.18	U	0.37	U	0.001	U	0.37	U	1.6
Styrene	~	~	0.052	U	0.00094	U	0.001	U	0.05	U	0.12	U	0.13	U	0.001	U	0.059	U	0.19
T-Butylbenzene	5.9	100	0.041	J	0.0019	U	0.002	U	0.1	U	0.034	J	0.088	J	0.002	U	0.048	J	0.35
Tert-Butyl Methyl Ether	0.93	62	0.1	U	0.0019	U	0.002	U	0.1	U	0.24	U	0.27	U	0.002	U	0.12	U	0.39
Tetrachloroethene (PCE)	1.3	5.5	0.026	U	0.00047	U	0.0005	U	0.025	U	0.061	U	0.067	U	0.00051	U	0.03	U	0.08
Toluene	0.7	100	0.052	U	0.00094	U	0.001	U	0.05	U	0.12	U	0.13	U	0.001	U	0.059	U	0.12
Total 1,2-Dichloroethene (Cis and Trans)	~	~	0.052	U	0.00094	U	0.001	U	0.05	U	0.12	U	0.13	U	0.001	U	0.059	U	0.41
Total Xylenes	0.26	100	0.015	J	0.00094	U	0.00069	J	0.05	U	0.12	U	0.13	U	0.001	U	0.059	U	1.4
Trichloroethene (TCE)	0.47	10	0.026	U	0.00047	U	0.0005	U	0.025	U	0.061	U	0.067	U	0.00051	U	0.03	U	0.1
Volatile Organic Compounds by EPA 5035 High (mg/kg)																			
1,2,4-Trimethylbenzene	3.6	47	NA		NA		NA		NA		NA		NA		NA		0.17	U	NA
1,4-Diethyl Benzene	~	~	NA		NA		NA		NA		NA		NA		NA		0.17	U	NA
4-Ethyltoluene	~	~	NA		NA		NA		NA		NA		NA		NA		0.17	U	NA
Acetone	0.05	100	NA		NA		NA		NA		NA		NA		NA		0.87	U	NA
Benzene	0.06	2.9	NA		NA		NA		NA		NA		NA		NA		0.44	U	NA
Chloroform	0.37	10	NA		NA		NA		NA		NA		NA		NA		0.022	J	NA
Cymene	~	~	NA		NA		NA		NA		NA		NA		NA		0.013	J	NA
Ethylbenzene	1	30	NA		NA		NA		NA		NA		NA		NA		0.087	U	NA
M,P-Xylene	~	~	NA		NA		NA		NA		NA		NA		NA		0.17	U	NA
Methyl Ethyl Ketone (2-Butanone)	0.12	100	NA		NA		NA		NA		NA		NA		NA		0.87	U	NA
Naphthalene	12	100	NA		NA		NA		NA		NA		NA		NA		0.077	J	NA
n-Propylbenzene	3.9	100	NA		NA		NA		NA		NA		NA		NA		0.087	U	NA
o-Xylene (1,2-Dimethylbenzene)	~	~	NA		NA		NA		NA		NA		NA		NA		0.087	U	NA
Toluene	0.7	100	NA		NA		NA		NA		NA		NA		NA		0.087	U	NA
Total Xylenes	0.26	100	NA		NA		NA		NA		NA		NA		NA		0.087	U	NA

Table 1  
Limited Subsurface Investigation  
Soil Sample Analytical Results

131-01 39th Avenue  
Queens, New York  
Langan Project No.: 170551301

Location	NYSDEC Part 375 Unrestricted Use SCOs	NYSDEC Part 375 Restricted Use - Residential SCOs	LEB01 LEB01_3-4 10/31/2018 3-4	LEB02 LEB02_2-3 10/31/2018 2-3	LEB03 LEB03_1-2 10/31/2018 1-2	LEB04 LEB04_14-15 10/31/2018 14-15	LEB05 LEB05_8-9 10/31/2018 8-9	LEB08 LEB08_14-15 11/1/2018 14-15	LEB09 LEB09_3-4 11/1/2018 3-4	LEB10 LEB10_13-15 11/1/2018 13-15	LEB11 LEB11_13-14 11/1/2018 13-14	LEB12 LEB12_13-14 11/1/2018 13-14	LEB14 LEB14_14-15 11/1/2018 14-15	LEB15 LEB15_14-15 11/2/2018 14-15	LEB16 LEB16_13-14 11/2/2018 13-14	LEB17 LEB17_19-21 11/2/2018 19-21	LEB18 LEB18_16-17 11/2/2018 16-17	LEB19 LEB19_7-8 11/2/2018 7-8	LEB20 LEB20_14-15 11/2/2018 14-15																	
Sample ID																																				
Sample Date																																				
Depth Range (feet bgs)																																				
Semivolatile Organic Compounds (mg/kg)																																				
1,2,4-Trichlorobenzene	~	~	0.91	U	0.19	U	0.9	U	1	U	0.025	J	1.8	U	2.1	U	1.1	U	0.22	U	0.2	U	0.19	U	0.18	U	0.19	U	0.22	U						
2-Methylnaphthalene	~	~	1.1	U	0.22	U	1.1	U	2.2	U	0.82		0.28	J	9.5		3.6		0.027	J	0.24	U	0.074	J	0.22	U	0.3	U	0.25	J						
3 & 4 Methylphenol (m&p Cresol)	0.33	~	1.3	U	0.27	U	1.3	U	2.6	U	1.5	U	2.6	U	3	U	1.6	U	0.32	U	0.28	U	0.26	J	0.26	U	0.046	J	0.44							
Acenaphthene	20	100	0.2	J	0.15	U	0.16	J	2.2	U	0.16		2.3	U	6.1	U	2.2	U	0.033	J	0.16	U	0.14	J	0.15	U	0.99	U	0.051	J						
Acenaphthylene	100	100	0.73	U	0.15	U	0.16	U	0.72	U	1.4	U	0.84	U	1.6	U	0.86	U	0.18	U	0.16	U	0.075	J	0.15	U	0.045	J	0.14	J						
Acetophenone	~	~	0.91	U	0.19	U	0.19	U	0.9	U	1.8	U	1	U	0.1	J	1.8	U	2.1	U	1.1	U	0.22	U	0.2	U	0.19	U	0.18	U	0.084	J				
Anthracene	100	100	0.54	U	0.11	U	0.12	U	0.54	U	2.9	U	1	J	3		1.7	U	0.13		0.05	J	0.12	U	0.087	J	0.11	U	1.6	U	0.14					
Benzol(a)Anthracene	1	1	0.54	U	0.15		0.036	J	0.54	U	2.5		0.91		3.5		0.22	J	0.44	J	0.21	J	0.56		0.19	U	0.14		0.053	J	0.08	J	2		0.6	
Benzol(a)Pyrene	1	1	0.73	U	0.14	J	0.16	U	0.72	U	2		1.2		3.5		1.4	U	1.6	U	0.86	U	0.61		0.15	J	0.14	J	0.059	J	0.081	J	1.5		0.65	
Benzol(b)Fluoranthene	1	1	0.54	U	0.18		0.051	J	0.54	U	2.6		1.3		4.3		1.1	U	0.43	J	0.21	J	0.66		0.2		0.17		0.066	J	0.091	J	1.7		0.74	
Benzol(g,h,i)Perylene	100	100	0.73	U	0.1	J	0.044	J	0.72	U	1.1	J	0.82	J	2.3		1.4	U	0.25	J	0.15	J	0.35		0.12	J	0.09	J	0.039	J	0.054	J	0.73		0.46	
Benzol(k)Fluoranthene	0.8	1	0.54	U	0.068	J	0.12	U	0.54	U	0.79	J	0.43	J	1.2		1.1	U	1.2	U	0.65	U	0.23		0.066	J	0.052	J	0.12	U	0.11	U	0.59		0.24	
Benzyl Butyl Phthalate	~	~	0.91	U	0.19	U	0.19	U	0.9	U	1.8	U	1	U	0.18	U	1.8	U	2.1	U	1.1	U	0.22	U	0.2	U	0.2	U	0.82		0.18	U	0.19	U	0.22	U
Biphenyl (Diphenyl)	~	~	2.1	U	0.43	U	0.44	U	2.1	U	1.7	J	2.4	U	0.13	J	4.1	U	0.58	J	2.5	U	0.51	U	0.45	U	0.46	U	0.44	U	0.054	J	0.51	U	0.51	U
Carbazole	~	~	0.91	U	0.19	U	0.19	U	0.9	U	1.8	U	1	U	0.2		1.8	U	2.1	U	1.1	U	0.037	J	0.2	U	0.2	U	0.19	U	0.18	U	0.62		0.044	J
Chrysene	1	1	0.24	J	0.15		0.032	J	0.54	U	2.1		0.97		3.8		0.21	J	0.53	J	0.27	J	0.54		0.18		0.13		0.056	J	0.074	J	2		0.61	
Dibenz(a,h)Anthracene	0.33	0.33	0.54	U	0.11	U	0.12	U	0.54	U	0.3	J	0.19	J	0.59		1.1	U	1.2	U	0.65	U	0.077	J	0.025	J	0.12	U	0.12	U	0.11	U	0.18		0.1	J
Dibenzofuran	7	14	0.092	J	0.19	U	0.19	U	0.11	J	2.3		2		2.7		2.7		5.5		1.1	U	0.028	J	0.2	U	0.2	U	0.079	J	0.18	U	0.32		0.034	J
Fluoranthene	100	100	0.54	U	0.24		0.039	J	0.11	J	6.5		2.2		5.3		0.51	J	1.4		0.66		1		0.33		0.24		0.081	J	0.12		4.3		0.91	
Fluorene	30	100	0.27	J	0.19	U	0.19	U	0.31	J	3.9		5		0.39		4.7		9.3		1.8		0.037	J	0.2	U	0.2	U	0.27		0.18	U	0.82		0.072	J
Indeno(1,2,3-c,d)Pyrene	0.5	0.5	0.73	U	0.099	J	0.032	J	0.72	U	1.3	J	0.78	J	2.3		1.4	U	1.6	U	0.86	U	0.35		0.12	J	0.087	J	0.038	J	0.053	J	0.71		0.44	
Naphthalene	12	100	0.91	U	0.19	U	0.19	U	0.9	U	4.8		0.69	J	1.1		1.1	J	6.8		1.7		0.088	J	0.2	U	0.2	U	0.056	J	0.18	U	0.62		0.64	
Phenanthrene	100	100	0.14	J	0.071	J	0.12	U	0.54	U	12		0.78		3.8		8.2		13		7.5		0.57		0.17		0.14		0.018	J	0.049	J	5.9		0.47	
Phenol	0.33	100	0.91	U	0.19	U	0.19	U	0.9	U	1.8	U	1	U	0.18	U	1.8	U	2.1	U	1.1	U	0.22	U	0.2	U	0.2	U	0.029	J	0.18	U	0.19	U	0.079	J
Pyrene	100	100	0.41	J	0.24		0.039	J	0.17	J	5.4		2.5		6.7		0.72	J	2.2		1.1		1.1		0.31		0.23		0.12		0.14		4.8		1.1	
Pesticides (mg/kg)																																				
4,4'-DDD	0.0033	2.6	0.0102	J	0.00179	U	0.00178	U	0.00847	U	0.00172	U	0.1	U	0.0179	U	0.0171	U	0.1	U	0.102	U	0.105	U	0.000911	J	0.00188	U	0.0183	U	0.00179	U	0.00178	U	0.104	U
4,4'-DDE	0.0033	1.8	0.0174	U	0.00179	U	0.00178	U	0.00847	U	0.00172	U	0.1	U	0.0179	U	0.0171	U	0.1	U	0.102	U	0.105	U	0.000977	J	0.00188	U	0.0183	U	0.00179	U	0.000545	JPI	0.104	U
4,4'-DDT	0.0033	1.7	0.0327	U	0.00335	U	0.00334	U	0.0159	U	0.00322	U	0.188	U	0.0526	PI	0.032	U	0.187	U	0.191	U	0.197	U	0.00164	J	0.00353	U	0.0342	U	0.00335	U	0.00334	U	0.194	U
Alpha Chlordane	0.094	0.91	0.0218	U	0.00223	U	0.00222	U	0.0106	U	0.00215	U	0.125	U	0.0224	U	0.0214	U	0.125	U	0.128	U	0.131	U	0.00103	JPI	0.00235	U	0.0228	U	0.00223	U	0.00222	U	0.129	U
Beta Endosulfan	2.4	4.8	0.0174	U	0.00179	U	0.00178	U	0.00847	U	0.00118	JPI	0.1	U	0.0179	U	0.0171	U	0.1	U	0.102	U	0.105	U	0.00187	U	0.00188	U	0.0183	U	0.00179	U	0.00178	U	0.104	U
Gamma Chlordane	~	~	0.0218	U	0.00223	U	0.00222	U	0.0106	U	0.00163	JPI	0.125	U	0.0172	JPI	0.0214	U	0.125	U	0.128	U	0.131	U	0.00431	PI	0.00235	U	0.0228	U	0.00223	U	0.00222	U	0.129	U
Heptachlor Epoxide	~	~	0.0327	U	0.00335	U	0.00334	U	0.0159	U	0.00322	U	0.0766	J	0.0336	U	0.032	U	0.187	U	0.191	U	0.197	U	0.00352	U	0.00353	U	0.0342	U	0.00335	U	0.00334	U	0.194	U
Polychlorinated Biphenyls (mg/kg)																																				
PCB-1254 (Aroclor 1254)	~	~	0.0348	U	0.0376	U	0.0368	U	0.036	U	0.0361	U	0.0408	U	0.185	U	0.0358	U	0.0403	U	0.0427	U	0.043	U	0.0163	J	0.0398	U	0.039	U	0.0357	U	0.0382	U	0.044	U
PCB-1260 (Aroclor 1260)	~	~	0.01	J	0.00831	J	0.0206	J	0.036	U	0.0361	U	0.0408	U	1.26		0.00671	J	0.0403	U	0.0427	U	0.043	U	0.0166	J	0.0398	U	0.0314	J	0.0357	U	0.0382	U	0.044	

**Table 2**  
**Limited Subsurface Investigation**  
**Groundwater Sample Analytical Results**

**131-01 39th Avenue**  
**Queens, New York**  
**Langan Project No.: 170551301**

**Notes:**

1. Groundwater sample analytical results are compared to the New York State Department of Environmental Conservation (NYSDEC) Title 6 of the Official Compilation of New York Codes, Rules and Regulations (NYCRR) Part 703.5 and the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Class GA Water (NYSDEC SGVs).
2. Only detected analytes are shown in the table.
3. Analytes detected with concentrations above NYSDEC SGVs are bolded and shaded.
4. Analytical results with reporting limits (RL) above NYSDEC SGVs are italicized.
5. ~ = Regulatory limit for this analyte does not exist
6. µg/L = micrograms per liter
7. NA = Not Analyzed

**Qualifiers:**

- I = The lower value for the two columns has been reported due to obvious interference.  
J = The analyte was detected above the Method Detection Limit (MDL), but below the Reporting Limit (RL); therefore, the result is an estimated concentration.  
P = The relative percent difference (RPD) between the results for the two columns exceeds the method-specified criteria.  
U = The analyte was analyzed for, but was not detected at a level greater than or equal to the RL; the value shown in the table is the RL.

Table 2  
Limited Subsurface Investigation  
Groundwater Sample Analytical Results

131-01 39th Avenue  
Queens, New York  
Langan Project No.: 170551301

Location Sample ID Sample Date	NYSDEC SGVs	MW08 MW08_110118 11/1/2018	MW10 MW10_110218 11/2/2018	MW11 MW11_110518 11/5/2018	MW14 MW14_110518 11/5/2018	MW15 MW15_110518 11/5/2018	MW17 MW17_110518 11/5/2018	MW20 MW20_110518 11/5/2018
Volatile Organic Compounds (µg/L)								
1,1,1,2-Tetrachloroethane	5	2.5 U	2.5 U	2.5 U	2.5 U	2.5 U	2.5 U	2.5 U
1,1-Dichloroethane	5	2.5 U	2.5 U	2.7	2.5 U	2.5 U	2.5 U	2.5 U
1,2,4,5-Tetramethylbenzene	5	12	15	20	2 U	2 U	10	2 U
1,4-Diethyl Benzene	~	1.5 J	4.1	2 U	2 U	2 U	1 J	2 U
Acetone	50	5 U	5 U	2 J	5 U	1.9 J	5 U	5 U
Benzene	1	0.5 U	0.29 J	0.5 U	0.5 U	0.5 U	0.5 U	0.5 U
Chloroethane	5	2.5 U	2.5 U	26	2.5 U	2.5 U	2.5 U	2.5 U
Isopropylbenzene (Cumene)	5	1.6 J	11	2.5 U	2.5 U	2.5 U	2.5 U	2.5 U
Naphthalene	10	2.1 J	2.5 U	2.5 U	2.5 U	2.5 U	2.5 U	2.5 U
n-Butylbenzene	5	0.82 J	3.4	1.1 J	2.5 U	2.5 U	2.5 U	2.5 U
n-Propylbenzene	5	1.6 J	13	2.5 U	2.5 U	2.5 U	2.5 U	2.5 U
Sec-Butylbenzene	5	2.3 J	3.8	2.6	2.5 U	2.5 U	1.4 J	2.5 U
T-Butylbenzene	5	0.78 J	0.88 J	1 J	2.5 U	2.5 U	0.73 J	2.5 U
Tert-Butyl Methyl Ether	10	2.5 U	2.5 U	2.5 U	0.7 J	2.5 U	0.7 J	2.5 U
Vinyl Chloride	2	1 U	1 U	0.15 J	1 U	1 U	1 U	1 U
Semivolatile Organic Compounds (µg/L)								
2-Methylnaphthalene	~	13	0.13	0.81	0.1	0.05 J	0.21	0.1 U
2-Methylphenol (o-Cresol)	~	1.2 J	5 U	5 U	5 U	5 U	5 U	5 U
3 & 4 Methylphenol (m&p Cresol)	~	5	5 U	5 U	5 U	5 U	0.6 J	5 U
Acenaphthene	20	6.2	2.8	6.3	0.06 J	0.04 J	5.9	0.1 U
Acenaphthylene	~	0.91	0.71	1.4	0.1 U	0.1 U	0.54	0.1 U
Anthracene	50	0.38	0.15	0.54	0.03 J	0.1 U	0.22	0.1 U
Benzo(a)Anthracene	0.002	0.04 J	0.1 U	0.08 J	0.16	0.1 U	0.05 J	0.1 U
Benzo(a)Pyrene	0 (non detect)	0.03 J	0.1 U	0.06 J	0.34	0.1 U	0.1 U	0.1 U
Benzo(b)Fluoranthene	0.002	0.04 J	0.1 U	0.08 J	0.32	0.1 U	0.05 J	0.1 U
Benzo(g,h,i)Perylene	~	0.02 J	0.1 U	0.04 J	0.37	0.1 U	0.1 U	0.1 U
Benzo(k)Fluoranthene	0.002	0.02 J	0.1 U	0.03 J	0.06 J	0.1 U	0.1 U	0.1 U
Benzoic Acid	~	50 U	50 U	50 U	50 U	50 U	13 J	50 U
Benzyl Alcohol	~	1.7 J	2.9	2 U	1.1 J	1.2 J	1.5 J	3.2
Chrysene	0.002	0.04 J	0.1 U	0.08 J	0.16	0.1 U	0.04 J	0.1 U
Dibenz(a,h)Anthracene	~	0.1 U	0.1 U	0.1 U	0.22	0.1 U	0.1 U	0.1 U
Dibenzofuran	~	2.2	2 U	3.8	2 U	2 U	1.5 J	2 U
Fluoranthene	50	0.28	0.1 U	0.32	0.12	0.1 U	0.18	0.07 J
Fluorene	50	4.2	3.3	6.6	0.04 J	0.03 J	3.5	0.1 U
Indeno(1,2,3-c,d)Pyrene	0.002	0.02 J	0.1 U	0.04 J	0.21	0.1 U	0.1 U	0.1 U
Naphthalene	10	14	0.21	0.6	0.31	0.22	0.46	0.08 J
Phenanthrene	50	2.6	2.4	5.3	0.09 J	0.04 J	2.4	0.09 J
Phenol	1	1.9 J	5 U	5 U	5 U	5 U	5 U	5 U
Pyrene	50	0.26	0.1 U	0.37	0.12	0.1 U	0.19	0.08 J
Pesticides (µg/L)								
4,4'-DDT	0.2	0.029 U	0.023 JPI	0.029 U	0.029 U	0.029 U	0.013 J	0.029 U
Aldrin	0 (non detect)	0.014 U	0.014 U	0.014 U	0.014 U	0.014 U	0.008 J	0.014 U
Polychlorinated Biphenyls (µg/L)								
Total PCBs	0.09	0.083 U	0.083 U	0.083 U	0.083 U	0.083 U	0.083 U	0.083 U
Inorganics (µg/L)								
Aluminum	~	48.4	10.5	872	714	20.4	60.8	3,370
Antimony	3	0.78 J	0.62 J	4 U	4 U	3.76 J	4 U	1.33 J
Arsenic	25	2.93	2.58	4.51	4.32	70.45	136.9	31.87
Barium	1,000	639.9	359.4	423.8	355.7	159.7	314.2	352.7
Beryllium	3	0.5 U	0.5 U	0.5 U	0.5 U	0.5 U	0.5 U	0.72
Cadmium	5	0.2 U	0.2 U	0.24	0.09 J	0.09 J	0.2 U	3.74
Calcium	~	298,000	234,000	203,000	106,000	119,000	294,000	598,000
Chromium, Total	50	0.86 J	0.69 J	2.79	1.95	0.41 J	0.92 J	9.28
Cobalt	~	0.59	2.94	1.79	1.49	1.11	1.54	24.12
Copper	200	1.12	0.49 J	7.69	12.8	10.22	1.02	154.8
Iron	300	1,830	40,100	21,400	2,210	4,240	57,700	11,700
Lead	25	10.9	0.83 J	212.3	278.5	14.84	7.35	1,203
Magnesium	35,000	64,000	25,800	49,200	23,800	12,900	61,800	188,000
Manganese	300	1,041	1,184	2,042	527.7	320.8	2341	15,760
Mercury	0.7	0.2 U	0.2 U	0.32	1.41	0.07 J	0.07 J	1.49
Nickel	100	1.78 J	3.96	5.17	3.18	1.28 J	1.38 J	50.08
Potassium	~	13,900	32,500	28,300	25,200	21,200	22,100	52,100
Selenium	10	5 U	5 U	5 U	5 U	5 U	5 U	3.86 J
Sodium	20,000	108,000	434,000	449,000	176,000	169,000	344,000	1,340,000
Vanadium	~	5 U	5 U	4.88 J	3.93 J	5 U	5 U	20.99
Zinc	2,000	3.5 J	10 U	85.49	86.69	38.73	10 U	340.4

**Table 3**  
**Limited Subsurface Investigation**  
**Soil Vapor Sample Analytical Results**

**131-01 39th Avenue**  
**Queens, New York**  
**Langan Project No.: 170551301**

**Notes:**

1. Soil vapor or Sub-slab vapor sample analytical results are compared to the minimum soil vapor concentrations recommending mitigation as set forth in the New York State Department of Health (NYSDOH) October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York Decision Matrices for Sub-Slab Vapor and Indoor Air and subsequent updates (2017).
2. Only detected analytes are shown in the table.
3. Analytes detected with concentrations above the minimum concentrations are bolded and shaded.
4. Analytical results with reporting limits (RL) above the minimum concentrations are italicized.
5. ~ = Regulatory limit for this analyte does not exist
6.  $\mu\text{g}/\text{m}^3$  = micrograms per cubic meter
7. SV = soil vapor
8. N/A = not applicable

**Qualifiers:**

U = The analyte was analyzed for, but was not detected at a level greater than or equal to the RL; the value shown in the table is the RL.

**Table 3**  
**Limited Subsurface Investigation**  
**Soil Vapor Sample Analytical Results**

**131-01 39th Avenue**  
**Queens, New York**  
**Langan Project No.: 170551301**

Location Sample ID Sample Date Sample Type	NYSDOH Decision Matrix Minimum Concentration	SV03 SV03_110518 11/5/2018 Soil Vapor	SV08 SV08_110518 11/5/2018 Soil Vapor	SV10 SV10_110518 11/5/2018 Soil Vapor	SV11 SV11_110518 11/5/2018 Soil Vapor	SV17 SV17_110518 11/5/2018 Soil Vapor	SV20 SV20_110518 11/5/2018 Soil Vapor
<b>Volatile Organic Compounds (µg/m³)</b>							
1,1,1-Trichloroethane	100	3.1	3.9	1.93 U	4,510	9.38	23.8
1,1-Dichloroethane	~	0.809 U	0.809 U	14.3 U	4,210	41.3	1.59
1,1-Dichloroethene	6	0.793 U	0.793 U	1.4 U	235	0.682 U	0.793 U
1,2,4-Trimethylbenzene	~	7.42	18.2	17.5	18.6	19.8	6.44
1,3,5-Trimethylbenzene (Mesitylene)	~	2.71	5.26	17.4 U	8.11 U	8.46 U	2.62
1,3-Butadiene	~	1.91	0.442 U	7.83 U	3.65 U	3.81 U	0.442 U
2,2,4-Trimethylpentane	~	0.934 U	9.43	16.5 U	7.71 U	8.03 U	1.13
2-Hexanone	~	0.82 U	10.1	14.5 U	17.6	7.05 U	10.9
4-Ethyltoluene	~	1.51	3.75	17.4 U	8.11 U	8.46 U	1.19
Acetone	~	102	366	489	1,150	1,590	71.5
Benzene	~	12.2	4.86	23.7	5.27 U	121	15.4
Carbon Disulfide	~	27	18.4	43.3	67.6	93.4	13.1
Chloroethane	~	0.528 U	0.528 U	9.34 U	13	4.54 U	0.528 U
Chloroform	~	11.5	13.8	17.3 U	23.6	8.4 U	3.75
Chloromethane	~	0.438	0.413 U	7.31 U	3.41 U	3.55 U	0.413 U
Cis-1,2-Dichloroethylene	6	0.793 U	0.793 U	1.4 U	16.8	1.09	0.793 U
Cyclohexane	~	3.16	3.96	1,590	5.68 U	250	1.01
Dichlorodifluoromethane	~	6.03	1.82	17.5 U	8.16 U	8.51 U	2.76
Ethyl Acetate	~	1.8 U	3.12	31.9 U	14.9 U	15.5 U	1.8 U
Ethylbenzene	~	6.91	13	15.4 U	9.25	15.7	4.24
Isopropanol	~	1.23 U	1.23 U	21.7 U	10.2 U	12.6	1.23 U
M,P-Xylene	~	20.5	47.3	59.5	37	67.8	18.4
Methyl Ethyl Ketone (2-Butanone)	~	39.2	30.7	39.5	67.5	108	34.5
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	~	2.09	2.05 U	36.2 U	16.9 U	17.7 U	2.05 U
n-Heptane	~	82	29.7	79.5	19.7	60.7	2.88
n-Hexane	~	68.4	7.3	216	6.24	52.2	1.86
o-Xylene (1,2-Dimethylbenzene)	~	8.86	19.9	28.4	15.6	27.6	9.34
Tert-Butyl Alcohol	~	1.52 U	1.72	26.8 U	12.5 U	13.4	2.1
Tetrachloroethene (PCE)	100	15.8	2.03	2.4 U	1,430	3.68	5.88
Tetrahydrofuran	~	5.25	3.95	26.1 U	12.2 U	12.7 U	1.47 U
Toluene	~	32	62.9	55.4	40.7	101	23.5
Trichloroethene (TCE)	6	13.4	1.07 U	1.9 U	119	0.924 U	1.07 U
Trichlorofluoromethane	~	122	59	19.9 U	14	9.67 U	3.41
Total CVOCs	~	45	20	0.0	6,099	14.2	33
Total BTEX	~	80	148	182	108	333	71
Total VOCs	~	595	740	2,642	12,021	2,589	261



## **ATTACHMENT D**

### **SECTION IV: PROPERTY INFORMATION**

## **ATTACHMENT D**

### **SECTION IV: PROPERTY INFORMATION**

#### *Item 2 – Property Map*

Figure D-1: Site Location Map is the required United States Geological Survey (USGS) 7.5-minute quadrangle map showing the location of the proposed brownfield property.

Figure D-2: Site Plan provides a property base map that shows map scale, north arrow orientation, date and location of the property with respect to adjacent streets and roadways, and an illustration of the estimated lands under water at the property.

Figure D-3: Surrounding Land Use Map provides a property base map that shows proposed brownfield property boundary lines, with adjacent property owners clearly identified, and surrounding land uses.

Figure D-4: Environmental Zones Map provides a map of the property clearly identified within a NYS Environmental Zone (EN-Zone) and the extents of EN-Zones in the surrounding area.

Figure D-5: Tax Lot Location Map provides a property base map that shows tax lot boundaries of the property and surrounding area.

#### *Item 3 – Environmental Zone*

According to the NYS Department of Labor's mapped boundaries for En-Zones, 100 percent of the site is located within Census Tract 871, which has a poverty rate of 38.1% and an unemployment rate of 14.2%. This data satisfies En-Zone criteria pursuant to Tax Law 21(b)(6). Figure D-4 shows the property boundary inside of the Census Tract 871 En-Zone.

#### *Item 7 – Lands Under Water*

The western perimeter of the property falls within Flushing Creek and contains about 7,130 square feet (0.16 acres) of lands under water. Figure D-2 shows the lands under water delineation, as referenced from Architectural plans prepared by PEI Partnership Architects, dated October 22, 2018. The land under water will be surveyed at a later date and provided with the FER.

## Item 10 - Property Description Narrative

### Location

The site is located at 131-01 39<sup>th</sup> Avenue within an urbanized area of Flushing in Queens, New York and is identified as Block 4963, Lot 65 on the Queens Borough Tax Map. The lot is located on the city block bound by Flushing Bridge to the north, College Point Boulevard and Janet Place to the east, Roosevelt Avenue to the south, and Flushing Creek to the west. The site is bound to the north by 37-02 College Point Boulevard (parking lot and vegetation covered); to the south by 39-08 Janet Place (undeveloped); to the west by Flushing Creek; and to the east by 37-52 College Point Boulevard (commercial) and the intersection of 39th Avenue and Janet Place.

### Site Features

The site is about 138,308 square feet (3.17 acres) in area and is currently vacant. The previous development included a two-story brick building with exterior asphalt parking that operated as a shopping plaza. After purchase by the RRequestor, the building was demolished in 2018 and the site has remained unoccupied since. The site grade slopes from east (elevation<sup>1</sup> 28.5±) to west (elevation 10.5±), toward Flushing Creek.

### Current Zoning and Land Use

According to the New York City Planning Commission Zoning Map 10b, the site is located within a C4-2 zoning area. C4 districts are regional commercial centers located outside of the central business districts. The surrounding land uses include vacant lands, commercial, and industrial; but also include residential buildings and transportation easements. The property is currently going through the Uniform Land Use Review Procedure (ULURP) to align the area zoning with the proposed project and intended use of the land.

The site was assigned an E-Designation for hazardous materials and noise (E-74) as part of the August 1998 Flushing Downtown Flushing Rezoning, pursuant to a City Environmental Quality Review (CEQR No. 95DCP052Q). The New York City (NYC) Mayor's Office of Environmental Remediation (OER) is aware of the project's proposed development plans and desired involvement in the Brownfield Cleanup Program (BCP).

### Brownfield Opportunity Area

The site is part of the Flushing Waterfront Revitalization Plan proposed as a New York State Brownfield Opportunity Area (BOA). The following objectives are intended for the BOA:

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<sup>1</sup> Elevations presented herein are in feet and referenced to the North American Vertical Datum of 1988 (NAVD88).

- Encourage walkability by extending pedestrian and vehicular circulation connections from the vibrant downtown area to the waterfront and creating opportunities for new waterfront walkways and open space;
- Identify strategies to improve area environmental conditions in order to support current and future quality of life needs; and
- Support the area's thriving business culture by expanding the downtown core to large waterfront sites which can house a range of new enterprises.

The proposed development is consistent with the objectives of the BOA.

#### Past Use of the Site

Prior to vacancy in 2018, the site had historically been occupied by commercial and industrial facilities since the early 1960s. According to available records, historical site uses prior to vacancy have included:

- Dean Advertising and EICO Electric Instrument Company (1967)
- Design Weather Inc. (1976)
- United States Post Office (1980 to 1994)
- Korea Town Plaza (1995 to 2006)
- Various Individual's Names, Retail stores and church (2000 to 2012)
- Supermarket, retail stores, and chiropractor's offices (2012-2016)

Past use of the surrounding properties were primarily industrial. Historical operations at adjoining properties have included truck and auto repair facilities, filling stations, auto service stations, auto sales shops, a petroleum facility (Island Petroleum Corp.) with over 1,000,000 gallons of bulk petroleum storage, and a concrete conduit construction company with machinery and gasoline tanks.

#### Site Geology and Hydrogeology

Based on findings of previous investigations and the November 2018 Supplemental Subsurface Investigation, the site is underlain by historic fill material, predominantly consisting of fine- to medium-grained sand with varying amounts of silt, gravel, concrete, brick, glass, wood, asphalt, ceramics, slag, and debris. The fill was observed from surface grade to depths varying between about 3.5 and 16 feet below grade surface (bgs). Soil underlying the historic fill layer consisted of fine- to medium-grained sand with varying amounts of gravel and clay. Silt was observed below the fill in some borings. According to geotechnical borings installed by AKRF in January 2016, bedrock was not encountered in borings installed up to 101 feet below grade.

Groundwater was observed at depths ranging from about 11.5 to 23 feet bgs across the site footprint during the November 2018 Supplemental Investigation. These depths correspond to elevations of approximately el. 6.2 to el. -4.5. The inferred regional groundwater flow direction for the area surrounding the site is tidally influenced and generally from east to west towards Flushing Creek.

According to Flood Insurance Rate Map (FIRM) # 3604970114F, the western part of the site is located within a Zone AE special flood hazard, which is subject to inundation by the 1% annual chance flood. The eastern two-thirds of the site fall within Zone X, which is defined as 0.2% annual chance flood areas. A copy of the FIRM showing the approximate site location is appended to this attachment.

### Environmental Assessment

A remedial investigation was performed and documented by Advanced Cleanup Technologies, Inc. (ACT) in a March 2016 Remedial Investigation Report (RIR) to satisfy the E-Designation Program requirements for hazardous materials. Langan conducted a Supplemental Investigation in November 2018 to further investigate impacted media and collect additional soil, groundwater, and soil vapor samples to support BCP eligibility. Based on the collective investigation findings, the site is underlain by a 3.5- to 16-foot-thick layer of contaminated historic fill, followed by native sand, clay and peat. Primary contaminants of concern (COC) include petroleum-related and chlorinated volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs), pesticides, metals, and localized polychlorinated biphenyls (PCBs). Investigation observations and contaminants identified in soil, groundwater and soil vapor are summarized as follows:

- Soil – Evidence of petroleum impacts (e.g., staining, odors, and photoionization detector [PID] readings up to 300 parts per million (ppm) were observed in soil throughout the site. Petroleum-related and chlorinated VOCs, SVOCs, pesticides, inorganics, and localized PCBs were detected in soil at concentrations above Title 6 of the New York Codes, Rules and Regulations (6 NYCRR) Part 375 Unrestricted Use (UU) and/or Restricted Use Restricted-Residential (RURR) Soil Cleanup Objectives (SCOs). Total lead (up to 2,150 milligrams per kilogram [mg/kg]) and mercury (up to 58.5 mg/kg) were identified at concentrations above the commercial and industrial SCOs, respectively. The maximum concentrations of contaminants of concern are described below (the applicable SCOs for each compound are shown in parentheses and concentrations that exceed RURR SCOs are shown in bold).

### VOCs

- 1,1-Dichloroethane: **48** mg/kg in LEB11\_13-14 (UU SCO of 0.27 mg/kg; RURR SCO of 26 mg/kg)
- Acetone: 0.81 mg/kg in LEB20\_14-15 (UU SCO of 0.05 mg/kg; RURR SCO of 100 mg/kg)
- Benzene: 0.3 mg/kg in LEB11\_13-14 (UU SCO of 0.06 mg/kg; RURR SCO of 4.8 mg/kg)
- cis-1,2-Dichloroethene: 0.41 mg/kg in LEB11\_13-14 (UU SCO of 0.25; RURR SCO of 100 mg/kg)
- Ethylbenzene: 2.1 mg/kg in LEB11\_13-14 (UU SCO of 1 mg/kg; RURR SCO of 41 mg/kg)
- Methyl Ethyl Ketone (2-Butanone): 0.28 mg/kg in LEB20\_14-15 (UU SCO of 0.12 mg/kg; RURR SCO of 100 mg/kg)
- Tetrachloroethene: 10 mg/kg in SB-13(5-7') (UU SCO of 1.3; RURR SCO of 19 mg/kg)
- Total Xylenes: 1.4 mg/kg in LEB11\_13-14 (UU SCO of 0.26; RURR SCO of 100 mg/kg)

### SVOCs

- 3 & 4 Methylphenol: 0.44 mg/kg in LEB20\_14-15 (UU SCO of 0.33; RURR SCO of 100 mg/kg)
- Benzo(a)anthracene: **3.5** mg/kg in LEB09\_3-4 (UU and RURR SCO of 1 mg/kg)
- Benzo(a)pyrene: **3.5** mg/kg in LEB09\_3-4 (UU and RURR SCO of 1 mg/kg)
- Benzo(b)fluoranthene: **4.3** mg/kg in LEB09\_3-4 (UU and RURR SCO of 1 mg/kg)
- Benzo(k)fluoranthene: 1.79 mg/kg in SB-21(4-6') (UU SCO of 0.8 mg/kg; RURR SCO of 3.9 mg/kg)
- Chrysene: 3.8 mg/kg in LEB09\_3-4 (UU SCO of 1 mg/kg; RURR SCO of 3.9 mg/kg)
- Dibenzo(a,h)anthracene: **0.59** mg/kg in LEB09\_3-4 (UU and RURR SCO of 0.33 mg/kg)
- Indeno(1,2,3-cd)pyrene: **2.3** mg/kg in LEB09\_3-4 (UU and RURR SCO of 0.5 mg/kg)

### Inorganics

- Arsenic: **41.1** mg/kg in LEB20\_14-15 (UU SCO of 13 mg/kg; RURR SCO of 16 mg/kg)
- Barium: 382 mg/kg in LEB09\_3-4 (UU SCO of 350 mg/kg; RURR SCO of 400 mg/kg)
- Copper: **537** mg/kg in SB-20 (0-2') (UU SCO of 50 mg/kg; RURR SCO of 270 mg/kg)
- Lead: **2,150** mg/kg in LEB12\_13-14 (UU SCO of 63 mg/kg; RURR SCO of 400 mg/kg)
- Manganese: **2,850** mg/kg in LEB12\_13-14 (UU SCO of 1,600 mg/kg; RURR SCO of 2,000 mg/kg)
- Mercury: **58.5** mg/kg in LEB17\_19-21 (UU SCO of 0.18 mg/kg; RURR SCO of 0.81 mg/kg)
- Nickel: 83.0 mg/kg in LEB03\_1-2 (UU SCO of 30 mg/kg; RURR SCO of 310 mg/kg)
- Zinc: 570 mg/kg in LEB14\_14-15 (UU SCO of 109 mg/kg; RURR SCO of 10,000)

### Pesticides

- 4,4'-DDD: 0.0681 mg/kg in SB-11 (5-7')(UU SCO of 0.0033 mg/kg; RURR SCO of 13 mg/kg).
- 4,4'-DDE: 0.0169 mg/kg in SB-11 (0-2')(UU SCO of 0.0033 mg/kg; RURR SCO of 13 mg/kg).
- 4,4'-DDT: 0.0526 mg/kg in LEB09\_3-4 (UU SCO of 0.0033 mg/kg; RURR SCO of 7.9 mg/kg).

### PCBs

- Total PCBs: 1.26 mg/kg in LEB09\_3-4 (UU SCO of 0.1 mg/kg; RURR SCO of 1).
- Groundwater – A sheen was observed on purge water while collecting groundwater samples from three temporary monitoring wells. A thin, non-measurable layer of oil-like material was identified while gauging two temporary monitoring wells for groundwater depth. Oil-like globules were also observed on purge water while purging and sampling groundwater. Petroleum-related and chlorinated VOCs, SVOCs, pesticides, and inorganics were detected at concentrations above the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values (SGVs) for Class GA Drinking Water. Maximum concentrations for contaminants of

concerned in groundwater are listed below(the TOGS SGV for each compound is shown in parentheses):.

#### VOCs

- 1,2,4,5-Tetramethylbenzene: 20 µg/L MW11\_110518 (5 µg/L)
- Benzene: 3.6 µg/L in MW-5 (1 µg/L)
- Chloroethane: 26 µg/L in MW11\_110518 (5 µg/L)
- Isopropylbenzene: 11 µg/L in MW10\_110218 (5 µg/L)
- n-Propylbenzene: 13 µg/L in MW10\_110218 (5 µg/L)
- Trichloroethene: 5.5 µg/L in TW-6 (5 µg/L)

#### SVOCs

- Benzo(a)anthracene: 0.307 µg/L in TW-4 (0.002 µg/L)
- Benzo(a)pyrene: 0.34 µg/L in MW14\_110518 (0.002 µg/L)
- Benzo(b)fluoranthene: 0.32 µg/L in MW14\_110518 (0.002 µg/L)
- Benzo(k)fluoranthene: 0.267 µg/L in TW-4 (0.002 µg/L)
- Chrysene: 0.307 µg/L in TW-4 (0.002 µg/L)
- Indeno(1,2,3-cd)pyrene: 0.213 µg/L in TW-4 (0.002 µg/L)
- Naphthalene: 14 µg/L in MW08\_110118 (10 µg/L)
- Nitrobenzene: 0.4 µg/L in MW-5 (0.4 µg/L)
- Phenol: 1.9 µg/L in MW08\_110118 (1 µg/L)

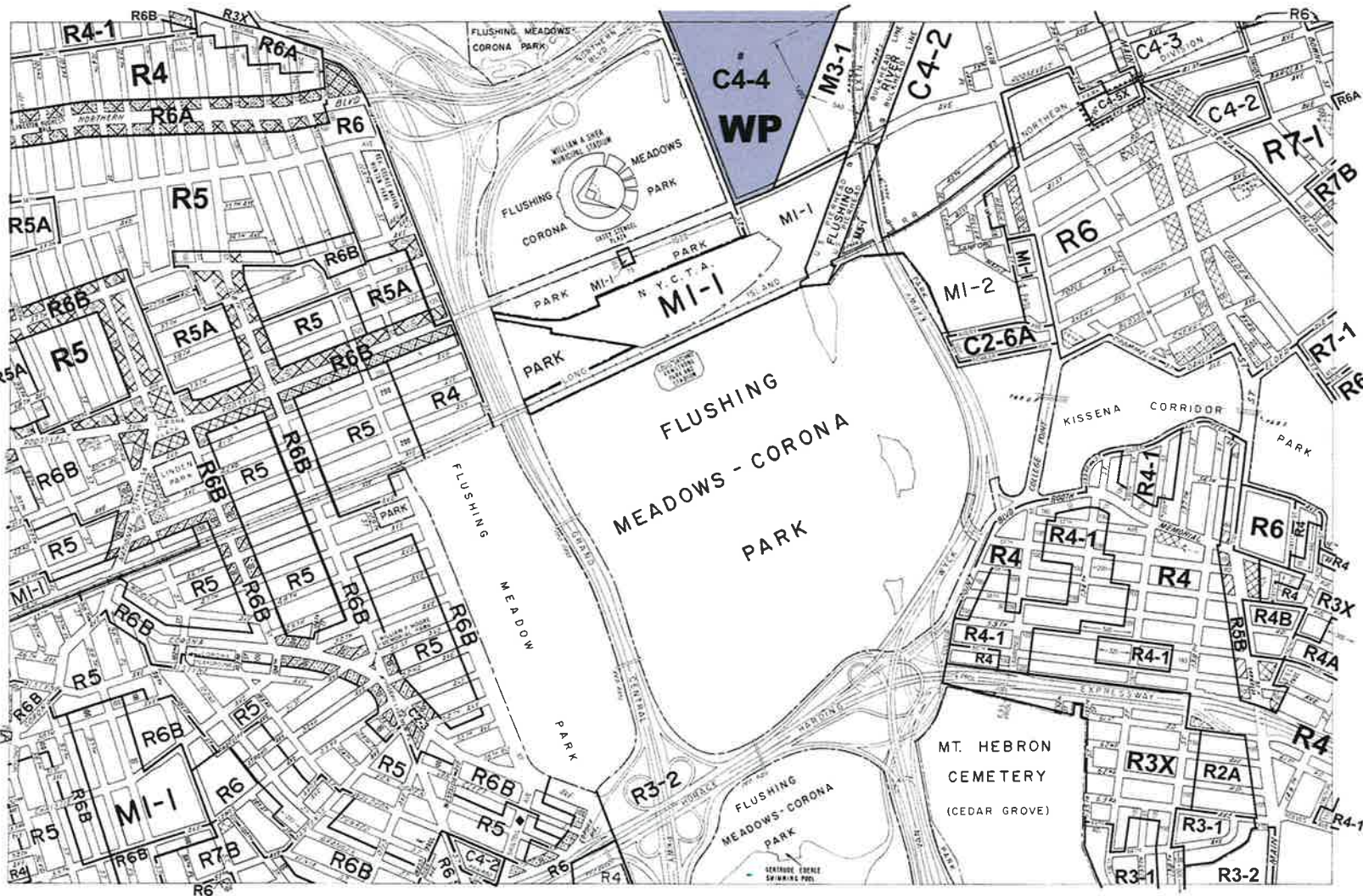
#### Inorganics

- Antimony: 3.76 µg/L in MW15\_110518 (3 µg/L)
- Arsenic: 136.9 µg/L in MW17\_110518 (25 µg/L)
- Lead: 1,203 µg/L in MW20\_110518 (25 µg/L)
- Manganese: 15,760 µg/L in MW20\_110518 (300 µg/L)
- Mercury: 1.49 µg/L in MW20\_110518 (0.7 µg/L)
- Selenium: 12 µg/L in TW-8 (10 µg/L)



### Pesticides

- Aldrin: 0.008 µg/L in MW17\_110518 (0.0 µg/L)
- Soil Vapor – Petroleum-related and chlorinated VOCs were detected in soil vapor samples collected throughout the site. Although not a standard for direct comparison, tetrachloroethene (PCE) and trichloroethene (TCE) were detected in samples located in the southeast and northwest part of the site at concentrations that would warrant mitigation when compared to the NYSDOH Decision Matrices. Total VOC concentrations ranged from 261 micrograms per cubic meter (µg/m<sup>3</sup>) to 12,021 µg/m<sup>3</sup>.



## THE NEW YORK CITY PLANNING COMMISSION

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

**SPECIAL PURPOSE DISTRICT**  
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

06-21-2016 C 160138 ZMO

For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

◆ AS CORRECTED 5-02-2018

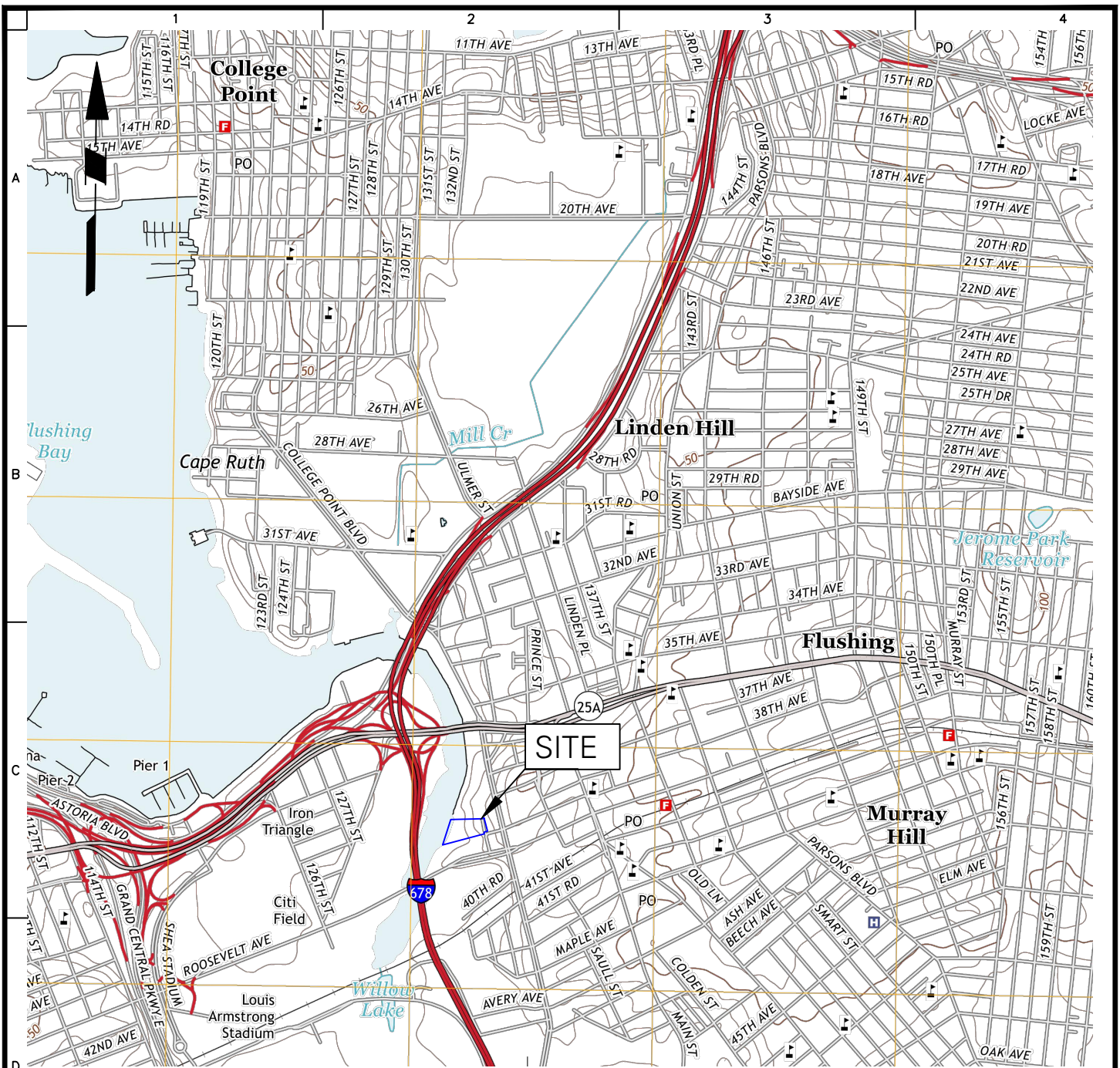
9c	10a	10c
9d	<b>10b</b>	10d
13c	14a	14c

© Copyrighted by the City of New York

**NOTE:** Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: [www.nyc.gov/planning](http://www.nyc.gov/planning) or contact the Zoning Information Desk at (212) 720-3291.

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.





#### NOTES:

1. BASE MAP REFERENCED FROM THE 2016 UNITED STATES GEOLOGICAL SURVEY (USGS) 7.5-MINUTE TOPOGRAPHICAL QUADRANGLE MAP FOR FLUSHING, NY.

#### LEGEND:

SITE BOUNDARY

**WARNING:** IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.

# LANGAN

Langan Engineering, Environmental, Surveying,  
Landscape Architecture and Geology, D.P.C.  
21 Penn Plaza, 360 West 31st Street, 8th Floor  
New York, NY 10001

T: 212.479.5400 F: 212.479.5444 [www.langan.com](http://www.langan.com)

#### Project

## 131-01 39th AVENUE

BLOCK No. 4963, LOT No. 65

QUEENS

NEW YORK

#### Figure Title

## SITE LOCATION MAP

#### Project No.

170551301

#### Date

11/20/2018

#### Drawn By

EB

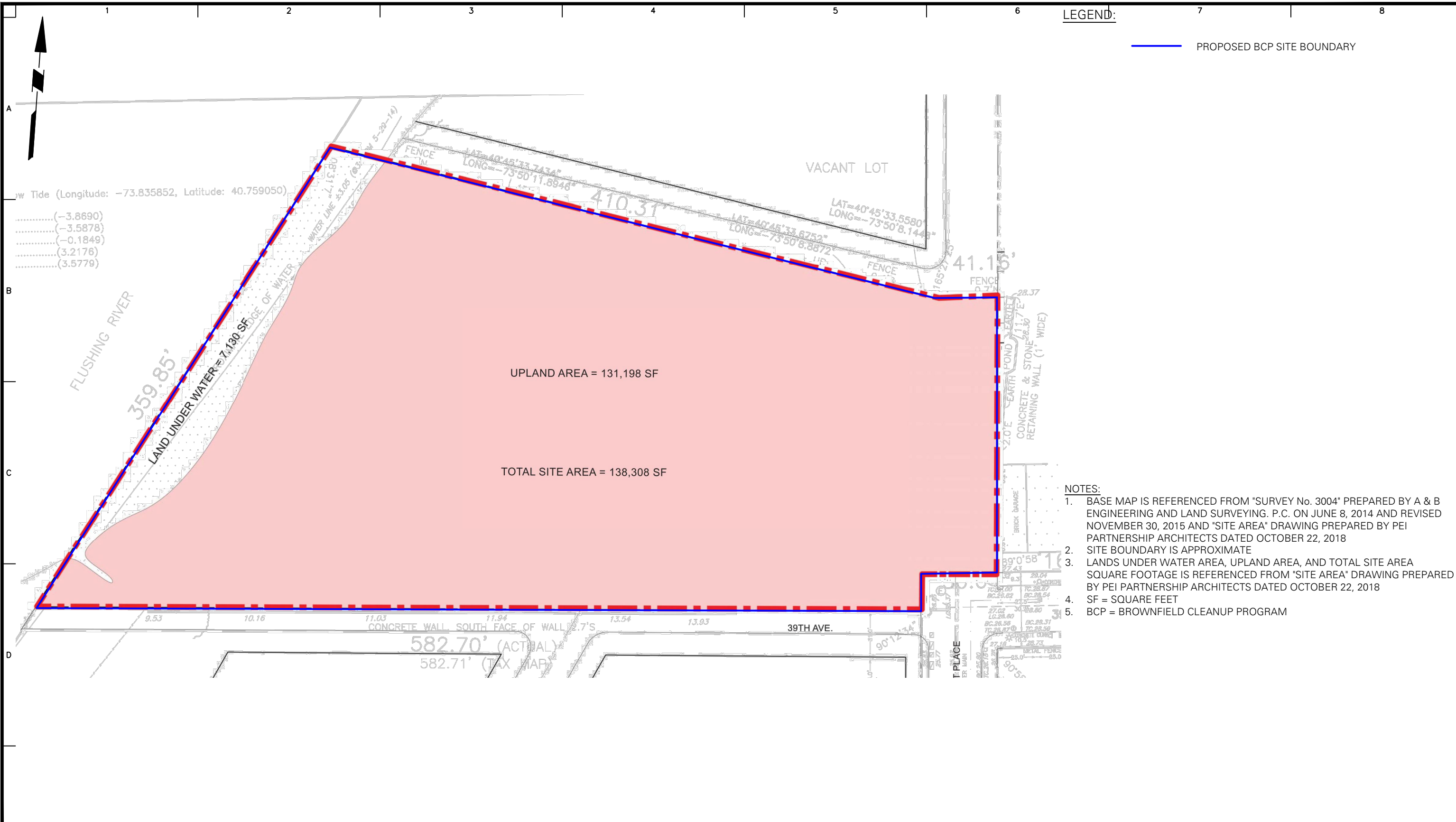
#### Checked By

AT

#### Figure No.

# D-1

Sheet 1 of 5



LEGEND:

PROPOSED BCP SITE BOUNDARY

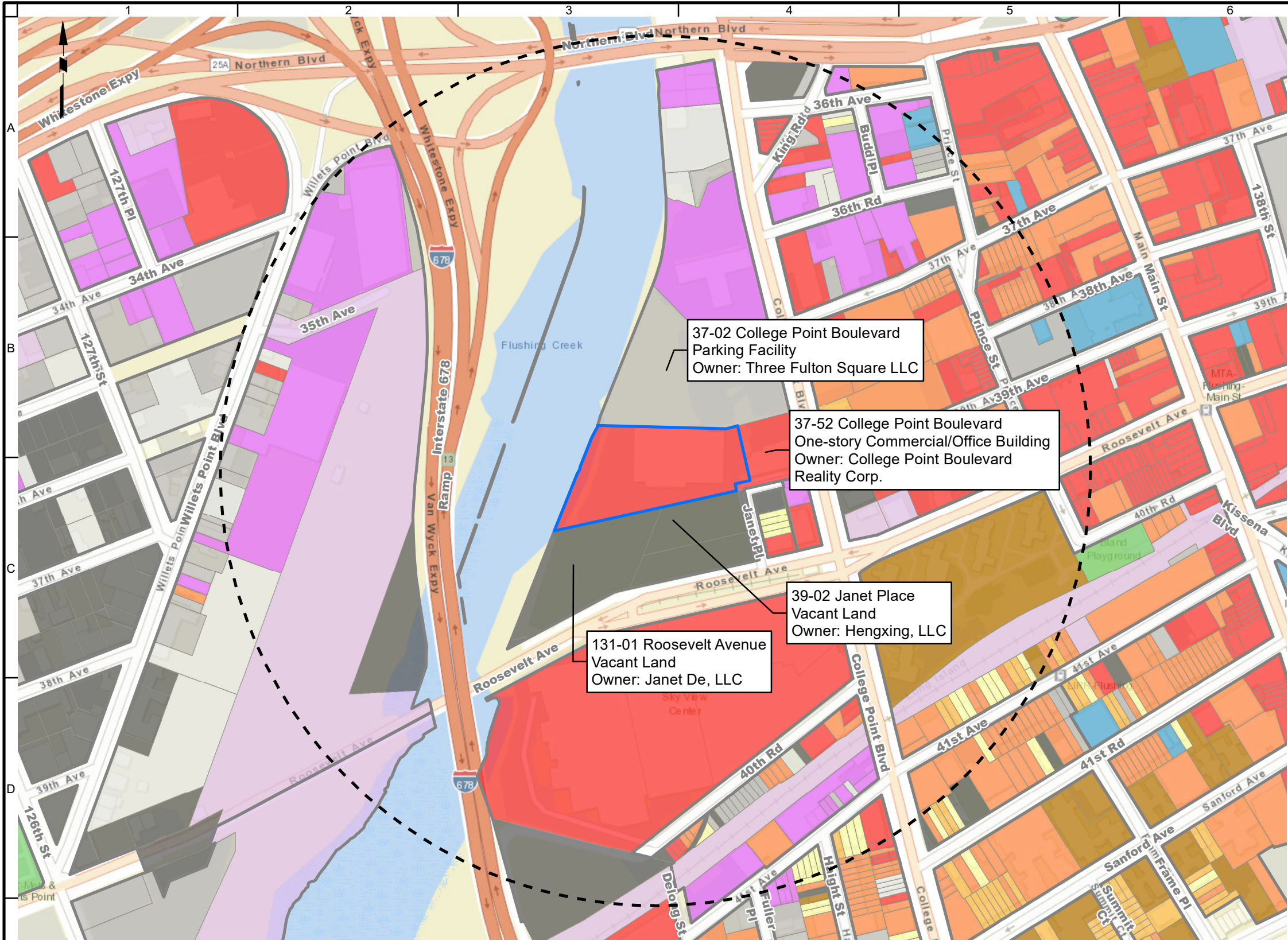
- NOTES:
1. BASE MAP IS REFERENCED FROM "SURVEY No. 3004" PREPARED BY A & B ENGINEERING AND LAND SURVEYING. P.C. ON JUNE 8, 2014 AND REVISED NOVEMBER 30, 2015 AND "SITE AREA" DRAWING PREPARED BY PEI PARTNERSHIP ARCHITECTS DATED OCTOBER 22, 2018
  2. SITE BOUNDARY IS APPROXIMATE
  3. LANDS UNDER WATER AREA, UPLAND AREA, AND TOTAL SITE AREA SQUARE FOOTAGE IS REFERENCED FROM "SITE AREA" DRAWING PREPARED BY PEI PARTNERSHIP ARCHITECTS DATED OCTOBER 22, 2018
  4. SF = SQUARE FEET
  5. BCP = BROWNFIELD CLEANUP PROGRAM

**WARNING:** IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.



<b>LANGAN</b> Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. 21 Penn Plaza, 360 West 31st Street, 8th Floor New York, NY 10001 T: 212.479.5400 F: 212.479.5444 www.langan.com	Project <b>131-01 39TH AVENUE</b>  BLOCK No. 4963, LOT No. 65  QUEENS NEW YORK	Figure Title  <b>SITE PLAN</b>	Project No. 170551301	<b>D-2</b>  Sheet 2 of 5
			Date 11/16/2018	
			Drawn By EB	
			Checked By AT	





**LEGEND:**

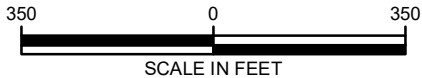
- APPROXIMATE SITE BOUNDARY
- 1000-FOOT BOUNDARY

**LAND USE LEGEND:**

- ONE & TWO FAMILY BUILDINGS
- MULTI-FAMILY WALK-UP BUILDINGS
- MULTI-FAMILY ELEVATOR BUILDINGS
- MIXED RESIDENTIAL & COMMERCIAL BUILDINGS
- COMMERCIAL & OFFICE BUILDINGS
- INDUSTRIAL & MANUFACTURING
- TRANSPORTATION & UTILITY
- PUBLIC FACILITIES & INSTITUTIONS
- OPEN SPACE & OUTDOOR RECREATION
- PARKING FACILITIES
- VACANT LAND
- OTHER/NO DATA

**NOTES:**  
BASEMAP ADOPTED FROM PARCEL INFORMATION PROVIDED BY THE DEPARTMENT OF CITY PLANNING, MAPPLUTO VERSION 18V1, 2018.

**WARNING:** IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.



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T: 212.479.5400 F: 212.479.5444 www.langan.com

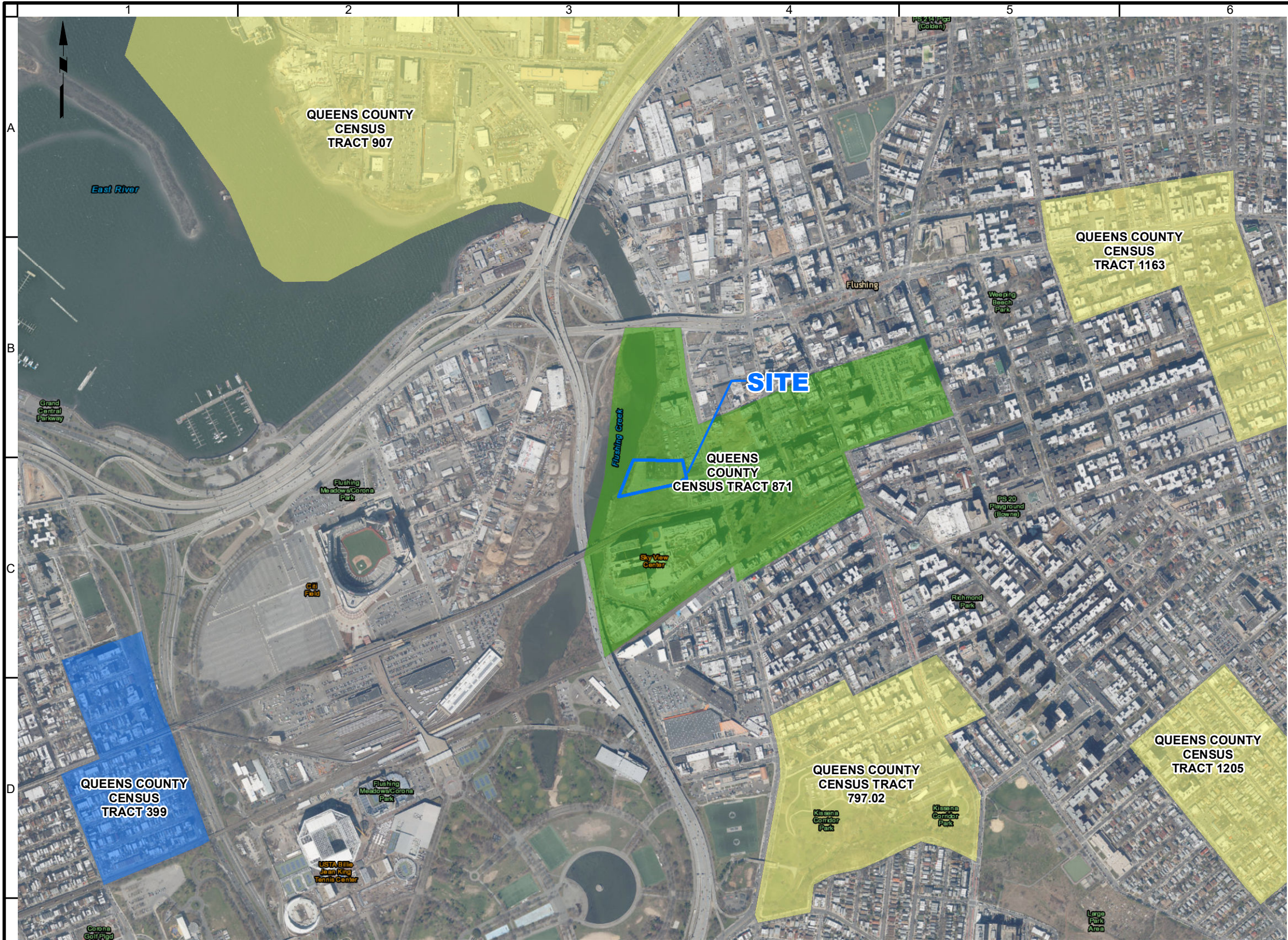
Project  
**131-01 39TH AVENUE**  
BLOCK No. 4963, LOT No. 65  
FLUSHING  
QUEENS NEW YORK

Figure Title  
**SURROUNDING  
LAND USE  
MAP**

Project No.  
170551301  
Date  
1/29/2019  
Scale  
1"=350'  
Drawn By  
AB

Figure No.  
**D-3**  
Sheet 3 of 5





LEGEND:

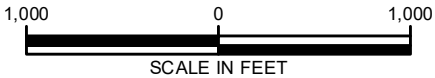
APPROXIMATE SITE BOUNDARY

ENVIRONMENTAL ZONE TYPE:

- A - POVERTY RATE OF AT LEAST 20% AND UNEMPLOYMENT RATE OF AT LEAST 125% THE STATEWIDE UNEMPLOYMENT RATE
- B - POVERTY RATE OF AT LEAST 2 TIMES THE POVERTY RATE FOR THE COUNTY
- AB - CRITERIA OF BOTH A AND B MET

NOTES:  
1. WORLD AERIAL IMAGERY BASEMAP IS PROVIDED THROUGH LANGAN'S ESRI ARCGIS SOFTWARE LICENSING AND ARCGIS ONLINE. SOURCE OF THE AERIAL IMAGERY IS NYS ITS GIS ORTHOS, COLLECTED MARCH 29, 2016.  
2. PARCEL INFORMATION IS PROVIDED BY THE DEPARTMENT OF CITY PLANNING, MAPPLUTO VERSION 18V1, 2018.  
3. ENVIRONMENTAL ZONES INFORMATION OBTAINED FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, 2013.

WARNING: IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.



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Project  
**131-01 39TH AVENUE**  
BLOCK No. 4963, LOT No. 65  
FLUSHING

QUEENS COUNTY NEW YORK

Figure Title  
**ENVIRONMENTAL  
ZONE MAP**

Project No.  
170551301  
Date  
11/20/2018  
Scale  
1"=1,000'  
Drawn By  
AB

Figure No.  
**D-4**  
Sheet 4 of 5



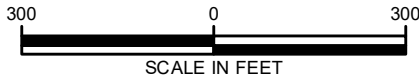


LEGEND:

- APPROXIMATE SITE BOUNDARY
- TAX BLOCK
- TAX LOT

NOTES:  
BASEMAP ADOPTED FROM PARCEL INFORMATION PROVIDED BY THE DEPARTMENT OF CITY PLANNING, MAPPLUTO VERSION 18V1, 2018.

WARNING: IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.



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21 Penn Plaza, 360 West 31st Street, 8th Floor  
New York, NY 10001

T: 212.479.5400 F: 212.479.5444 www.langan.com

Project  
**131-01 39TH AVENUE**  
  
BLOCK No. 4963, LOT No. 65  
FLUSHING  
  
QUEENS COUNTY NEW YORK

Figure Title  
**TAX LOT  
LOCATION MAP**

Project No.  
170551301  
Date  
11/20/2018  
Scale  
1"=300'  
Drawn By  
AB

Figure No.  
**D-5**  
Sheet 3 of 5

## **ATTACHMENT E**

### **SECTION VI: CURRENT PROPERTY OWNER AND OPERATOR**



## ATTACHMENT E

### SECTION VI: CURRENT PROPERTY OWNER/OPERATOR INFORMATION

The Requestor and current owner (Young Nian Group LLC – whose sole member is Mr. Yufeng Pang) is not affiliated with the past property owners, operators, or the release of contaminants associated with prior uses. A copy of the deed is appended to this attachment.

#### Property Owners Contact Information

Young Nian Group LLC  
369 Lexington Avenue, 15<sup>th</sup> Floor  
New York, NY 10017  
Phone: 917-795-8556

#### Previous Site Owners

Deeds prior to 1993 were not available on the New York City Automated City Register Information System (ACRIS) website; however, several mortgages and lease agreements indicate EICO Instrument Co., Inc, was the party associated with the property between 1968 and 1993. Property transactions after 1993 are described in the following table.

Date	Document Type	First Party	Second Party	Relationship of First Party to Applicant	Contact Info
<b>Block 4963, Lot 65</b>					
Prior to 06/25/1993	No Known	Unknown	Unknown	Unknown	Unknown
06/25/1993	Deed	EICO Electronic Instrument Co., Inc.	Syng Man Rhee and Choon Ok Rhee	None	363 Merrick Rd, Lynbrook, NY
12/31/2010	Deed	Syng Man Rhee and Choon Ok Rhee	Rhees Flushing, LLC	None	7461 Coca Cola Drive, Hanover, MD
09/03/2014	Deed	Rhees Flushing, LLC	Outlet Plaza LLC	None	7461 Coca Cola Drive, Hanover, MD
07/02/2015	Deed	Outlet Plaza LLC	131-01 39th Avenue Owner LLC	None	34-80 Collins Place, Flushing, NY
10/24/2017	Deed	131-01 39th Avenue Owner LLC	Young Nian Group LLC	Applicant	369 Lexington Ave, New York, NY (917) 795-8556

Reference: New York City Department of Finance ACRIS website: <https://a836-acris.nyc.gov/DS/DocumentSearch/Index>. There is no relationship between the requestor's corporate members and any of the previous owners.

Previous Site Operators

Sanborn® Maps dated between 1928 and 1951 show that the site is vacant (no buildings or labels) with the exception of a high voltage electric transmission line running through the center. A 1962 aerial photograph shows the former building had been constructed. In 1967, the building was operated by Dean Advertising and EICO Electronic Instrument Company. Historical operations on the lot from 1967 onwards are presented in the table below.

Operator Name	Relationship to Property	Address and Phone Number	Relationship to Applicant
<b>Block 4963, Lot 65</b>			
Vacant	N/A	N/A	N/A
Supermarket, Retail Stores, Chiropractors' Offices	Operator (2012-2016)	Unknown	None
Retail Stores, Church	Operator (2000 to 2012)	Unknown	None
Korea Town Plaza	Operator (1995 to 2006)	Unknown	None
Post Office	Operator (1980 to 1994)	Unknown	None
Design Weather Inc.	Operator (1976)	Unknown	None
EICO Electric Instrument Company	Operator and Owner (1967)	Unknown	None
Dean Advertising	Operator (1967)	Unknown	None

References:

1. May 3, 2013 Phase I Environmental Site Assessment for 131-01 39th Avenue (Block 4963, Lot 65) prepared by ENCON Solutions, Inc.
2. March 2016 Remedial Investigation Report for 131-01 39th Avenue (Block 4963, Lot 65) prepared by Advanced Cleanup Technologies, Inc.

## **ATTACHMENT F**

### **SECTION VII: REQUESTOR ELIGIBILITY INFORMATION**

## **ATTACHMENT F**

### **SECTION VII: REQUESTOR ELIGIBILITY INFORMATION**

#### *Volunteer Status*

Pursuant to ECL § 27-1405(1), Young Nian Group LLC is properly designated as a Volunteer because disposal of contaminants at the site. There is no indication of any contribution to or exacerbation of site conditions during the time of Requestors ownership or involvement with the site.

The Requestor, Young Nian Group LLC is a single-member limited liability company. Mr. Yufeng Pang is the sole owner and member of Young Nian Group LLC. The Requestor has taken appropriate care with respect to current site conditions (there is no indication of continuing discharges), to prevent any threatened future release, and to prevent or limit human, environmental or natural resource exposures to any previously released contamination. As such, the Requestor qualifies as a Volunteer in the Brownfield Cleanup Program.

## **ATTACHMENT G**

### **SECTION IX: CONTACT LIST INFORMATION**

## **ATTACHMENT G**

### **SECTION IX: CONTACT LIST INFORMATION**

#### *Item 1 – Chief Executive Officer and Planning Board*

##### **Chief Executive Officer**

Mayor Bill de Blasio  
City Hall  
260 Broadway Avenue  
New York, NY 10007

##### **New York City Planning Commission**

Marisa Lago, Chairperson  
Department of City Planning  
120 Broadway, 31<sup>st</sup> Floor  
New York, NY 10271

##### **Borough of Queens, Borough President**

Melinda R. Katz  
120-55 Queens Blvd,  
Kew Gardens, NY 11424  
(718) 520-2100

##### **Borough of Queens, Department of City Planning**

Irving Poy  
120-55 Queens Blvd  
Kew Gardens, NY 11424  
(718) 286-2860

#### *Item 2 - Residents, Owners, and Occupants, of the Property and Adjacent Properties*

Owners and occupant information is provided in Attachment E.

Owner information:

Young Nian Group LLC  
369 Lexington Avenue  
Suite 15A  
New York, New York, 10017

Occupant Information  
Vacant

Adjacent properties include:

Janet De, LLC  
131-01 Roosevelt Avenue,  
Queens, NY 11354

Three Fulton Square LLC  
37-02 College Point Blvd,  
Queens, NY 11354

College Point Blvd Realty Corp.  
37-52 College Point Blvd,  
Queens, NY 11354

Item 3 - Local News Media

Times Ledger Newspapers Flushing  
41-02 Bell Boulevard, 2<sup>nd</sup> Floor  
Bayside, NY 11361  
(718) 260-4545

Item 4 - Public Water Supply

The responsibility for supplying water in New York City is shared between the NYC Department of Environmental Protection, the Municipal Water Finance Authority, and the New York City Water Board. The site receives potable water from the Croton Systems, located in the Westchester, Putnam, and Dutchess Counties.

New York City Department of Environmental Protection  
Vincent Sapienza, Commissioner  
59-17 Junction Boulevard  
Flushing, NY 11373

New York City Municipal Water Finance Authority  
255 Greenwich Street, 6<sup>th</sup> Floor  
New York, NY 10007

New York City Water Board  
Department of Environmental Protection  
59-17 Junction Boulevard, 8<sup>th</sup> Floor  
Flushing, NY 11373

Item 5 - Request for Contact

We are unaware of any requests for inclusion on the contact list.

Item 6 - Schools and Day Care Facilities

There are no schools or day care facilities located on the site. The following are schools or day care facilities located within ½ mile of the site:

RuDanceNY Dance School  
(about 0.1 miles southeast of the site)  
132-01 Roosevelt Avenue, 2<sup>nd</sup> Floor  
Queens, NY 11354  
(718) 358-3903

MorningSun Art School  
(about 0.2 miles southeast of the site)  
132-15 41<sup>st</sup> Avenue  
Flushing, NY 11355  
(917)691-8008

Monroe College Queens Extension Center  
(about 0.3 miles east of the site)  
Marc M. Jerome, President  
135-16 Roosevelt Ave,  
Queens, NY 11354  
(914) 740-6614

Happy Maryann Day School  
(about 0.3 miles south of the site)  
13218 41<sup>st</sup> Ave,  
Queens, NY 11354  
(718) 939-0423

Windsor School  
(about 0.3 miles northeast of the site)  
37-02 Main Street  
Flushing, NY 11354  
(718)359-8300



Long Island Business Institute  
(about 0.4 miles east of the site)  
Monica W. Foote, President  
136-18 39<sup>th</sup> Ave,  
Queens, NY 11354  
(718) 939-5100

LISMA Queens ESL Center II  
(about 0.5 miles east of the site)  
136-56 39<sup>th</sup> Avenue,  
Queens, NY 11354  
(718) 359-2440

Saint Michael's Elementary School  
(about 0.5 miles east of the site)  
136-58 41<sup>st</sup> Avenue  
Flushing, NY 11355  
(718)961-0284

Item 7 - Document Repository

Letters sent to and received from the following sources acknowledging that both agree to act as a document repository for documents generated under the BCP Program:

**Queens Library – Flushing Branch**

41-17 Main Street,  
Flushing, NY 11355  
(718) 661-1200

Hours

Monday, Tuesday, Wednesday, and Thursday:	9 AM – 9 PM
Friday:	9 AM – 7 PM
Saturday:	10 AM – 5 PM
Sunday:	12 PM – 5 PM

**Queens Community Board 7**

133-32 41<sup>st</sup> Road – Suite 3B

Flushing, NY 11355

(718) 359-2800

Email: [qn07@cb.nyc.gov](mailto:qn07@cb.nyc.gov)

Website: [www.nyc.gov/queenscb7](http://www.nyc.gov/queenscb7)

*Item 8 – Community Board*

The local community board is Queens Community Board 7.

Eugene T. Kelty, Jr., Chairman

133-32 41<sup>st</sup> Road – Suite 3B

Flushing, NY 11355

(718) 359-2800

December 7, 2018

Anne Angelo  
Queens Library – Flushing Branch  
41-17 Main Street,  
Flushing, NY 11355  
(718) 661-1200

**Re: Brownfield Cleanup Program Application  
Young Nian Group, LLC  
131-01 39<sup>th</sup> Avenue  
Queens, NY 11354**

Dear Ms. Angelo:

We represent Young Nian Group, LLC in their anticipated New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) application for the above-referenced site at 131-01 39<sup>th</sup> Avenue in Queens, New York. It is a NYSDEC requirement that we supply them a letter certifying that the local library is willing and able to serve as a public repository for all documents pertaining to the cleanup of this property. Please sign below if you are able to certify that your library would be willing and able to act as the public repository for this BCP project.

Sincerely,  
**Langan Engineering, Environmental, Surveying,  
Landscape Architecture and Geology, D.P.C.**



Albert Tashji, P.E.  
Project Engineer

Yes, Queens Public Library – Flushing Branch is willing and able to act as a public repository on behalf of Young Nian Group, LLC in their cleanup of the site at 131-01 39<sup>th</sup> Avenue under the NYSDEC BCP.

*Anne Angelo*

(Name)

**Adult Services Manager**

(Title)

12/10/18

(Date)

November 15, 2018

Marilyn McAndrews  
Queens Community Board 7  
133-32 41<sup>st</sup> Road – Room 3B,  
Flushing, NY 11355  
Phone: (718) 359-2800

**Re: Brownfield Cleanup Program Application  
Young Nian Group, LLC  
131-01 39<sup>th</sup> Avenue  
Queens, New York 11354**

Dear Ms. McAndrews:

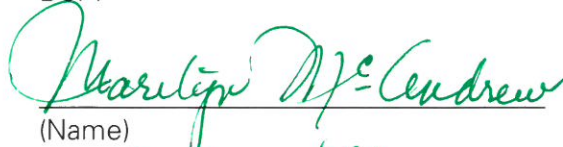

We represent Young Nian Group, LLC in their anticipated New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) application for the above-referenced site at 131-01 39<sup>th</sup> Avenue, Queens, New York. It is a NYSDEC requirement that we supply them a letter certifying that the local community board is willing and able to serve as a public repository for all documents pertaining to the cleanup of this property. Please sign below if you are able to certify that your community board would be willing and able to act as the public repository for this BCP project.

Sincerely,  
**Langan Engineering, Environmental, Surveying,  
Landscape Architecture and Geology, D.P.C.**



Albert Tashji, P.E.  
Project Engineer

Yes, Queens Community Board 7 is willing and able to act as a public repository on behalf of Young Nian Group, LLC in their cleanup of the site at 131-01 39<sup>th</sup> Avenue under the NYSDEC BCP.

  
(Name)  
  
(Title)

  
(Date)

## **ATTACHMENT H**

### **SECTION X: LAND USE FACTORS**

## **ATTACHMENT H**

### **SECTION X: LAND USE FACTORS**

#### *Item 1 - Current Zoning*

The site is located within a C4-2 commercial district, which is characterized by specialty and department stores, theaters, and other commercial and office uses, typically mapped in regional commercial centers located outside of the central business district. The proposed project is consistent with the master plan redevelopment for Flushing Creek, and the current zoning, and would provide added commercial, residential and hotel amenities to the area.

#### *Item 2 - Current Use*

The lot is currently vacant, but was most recently occupied by a two-story brick building with asphalt parking that operated as a shopping plaza. The building was demolished in late 2018 and the lot has remained vacant.

#### *Item 3 - Intended Use Post Remediation*

Current development plans include construction of two 17-story mixed-use residential and commercial buildings with a two-level shared cellar. The cellar will extend to about 16 feet below grade surface (bgs) and span across the building's footprints. The sub-cellar will extend to about 26 feet bgs and span across the eastern half of the eastern building footprint. The new development would include retail at ground level, a banquet hall, a hotel and residential units above the commercial spaces. As part of the development, 40 feet of shoreline will be remediated, leading into a new 13,850-square-foot public walkway along Flushing Creek. A new street will be constructed between the east and west buildings, connecting to 38<sup>th</sup> Avenue and 39<sup>th</sup> Avenue.

#### *Item 5 - Consistency with Applicable Zoning Laws/Maps*

This project responds to and is fully consistent with the goals of the City Council as embodied in the NYC Zoning Districts. The site is located within a C4-2 Commercial district. Multiple-story, mixed-use commercial and residential buildings are permitted in this C4-2 district. The project is going through the Uniform Land Use Review Procedure (URLURP) to align the needs of the master redevelopment plan with specifics of the zoning for the Flushing Creek area. The applicable zoning map is included in this attachment.

The site is part of the Flushing Waterfront Revitalization Plan proposed as a New York State Brownfield Opportunity Area (BOA). The following objectives are intended for the BOA:

- Encourage walkability by extending pedestrian and vehicular circulation connections from the vibrant downtown area to the waterfront and creating opportunities for new waterfront walkways and open space;
- Identify strategies to improve area environmental conditions in order to support current and future quality of life needs; and
- Support the area's thriving business culture by expanding the downtown core to large waterfront sites which can house a range of new enterprises.

The proposed development is consistent with the objectives of the BOA.

*Item 6 - Comprehensive Plans*

The proposed commercial and residential use is consistent with the anticipated master plan redevelopment along Flushing Creek and the Flushing Waterfront Revitalization Plan, and addresses the need for additional housing and hoteling in the community.