

Progress Report No. 47
Former Assi Market
131-01 39th Avenue, Flushing, NY 11354
Brownfield Cleanup Program Site No. C241232
Reporting Period: August to December 2024

1. Introduction

Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. (Langan) is submitting this monthly progress report on behalf of Flushing Waterfront LLC (the "Volunteer"), in accordance with the June 12, 2019 Brownfield Cleanup Agreement (BCA) and the October 24, 2022 BCA amendment for a change in site ownership. This monthly progress report summarizes remediation progress at the Former Assi Market (the "site") for the months of August to December 2024.

The site is located at 131-01 39th Avenue in the Flushing neighborhood of Queens, New York, and is identified as Block 4963, Lot 65, on the Queens Borough Tax Map. The site also contains 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 about 138,300-square-foot (3.2 acres) site is currently vacant land; the most recent development consisted of a two-story brick building and exterior asphalt parking that operated as a shopping plaza (Former Assi Market). The building was demolished sometime between 2017 and 2018 and the site had remained vacant until November 2022, at which time it began temporary use for automobile parking and storage. A Site Location Map is attached as Figure 1.

A Decision Document was issued by the NYSDEC and an Alt 2 permit from the NYCDOB has been issued to install the support of excavation.

2. Remedial Actions Relative to the Site during this Reporting Period

The NYSDEC issued an Opportunity to Cure letter on November 18, 2024 to the BCP Volunteer requesting an update on the project status and timeline. During a December 9, 2024 conference call with the NYSDEC, the Volunteer, and Langan, it was discussed that implementation of the Remedial Action Work Plan (RAWP) could not begin within the requested timeframe and that monthly progress reports would resume in January 2025 with updates on city approvals and financing.

Milestone progress towards remedial action will continue to be updated, and included:

- Negotiating project financing with lenders and compiling agency approval statuses.
- Engaging NYC Department of Transportation (DOT) for the private streets and NYC Parks sign off on landscape design for resubmission to the NYC Department of City Planning for technical review.
- Continue progress architectural design documents (DD).

3. Actions Relative to the Site Anticipated for the Next Reporting Period

Langan will continue reviewing updated development plans, project permitting progress, updating the NYSDEC on city agency reviews and permit issuances, financing, or other challenges that affect the ability to begin remediation.

4. Approved Activity Modifications (changes of work scope and/or schedule)

None.

5. Results of Sampling, Testing and Other Relevant Data

None.

6. Deliverables Submitted During This Reporting Period

None.

7. Information Regarding Percentage of Completion

The remedial action is pending.

8. Unresolved Delays Encountered or Anticipated That May Affect the Schedule and Mitigation Efforts

The start of remediation has been delayed by city agency reviews needed obtain work permits for excavation, remediation, and construction and negotiated project financing. The design team continues to progress the development and coordinate with local agencies for approvals and permits that are necessary to begin the remediation phase. Ownership is also coordinating financing agreements for the project. The revised project timeline is attached to this report as Attachment A.

9. Citizen Participation Plan Activities during This Reporting Period

None.

10. Activities Anticipated in Support of the CPP for the Next Reporting Period:

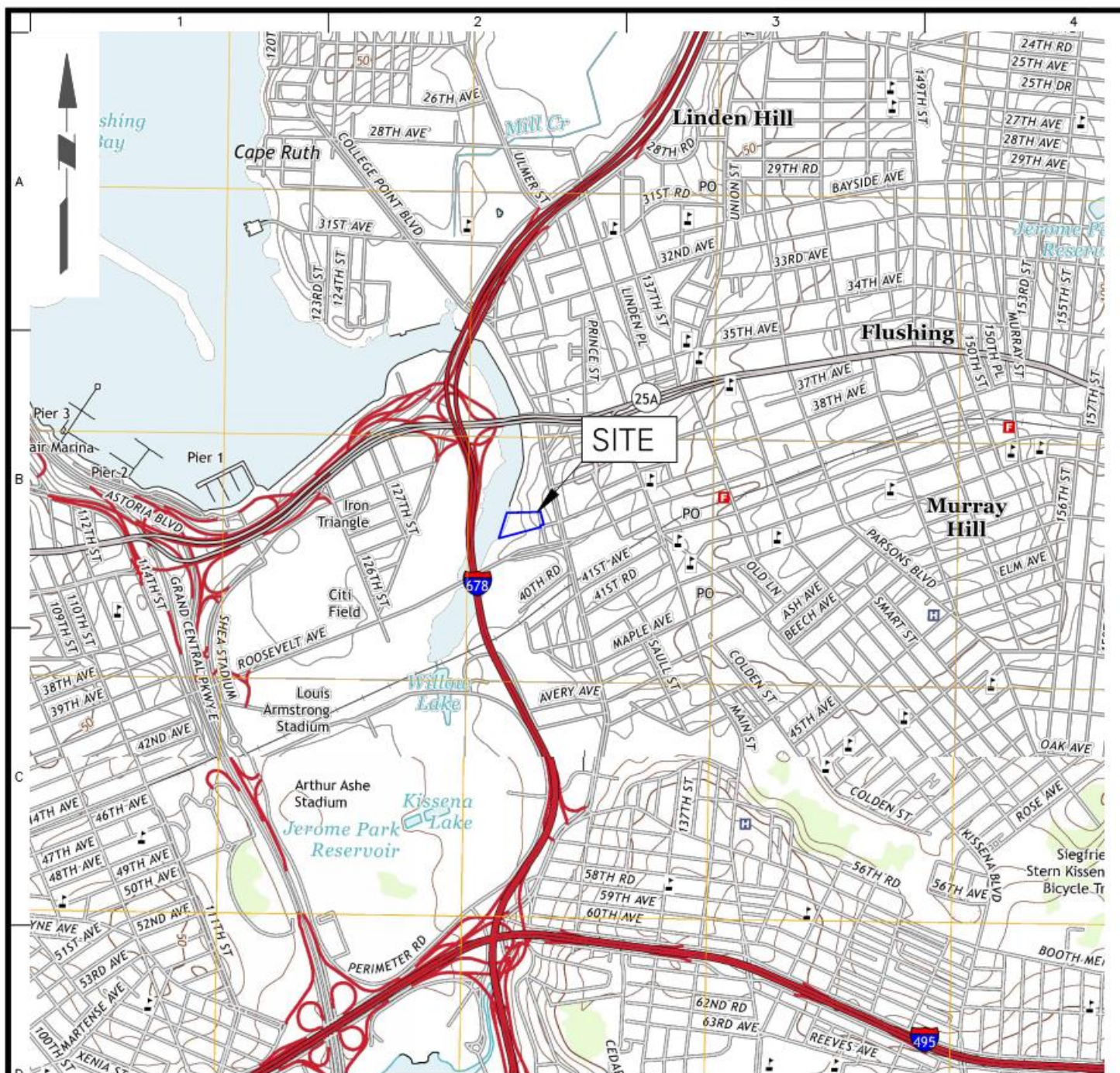
None.

11. Miscellaneous Information

None.

Attachment A – Design and Project Timeline:

Task Description	Start Date	End Date	2025												2026												2027					
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
DOB Approvals and Permits																																
Architectural DDs	In progress	6/1/2025																														
Architectural CDs	6/1/2025	12/1/2025																														
Foundation/SOE Submission	12/1/2025																															
DOB Review, Comment Revisions, and Approval	12/1/2025	6/30/2026																														
Waterfront Design																																
DCP Urban Design Review on Waterfront Public Access and Visual Corridors	6/30/2024	10/1/2025																														
DCP Technical Review on Waterfront Public Access and Visual Corridors	10/1/2025	4/1/2025																														
DCP Waterfront Certifications Approval	4/1/2025	5/1/2025																														
Private Roadway Design																																
DCP Urbain Design Reiew on Publicly Accessible Private Streets	6/30/2024	10/1/2025																														
DCP Technical Review on Phased Development of Waterfront Public Access	10/1/2025	4/1/2025																														
DCP Roadway Certifications Approval	4/1/2025	5/1/2025																														
Height Certifications																																
FAA Letter Submission and Approval	7/1/2025	12/31/2025																														
PA Letter Submission and Approval	1/1/2026	3/31/2026																														
Certification to Modify Maximum Height of Building or Other Structure	4/1/2025	5/1/2025																														
Height Certification Approval	5/1/2025																															
DEC Approval																																
SWPPP/Tidal Wetlands Initial Design/Updates	4/16/2025	7/31/2025																														
SWPPP/Tidal Wetlands Initial Submission	8/1/2025																															
DEC Initial Review	8/1/2025	11/30/2025																														
Design and Submission Final	12/1/2025	1/31/2026																														
DEC Final Review and Approval	2/1/2026	6/1/2026																														
OER Approval																																
MEP Design & Review	In progress	7/31/2025																														
Create Remedial Action Plan - Noise & Air Quality	8/1/2025	10/30/2025																														
OER Submission	11/1/2025																															
OER Review and Approval	11/1/2025	5/1/2026																														
Remediation Work																																
Permitting	6/1/2026	6/30/2026																														
Permits received	7/1/2026																															
Excavation/Remediation	7/1/2026	6/30/2027																														



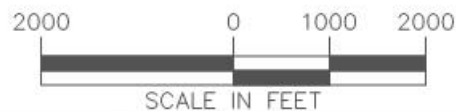
LEGEND:

— SITE BOUNDARY

NOTES:

1. BASE MAP REFERENCED FROM UNITED STATES GEOLOGICAL SURVEY (USGS) 7.5-MINUTE FLUSHING AND JAMAICA, NY TOPOGRAPHIC QUADRANGLES, DATED 2013.
2. SITE BOUNDARY IS APPROXIMATE

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

QUEENS

NEW YORK

Figure Title

**SITE LOCATION
MAP**

Project No.

170551301

Date

11/20/2018

Drawn By

EB

Checked By

AT

Figure No.

1

Sheet 1 of 3