



Brownfield Cleanup Program Application

39-04 Northern Boulevard
Long Island City, New York 11101

June 22, 2022

Prepared for:

GIC Queens LLC

18201 Von Karman Avenue, Suite 1170
Irvine, California 92612

Prepared by:

**Roux Environmental Engineering
and Geology, D.P.C.**

209 Shafter Street
Islandia, New York 11749

Table of Contents

Brownfield Cleanup Program Application Form

Figures

Figure 1: Site Location Map

Figure 2: Tax Map

Figure 3: Existing Conditions

Figure 4: Surrounding Properties

Figure 5: Summary of Exceedances in Soil from 2018

Figure 6: Summary of Exceedances in Groundwater from 2018

Figure 7: Summary of Detections in Soil Vapor from 2018

Appendices

Appendix A. Section I: Property Information

Appendix B. Section II: Project Description

Appendix C. Section III: Land Use Factors

Appendix D. Section IV: Property's Environmental History

Appendix E. Section V: Requestor Information

Appendix F. Section VI: Requestor Eligibility Information

Appendix G. Section IX: Previous Property Owner and Operator Information

Appendix H. Section XI: Site Contact List

Appendix I. Supplemental Questions for Sites Seeking Tangible Property Credits in New York City



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

Is this an application to amend an existing BCA with a major modification? Please refer to the application instructions for further guidance related to BCA amendments. Yes No
 If yes, provide existing site number: _____

Is this a revised submission of an incomplete application? Yes No
 If yes, provide existing site number: C241265

BCP App Rev 13

SECTION I: Property Information Appendix A

PROPOSED SITE NAME 39-04 Northern Boulevard

ADDRESS/LOCATION 39-04 Northern Boulevard

CITY/TOWN Long Island City ZIP CODE 11101

MUNICIPALITY (LIST ALL IF MORE THAN ONE) New York City

COUNTY Queens SITE SIZE (ACRES) 0.89

LATITUDE 40 ° 45 ' 0.783 " LONGITUDE 73 ° 55 ' 25.34 "

Provide tax map information for all tax parcels included within the proposed site boundary below. If a portion of any lot is to be included, 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 acreage column. Figure 2

ATTACH REQUIRED TAX MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section	Block	Lot	Acreage
<u>39-04 Northern Boulevard</u>		<u>183</u>	<u>12</u>	<u>0.89</u>

	Y	N
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site including a metes and bounds description.	<input checked="" type="radio"/>	<input type="radio"/>
2. Is the required property map provided in electronic format with the application? (Application will not be processed without a map) Figures 1 and 2	<input checked="" type="radio"/>	<input type="radio"/>
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information) If yes, identify census tract: _____ Percentage of property in En-zone (check one): 0% <input checked="" type="radio"/> 1-49% <input type="radio"/> 50-99% <input type="radio"/> 100% <input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
4. Is the project located within a disadvantaged community? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>
5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>

6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)? If yes, identify names of properties and site numbers, if available, in related BCP applications: _____	Y <input type="radio"/>	N <input checked="" type="radio"/>						
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?	<input type="radio"/>	<input checked="" type="radio"/>						
8. 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.	<input type="radio"/>	<input checked="" type="radio"/>						
9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.	<input type="radio"/>	<input checked="" type="radio"/>						
10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: _____	<input type="radio"/>	<input checked="" type="radio"/>						
11. Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? If yes, please provide the DEC site number: _____ Class: _____	<input type="radio"/>	<input checked="" type="radio"/>						
12. Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information. <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"><u>Easement/Right-of-Way Holder</u></td> <td style="width: 40%;"><u>Description</u></td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	<u>Easement/Right-of-Way Holder</u>	<u>Description</u>			<input type="radio"/>	<input checked="" type="radio"/>		
<u>Easement/Right-of-Way Holder</u>	<u>Description</u>							
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information): <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><u>Type</u></td> <td style="width: 30%;"><u>Issuing Agency</u></td> <td style="width: 40%;"><u>Description</u></td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>				<input type="radio"/>	<input checked="" type="radio"/>
<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>						
14. Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format? Appendix A	<input checked="" type="radio"/>	<input type="radio"/>						
Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.								
15. Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 11-13 of this form.	Y <input checked="" type="radio"/>	N <input type="radio"/>						
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?	<input type="radio"/>	<input checked="" type="radio"/>						
17. If you have answered YES to Question 16 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?	<input type="radio"/>	<input type="radio"/>						
NOTE: If a tangible property tax credit determination is not being requested at the time of application, 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 I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions.								
Initials of each Requestor: _____								

SECTION II: Project Description Appendix B

1. The project will be starting at: Investigation Remediation

NOTE: If the project is proposed to start at the remediation stage, at a minimum, a Remedial Investigation Report (RIR) must be included, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Action Work Plan (RAWP) are also included (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, does it meet the requirements in ECL Article 27-1415(2)?
 Yes No N/A

3. Have any draft work plans been submitted with the application (select all that apply)?
 RIWP RAWP IRM No

4. Please provide a short description of the overall project development, including the date that the remedial program is to begin, and the date by which a Certificate of Completion is expected to be issued.
 Is this information attached? Yes No Appendix B

SECTION III: Land Use Factors Appendix C

1. What is the property's current municipal zoning designation? M1-5 (manufacturing)

2. What uses are allowed by the property's current zoning (select all that apply)?
 Residential Commercial Industrial

3. Current use (select all that apply):
 Residential Commercial Industrial Recreational Vacant

	Y	N
4. Please provide 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 by which the site became vacant. Appendix C Is this summary included with the application?	<input checked="" type="radio"/>	<input type="radio"/>
5. Reasonably anticipated post-remediation use (check all that apply): Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> If residential, does it qualify as single-family housing? <input checked="" type="radio"/> N/A	<input type="radio"/>	<input type="radio"/>
6. Please provide a statement detailing the specific proposed post-remediation use. Appendix C Is this summary attached?	<input checked="" type="radio"/>	<input type="radio"/>
7. Is the proposed post-remediation use a renewable energy facility? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>
8. Do current and/or recent development patterns support the proposed use?	<input checked="" type="radio"/>	<input type="radio"/>
9. Is the proposed use consistent with applicable zoning laws/maps? Appendix C Please provide a brief explanation and additional documentation if necessary.	<input checked="" type="radio"/>	<input type="radio"/>
10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Appendix C Please provide a brief explanation and additional documentation if necessary.	<input checked="" type="radio"/>	<input type="radio"/>

SECTION IV: Property's Environmental History

Appendix D

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that contamination of environmental media exists on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the site property and that the site requires remediation. To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit 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). Please do NOT submit paper copies of ANY supporting documents.**

2. **SAMPLING DATA: INDICATE (BY SELECTING THE OPTIONS BELOW) KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED AS AN ATTACHMENT, WITH LABORATORY REPORTS REFERENCED AND INCLUDED.**

CONTAMINANT CATEGORY	SOIL	GROUNDWATER	SOIL GAS
Petroleum	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Chlorinated Solvents	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other VOCs	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SVOCs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Metals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pesticides	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PFAS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,4-dioxane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other – indicated below	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Please describe other known contaminants and the media affected:

3. For each impacted medium above, include a site drawing indicating:

- Sample location
- Date of sampling event
- Key contaminants and concentration detected
- For soil, highlight exceedances of reasonably anticipated use
- For groundwater, highlight exceedances of 6 NYCRR part 703.5
- For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation

These drawings are to be representative of all data being relied upon to determine if the site requires remediation under the BCP. Drawings should be no larger than 11"x17" and should only be provided electronically. These drawings should be prepared in accordance with any guidance provided.

Figure 5, Figure 6, Figure 7

Are the required drawings included with this application?

YES

NO

4. Indicate Past Land Uses (check all that apply):

<input type="checkbox"/> Coal Gas Manufacturing	<input type="checkbox"/> Manufacturing	<input type="checkbox"/> Agricultural Co-Op	<input type="checkbox"/> Dry Cleaner
<input type="checkbox"/> Salvage Yard	<input type="checkbox"/> Bulk Plant	<input checked="" type="checkbox"/> Pipeline	<input type="checkbox"/> Service Station
<input type="checkbox"/> Landfill	<input type="checkbox"/> Tannery	<input type="checkbox"/> Electroplating	<input type="checkbox"/> Unknown

Other:

SECTION V: Requestor Information		Appendix E	
NAME GIC Queens LLC			
ADDRESS 18201 Von Karman Avenue, Suite 1170			
CITY/TOWN Irvine, CA		ZIP CODE 92612	
PHONE 484-221-6702		EMAIL charles.stehlik@goodman.com	
1. Is the requestor authorized to conduct business in New York State (NYS)?		<input checked="" type="radio"/> Y	<input type="radio"/> N
2. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS DOS 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 with this application to document that that requestor is authorized to conduct business in NYS. Is this attached? Appendix E		<input checked="" type="radio"/>	<input type="radio"/>
3. If the requestor is an LLC, the names of the members/owners need to be provided on a separate attachment. Is this attached? Appendix E		<input checked="" type="radio"/>	<input type="radio"/>
4. Individuals that will be certifying BCP documents, as well as their employers, must 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. Do all individuals that will be certifying documents meet these requirements? Documents that are not properly certified will not be approved under the BCP.		<input checked="" type="radio"/>	<input type="radio"/>

SECTION VI: Requestor Eligibility		Appendix F	
If answering "yes" to any of the following questions, please provide appropriate explanation and/or documentation as an attachment.			
		<input type="radio"/> Y	<input type="radio"/> N
1. Are any enforcement actions pending against the requestor regarding this site?		<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?		<input type="radio"/>	<input checked="" type="radio"/>
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.		<input type="radio"/>	<input checked="" type="radio"/>
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 or regulation of the State or Federal government?		<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.		<input type="radio"/>	<input checked="" type="radio"/>
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?		<input type="radio"/>	<input checked="" type="radio"/>

SECTION VI: Requestor Eligibility (CONTINUED)

	Y	N
7. Has the requestor been convicted of a criminal offence (i) involving the handling, storing, treating, disposing or transporting or contaminants; or (ii) that involved 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?	<input type="radio"/>	<input checked="" type="radio"/>
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 a false statement in connection with any document or application submitted to DEC?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" type="radio"/>
12. 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 <input type="checkbox"/> <p>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.</p>	VOLUNTEER <input checked="" type="checkbox"/> <p>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.</p> <p>NOTE: By selecting this option, 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; and, (iii) prevent or limit human, environmental or natural resource exposure to any previously released hazardous waste.</p> <p>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.</p> <p>Appendix F</p>	
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached? Appendix F		
Yes <input checked="" type="radio"/> No <input type="radio"/> N/A <input type="radio"/>		

SECTION VI: Requestor Eligibility (CONTINUED)

14. Requestor relationship to the property (check one; if multiple applicants, check all that apply):

Previous Owner Current Owner Potential/Future Purchaser Other: _____

If the requestor is not the current owner, **proof of site access sufficient to complete remediation must be provided.** 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 environmental easement on the site.

Is this proof attached? **N/A** Yes No

Note: A purchase contract or lease agreement does not suffice as proof of site access.

SECTION VII: Requestor Contact Information**REQUESTOR'S REPRESENTATIVE**

GIC Queens LLC/Charles Stehlik

ADDRESS

18201 Von Karman Avenue, Suite 1170

CITY

Irvine, CA

ZIP CODE

92612

PHONE

484-221-6702

EMAIL

charles.stehlik@goodman.com

REQUESTOR'S CONSULTANT (CONTACT NAME)

Noelle Clarke

COMPANY

Roux Environmental Engineering and Geology, D.P.C.

ADDRESS

209 Shafter Street

CITY

Islandia

ZIP CODE

11749

PHONE

631-232-2600

EMAIL

nclarke@rouxinc.com

REQUESTOR'S ATTORNEY (CONTACT NAME)

Michael Bogin

COMPANY

Sive, Paget, and Riesel, P.C.

ADDRESS

580 Lexington Avenue

CITY

New York

ZIP CODE

10022

PHONE

646-378-7210

EMAIL

mbogin@sprlaw.com

SECTION VIII: Program Fee		
Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor is required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver based on demonstration of financial hardship.		
	Y	N
1. Is the requestor applying for a fee waiver based on demonstration of financial hardship?	<input type="radio"/>	<input checked="" type="radio"/>
2. If yes, appropriate documentation to demonstrate financial hardship must be provided with the application. See application instructions for additional information.	<input type="radio"/>	<input type="radio"/>
Is the appropriate documentation included with this application? N/A		

SECTION IX: Current Property Owner and Operator Information		Appendix G
CURRENT OWNER GIC Queens LLC		
CONTACT NAME Charles Stehlik		
ADDRESS 18201 Von Karman Avenue, Suite 1170		
CITY Irvine, CA		ZIP CODE 92612
PHONE 484-221-6702	EMAIL charles.stehlik@goodman.com	
OWNERSHIP START DATE November 16, 2021		
CURRENT OPERATOR		
CONTACT NAME		
ADDRESS		
CITY		ZIP CODE
PHONE	EMAIL	
OPERATION START DATE		

SECTION X: Property Eligibility Information		
	Y	N
1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information.	<input type="radio"/>	<input checked="" type="radio"/>
2. Is/was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: _____ Class: _____	<input type="radio"/>	<input checked="" type="radio"/>

SECTION X: Property Eligibility Information (continued)

	Y	N
<p>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: _____</p>	<input type="radio"/>	<input checked="" type="radio"/>
<p>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? If yes, attach any available information related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filings and corporate dissolution documents.</p> <p style="text-align: right;">N/A <input checked="" type="radio"/></p>	<input type="radio"/>	<input type="radio"/>
<p>5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide the order number: _____</p>	<input type="radio"/>	<input checked="" type="radio"/>
<p>6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information.</p>	<input type="radio"/>	<input checked="" type="radio"/>

SECTION XI: Site Contact List Appendix H

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 mailing addresses of the following: Appendix H

- The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
- Residents, owners, and occupants of the property and adjacent properties.
- Local news media from which the community typically obtains information.
- The public water supplier which services the area in which the property is located.
- Any person who has requested to be placed on the contact list.
- The administrator of any school or day care facility located on or near the property.
- 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 XII: 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 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 Vice President (title) of GIC Queens LLC (entity); that I am authorized by that entity to make this application and execute a Brownfield Cleanup Agreement (BCA) and all subsequent documents; that this application was prepared by me or under my supervision and direction. 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 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: 5/13/22 Signature: [Signature]

Print Name: Alan Cockburn

SUBMITTAL INFORMATION

- Two (2) copies, one unbound paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable 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, 11th Floor
Albany, NY 12233-7020

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of ONLY the application form and a table of contents.

FOR DEC USE ONLY

BCP SITE T&A CODE: _____ LEAD OFFICE: _____

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. Appendix I

BCP App Rev 13

Please respond to the questions below and provide additional information and/or documentation as required.	Y	N
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?	<input checked="" type="radio"/>	<input type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input checked="" type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?	<input type="radio"/>	<input checked="" type="radio"/>
4. Is the property upside down or underutilized as defined below?		
Upside down	<input type="radio"/>	<input checked="" type="radio"/>
Appendix I Underutilized	<input checked="" type="radio"/>	<input type="radio"/>

From ECL 27-1405(31):

“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.

From 6 NYCRR 375-3.2(I) as of August 12, 2016 (Please note: Eligibility determination for the underutilized category can only be made at the time of application):

375-3.2:

- (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
 - (1) the proposed use is at least 75 percent for industrial uses; or
 - (2) at which:
 - (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;
 - (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and
 - (iii) one or more of the following conditions exists, as certified by the applicant:
 - (a) property tax payments have been in arrears for at least five years immediately prior to the application;
 - (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
 - (c) there are no structures.

“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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

5. 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*
*Selecting this option 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’ household’s 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 homeowners 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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

6. Is the site a planned renewable energy facility site as defined below?

- Yes – planned renewable energy facility site
- No – not a planned renewable energy facility site

If yes, please provide any documentation available to demonstrate that the property is planned to be developed as a renewable energy facility site.

From ECL 27-1405(33) as of April 9, 2022:

"Renewable energy facility site" shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.

From Public Service Law Article 4 Section 66-p as of April 23, 2021:

(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and meets the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?

- Yes
- No

From ECL 75-0111 as of April 9, 2022:

(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.

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BCP APPLICATION SUMMARY (FOR DEC USE ONLY)			
SITE NAME 39-04 Northern Boulevard		SITE ADDRESS 39-04 Northern Boulevard	
CITY Long Island City		COUNTY Queens	ZIP 11101
REQUESTOR NAME GIC Queens LLC		REQUESTOR ADDRESS 18201 Von Karman Avenue, Suite 1170	
CITY Irvine, CA		ZIP 92612	EMAIL charles.stehlik@goodman.com

PROPERTY ADDRESS	SECTION	BLOCK	LOT
39-04 Northern Boulevard		183	12

REQUESTOR'S REPRESENTATIVE			
NAME GIC Queens LLC/Charles Stehlik		ADDRESS 18201 Von Karman Avenue, Suite 1170	
CITY Irvine, CA		ZIP 92612	EMAIL charles.stehlik@goodman.com
REQUESTOR'S ATTORNEY			
NAME Michael Bogin		ADDRESS 580 Lexington Avenue	
CITY New York		ZIP 10022	EMAIL mbogin@sprlaw.com
REQUESTOR'S CONSULTANT			
NAME Noelle Clarke		ADDRESS 209 Shafter Street	
CITY Islandia		ZIP 11749	EMAIL nclarke@rouxinc.com

REQUESTOR'S REQUESTED STATUS	PARTICIPANT <input type="checkbox"/>	VOLUNTEER <input checked="" type="checkbox"/>
DEC DETERMINATION	AGREE	DISAGREE

APPLIED FOR FEE WAIVER	YES <input type="radio"/>	NO <input checked="" type="radio"/>
ELIGIBLE FOR FEE WAIVER	YES	NO

PERCENTAGE WITHIN AN EN-ZONE	0% <input checked="" type="radio"/>	<50% <input type="radio"/>	50-99% <input type="radio"/>	100% <input type="radio"/>
DEC DETERMINATION	AGREE	DISAGREE		

BCP APPLICATION SUMMARY (FOR DEC USE ONLY) (CONTINUED)

FOR SITES IN NEW YORK CITY ONLY

IS THE REQUESTOR SEEKING TANGIBLE PROPERTY CREDITS?	YES	<input checked="" type="radio"/>	NO	<input type="radio"/>
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UPSIDE DOWN	YES	<input type="radio"/>	NO	<input checked="" type="radio"/>
DEC DETERMINATION	AGREE		DISAGREE	

UNDERUTILIZED	YES	<input checked="" type="radio"/>	NO	<input type="radio"/>
DEC DETERMINATION	AGREE		DISAGREE	

AFFORDABLE HOUSING STATUS	PLANNED	<input type="radio"/>	YES	<input type="radio"/>	NO	<input checked="" type="radio"/>
DEC DETERMINATION			AGREE		DISAGREE	

DISADVANTAGED COMMUNITY AND CONFORMING BOA	YES	<input type="radio"/>	NO	<input checked="" type="radio"/>
DEC DETERMINATION	AGREE		DISAGREE	

RENEWABLE ENERGY FACILITY SITE	YES	<input type="radio"/>	NO	<input checked="" type="radio"/>
DEC DETERMINATION	AGREE		DISAGREE	

NOTES:

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BROWNFIELD CLEANUP PROGRAM (BCP) INSTRUCTIONS FOR COMPLETING A BCP APPLICATION

The New York State Department of Environmental Conservation (DEC) strongly encourages all applicants to schedule a pre-application meeting with DEC staff to review the benefits, requirements, and procedures for completing a project in the BCP. Contact your [Regional Office](#) to schedule a meeting. To add a party to an existing BCP Agreement, use the [BCP Agreement Amendment Application](#).

For further information regarding the determination of a complete application, please refer to the guidance following these instructions, as well as the [NYSDEC BCP website](#).

SUBMITTAL INSTRUCTIONS

Please submit **one unbound paper copy of ONLY the application form and a table of contents** to the address below:

Chief, Site Control Section
New York State Department of Environmental Conservation
625 Broadway, 11th Floor
Albany, NY 12233-7020

Additionally, please submit an electronic (Portable Document Format [PDF]) version of the application as follows:

- One file containing the application form, table of contents, and supporting documentation, excluding historical environmental reports and draft work plans
- One file for each historical environmental report (not merged with each other or with the application file)
- One file for each draft work plan, if applicable

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of **ONLY** the application form and table of contents.

SECTION I: Property Information

PLEASE NOTE	If any changes to SECTION I are required prior to application approval, a new page 2, initialed by each requestor, must be submitted with the revisions.
Proposed Site Name	Provide a name for the proposed site. The name could be an owner's name, current or historical operations (i.e., ABC Furniture) or the general location of the property. Consider whether the property is known by DEC by a particular name, and if so, use that name.
Site Address	Provide a street address, city/town, zip code, and each municipality and county in which the site is located.
Site Size	Provide the approximate acreage of the site.
GIS Information	Provide the latitude and longitude for the approximate center of the property. Show the latitude and longitude in degrees, minutes and seconds.

SECTION I: Property Information (continued)	
Tax Parcel Information	Provide the tax parcel address/section/block/lot information and map. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5-minute quad map on which the property appears and clearly indicate the proposed site's location.
Tax Map Boundaries	State whether the boundaries of the site correspond to the tax map boundaries. If no, a metes and bounds description of the property must be attached. The site boundary can occupy less than a tax lot or encompass portions of one or more tax lots and may be larger or smaller than the overall redevelopment/ reuse project area. A site survey with metes and bounds will be required to establish the site boundaries before the Certificate of Completion can be issued.
Site Map	Provide a property base map(s) of sufficient detail, clarity and accuracy to show the following: (i) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways; and (ii) proposed brownfield property boundary lines, with adjacent property owners clearly identified.
En-zone	Is any part of the property in an En-zone? If so, what percentage? For information on En-zones, please see DEC's website .
Disadvantaged Communities	For additional information on disadvantaged communities, please refer to the Climate Leadership and Community Protection Act website .
Brownfield Opportunity Area (BOA)	For more information on designated BOAs, please refer to the NYS DOS website . Additional information on BOA conformance determinations can be found at the Office of Planning and Development website .
Multiple Applications	Generally, only one application can be submitted, and one BCA executed, for a development project. In limited circumstances, the DEC may consider multiple applications/BCAs for a development project where (1) the development project spans more than 25 acres; (2) the approach does not negatively impact the remedial program, including timing, ability to appropriately address areas of concern, and management of off-site concerns; and (3) the approach is not advanced to increase the value of future tax credits (i.e., circumvent the tax credit caps provided under New York State Tax Law Section 21).
Previous BCP Applications	If all or part of the proposed site has been the subject of a previous BCP application (whether accepted, denied or withdrawn), please provide the assigned DEC site number from the previous application as well as any relevant information regarding why the property is not currently in the program.

SECTION I: Property Information (continued)

<p>Registry Listing and P-site Status</p>	<p>If all or part of the proposed site is now or ever was listed on the Registry of Inactive Hazardous Waste Disposal Sites, or is currently the subject of investigation as a Potential Site, please provide the assigned DEC site number.</p>
<p>Property Description Narrative</p>	<p>Provide a property description in the format provided below. Each section should be no more than one paragraph long.</p> <p><u>Location:</u></p> <p>Example: "The XYZ Site is located in an {urban, suburban, rural} area." {Add reference points if address is unspecific; e.g., "The site is approximately 3.5 miles east of the intersection of County Route 55 and Industrial Road."}</p> <p><u>Site Features:</u></p> <p>Example: "The main site features include several large, abandoned buildings surrounded by former parking areas and roadways. About one quarter of the site area is wooded. Little Creek passes through the northwest corner."</p> <p><u>Current Zoning and Land Use:</u> (Ensure the current zoning is identified)</p> <p>Example: "The site is currently inactive and is zoned for commercial use. The surrounding parcels are currently used for a combination of commercial, light industrial, and utility rights-of-way. The nearest residential area is 0.3 miles east on Route 55."</p> <p><u>Past Use of the Site:</u> include source(s) of contamination and remedial measures (site characterizations, investigations, Interim Remedial Measures, etc.) completed outside of the current remedial program (e.g., work under a petroleum spill incident).</p> <p>Example: "Until 1992 the site was used for manufacturing wire and wire products (e.g., conduit, insulators) and warehousing. Prior uses that appear to have led to site contamination include metal plating, machining, disposal in a one-acre landfill north of Building 7, and releases of wastewater into a series of dry wells."</p> <p>When describing the investigations/actions performed outside of the remedial program, include the major chronological remedial events that lead to the site entering a remedial program. The history should include the first involvement by government to address hazardous waste/petroleum disposal. Do not cite reports. Only include remedial activities which were implemented PRIOR to the BCA. Do not describe sampling information.</p> <p><u>Site Geology and Hydrogeology:</u></p> <p>As appropriate, provide a very brief summary of the main hydrogeological features of the site including depth to water, groundwater flow direction, etc.</p>

SECTION I: Property Information (continued)

<p>Environmental Assessment</p>	<p>The goal of this section is to describe the nature and extent of contamination at the site. When describing the nature of contamination, identify just the primary contaminants of concern (i.e., those that will likely drive remedial decisions/ actions). If there are many contaminants present within a group of contaminants (i.e., volatile organic compounds, semi-volatile organic compounds, metals), identify the group(s) and one or two representative contaminants within the group. When addressing the extent of contamination, identify the areas of concern at the site, contaminated media (i.e., soil, groundwater, etc.), relative concentration levels, and a broad-brush description of contaminated areas/depths.</p> <p>The reader should be able to know if contamination is widespread or limited and if concentrations are marginally or greatly above Standards, Criteria and Guidance (SGCs) for the primary contaminants. If the extent is described qualitatively (e.g., low, medium, high), representative concentrations should be given and compared with appropriate SCGs. For soil contamination, the concentrations should be compared with the soil cleanup objectives (SCOs) for the intended use of the site.</p> <p>A typical Environmental Assessment would look like the following:</p> <p>Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).</p> <p><i>Soil</i> - Cadmium is found in shallow soil, mostly near a dry well at the northeast end of the property. TCE is found in deeper soil, predominantly at the north end of the site. Concentrations of cadmium found on site (approximately 5 ppm) slightly exceed the soil cleanup objective (SCO) for unrestricted use (2.5 ppm). Concentrations of TCE found on site (5 ppm to 300 ppm) significantly exceed the soil cleanup objectives for the protection of groundwater (0.47 ppm).</p> <p><i>Groundwater</i> - TCE and its associated degradation products are also found in groundwater at the north end of the site, moderately exceeding groundwater standards (typically 5 ppb), with a maximum concentration of 1500 ppb. A moderate amount of TCE from the site has migrated 300 feet down-gradient off-site. The primary contaminant of concern for the off-site area is TCE, which is present at a maximum concentration of 500 ppb, at 10 feet below the groundwater table near Avenue A.</p> <p><i>Soil Vapor & Indoor Air</i> - TCE was detected in soil vapor at elevated concentrations and was also detected in indoor air at concentrations up to 1,000 micrograms per cubic meter.</p>
<p>Questions 15-17: New York City Sites</p>	<p>These questions pertain ONLY to sites located within the five counties comprising New York City. If the requestor is seeking a determination that the site is eligible for tangible property tax credits, this section and the <i>Supplemental Questions for Sites Seeking Tangible Property Credits in New York City</i> must be completed.</p>

SECTION II: Project Description

As a separate attachment, provide complete and detailed information about the project, including the purpose of the project, the date the remedial program is to start, and the date the issuance of the Certificate of Completion is anticipated.

SECTION III: Land Use Factors

In addition to eligibility information, site history, and environmental data/reports, the application requires information regarding the current, intended and reasonably anticipated future land use.

This information consists of responses to the “land use” factors to be considered relative to the “Land Use” section of the BCP application. The information will be used to determine the appropriate land use in conjunction with the investigation data provided, in order to establish eligibility for the site based on the definition of a “brownfield site” pursuant to ECL 27-1405(2).

This land use information will be used by DEC, in addition to all other relevant information provided, to determine whether the proposed use is consistent with the currently identified, intended and reasonably anticipated future land use of the site at this stage. Further, this land use finding is subject to information regarding contamination at the site or other information which could result in the need for a change in this determination being borne out during the remedial investigation.

Zoning and Current Use	Provide the current municipal zoning designation and uses permitted by that designation. Provide a summary of the current use of the site, including identifying possible contaminant source areas. If the site is no longer in use, provide the date by which operations ceased.
Anticipated Use	Identify the anticipated post-remediation use of the site and provide a detailed description of the specific anticipated post-remediation use as an attachment.
Renewable Energy Facility Site	Indicate if the post-remediation use of the site is proposed to be a renewable energy facility. A “renewable energy facility site” shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system. Section 66-p of the Public Service Law: "Renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity. Provide any detailed plans or documentation to support this.
Compliance with Zoning Laws, Recent Development, and Community Master Plans	Provide additional explanation and/or documentation as necessary to support the responses to these items.

SECTION IV: Property's Environmental History

For all sites, an investigation report is required that is sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data include site drawings and data summary tables requested in Section III, #3 of the BCP application form. Specific instructions regarding the data summary tables are attached at the end of these instructions.

SECTION V: Requestor Information

Requestor Name	<p>Provide the name of the person(s)/entity requesting participation in the BCP (if more than one, attach additional sheets with requested information.) The requestor is the person or entity seeking DEC review and approval of the remedial program.</p> <p>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 in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to DEC with the application, to document that the requestor is authorized to do business in NYS.</p>
Address, etc.	Provide the requestor's mailing address, telephone number and e-mail.
LLC Information	If the requestor(s) is/are an LLC, the names of the members/owners need to be provided on a separate attachment.
Document Certification	<p>All documents, which are prepared in final form for submission to DEC for approval, are to be prepared and certified in accordance with Section 1.5 of DER-10. Persons preparing and certifying the various work plans and reports identified in Section 1.5 include:</p> <ul style="list-style-type: none">• New York State licensed professional engineers (P.E.s), as defined at 6 NYCRR 375-1.2(aj) and paragraph 1.3(b)47. Engineering documents must be certified by a P.E. with current license and registration for work that was done by them or those under their direct supervision. The firm by which the P.E. is employed must also be authorized to practice engineering in New York State;• qualified environmental professionals as defined at 6 NYCRR 375-1.2(ak) and DER-10 paragraph 1.3(b)49;• remedial parties, as defined at 6 NYCRR 375-1.2(ao) and DER-10 paragraph 1.3(b)60; or• site owners, which are the owners of the property comprising the site at the time of the certification.

SECTION VI: Requestor Eligibility

As a separate attachment, provide complete and detailed information in response to any eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that such information be summarized. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

Volunteer Statement	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.
Proof of Site Access	If a requestor is not the current owner of the entirety of the site, a site access agreement must be provided that demonstrates that the requestor will have access to the property before signing the BCA and throughout the BCP project. Additionally, the access agreement must include language allowing the requestor the ability to place an environmental easement on the site should the requestor not be the owner at the time remediation is complete and a Track 1 cleanup has not been achieved.

SECTION VII: Requestor Contact Information

Requestor's Representative	Provide information for the requestor's authorized representative. This is the person to whom all correspondence, notices, etc. will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative of Applications determined to be Participants unless another contact name and address is provided with the application.
Requestor's Consultant and Requestor's Attorney	Provide all requested information.

SECTION VIII: Program Fee

If the requestor is applying for a fee waiver, sufficient documentation must be provided to demonstrate financial hardship. To demonstrate financial hardship, the applicant must show that with the payment of the program fee, remediation of the brownfield site would not be economically viable. This documentation may be in the form of federal tax returns with applicable schedules, financial statements and balance sheets, proof that the applicant has waived its right to tax credits, or any other documentation deemed acceptable by the Department.

SECTION IX: Current Property Owner and Operator Information

Owner Information	Provide requested information of the current owner of the property. List <u>all</u> parties holding an interest in the property and, if the requestor is not the current owner, describe the requestor's relationship to the current owner. If the property consists of multiple parcels, be sure to include the ownership start date of each.
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SECTION IX: Current Property Owner and Operator Information (continued)	
Operator Information	Provide requested information of the current operator(s). If multiple operators, attach the requested information for each operator, including the date each operator began utilizing the property.
Historical Owners and Operators	Provide a list of previous owners and a list of previous operators, including dates of ownership or operation and last-known addresses and phone numbers. Describe the requestor's relationship to each previous owner and operator; if no relationship, indicate "none". When describing the requestor's relationship to current and historical owners and operators, include any relationship between the requestor's corporate members and the previous owners and operators.

SECTION X: Property Eligibility Information	
As a separate attachment, provide complete and detailed information in response to the following eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that that information be summarized.	
CERCLA / NPL Listing	Has any portion of the property ever been listed on the National Priorities List (NPL) established under CERCLA? If so, provide relevant information.
Registry Listing	Has any portion of the property ever been listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites established under ECL 27-1305? If so, please provide the site number and classification. See the Division of Environmental Remediation (DER) website for a database of sites with classifications.
RCRA Listing	Does the property have a Resource Conservation and Recovery Act (RCRA) TSDf Permit in accordance with the ECL 27-0900 et seq? If so, please provide the EPA Identification Number, the date the permit was issued, and its expiration date. Note: for purposes of this application, interim status facilities are not deemed to be subject to a RCRA permit.
Registry/RCRA Sites Owned by Volunteers	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.

SECTION X: Property Eligibility Information (continued)

<p>Existing Order</p>	<p>Is the property subject to an order for cleanup under Article 12 of the Navigation Law or Article 17 Title 10 of the ECL? If so, please provide information on an attachment. Note: if the property is subject to a stipulation agreement, relevant information should be provided; however, property will not be deemed ineligible solely on the basis of the stipulation agreement.</p>
<p>Pending Enforcement Actions</p>	<p>Is the property subject to an enforcement action under Article 27, Titles 7 or 9 of the ECL or subject to any other ongoing state or federal enforcement action related to the contamination which is at or emanating from the property? If so, please provide information as an attachment.</p>

SECTION XI: Site Contact List

Provide the names and addresses of the parties on the Site Contact List (SCL) and a letter from the repository acknowledging agreement to act as the document repository for the proposed BCP project. For sites located in a city with a population of one million or more, the appropriate community board must be included as an additional document repository, and acknowledgement of their agreement to act as such must also be provided.

SECTION XII: Statement of Certification and Signatures

The requestor must sign the application or designate a representative who is authorized to sign. The requestor's consultant or attorney cannot sign the application. If there are multiple parties applying, then each requestor must sign a signature page. 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 entity's name must appear exactly as given in the NYS Department of State's Corporation & Business Entity Database.

DATA SUMMARY TABLE INSTRUCTIONS

Data summary tables should include the following columns:

Soil Table:

Analytes > SCOs ^a	Detections > SCOs ^b	Max. Detection (ppm) ^c	SCO (ppm) ^d	Depth (ft bgs)
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Groundwater Table:

Analytes > AWQS ^e	Detections > AWQS ^f	Max. Detection (ppb) ^c	AWQS (ppb) ^g
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Soil Gas Table:

Analytes ^h	Total Detections	Max. Detection (ug/m3) ^c	Type ⁱ
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^a Include all contaminants over the applicable soil cleanup objectives (SCOs). Column header should specify which SCOs are being compared to. (i.e., "RRSCOs" for Restricted Residential SCOs)

^b Number of detections over applicable SCOs. Specify which SCOs are being compared to in column header.

^c Maximum detection in parts per million (ppm) for soil, parts per billion (ppb) for groundwater, or micrograms per cubic meter (ug/m3) for soil gas.

^d List the respective SCO. Specify which SCOs are being compared to in column header.

^e Include all contaminants over Class GA Ambient Water Quality Standards (AWQS).

^f Number of detections over AWQS.

^g List the respective AWQS.

^h Include all chlorinated volatile organic compound (VOCs) detections.

ⁱ Specify type: soil vapor, sub-slab or indoor air.

Example Data Summary Tables

Soil Table:

Analytes > RR SCOs	Detections > RR SCOs	Maximum Detection (ppm)	RR SCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	3	11	1	5 – 7
Benzo(a)pyrene	4	15	1	5 – 7
Benzo(b)fluoranthene	5	15	1	5 – 7
Benzo(k)fluoranthene	1	5.3	3.9	5 – 7
Indeno(1,2,3-cd)pyrene	7	8.4	0.5	5 – 7
barium	2	967	400	0.5 – 2.5
cadmium	2	94.1	4.3	6 – 8
lead	3	1,790	400	0.5 – 2.5

Groundwater Table:

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQS (ppb)
Benz(a)anthracene	2	0.2	0.002
Benzo(a)pyrene	2	0.221	ND
Benzo(b)fluoranthene	2	0.179	0.002
Benzo(k)fluoranthene	2	0.189	0.002
Indeno(1,2,3-cd)pyrene	2	0.158	0.002
Tetrachloroethene (PCE)	1	12	5

Soil Gas Table:

Analytes	Total Detections	Max. Detection ($\mu\text{g}/\text{m}^3$)	Type
Carbon tetrachloride	1	0.84	Soil vapor
Methylene chloride	1	2.6 J	Soil vapor
Tetrachloroethene	2	47	Soil vapor
Trichloroethene	1	1.2	Soil vapor
Trichlorofluoromethane	1	21	Soil vapor

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

DETERMINATION OF A COMPLETE APPLICATION

1. The first step in the application review and approval process is an evaluation to determine if the application is complete. To help ensure that the application is determined complete, requestors should review the list of common application deficiencies and carefully read these instructions.
2. DEC will send a notification to the requestor within 30 calendar days of receiving the application, indicating whether such application is complete or incomplete.
3. An application must include the following information relative to the site identified by the application, necessary for making an eligibility determination, or it will be deemed incomplete. (Please note: the application as a whole requires more than the information outlined below to be determined complete). The application must include:
 - a. for all sites, an investigation report sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data includes site drawings requested in Section III, #3 of the BCP application form.
 - b. for those sites described below, documentation relative to the volunteer status of all requestors, as well as information on previous owners or operators that may be considered responsible parties and their ability to fund remediation of the site. This documentation is required for:
 - i. real property listed in the registry of inactive hazardous waste disposal sites as a class 2 site, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP; or
 - ii. real property that was a hazardous waste treatment, storage or disposal facility having interim status pursuant to the Resource Conservation and Recovery Act (RCRA) program, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP.
 - c. for sites located within the five counties comprising New York City, in addition to (a) and if applicable (b) above, if the application is seeking a determination that the site is eligible for tangible property tax credits, sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a). If this 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, using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.
 - d. for sites previously remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law, relevant documentation of this remediation.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DETERMINATION OF A COMPLETE APPLICATION (CONTINUED)

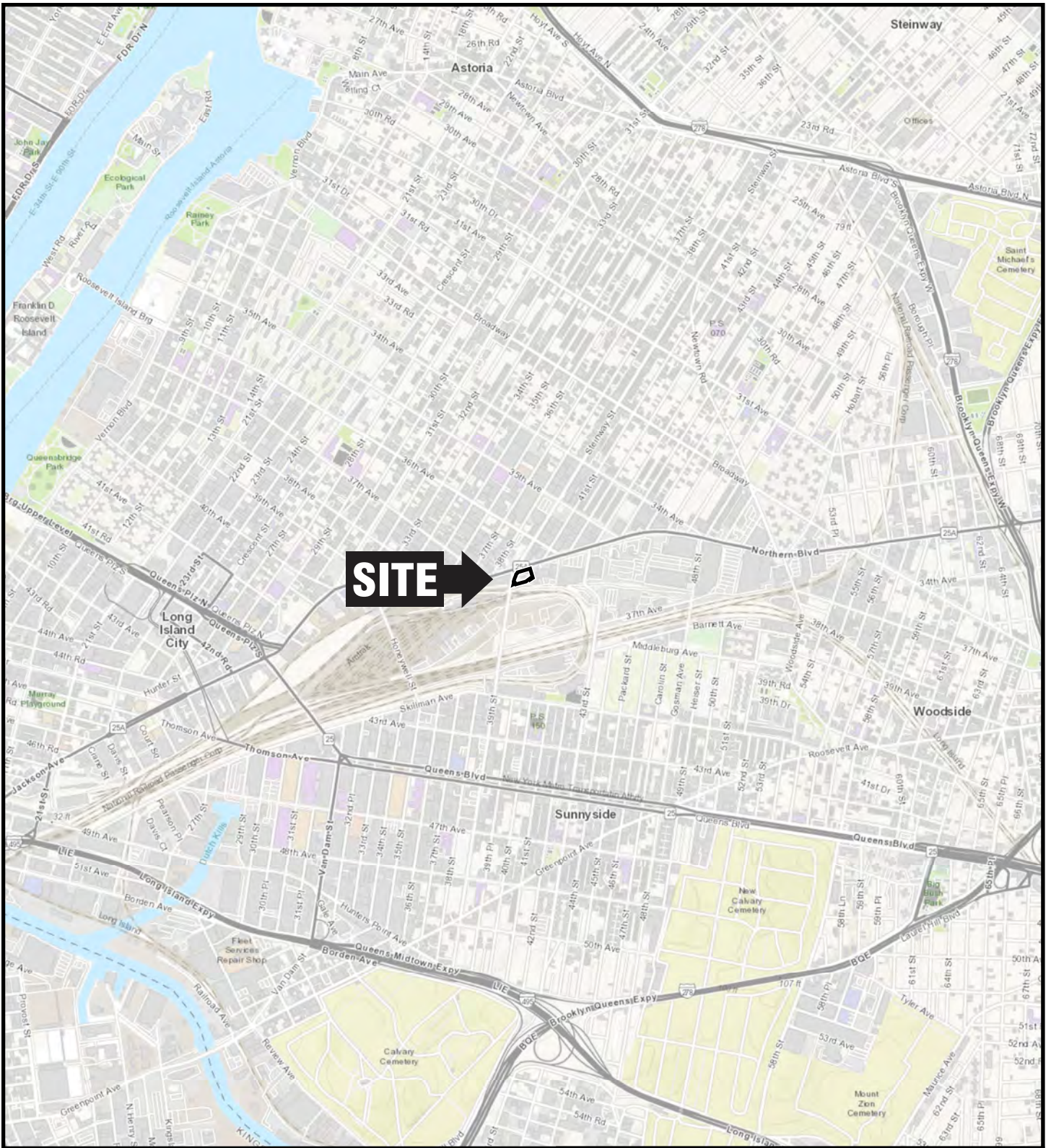
4. If the application is found to be incomplete:
 - a. the requestor will be notified via email or phone call regarding minor deficiencies. The requestor must submit information correcting the deficiency to DEC within the 30-day review time frame; or
 - b. the requestor will receive a formal Letter of Incomplete Application (LOI) if an application is substantially deficient, if the information needed to make an eligibility determination identified in #4 above is missing or found to be incomplete, or if a response to a minor deficiency is not received within the 30-day period. The LOI will detail all of the missing information and request submission of the information. If the information is not submitted within 30 days from the date of the LOI, the application will be deemed withdrawn. In this case, the requestor may resubmit the application without prejudice.

5. If the application is determined to be complete, DEC will send a Letter of Complete Application (LOC) that includes the dates of the public comment period. The LOC will:
 - a. include an approved public notice to be sent to all parties on the Contact List included with the application;
 - b. provide instructions for publishing the public notice in the newspaper on the date specified in the letter, and instructions for mailing the notice to the Contact List;
 - c. identify the need for a certification of mailing form to be returned to DEC along with proof of publication documentation; and
 - d. specify the deadline for publication of the newspaper notice, which must coincide with, or occur before, the date of publication in the Environmental Notice Bulletin (ENB).
 - i. DEC will send a notice of the application to the ENB. As the ENB is only published on Wednesdays, DEC must submit the notice by the Wednesday before it is to appear in the ENB.
 - ii. The mailing to parties on the Contact List must be completed no later than the Tuesday prior to ENB publication. If the mailings, newspaper notice and ENB notice are not completed within the timeframes established by the LOC, the public comment period on the application will be extended to ensure that there will be the required comment period.
 - iii. Marketing literature or brochures are prohibited from being included in mailings to the Contact List.

Brownfield Cleanup Program Application
39-04 Northern Boulevard, Long Island City, NY 11101

FIGURES

1. Site Location Map
2. Tax Map
3. Existing Conditions
4. Surrounding Properties
5. Summary of Exceedances in Soil from 2018
6. Summary of Exceedances in Groundwater from 2018
7. Summary of Detections in Soil Vapor from 2018

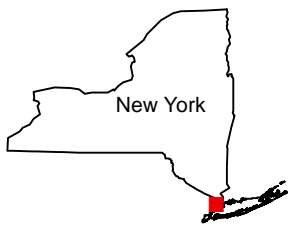


SITE →

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QUADRANGLE LOCATION



Title:

SITE LOCATION MAP

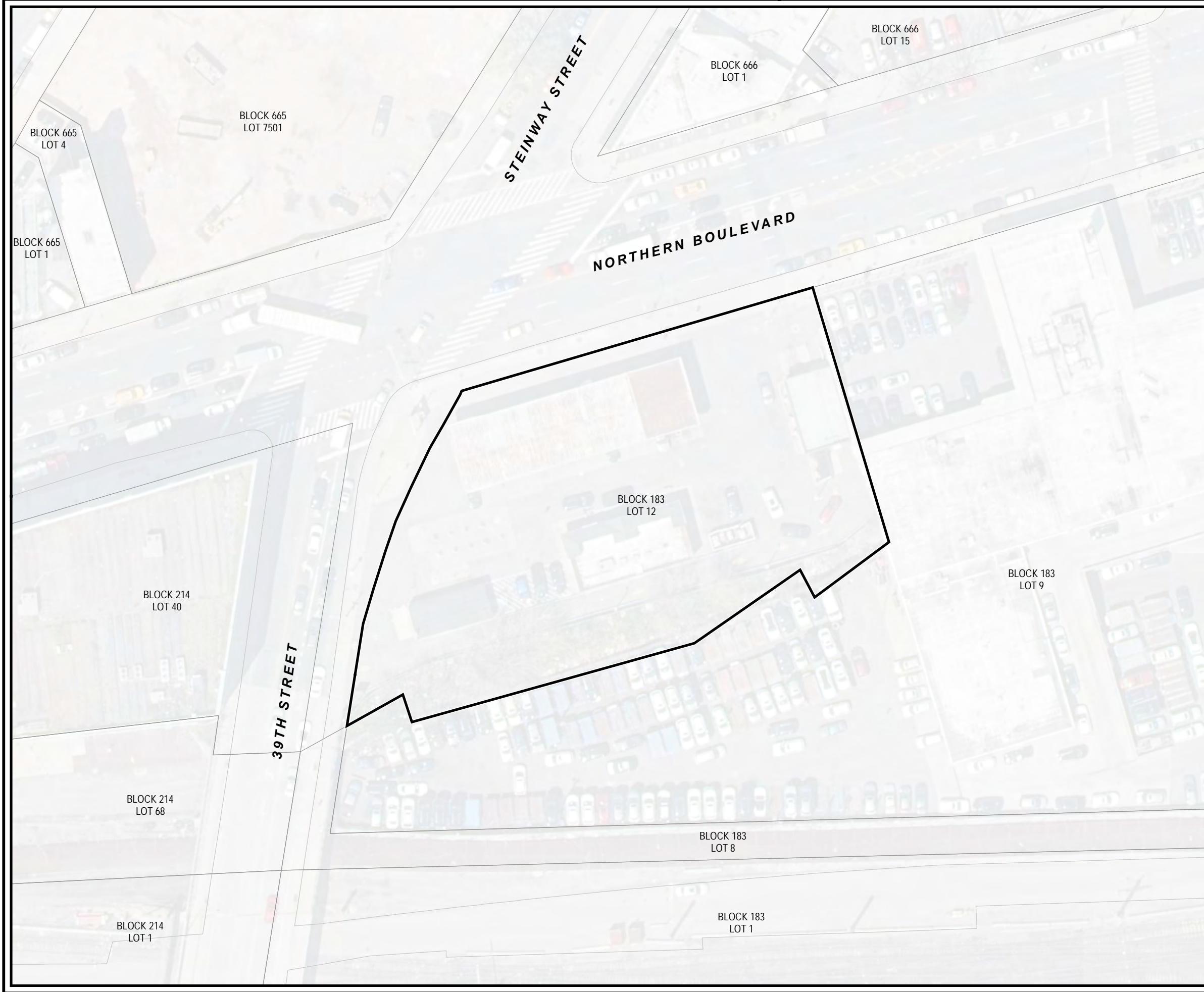
39-04 NORTHERN BOULEVARD
LONG ISLAND CITY, NY


Prepared for:

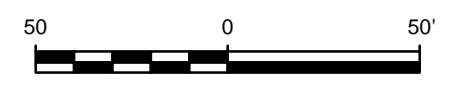
GIC QUEENS LLC




Compiled by: E.B.	Date: 03/11/22	FIGURE 1
Prepared by: M.S.R.	Scale: AS SHOWN	
Project Mgr: E.B.	Project: 3883.0002Y000	
File: 3883.0002Y103.1.mxd		



LEGEND
 PROPOSED BCP SITE BOUNDARY



Title:			
TAX MAP			
39-04 NORTHERN BOULEVARD LONG ISLAND CITY, NY			
Prepared for:			
GIC QUEENS LLC			
	Compiled by: E.B.	Date: 03/11/22	FIGURE 2
	Prepared by: M.S.R.	Scale: AS SHOWN	
	Project Mgr: E.B.	Project: 3883.0002Y000	
	File: 3883.0002Y103.2.mxd		

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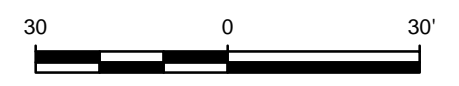
NORTHERN BOULEVARD


39TH STREET



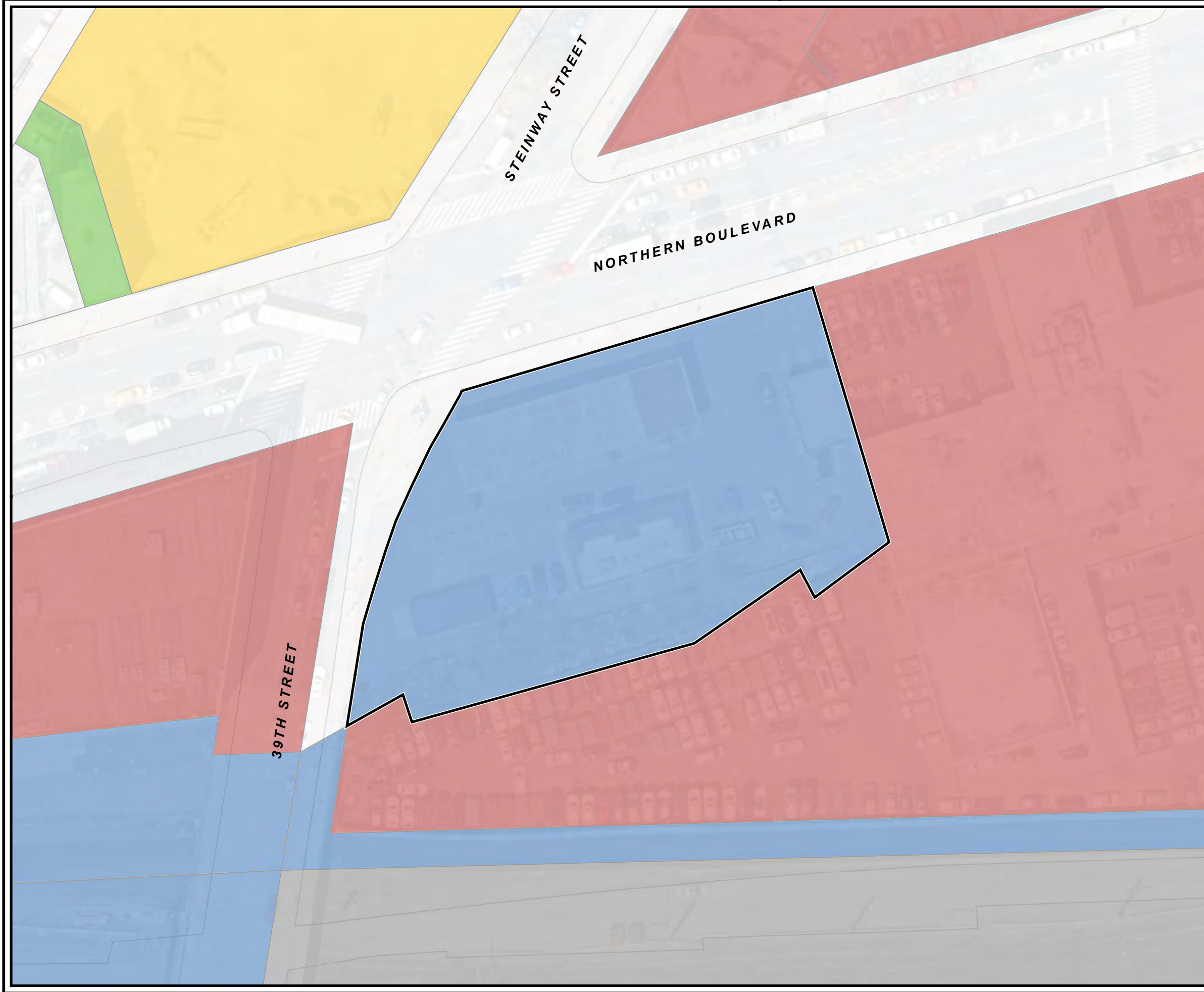
LEGEND

 PROPOSED BCP SITE BOUNDARY



Title:			
EXISTING CONDITIONS			
39-04 NORTHERN BOULEVARD LONG ISLAND CITY, NY			
Prepared for:			
GIC QUEENS LLC			
	Compiled by: E.B.	Date: 03/11/22	FIGURE 3
	Prepared by: M.S.R.	Scale: AS SHOWN	
	Project Mgr: E.B.	Project: 3883.0002Y000	
	File: 3883.0002Y103.3.mxd		

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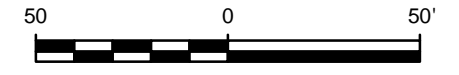


LEGEND

- PROPOSED BCP SITE BOUNDARY
- MISCELLANEOUS/OTHER
- COMMERCIAL & OFFICE BUILDINGS
- MIXED RESIDENTIAL & COMMERCIAL BUILDINGS
- TRANSPORTATION & UTILITY
- PUBLIC FACILITIES & INSTITUTIONS
- VACANT LAND

NOTES

1. ZOLA INDICATES THAT THE SITE USE IS TRANSPORTATION & UTILITY, HOWEVER THE ZONING IS M1-5 WITH ALLOWABLE COMMERCIAL/ INDUSTRIAL USES. THE SITE OPERATED AS A RETAIL SERVICE STATION FOR FOR DECADES UNTIL 2018.
2. LAND USE PROVIDED BY NEW YORK CITY DEPARTMENT OF CITY PLANNING, INFORMATION AND TECHNOLOGY DIVISION



SURROUNDING PROPERTIES			
39-04 NORTHERN BOULEVARD LONG ISLAND CITY, NY			
Prepared for: GIC QUEENS LLC			
	Compiled by: E.B.	Date: 04/04/22	FIGURE 4
	Prepared by: M.S.R.	Scale: AS SHOWN	
	Project Mgr: E.B.	Project: 3883.0002Y000	
	File: 3883.0002Y103.4.mxd		

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SW-8	10/19/2018
Depth (ft bls)	10
SVOCs	
Benzo(a)anthracene	2.84
Benzo(a)pyrene	2.50
Benzo(b)fluoranthene	3.48
Chrysene	2.93

VL-1	10/25/2018
SVOCs	
Benzo(a)anthracene	3.24
Benzo(a)pyrene	2.74
Benzo(b)fluoranthene	3.04
Benzo(k)fluoranthene	1.87
Chrysene	3.28

VL-3	10/25/2018
SVOCs	
Benzo(a)anthracene	2.87
Benzo(a)pyrene	2.56
Benzo(b)fluoranthene	3.10
Chrysene	2.83

SB003	9/10/2018	9/10/2018
Depth (ft bls)	8-10	28-30
SVOCs		
Benzo(a)anthracene	20	NE
Benzo(a)pyrene	16	NE
Benzo(b)fluoranthene	20	NE
Benzo(k)fluoranthene	7.7	NE
Chrysene	18	NE
Ideno(1,2,3-cd)pyrene	10	NE
Metals		
Lead	8,300	NE
Mercury	3.02	NE

PL-8	10/25/2018
Depth (ft bls)	4-4.5
SVOCs	
Benzo(a)anthracene	8.09
Benzo(a)pyrene	6.68
Benzo(b)fluoranthene	8.32
Benzo(k)fluoranthene	3.98
Chrysene	8.37
Dibenz(a,h)anthracene	1.17

SB007	9/12/2018	9/12/2018
Depth (ft bls)	20-22	20-22 DUP
VOCs		
1,2,4-Trimethylbenzene	94	93
Ethylbenzene	42	39
n-Butylbenzene	13	15
n-Propylbenzene	11	11
Xylenes, Total	130	110

SB008	9/7/2018
Depth (ft bls)	23-25
VOCs	
1,2,4-Trimethylbenzene	240
Ethylbenzene	96
n-Butylbenzene	26
n-Propylbenzene	12
Xylenes, Total	120

PL-27	10/31/2018
Depth (ft bls)	4-4.5
SVOCs	
Chrysene	1.01

- LEGEND**
- SOIL BORING INSTALLED BY PREVIOUS CONSULTANT IN 2018
 - SOIL BORING AND GROUNDWATER SAMPLE INSTALLED BY PREVIOUS CONSULTANT IN 2018
 - ⊕ MONITORING WELL SAMPLED BY PREVIOUS CONSULTANT IN 2018
 - ▲ SOIL VAPOR SAMPLE INSTALLED BY PREVIOUS CONSULTANT IN 2018
 - OUTDOOR AIR SAMPLE COLLECTED BY PREVIOUS CONSULTANT IN 2018
 - ✕ PRODUCT LINE ENDPOINT SAMPLE COLLECTED BY PREVIOUS CONSULTANT IN 2018
 - ✕ VENT LINE ENDPOINT SAMPLE COLLECTED BY PREVIOUS CONSULTANT IN 2018
 - ✕ SIDEWALL ENDPOINT SAMPLE COLLECTED BY PREVIOUS CONSULTANT IN 2018
 - PROPOSED BCP SITE BOUNDARY

Parameter	NYSDEC Part 375 Protection of Groundwater SCO	NYSDEC Part 375 Industrial SCO
VOCs		
1,2,4-Trimethylbenzene	3.6	380
Ethylbenzene	1	780
n-Butylbenzene	12	1000
n-Propylbenzene	3.9	1000
Xylenes, total	1.6	1000
SVOCs		
Benzo(A)Anthracene	1	11
Benzo(A)Pyrene	22	1.1
Benzo(B)Fluoranthene	1.7	11
Benzo(K)Fluoranthene	1.7	110
Chrysene	1	110
Dibenz(a,h)anthracene	1000	1.1
Ideno(1,2,3-cd)pyrene	8.2	11
Metals		
Lead	450	3,900
Mercury	0.73	5.7

- NOTES**
- ALL CONCENTRATIONS SHOWN IN MILLIGRAMS PER KILOGRAM
 - DATA PRESENTED WAS COLLECTED DURING A PHASE II ENVIRONMENTAL SITE ASSESSMENT (ESA) IN 2018 AND TANK SYSTEM CLOSURE ACTIVITIES IN 2018 (REPORTS ARE INCLUDED IN APPENDIX C OF THE BCP APPLICATION).

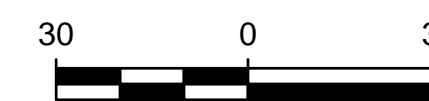
DUP - DUPLICATE SAMPLE
 FT BLS - FEET BELOW LAND SURFACE
 NE - NO EXCEEDANCE
 NYSDEC - NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 PCBS - POLYCHLORINATED BIPHENYLS
 SVOCs - SEMI-VOLATILE ORGANIC COMPOUNDS
 VOCs - VOLATILE ORGANIC COMPOUNDS

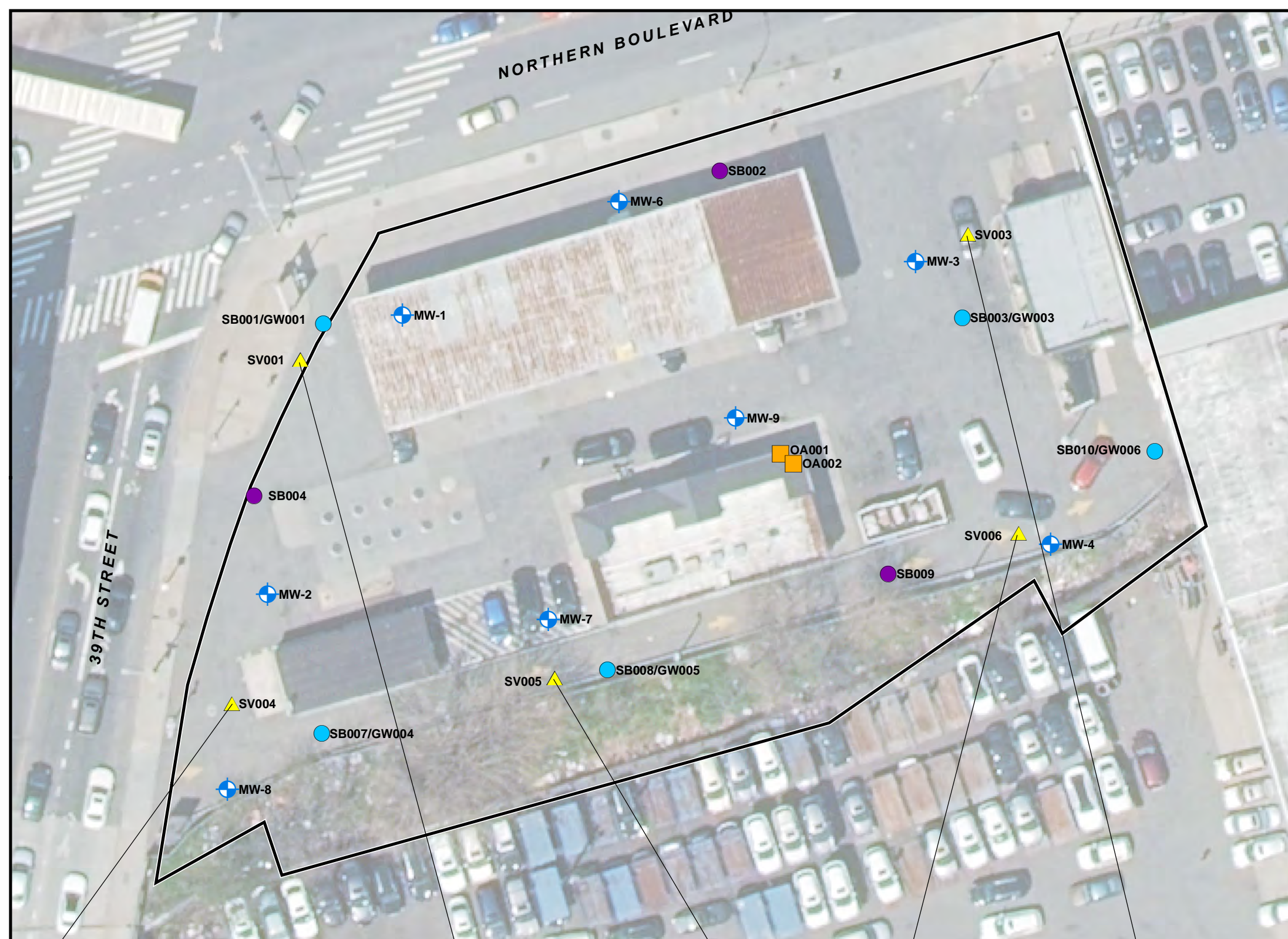
Title: **SUMMARY OF EXCEEDANCES IN SOIL FROM 2018**

39-04 NORTHERN BOULEVARD
LONG ISLAND CITY, NY

Prepared for: **GIC QUEENS LLC**

ROUX	Compiled by: E.B.	Date: 04/05/22	FIGURE 5
	Prepared by: M.S.R.	Scale: AS SHOWN	
	Project Mgr: E.B.	Project: 3883.0002Y000	
	File: 3883.0002Y103.5.mxd		





- LEGEND**
- SOIL BORING INSTALLED BY PREVIOUS CONSULTANT IN 2018
 - SOIL BORING AND GROUNDWATER SAMPLE INSTALLED BY PREVIOUS CONSULTANT IN 2018
 - + MONITORING WELL SAMPLED BY PREVIOUS CONSULTANT IN 2018
 - ▲ SOIL VAPOR SAMPLE INSTALLED BY PREVIOUS CONSULTANT IN 2018
 - OUTDOOR AIR SAMPLE COLLECTED BY PREVIOUS CONSULTANT IN 2018
 - PROPOSED BCP SITE BOUNDARY

- NOTES**
1. ALL CONCENTRATIONS SHOWN IN MICROGRAMS PER CUBIC METER
 2. DATA PRESENTED WAS COLLECTED DURING A PHASE II ENVIRONMENTAL SITE ASSESSMENT (ESA) IN 2018 (APPENDIX C OF THE BCP APPLICATION).

VOCS - VOLATILE ORGANIC COMPOUNDS

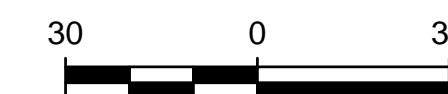
SV004	9/14/18
VOCS	
1,2,4-Trimethylbenzene	29.3
1,3,5-Trimethylbenzene	9.09
2,2,4-Trimethylpentane	61.7
2-Butanone	4.31
4-Ethyltoluene	6
Acetone	21.1
Benzene	66.8
Carbon Disulfide	10.4
Chloroform	1.28
Cyclohexane	36.1
Dichlorodifluoromethane	2
Ethyl Alcohol	12.1
Ethylbenzene	14.9
Heptane	34.2
iso-Propyl Alcohol	17.5
n-Hexane	75.8
o-Xylene	23.4
p/m-Xylene	49.1
tert-Butyl Alcohol	21.9
Toluene	55.4
Trichlorofluoromethane	1.3

SV001	9/14/18
VOCS	
1,2,4-Trimethylbenzene	23.4
1,3-Butadiene 1,3 Butadiene	199
2,2,4-Trimethylpentane	127
2-Butanone	78.2
Acetone	147
Benzene	70
Carbon Disulfide	19.6
Chloromethane	33.5
Cyclohexane	31.9
Heptane	77
iso-Propyl Alcohol	39.3
Methyl tert butyl ether	111
N-Hexane	282
O-Xylene	21.5
p/m-Xylene	50.8
Tert-Butyl Alcohol	38.2
Toluene	85.9

SV005	9/14/18
VOCS	
1,2,4-Trimethylbenzene	12
1,3,5-Trimethylbenzene	2.82
2,2,4-Trimethylpentane	21.5
2-Butanone	7.17
4-Ethyltoluene	4.29
Acetone	41.8
Benzene	19.4
Carbon Disulfide	43.6
Chloroform	3.27
Cyclohexane	10.7
Dichlorodifluoromethane	1.86
Ethyl Alcohol	14.8
Ethylbenzene	10.2
Heptane	9.71
iso-Propyl Alcohol	21.4
n-Hexane	15.2
o-Xylene	9.47
p/m-Xylene	34.9
tert-Butyl Alcohol	61.2
Tetrahydrofuran	3.04
Toluene	51.3
Trichlorofluoromethane	1.19

SV006	9/14/18
VOCS	
1,2,4-Trimethylbenzene	9.09
1,3,5-Trimethylbenzene	2.15
1,3-Butadiene 1,3-Butadiene	6.19
1,4-Dioxane	0.865
2-Butanone	20.1
2-Hexanone	1.6
4-Ethyltoluene	3.26
4-Methyl-2-pentanone	4.22
Acetone	107
Benzene	13.3
Carbon Disulfide	4.27
Chloroform	6.35
Chloromethane	0.498
Cyclohexane	4.75
Dichlorodifluoromethane	2.24
Ethyl Alcohol	57.1
Ethylbenzene	8.99
Heptane	36.1
iso-Propyl Alcohol	237
Methylene Chloride	2.02
n-Hexane	99
o-Xylene	8.3
p/m-Xylene	31
tert-Butyl Alcohol	106
Tetrahydrofuran	3.6
Toluene	54.6
Trichlorofluoromethane	2.07

SV003	9/14/18
VOCS	
1,1,1-Trichloroethane	1.52
1,2,4-Trimethylbenzene	11.6
1,2-Dichloro-1,1,2,2-tetrafluoroethane	3.31
1,3,5-Trimethylbenzene	2.74
1,3-Butadiene 1,3-Butadiene	9.25
2,2,4-Trimethylpentane	3.52
2-Butanone	29.4
2-Hexanone	3.6
4-Ethyltoluene	4.03
4-Methyl-2-pentanone	2.73
Acetone	130
Benzene	11.2
Carbon Disulfide	17.6
Chloroform	46.9
Chloromethane	0.818
Cyclohexane	1.77
Dichlorodifluoromethane	3.1
Ethyl Alcohol	21.5
Ethyl Benzene	10.4
Heptane	8.4
iso-Propyl Alcohol	34.7
n-Hexane	12
o-Xylene	9.86
p/m-Xylene	37
tert-Butyl Alcohol	60.6
Tetrachloroethene	1.36
Toluene	55.4
Trichlorofluoromethane	74.2



Title: **SUMMARY OF DETECTIONS
IN SOIL VAPOR FROM 2018**

39-04 NORTHERN BOULEVARD
LONG ISLAND CITY, NY

Prepared for: **GIC QUEENS LLC**

ROUX	Compiled by: E.B.	Date: 03/11/22	FIGURE 7
	Prepared by: M.S.R.	Scale: AS SHOWN	
	Project Mgr: E.B.	Project: 3883.0002Y000	
	File: 3883.0002Y103.7.mxd		

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Brownfield Cleanup Program Application
39-04 Northern Boulevard, Long Island City, NY 11101

APPENDICES

- A. Section I Property Information
- B. Section II Project Description
- C. Section III Land Use Factors
- D. Section IV Property's Environmental History
- E. Section V Requestor Information
- F. Section VI Requestor Eligibility Information
- G. Section IX Previous Property Owner-Operator Information
- H. Section XI Site Contact List
- I. Supplemental Questions for Sites Seeking Tangible Property Credits in New York City

Brownfield Cleanup Program Application
39-04 Northern Boulevard, Long Island City, NY 11101

APPENDIX A

Section I
Property Information

Appendix A – Property Description Narrative
 39-04 Northern Boulevard, Long Island City, NY 11101
 BCP Application - Section IV

Parcel Address	Block No.	Lot No.	Acreage
39-04 Northern Boulevard	183	12	0.89

Location

The Site is located at 39-04 Northern Boulevard in Long Island City, New York, as shown on Figure 1. The Site is identified as Tax Block 183, Lot 12 in Queens County.

Adjacent Property Direction	Property Use
North	Condominium and commercial properties across Northern Boulevard
South	Lexus of Queens
East	Lexus of Queens
West	Standard Motor Products across 39 th Street

Site Features

The Site is a 0.89-acre irregularly shaped parcel that is currently vacant; however, structures associated with the former Site occupant Speedway gasoline station are still present including the former main convenience store, dispenser canopy, detached eastern car wash, and detached western storage building, which were observed on Site by Roux during the October 2021 reconnaissance (Figure 3). The Site is bound by Northern Boulevard to the north, 39th Street to the west, and 40-40 Northern Boulevard (Lexus of Queens) to the south and east.

Current Zoning and Land Use

The Site is currently vacant; it is zoned for commercial/industrial use. The surrounding parcels uses include condominium and commercial properties across Northern Boulevard to the north, Lexus of Queens to the south and east, and Standard Motor Products across 39th Street to the west.

Past Use of the Site

Based on a review of Historic Sanborn fire insurance maps, aerial photographs, a city directory, and historical topographic maps, the following Site history was established. The Site was initially developed as a gasoline station with four gasoline tanks sometime between 1915 and 1936. Between 1936 and 1947, three additional structures (a garage and two stores) are added to the Site. In 1950, the additional structures (a garage and two stores) and two additional gas tanks are no longer identified on the Site. By 1970, a new service station building is present on Site and 40 gasoline tanks are noted in the central portion of the Site, including gas racks. An additional commercial building on the east side of the property is shown in the late 1970s , and an additional structure is depicted in the north side of the property in the 1980s. Fueling operations at the Site ceased in October 2018 and it has since been vacant.

Site Geology and Hydrogeology

Based on the Phase II ESA performed by P.W. Grosser in 2018, the Site is underlain with a mixture of historic fill consisting of sand, silt, concrete, brick, glass, and large cobbles or boulders to an average depth of 15 to 20 feet below grade throughout the Site. Beneath the historic fill, the subsurface is predominantly comprised of fine to medium sands with gravel. Bedrock was not encountered during the Phase II ESA.

Appendix A – Property Description Narrative
39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application - Section IV

Groundwater at the Site is approximately 17 to 20 feet below grade and is estimated to flow to the west southwest.

Environmental Assessment

Based on a review of the available environmental assessment reports and completed investigation reports, the Site has a history of use as a gasoline filling station with car wash, convenience store, and storage. Additionally, there has been a reportable spill of petroleum products. The Site's historical uses have had an adverse impact to soil, groundwater, and soil vapor. The primary contaminants of concern for the Site include volatile organic compounds (VOCs) related to petroleum (BTEX), semivolatile organic compounds (SVOCs), including polycyclic aromatic hydrocarbons (PAHs), and metals in soil and groundwater, plus pesticides in groundwater and chlorinated volatile organic compounds (CVOCs) in soil vapor.

P.W. Grosser performed a Phase II ESA at the Site; the results for soil, groundwater and soil vapor sampling are described in the report, dated September 2018 (Appendix C). Roux performed the most recent quarterly groundwater monitoring (first quarter 2022) at the Site; the results of which are described in the report dated April 21, 2022 (Appendix C). A more detailed summary of the available environmental assessment report data and all previous reports are included in Appendix C. Soil exceedances of the NYSDEC Industrial Soil Cleanup Objectives (ISCOs), and Protection of Groundwater Soil Cleanup Objectives (PGWSCOs) are summarized in Figure 5. Groundwater exceedances of NYSDEC Ambient Water Quality Standards and Guidance Values (AWQSGVs) are summarized in Figure 6, and all soil vapor detections are summarized in Figure 7.

A summary of the results is provided as follows:

Soil - Based on visual and olfactory inspection of the soils, as well as PID screening results, impact from a previous petroleum spill remains in the subsurface on Site. Petroleum staining and odors were observed to be most evident in the western and south-central portions on the Site, at the water table smear-zone and below the water tables at depths ranging from approximately 19 to 24 feet below grade. Petroleum impact was not observed in the soils above the water table smear zone in any of the soil borings.

VOCs related to petroleum (BTEX), SVOCs (including PAHs), and metals are the primary contaminants found in soil at the Site. VOCs, including 1,2,4-Trimethylbenzene, ethylbenzene, n-butylbenzene, n-propylbenzene, and xylenes were detected at concentrations above the NYSDEC PGWSCOs. VOCs were detected at these concentrations in deeper soil (20-25 ft bls) in the southwestern portion of the Site. SVOCs, including benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenz(a,h)anthracene, and ideno(1,2,3-cd)pyrene were detected at concentrations above the Industrial Soil Cleanup Objectives (ISCOs) and/or PGWSCOs. SVOCs were detected at varying depths throughout the Site. Metals, including lead and mercury, were detected at concentrations above the ISCOs and/or PGWSCOs in one soil sample, SB003 (eastern side of Site), at a depth 5-10 ft bls.

Groundwater – Groundwater flow is estimated to be to the west/southwest. Petroleum-related VOCs, SVOCs, PAHs, metals, and pesticides were detected in groundwater at levels above the NYSDEC ambient water quality standards and guidance values (AWQSGVs). VOCs, SVOCs, and metals were detected at concentrations exceeding AWQSGVs throughout the Site. Pesticides were detected in one location, GW001, in the northwestern corner of the Site.

Soil Vapor - The soil vapor investigation included the collection of five soil vapor samples and two outdoor ambient air samples. Most of the detections were of petroleum-related compounds including BTEX. There were low levels of chlorinated volatile organic compounds (CVOCs) detected in one sample in the northeastern corner of the Site.

Brownfield Cleanup Program Application
39-04 Northern Boulevard, Long Island City, NY 11101

APPENDIX B

Section II
Project Description

Appendix B – Project Description

39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application – Section II, Question 4

The Site proposed for entry into the Brownfield Cleanup Program (BCP) is located at 39-04 Northern Boulevard in Long Island City, New York (Site), as shown on Figure 1. The Site is identified as Tax Block 183, Lot 12 in Queens County as shown on Figure 2. The Site is currently vacant; however, structures associated with the former Site occupant Speedway gasoline station are still present including the former main convenience store, dispenser canopy, detached car wash, and storage building and several underground storage tanks (USTs) that were abandoned in place. The proposed BCP Site is bounded by the following properties, as summarized in the table below:

Adjacent Property Direction	Property Use
North	Condominium and commercial properties across Northern Boulevard
South	Lexus of Queens
East	Lexus of Queens
West	Standard Motor Products office building across 39 th Street

Owners and land use descriptions for properties in the surrounding area are shown on Figure 4.

Proposed Development Plan

The proposed redevelopment is a multi-story package assembly and distribution warehouse.

Projected Schedule

Timeframe	Description
May 2022	Submit BCP Application
June/July 2022	30-day Public Comment Period
September 2022	Sign Brownfield Cleanup Agreement
September 2022	Submit Citizen Participation Plan (CPP)
October/November 2022	Submit Remedial Investigation Work Plan (RIWP)/30-Day Comment Period
December/January 2022	Approval and Implementation of RIWP
February 2023	Submit Remedial Investigation Report (RIR)
April 2023	RIR Approved
June/July 2023	Submit Remedial Action Work Plan (Remedial Action Work Plan)/45-Day Public Comment Period
August 2023	Approval of RAWP
September 2023 to September 2024	Implementation of RAWP
June 2024	Submit Draft Environmental Easement Package
August 2024	Draft SMP
October 2024	Draft FER
December 2024	Anticipated issuance of Certificate of Completion

Brownfield Cleanup Program Application
39-04 Northern Boulevard, Long Island City, NY 11101

APPENDIX C

Section III
Land Use Factors

Appendix C – Land Use Factors

39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application - Section III

1. Current Municipal Zoning Designation – The current municipal zoning designation for the Site is M1-5 (Manufacturing).

2. Current Zoning Use – Commercial and industrial uses are allowed by the property's current zoning.

3. Current Use – The Site is currently vacant.

4. Current Business Operations/Uses – The Site is currently vacant. The most recent Site use is as a gasoline fueling station, which ceased operations in 2018.

5/6/7. Reasonably Anticipated Post-Remediation Use – The proposed building will be a multi-story industrial distribution warehouse.

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

The contemplated future use as an industrial warehouse is consistent with the current and reasonably anticipated development patterns in the neighborhood.

9. Is the proposed use consistent with applicable zoning laws/maps?

Yes, the proposed industrial use is consistent with the current property zoning of M1-5 for Light Manufacturing. The building is also consistent with the allowable development height for the building.

10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans?

The proposed redevelopment will provide industrial jobs and help the neighborhood continue to flourish as an industrial hub and is consistent with the current and reasonably foreseeable future uses in the neighborhood.

Section IV
Property's Environmental History

Appendix D – Property’s Environmental History
39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application - Section IV

The proposed BCP Site – 39-04 Northern Boulevard, will herein be referred to as “Site”. The following previous environmental investigations have been conducted at the Site and are attached for review in Appendix C and on the enclosed CD:

- **Speedway LLC Update Report**, prepared by EnviroTrac Ltd. (EnviroTrac), dated March 2018
- **Phase I Environmental Site Assessment Report (ESA)**, prepared by P.W. Grosser Consulting, Inc. (P.W. Grosser), dated August 2018
- **Phase II ESA**, prepared by P.W. Grosser, dated September 2018
- **Tank System Closure Report**, prepared by EnviroTrac, dated November 2018
- **Quarterly Groundwater Monitoring Report, Third Quarter 2021, NYSDEC Spill #95-00846**, prepared by P.W. Grosser, dated September 2021 (note that numerous quarterly reports from previous consultants are included in the Roux Phase I ESA)
- **Phase I ESA**, prepared by Roux Environmental Engineering and Geology, D.P.C. (Roux), dated November 1, 2021
- **Quarterly Groundwater Monitoring Report – Fourth Quarter 2021, NYSDEC Spill # 95-00846**, prepared by Roux, dated January 31, 2022
- **Quarterly Groundwater Monitoring Report – First Quarter 2022, NYSDEC Spill # 95-00846**, prepared by Roux, April 21, 2022
- **UST Abandonment Letter Report, NYSDEC PBS #2-297313, 39-04 Northern Boulevard, Long Island City, NY**, prepared by Roux, Dated, April 27, 2022

The proposed Site redevelopment plan includes a multi-story industrial distribution warehouse. Therefore, the soil data from the previous investigations was compared to the following New York State Department of Environmental Conservation (NYSDEC) Soil Cleanup Objectives (SCOs): Industrial Use SCOs (ISCOs) and Protection of Groundwater SCOs (PGWSCOs).

A Remedial Investigation (RI) will be performed following entry into the Brownfield Cleanup Program (BCP). A summary of the findings from the Site is provided below.

Speedway LLC Update Report, prepared by EnviroTrac, dated March 2018

According to the March 2018 EnviroTrac report, groundwater flow was calculated to be towards the west-southwest. During this sampling event, six out of the nine monitoring wells onsite had benzene, toluene, ethylbenzene, and xylenes (BTEX) at concentrations ranging between non-detect at MW-1, MW-4, and MW-6 as well as minimal detections at MW- 3 on the north-western, northern, and eastern portions of the Site, to 2,500 parts per million (ppm) at MW-9 located in the central portion of the Site and within the area where most of the removed Underground Storage Tanks (USTs) were located. Elevated concentrations of the petroleum-related volatile organic compounds (VOCs) BTEX were documented in downgradient monitoring wells to the south and west of the former UST area in the central portion of the Site.

Phase I ESA, prepared by P.W. Grosser, dated August 2018

P.W. Grosser performed a Phase I ESA at the Site located at 39-04 Northern Boulevard, LIC, NY, Block 183, Lot 12. The Site was an active gasoline station at the time of the Phase I ESA and included a one-story 2520 square feet (ft²) commercial building, a 720 ft² storage unit, a standalone car wash, and a pump island with a canopy. The remainder of the Site consisted of asphalt paved parking and drive lanes.

Appendix D – Property’s Environmental History
39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application - Section IV

P.W. Grosser noted the following Recognized Environmental Conditions (RECs):

- Current and historic use as gasoline station. Use and storage of hazardous materials and/or petroleum products (USTs, drum storage). Multiple documented releases of petroleum products.
- Eight 55-gallon drums labeled “Non-RCRA Regulated” stored outside and not properly in a containment/drum storage area. There was a threat of future release associated with these drums.
- Five USTs were reported to be located on the Site, however P.W. Grosser observed seven vent lines typically associated with USTs; the additional lines are reportedly associated with a wastewater storage tank. Neither removal/closure documentation nor tightness testing results for any of these USTs had been provided to P.W. Grosser at time of Phase I ESA. Remaining unmaintained USTs may release hazardous substances or petroleum to the environment.
- Site was listed on the LTANKS site and NYSPILLS sites with open spill number 95-00846. The Spill was opened on April 20, 1995, for release of gasoline into soil. Numerous USTs and contaminated soil were removed, and groundwater monitoring was performed. The most recent groundwater monitoring data available for PWGC to review (January 25, 2018) indicated that four wells still showed concentrations of toluene, ethylbenzene and xylenes and monitoring was ongoing.
- Potential Vapor Encroachment Condition (VEC). The potential for onsite soil vapor intrusion has not been evaluated. Historical and current usage as a gas station and documented on-Site petroleum release could result in a vapor concern.

Based on the RECs, P.W. Grosser recommended that a Phase II ESA be performed and should include:

- Geophysical survey to identify potential out of service/unknown USTs at the Site.
- Subsurface investigation to evaluate soil and groundwater conditions at the Site related to the usage as a gas station, current/historical presence of USTs, documented petroleum releases, and an improper drum storage area.
- Soil vapor intrusion evaluation related to the open on-Site spill #95-00846.

Additional concerns to consider that were noted by P.W. Grosser included:

- ACM/lead-based paint potentially present within structures. Advised that asbestos and/or lead survey be performed.
- Historical information for the surrounding properties revealed adjacent auto repair shops and adjacent industrial use.

Phase II ESA, prepared by P.W. Grosser, dated September 2018

To address the RECs noted in their August 2018 Phase I ESA, P.W. Grosser performed a Phase II ESA, and a summary of their findings is provided below.

Soils at the Site largely consisted of urban fill material to an average depth of 15 to 20 feet below grade. This material is characterized by the presence of concrete, brick, glass, and large cobbles or boulders. Beneath this layer of fill, the native soils predominantly consisted of fine to medium sands with gravel. The property elevation is approximately 29 feet above the National Geodetic Vertical Datum (NGVD). Groundwater at the Site is approximately 17 to 20 feet below grade and was estimated to flow to the west southwest, which is consistent with the flow direction determined previously by EnviroTrac.

Appendix D – Property’s Environmental History
 39-04 Northern Boulevard, Long Island City, NY 11101
 BCP Application - Section IV

P.W. Grosser subcontracted Delta Geophysics, Inc. (Delta) to perform a geophysical survey to investigate the location of five on-site USTs and the potential for more unknown USTs in the central portion of the Site, a former fuel-oil UST area in the southern portion of the Site and trace the seven identified UST vents. The findings are briefly summarized below:

- Anomaly #1: Located on the northwest corner of the Site and approximately measured 18 feet by 7 feet. According to Delta, the anomaly is potentially indicative of four separate USTs in one cluster.
- Anomaly #2: Located to the south of the storage building on the western portion of the Site and measured 6 feet by 5 feet. According to delta, the anomaly is potentially indicative of a UST.
- Anomaly #3: Located adjacent to the west side of Anomaly #2 and measured 6 feet by 5 feet. Delta was unable to confirm if this anomaly is indicative of a UST.
- Anomaly #4: Appeared to be a cluster of product lines connecting the active USTs to the pump islands.
- An area of reinforced concrete was identified on the northwest portion of the Site indicative of a former gasoline pump island.
- Seven vent pipes identified in the August 2018 Phase I ESA: five vent pipes were determined to be associated with the five active gasoline/diesel USTs onsite. Two vent pipes appeared to be associated with Anomaly #2 and Anomaly #3 locations, which were both located to the south of the storage building.

P.W. Grosser inspected the eight 55-gallon drums and determined that seven were empty and posed no threat and one appeared to be partially filled with unidentified contents. P.W. Grosser was not able to safely open the drum. The drums appeared to be in good condition and signs of leaking and/or corrosion were not observed.

P.W. Grosser performed a soil, groundwater, and soil vapor quality evaluation to investigate the extent of petroleum spill on-Site, and for contamination commonly associated with regions with commercial and industrial use and historic fill.

Soil borings were installed at eight locations in accordance with RECs noted in the Phase I ESA and geophysical survey anomalies, where allowed. Several proposed locations were deemed off limits due to safety concerns at an active gasoline station. There were concentrations exceeding NYSDEC ISCOs and/or Protection of Groundwater SCOs at three soil boring locations. The exceedances included petroleum-related compounds, polyaromatic hydrocarbons (PAHs), and metals. P.W. Grosser did not detect any evidence of petroleum contamination while drilling above the water table in any soil boring. Where present (primarily in the western and central portion of the Site), petroleum impact was noted in the smear zone at the water table and below. The Phase II soil sampling results exceeding ISCOs are summarized in the table below.

Analyte > ISCOs	Detections > ISCOs	Maximum Detection (ppm)	ISCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	1	20	11	8 - 10
Benzo(a)pyrene	1	16	1.1	8 - 10
Benzo(b)fluoranthene	1	20	11	8 -10

Appendix D – Property’s Environmental History
 39-04 Northern Boulevard, Long Island City, NY 11101
 BCP Application - Section IV

Analyte > ISCOs	Detections > ISCOs	Maximum Detection (ppm)	ISCO (ppm)	Depth (ft bgs)
Lead	1	8,300	3,900	8 - 10

The Phase II soil sampling results exceeding PGWSCOs are summarized in the table below.

Analyte > PGWSCOs	Detections > PGWSCOs	Maximum Detection (ppm)	PGWSCO (ppm)	Depth (ft bgs)
1,2,4-Trimethylbenzene	3	240	3.6	23 - 25
Ethylbenzene	3	96	1	23 - 25
n-Butylbenzene	3	26	12	23 - 25
n-Propylbenzene	3	12	3.9	23 - 25
Xylenes, total	3	130	1.6	20 - 22
Benzo(a)anthracene	1	20	1	8 - 10
Benzo(b)fluoranthene	1	20	1.7	8 - 10
Benzo(k)fluoranthene	1	7.7	1.7	8 - 10
Chrysene	1	18	1	8 - 10
Indeno(1,2,3-cd)pyrene	1	10	8.2	8 - 10
Lead	1	8,300	450	8 - 10
Mercury	1	3.02	0.73	8 - 10

A total of thirteen groundwater samples were collected during the investigation including eight existing monitoring well samples and five samples collected from temporary wells installed at soil boring locations. There were numerous exceedances of the NYSDEC ambient water quality standards and guidance values (AWQSGVs). The exceedances included petroleum-related VOCs and SVOCs, PAHs, pesticides, and metals. The Phase II groundwater sampling results are summarized in the table below.

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQSGV (ppb)
1,2,4-Trimethylbenzene	6	2,900	5
1,3,5-Trimethylbenzene	5	490	5
Benzene	3	1,200	1
Ethylbenzene	7	1,900	5
Isopropylbenzene	9	240	5
n-Butylbenzene	7	39	5

Appendix D – Property’s Environmental History
 39-04 Northern Boulevard, Long Island City, NY 11101
 BCP Application - Section IV

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQSGV (ppb)
n-Propylbenzene	9	800	5
Napthalene	6	500	10
o-Xylene	5	520	5
p-Isopropyltoluene	1	7.5	5
p/m-Xylene	8	1,900	5
sec-Butylbenzene	6	31	5
Toluene	4	62	5
Vinyl Chloride	2	30	2
Benzo(a)anthracene	8	0.71	0.002
Benzo(a)pyrene	9	0.69	0
Benzo(b)fluoranthene	10	1.2	0.002
Benzo(k)fluoranthene	10	0.42	0.002
Bis(2-ethylhexyl)phthalate	1	27	5
Chrysene	9	1.1	0.002
Indeno(1,2,3-cd)pyrene	9	0.37	0.002
Naphthalene	5	330	10
Phenol	1	19	1
Antimony (total and/or dissolved)	2	10.06 (total)	3
Chromium (total)	2	207.8 (total)	50
Iron (total and/or dissolved)	12	99,500 (total)	300
Lead (total and/or dissolved)	7	477.6 (total)	25
Magnesium (total and/or dissolved)	10	104,000 (total)	35,000
Manganese (total and/or dissolved)	11	17,210 (total)	300
Selenium (total and/or dissolved)	3	17.6 (total)	10
Sodium (total and/or dissolved)	13	837,000 (total)	20,000
Aldrin	1	0.007	0
Dieldrin	1	0.232	0.004

Appendix D – Property’s Environmental History
 39-04 Northern Boulevard, Long Island City, NY 11101
 BCP Application - Section IV

P.W. Grosser performed a soil vapor investigation and collected five soil vapor samples and two outdoor ambient air samples. Most of the detections were of petroleum-related compounds including BTEX. There were low levels of chlorinated volatile organic compounds (CVOCs) detected in one sample. The Phase II soil vapor sampling results are summarized in the table below.

Analyte	Total Detections	Max. Detection (µg/m ³)	Type
1,1,1-Trichloroethane (TCA)	1	1.52	Soil Vapor
1,2,4-Trimethylbenzene	5	29.3	Soil Vapor
1,2-Dichloro-1,1,2,2-tetrafluoroethane	1	3.31	Soil Vapor
1,3,5-Trimethylbenzene	4	9.09	Soil Vapor
1,3-Butadiene	3	199	Soil Vapor
1,4-Dioxane	1	0.865	Soil Vapor
2,2,4-Trimethylpentane	4	127	Soil Vapor
2-Butanone	5	78.2	Soil Vapor
2-Hexanone	2	3.6	Soil Vapor
4-Ethyltoluene	4	6	Soil Vapor
4-Methyl-2-pentanone	2	4.22	Soil Vapor
Acetone	5	147	Soil Vapor
Benzene	5	70	Soil Vapor
Carbon Disulfide	5	43.6	Soil Vapor
Chloroform	4	46.9	Soil Vapor
Chloromethane	3	33.5	Soil Vapor
Cyclohexane	5	36.1	Soil Vapor
Dichlorodifluoromethane	4	3.1	Soil Vapor
Ethyl Alcohol	4	57.1	Soil Vapor
Ethylbenzene	4	14.9	Soil Vapor
Heptane	5	77	Soil Vapor
Iso-Propyl Alcohol	5	237	Soil Vapor
Methyl tert butyl ether	1	111	Soil Vapor
Methylene chloride	1	2.02	Soil Vapor
n-Hexane	5	282	Soil Vapor
o-Xylene	5	23.4	Soil Vapor

Appendix D – Property’s Environmental History
 39-04 Northern Boulevard, Long Island City, NY 11101
 BCP Application - Section IV

Analyte	Total Detections	Max. Detection (µg/m ³)	Type
p/m-Xylene	5	50.8	Soil Vapor
tert-Butyl Alcohol	5	106	Soil Vapor
Tetrachloroethene	1	1.36	Soil Vapor
Tetrahydrofuran	2	3.6	Soil Vapor
Toluene	5	85.9	Soil Vapor
Trichlorofluoromethane	4	74.2	Soil Vapor

Tank System Closure Report, prepared by EnviroTrac, dated November 2018

EnviroTrac performed UST removals at the Site. In October and November 2018, five (5) 4,000-gallon gasoline double-walled fiberglass USTs, one (1) previously abandoned 600-gallon wastewater double-walled fiberglass UST, eight (8) dispenser islands, and associated product piping and vent lines were excavated and transported offsite for disposal. The removal of four (4) 550-gallon previously unknown single-walled steel USTs was also completed by Island Pump & Tank Corp. of East Northport, New York.

Confirmatory sidewall soil samples from within the UST excavation were collected and showed no evidence of petroleum impact around the tanks. Subsequently, the concrete slab under the USTs was chipped out and six bottom endpoint samples were collected at an approximate depth of 10-12 ft. These samples produced photoionization detector (PID) readings ranging 0.5 to 110.1ppm. However, VOCs were either not detected or were below their respective NYSDEC Commissioner Policy 51 (CP-51) Soil Cleanup Levels (SCLs). Semivolatile organic compounds (SVOCs) were detected above their respective SCLs in only two samples.

Confirmatory soil samples were collected from the locations of the former dispenser islands and from the former product lines and tank vent lines at depths 4'-4.5' below grade. Elevated PID readings were only noted in one location, but a clean endpoint soil sample was collected at this location. VOCs were either not detected or were below their respective SCLs. SVOCs were detected above their respective SCLs in six samples.

Four (4) previously unknown 550-gallon USTs were discovered. Confirmatory sidewall and bottom soil samples from within the previously unknown 550-gallon UST excavation were collected from the sidewalls at about 7 ft below grade and the bottom at 10 ft below grade. VOCs and SVOCs were either not detected or below their respective SCLs in all samples taken from the unknown 550-gallon UST excavation. In addition, two (2) USTs that each appeared to be approximately 2,000-gallons in size were discovered in close proximity and partially underlying the storage building. The liquids from the two 2,000-gallon USTs were removed, but the USTs were kept in place for removal during re-development. These two 2,000-gallon USTs were permanently abandoned in April 2022 (see below for summary of the closure activities).

The Tank System endpoint soil sampling results with exceedances of ISCOs are summarized in the table below.

Appendix D – Property’s Environmental History
 39-04 Northern Boulevard, Long Island City, NY 11101
 BCP Application - Section IV

Analyte > ISCOs	Detections > ISCOs	Maximum Detection (ppm)	ISCO (ppm)	Depth (ft bgs)
Benzo(a)pyrene	4	6.68	1.1	4-4.5
Dibenz(a,h)anthracene	1	1.17	1.1	4-4.5

The Tank System Closure endpoint soil sampling results with exceedances of PGWSCOs are summarized in the table below.

Analyte > PGWSCOs	Detections > PGWSCOs	Maximum Detection (ppm)	PGWSCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	4	8.09	1	4-4.5
Benzo(b)fluoranthene	4	8.32	1.7	4-4.5
Benzo(k)fluoranthene	2	3.98	1.7	4-4.5
Chrysene	1	1.01	1	4-4.5

Quarterly Groundwater Monitoring Report, Third Quarter 2021, NYSDEC Spill #95-00846, prepared by P.W. Grosser, dated September 2021

Quarterly groundwater monitoring has occurred at the Site for over a decade. The work was initially performed by EnviroTrac then more recently performed by P.W. Grosser. The most recent report by P.W. Grosser for the third quarter 2021 groundwater monitoring is summarized below.

Only three existing wells are included in the monitoring program. P.W. Grosser sampled wells MW-2, MW-7, and MW-8 and analyzed the samples for VOCs by USEPA method 8260 – NYSDEC CP-51 List. This list contains petroleum-related compounds. Wells MW-2 and MW-8 are downgradient from the former UST locations.

The results indicated the following:

- MBTE was not detected.
- BTEX was detected at a concentration of 813.4 micrograms per liter (µg/L) at MW-2, 73.9 µg/L at MW-7, and 36.97 µg/L at MW-8. Concentrations have decreased since sampling events in 2017 and 2018, but still exceed AWQSGVs.
- Isopropylbenzene, n-Butylbenzene, n-Propylbenzene, sec-Butylbenzene, and Naphthalene were detected at concentrations greater than AWQSGVs at MW-2 and MW-8, with highest concentrations of these compounds being detected at MW-8.
- Naphthalene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, and Isopropylbenzene were detected at a concentration greater than AWQSGVs at MW-7.

Based on the data, the highest levels are found directly downgradient from the former UST areas located in the western portion of the Site. P.W. Grosser recommended that routine groundwater monitoring of MW-2, MW-7, and MW-8 be reduced from quarterly to semi-annually.

Appendix D – Property’s Environmental History
39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application - Section IV

Phase I ESA, prepared by Roux, dated November 1, 2021

Roux performed a Phase I ESA of the real property identified as 39-04 Northern Boulevard (Block 183, Lot 12) in the Borough of Queens, New York to define the historical uses of the Site and identify any potential RECs that could warrant further consideration, in accordance with ASTM International Standard Practice E1527-13 (Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process).

A review of historical sources, including historical Certified Sanborn Fire Insurance Maps, historical aerial photographs, historical topographic maps, and a City Directory Abstract, as well as an interview with a Key Site Representative, indicate the Site was used as a gasoline station as early as at least 1936.

Based on the information gathered during the Phase I ESA process, Roux identified the following RECs in connection with the Site:

- **Former Filling Station Operations and Open Spill Case (REC-1):**
The Site had been a filling station for decades and has been undergoing investigation and remediation since 1995 when contamination was identified during underground storage tank (UST) removal activities. As of September 2021, volatile organic compounds (VOCs) remain above standards in groundwater and quarterly sampling is ongoing.
- **Known and Potential USTs (REC-2):**
A number of USTs partially underlying the storage building and canopy reportedly have not been removed or investigated. In addition, several USTs were identified on historic Sanborn Fire Insurance maps and there are no records regarding proper removal.
- **Adjacent Auto Sales and Service (REC-3):**
The adjacent upgradient property to the east of the Site has conducted automobile and truck service operations for decades.
- **Potential Dry Wells (REC-4):**
The presence of potential storm water drywells with historic nearby storage and use of various petroleum substances and hazardous materials across the Site is considered a REC.

Roux did not identify any Controlled RECs (CRECs) or Historical RECs (HRECs) in connection with the Site.

The presence of historic fill material represents a Business Environmental Risk (BER).

De minimis conditions identified at the Site includes incidental staining of the ground and concrete floors.

Quarterly Groundwater Monitoring Report – Fourth Quarter 2021, NYSDEC Spill # 95-00846, prepared by Roux, dated January 31, 2022

Quarterly groundwater monitoring at the Site was conducted by EnviroTrac from June 2013 through August 2018 (22 monitoring events). The property’s ownership changed in November 2018 and P.W. Grosser was retained to continue groundwater monitoring through September 2021 (12 monitoring events). In late 2021, ownership of the Site changed again, and Roux was retained in January 2022 to take over groundwater monitoring for the Site. This report documents the first monitoring event performed by Roux for the Site.

Appendix D – Property’s Environmental History
39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application - Section IV

Roux collected groundwater samples from three (3) groundwater monitoring wells, MW-2, MW-7, and MW-8. Groundwater samples were analyzed for the NYSDEC CP-51 list of VOCs via USEPA Method 8260. This list contains petroleum-related compounds. Wells MW-2 and MW-8 are downgradient from the former UST locations.

The results indicated the following:

- The highest degree of residual impact appears to be located downgradient of the former UST locations in the western portion of the property.
- Petroleum VOC concentrations have remained generally consistent since 2017 with seasonal fluctuations that appear to be associated with changes in groundwater elevation.
- These findings are consistent with the findings of previous monitoring events performed at the Site.

Based on the past several years of data establishing a stabilization of residual spill impacts with seasonal fluctuations, Roux requested that routine groundwater monitoring (of the same three monitoring wells) be reduced from quarterly to twice per year.

Quarterly Groundwater Monitoring Report – First Quarter 2022, NYSDEC Spill # 95-00846, prepared by Roux, dated April 21, 2022

Roux collected groundwater samples from three (3) groundwater monitoring wells, MW-2, MW-7, and MW-8. Groundwater samples were analyzed for the NYSDEC CP-51 list of VOCs via USEPA Method 8260. This list contains petroleum-related compounds. Wells MW-2 and MW-8 are downgradient from the former UST locations.

The results indicated the following:

- The highest degree of residual impact appears to be located downgradient of the former UST locations in the western portion of the property.
- Petroleum VOC concentrations have remained generally consistent since 2017 with seasonal fluctuations that appear to be associated with changes in groundwater elevation.
- Concentrations decreased in all wells between the January 2022 and March 2022 sampling rounds.
- These findings are consistent with the findings of previous monitoring events performed at the Site.

UST Abandonment Letter Report, NYSDEC PBS #2-297313, 39-04 Northern Boulevard, Long Island City, NY, prepared by Roux, Dated, April 27, 2022

Roux and its subcontractors abandoned two, 2,000-gallon underground storage tanks (USTs) in accordance with the Notice of Violation (NOV) issued by the NYSDEC on March 14, 2022.

The Scope of Work included:

- Completion of a ground penetrating radar (GPR) survey to confirm the location of the USTs, located partially beneath the existing storage building.
- Excavation to uncover the tops of both USTs.
- Measurement of liquids present in the USTs at the start of abandonment activities (approximately 1,680 gallons of mostly rainwater, mixed with residual gasoline).
- Removal of remaining liquids from USTs. Approximately 1,680 gallons of liquid were removed from the USTs and an additional 260 gallons of fluids were generated during the cleaning, which were disposed of at Dale Transfer Corporation, Babylon, New York.

Appendix D – Property’s Environmental History

39-04 Northern Boulevard, Long Island City, NY 11101

BCP Application - Section IV

- Cleaning and inspection of USTs prior to abandonment activities. Other than the small holes in the tops of the USTs (which were sealed during abandonment), the tanks appeared to be intact and undamaged.
- Abandonment of USTs with Tripolymer® 105-TM foam mixture to permanently abandon them in-place.
- Backfilling of soil above the USTs to avoid leaving an open excavation on-Site.

Roux’s subcontractor provided an affidavit regarding the closure of the USTs for submittal to the New York City Fire Department (FDNY), and the NYSDEC updated the status of the two USTs to “Closed-In Place” on April 29, 2022.

Brownfield Cleanup Program Application
39-04 Northern Boulevard, Long Island City, NY 11101

APPENDIX E

Section V
Requestor Information

Appendix E – Requestor Information

39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application – Section V, Question 2

BCP applicant, GIC Queens LLC, is duly authorized to do business in New York State. The Department of State entity information for GIC Queens LLC is attached, along with the required documentation regarding the LLC entity.

February 28, 2022 | 3:53 pm

COVID-19 Vaccines

Children ages 5+ are eligible for the COVID-19 vaccine and children ages 12+ are eligible for a booster. Parents and guardians: make sure your child gets vaccinated and stays up to date with all recommended doses.

VAX FOR KIDS >

Department of State Division of Corporations

Entity Information

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Entity Details



ENTITY NAME: GIC QUEENS LLC

DOS ID: 6324358

FOREIGN LEGAL NAME: GIC QUEENS LLC

FICTITIOUS NAME:

ENTITY TYPE: FOREIGN LIMITED LIABILITY COMPANY

DURATION DATE/LATEST DATE OF DISSOLUTION:

SECTION OF LAW: LIMITED LIABILITY COMPANY - 802 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW

ENTITY STATUS: ACTIVE

DATE OF INITIAL DOS FILING: 11/10/2021

REASON FOR STATUS:

EFFECTIVE DATE INITIAL FILING: 11/10/2021

INACTIVE DATE:

FOREIGN FORMATION DATE: 11/08/2021

STATEMENT STATUS: CURRENT

COUNTY: NEW YORK

NEXT STATEMENT DUE DATE: 11/30/2023

JURISDICTION: DELAWARE, UNITED STATES

NFP CATEGORY:

[ENTITY DISPLAY](#)

[NAME HISTORY](#)

[FILING HISTORY](#)

[MERGER HISTORY](#)

[ASSUMED NAME HISTORY](#)

Service of Process Name and Address

Name: C/O C T CORPORATION SYSTEM

Address: 28 LIBERTY STREET, NEW YORK, NY, UNITED STATES, 10005

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

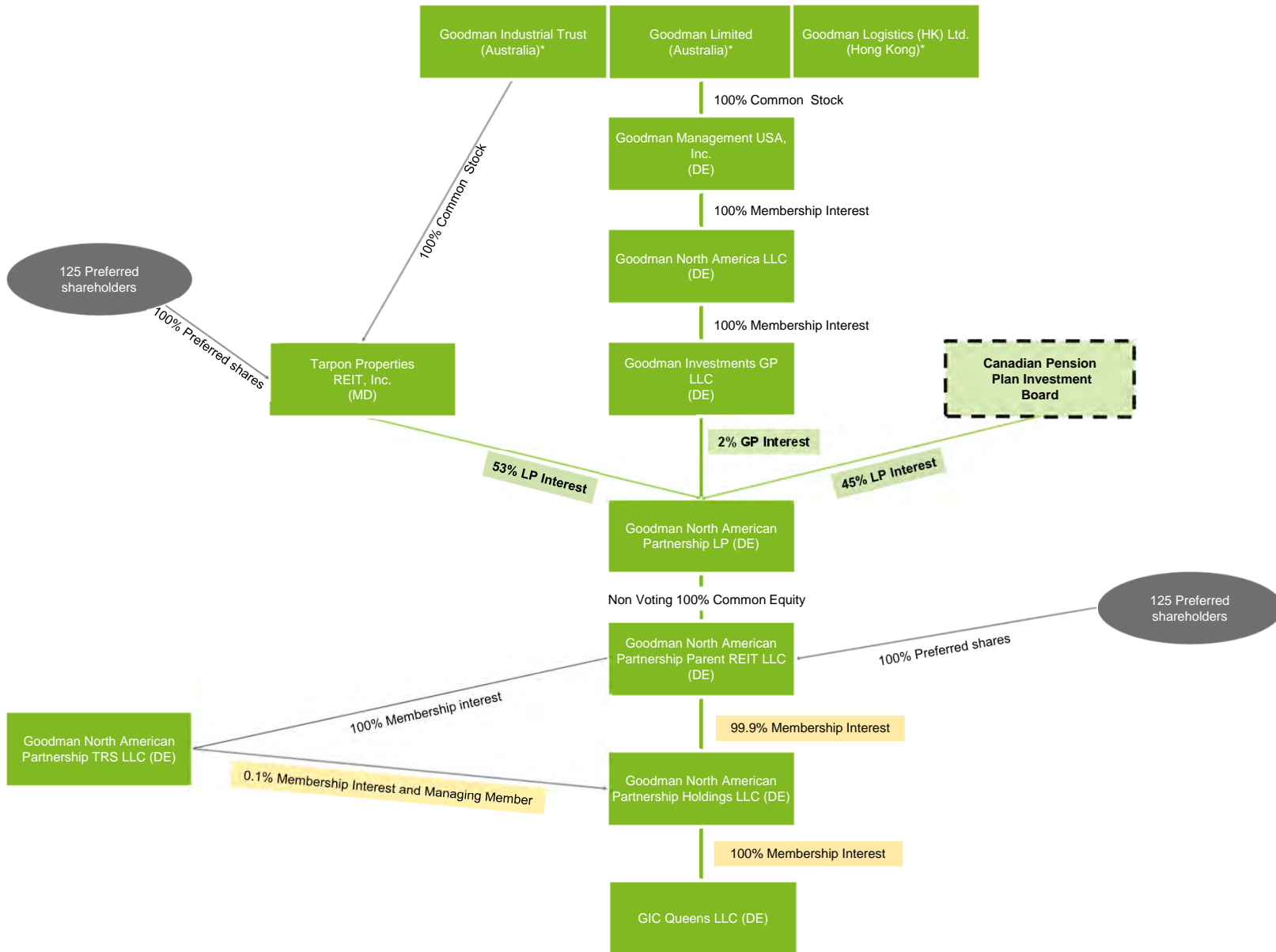
Is The Entity A Farm Corporation: NO

Stock Information

Share Value

Number Of Shares

Value Per Share



*Stapled entities comprising Goodman Group

LIMITED LIABILITY COMPANY AGREEMENT

OF

GIC QUEENS LLC

THIS LIMITED LIABILITY COMPANY AGREEMENT (the “**Agreement**”) of GIC Queens LLC (the “**Company**”) dated as of the 9th day of November, 2021, by Goodman North American Partnership Holdings LLC, as the sole member of the Company (the “**Member**”).

RECITAL

The Member has formed the Company as a limited liability company under the laws of the State of Delaware and desires to enter into a written agreement, in accordance with the provisions of the Delaware Limited Liability Company Act and any successor statute, as amended from time to time (the “**Act**”), governing the affairs of the Company and the conduct of its business.

ARTICLE 1

The Limited Liability Company

The Limited Liability Company

1.1 Formation. The Member has previously formed the Company as a limited liability company pursuant to the provisions of the Act. A certificate of formation for the Company as described in Section 18-201 of the Act (the “**Certificate of Formation**”) has been filed in the Office of the Secretary of State of the State of Delaware in conformity with the Act. Express authorization was given to Alan Cockburn for the exclusive purpose of executing the Certificate of Formation of the LLC which has been filed in the Office of the Secretary of State of the State of Delaware.

1.2 Name. The name of the Company shall be “**GIC Queens LLC**” and its business shall be carried on in such name with such variations and changes as the Member shall determine or deem necessary to comply with requirements of the jurisdictions in which the Company’s operations are conducted.

1.3 Business Purpose; Powers. The Company is formed for the purpose of engaging in any lawful business, purpose or activity for which limited liability companies may be formed under the Act. The Company shall possess and may exercise all the powers and privileges granted by the Act or by any other law or by this Agreement, together with any powers incidental thereto, so far as such powers and privileges are necessary or convenient to the conduct, promotion or attainment of the business purposes or activities of the Company.

1.4 Registered Office and Agent. The location of the registered office of the Company shall be 1209 Orange Street, Wilmington, Delaware 19801. The Company’s Registered Agent at such address shall be The Corporation Trust Company.

1.5 Term. Subject to the provisions of Article 6 below, the Company shall have perpetual existence.

ARTICLE 2
The Member

2.1 The Member. The name and address of the Member are as follows:

<u>Name</u>	<u>Address</u>
Goodman North American Partnership Holdings LLC	18201 Von Karman Avenue Suite 1170 Irvine, California 92612

2.2 Actions by the Member; Meetings. The Member may approve a matter or take any action at a meeting or without a meeting by the written consent of the Member. Meetings of the Member may be called at any time by the Member.

2.3 Liability of the Member. All debts, obligations and liabilities of the Company, whether arising in contract, tort or otherwise, shall be solely the debts, obligations and liabilities of the Company, and the Member shall not be obligated personally for any such debt, obligation or liability of the Company solely by reason of being a member.

2.4 Power to Bind the Company. The Member (acting in its capacity as such) shall have the authority to bind the Company to any third party with respect to any matter.

2.5 Admission of Members. Persons or entities may be admitted as members of the Company only upon the prior written approval of the Member.

ARTICLE 3
Management by the Member

3.1 Management of the Company. The management of the Company is fully reserved to the Member in its capacity as a member of the Company, and the Company shall not have “managers,” as that term is used in the Act. The powers of the Company shall be exercised by or under the authority of, and the business and affairs of the Company shall be managed under the direction of, the Member, who shall make all decisions and take all actions for the Company. In managing the business and affairs of the Company and exercising its powers, the Member shall act through resolutions adopted in written consents. Decisions or actions taken by the Member in accordance with this Agreement shall constitute decisions or action by the Company and shall be binding on the Company. For the avoidance of doubt, the Company shall be “member managed” within the meaning of and pursuant to the Act.

3.2 Officers and Related Persons. The Member shall have the authority to appoint and terminate officers of the Company and retain and terminate employees, agents and consultants of the Company and to delegate such duties to any such officers, employees, agents and consultants as the Member deems appropriate, including the power, acting individually or jointly, to represent and bind the Company in all matters, in accordance with the scope of their respective duties.

ARTICLE 4
Capital Structure and Contributions

4.1 Capital Structure. The capital structure of the Company shall consist of one class of common interests (the “**Common Interests**”). All Common Interests shall be identical with each other in every respect. The Member shall own all of the Common Interests issued and outstanding.

4.2 Capital Contributions. From time to time, the Member may determine that the Company requires capital and may make capital contribution(s) in an amount determined by the Member. A capital account shall be maintained for the Member, to which contributions and profits shall be credited and against which distributions and losses shall be charged.

ARTICLE 5
Profits, Losses and Distributions

5.1 Profits and Losses. For financial accounting and tax purposes, the Company’s net profits or net losses shall be determined on an annual basis in accordance with the manner determined by the Member.

5.2 Distributions. The Member shall determine profits available for distribution and the amount, if any, to be distributed to the Member, and shall authorize and distribute on the Common Interests, the determined amount when, as and if declared by the Member. The distributions of the Company shall be allocated entirely to the Member.

ARTICLE 6
Events of Dissolution

The Company shall be dissolved and its affairs wound up upon the occurrence of any of the following events (each, an “**Event of Dissolution**”):

- (a) The Member votes for dissolution; or
- (b) A judicial dissolution of the Company under Section 18-802 of the Act.

No other event, including, without limitation, the death, retirement, resignation, expulsion, bankruptcy or dissolution of the Member, shall cause the dissolution of the Company; provided, however, that in the event of any occurrence resulting in the termination of the continued membership of the last remaining member of the Company, the Company shall be dissolved unless, within 90 days following such event, the personal representative of the last remaining member agrees in writing to continue the Company and to the admission of such personal representative (or any other person or entity designated by such personal representative) as a member of the Company, effective upon the event resulting in the termination of the continued membership of the last remaining member of the Company.

ARTICLE 7
Transfer of Interests in the Company

The Member may sell, assign, transfer, convey, gift, exchange, pledge, hypothecate or otherwise dispose of (“**Transfer**”) any or all of its Common Interests to any person or entity.

ARTICLE 8
Exculpation and Indemnification

8.1 Exculpation. Notwithstanding any other provisions of this Agreement, whether express or implied, or any obligation or duty at law or in equity, none of the Member, nor any officers, directors, stockholders, partners, members, managers, employees, affiliates, representatives or agents of the Member, nor any officer, employee, representative or agent of the Company (individually, a “**Covered Person**” and, collectively, the “**Covered Persons**”) shall be liable to the Company or any other person for any act or omission (in relation to the Company, its property or the conduct of its business or affairs, this Agreement, any related document or any transaction contemplated hereby or thereby) taken or omitted by a Covered Person in good faith in the reasonable belief that such act or omission is in or is not contrary to the best interests of the Company and is within the scope of authority granted to such Covered Person by this Agreement, provided such act or omission does not constitute fraud, willful misconduct or gross negligence.

8.2 Indemnification. To the fullest extent permitted by the Act, the Company shall indemnify and hold harmless each Covered Person from and against any and all losses, claims, demands, liabilities, expenses, judgments, fines, settlements and other amounts arising from any and all claims, demands, actions, suits or proceedings, civil, criminal, administrative or investigative (“**Claims**”), in which the Covered Person may be involved, or threatened to be involved, as a party or otherwise, by reason of the fact that he, she or it is a Covered Person or which relates to or arises out of the Company or its property, business or affairs. A Covered Person shall not be entitled to indemnification under this Section 8.2 with respect to (i) any Claim with respect to which such Covered Person has engaged in fraud, willful misconduct or gross negligence or (ii) any Claim initiated by such Covered Person unless such Claim (A) was brought to enforce such Covered Person’s rights to indemnification hereunder or (B) was authorized or consented to by the Member. Expenses incurred in defending any Claim by (y) the Member or any officer, director, stockholder, partner, member, manager, or affiliate of the Member shall be paid by the Company and (z) any other Covered Person may be paid by the Company, but only upon the prior written approval of the Member in its sole and absolute discretion, upon such terms and conditions, if any, as the Member deems appropriate, in each case, in advance of the final disposition of such Claim upon receipt by the Company of an undertaking by or on behalf of such Covered Person to repay such amount if it shall be ultimately determined that such Covered Person is not entitled to be indemnified by the Company as authorized by this Section 8.2.

8.3 Amendments. Any repeal or modification of this Article 8 by the Member shall not adversely affect any rights of such Covered Person pursuant to this Article 8, including the right to indemnification and to the advancement of expenses of a Covered Person, existing at the time of such repeal or modification with respect to any acts or omissions occurring prior to such repeal or modification.

ARTICLE 9
Miscellaneous

9.1 Tax Treatment. Unless otherwise determined by the Member, the Company shall be a disregarded entity for U.S. federal income tax purposes (as well as for any analogous state or local tax purposes), and the Member and the Company shall timely make any and all necessary elections and filings for the Company to be treated as a disregarded entity for U.S. federal income tax purposes (as well as for any analogous state or local tax purposes).

9.2 Amendments. Amendments to this Agreement and to the Certificate of Formation shall be effective only if approved in writing by the Member. An amendment shall become effective as of the date specified in the approval of the Member or if none is specified as of the date of such approval.

9.3 Severability. If any provision of this Agreement is held to be invalid or unenforceable for any reason, such provision shall be ineffective to the extent of such invalidity or unenforceability; provided, however, that the remaining provisions will continue in full force without being impaired or invalidated in any way unless such invalid or unenforceable provision or clause shall be so significant as to materially affect the expectations of the Member regarding this Agreement. Otherwise, any invalid or unenforceable provision shall be replaced by the Member with a valid provision which most closely approximates the intent and economic effect of the invalid or unenforceable provision.


9.4 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Delaware without regard to the principles of conflicts of laws thereof.

9.5 Limited Liability Company. The Member intends to form a limited liability company and does not intend to form a partnership under the laws of the State of Delaware or any other laws.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the undersigned has duly executed this Agreement as of the day first above written.

**GOODMAN NORTH AMERICAN
PARTNERSHIP HOLDINGS LLC, Member**

By: 

Alan Cockburn
Vice President

GIC QUEENS LLC
(a Delaware limited liability company)

ACTION BY WRITTEN CONSENT OF
THE SOLE MEMBER

The undersigned, being the sole member (the “**Member**”) of GIC Queens LLC, a Delaware limited liability company (the “**Company**”), acting in accordance with the provisions of the Delaware Limited Liability Company Act and Section 3.1 of the Limited Liability Company Agreement of the Company (the “**LLC Agreement**”), hereby approves and adopts the following resolutions by written consent, effective as of the date set forth below:

WHEREAS, it is deemed by the undersigned to be appropriate and in the interests of the Company to elect officers of the Company, as provided in Section 3.2 of the LLC Agreement; and

WHEREAS, in consideration of the foregoing, the Member deems it appropriate and in the best interests of the Company to elect Anthony Rozic as President of the Company and Alan Cockburn as Vice President and Secretary of the Company; each of them to serve in such capacity until his successor is elected and qualified or until his earlier resignation or removal;

NOW, THEREFORE, BE IT RESOLVED, that the following persons be, and each of them hereby is, elected to the office set forth opposite his/her name, to serve in such capacity until his/her successor is duly elected and qualified or until his/her earlier resignation or removal:

Anthony Rozic	President
Alan Cockburn	Vice President and Secretary

RESOLVED FURTHER, that the foregoing officers of the Company shall have such powers and duties in the management of the Company as may be prescribed by the Member and, to the extent not so provided, as generally pertain to their respective offices, subject to the control of the Member.


RESOLVED FURTHER, that the officers of the Company be, and each of them hereby is, authorized, directed and empowered to execute, deliver and/or file, or cause to be executed, delivered and/or filed, on behalf and in the name of the Company, any agreements and/or documents, which such officers may deem necessary or appropriate to carry out fully the intent and purposes of these resolutions, and that the performance of such acts by such officer(s) shall be conclusive evidence of the approval thereof and the authority therefor by and from the Member.

RESOLVED FURTHER, that any and all actions heretofore or hereafter taken, and any and all agreements and/or documents executed or delivered by the officers of the Company in furtherance of the matters contemplated by these resolutions are hereby ratified, approved and confirmed as the act and deed of the Company.

RESOLVED FURTHER, that this written consent may be executed by facsimile or electronic transmission, and such written consent shall be filed with the minutes of the proceedings of the Member.

IN WITNESS WHEREOF, the undersigned has executed this written consent as of the 9th day of November, 2021.

**GOODMAN NORTH AMERICAN
PARTNERSHIP HOLDINGS LLC, Member**

By: 
Alan Cockburn
Vice President

Brownfield Cleanup Program Application
39-04 Northern Boulevard, Long Island City, NY 11101

APPENDIX F

Section VI
Requestor Eligibility Information

Appendix F – Requestor Eligibility Information
39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application - Section VI

The Requestor qualifies as a Volunteer because (i) a Phase I Environmental Site Assessment was completed that satisfied the "all appropriate inquiries" requirements of 40 CFR 312 prior to taking title, (ii) all disposals of hazardous substances occurred prior to the time Requestor took possession of the brownfield site and (ii) the Requestors do not have any affiliation with any responsible party.

Requestor has exercised appropriate care by promptly re-initiating quarterly groundwater monitoring/reporting related to the open spill number when the Requestor took ownership of the Site. In addition, the Site is fully fenced to prevent access by trespassers. Lastly, the Requestor permanently abandoned the remaining two 2,000 gallon out of service underground storage tanks and registered them as "closed-in place" in April 2022, as required by the New York State Department of Environmental Conservation (NYSDEC). Requestor will continue to exercise appropriate care by implementing the requirements of the BCP. As such, the Requestors should be considered a Volunteer as defined in ECL 27-1405(1)(b).

Brownfield Cleanup Program Application
39-04 Northern Boulevard, Long Island City, NY 11101

APPENDIX G

Section IX
Previous Property Owner-Operator Information

Appendix G – Previous Property Owners and Operators

39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application - Section IX

GIC Queens LLC has no relationship to previous owners and operators. The Site currently consists of Block 183, Lot 12.

PREVIOUS OWNERS' INFORMATION*
Block 183, Lot 12

Period	Tax Parcel	Owner	Source	Relationship to Requestor
Unknown to 4/24/2014	Block 183, Lot 12	Hess Corporation	Deed	None
4/24/2014 to 9/30/2014	Block 183, Lot 12	Hess Retail Stores LLC	Deed	None
9/30/2014 to 11/15/2018	Block 183, Lot 12	Speedway LLC	Deed	None
11/15/2018 to 11/16/2021	Block 183, Lot 12	GIRT Realty, LLC	Deed	None
11/16/2021 to Present	Block 183, Lot 12	GIC Queens LLC	Deed	Current Owner

* ACRIS includes transactions records from 1966 to present. If no other records are shown, it is assumed that additional property transactions occurred before 1966.

PREVIOUS OPERATORS' INFORMATION*
Block 183, Lot 12

Period	Tax Parcel	Operator	Source	Relationship to Requestor	Contact
1962 to 1970	Block 183, Lot 12	Save Way Stas Inc.	City Directory	None	
1991	Block 183, Lot 12	Northern Boulevard Car Wash	City Directory	None	
1994	Block 183, Lot 12	Metro Steel Structures Limited Northern Boulevard Car Wash	City Directory	None	

Appendix G – Previous Property Owners and Operators

39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application - Section IX

Period	Tax Parcel	Operator	Source	Relationship to Requestor	Contact
1999	Block 183, Lot 12	Merit Oil Corp. Metro Steel Structures Limited Northern Boulevard Car Wash	City Directory	None	
2000	Block 183, Lot 12	Merit Oil Corp. Northern Boulevard Car Wash	City Directory	None	
2004	Block 183, Lot 12	Emel Ennis	City Directory	None	
2009	Block 183, Lot 12	Hess Corp.	City Directory	None	
9/30/2014 to 11/15/2018	Block 183, Lot 12	Speedway LLC	Deed	None	718-349-1379
2014 and 2017	Block 183, Lot 12	Dunkin Donuts	City Directory	None	

* A City Directory Abstract of the property was obtained from EDR. Records reviewed from 1922 to 2017 were sourced from New York Telephone, New York Telephone Directory, Cole Information Services, and NYNEX Information Resource Company.

Brownfield Cleanup Program Application
39-04 Northern Boulevard, Long Island City, NY 11101

APPENDIX H

Section XI
Site Contact List

Appendix H - Site Contact List

39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application – Section XI

i. Local and State Officials

Councilwoman Julie Won
26th Council District
47-01 Queens Boulevard Suite 205
Sunnyside, NY 11104
718-383-9076

Queens Borough President
Donovan Richards
120-55 Queens Boulevard
Kew Gardens, NY 11424
718-286-3000

Senator Michael Gianaris
12th Senatorial District
31-19 Newtown Avenue, Suite 402
Astoria, NY 11102
718-728-0960

NYS Comptroller Thomas DiNapoli
59 Maiden Lane-30th Floor
New York, NY 10038
212-417-5180

Assemblyman Brian Barnwell
30th Assembly District
55-19 69th Street
Maspeth, NY 11378
718-651-3185

Hon. Mayor Eric Adams
New York City Hall
New York, NY 10007
Phone: 212-718-7585

Hon. Kirsten E. Gillibrand
U.S. Senator
780 Third Avenue, Suite 2601
New York, NY 10017
212-688-6262

NYC Comptroller Brad Lander
1 Centre Street
New York, NY 10007
212-669-3916

District Attorney Melinda Katz
Queens County District Attorney
125-01 Queens Blvd
Kew Gardens, NY 11415
718-286-6000

Public Advocate Jumaane D. Williams
Community Affairs
1 Centre Street, 15th Floor
New York, NY 10007
212-669-7200

Hon. Kathy Hochul
Governor of New York State
NYS State Capital Building
State Street and Washington Avenue
Albany, NY 12224

Hon. Charles E. Schumer
U.S. Senator
780 Third Avenue, Suite 2301
New York, NY 10017-2110
212-486-4430

Congresswoman Carolyn B. Maloney
12th Congressional District
31-19 Newtown Ave.
Astoria, NY 11102
718-932-1804

Appendix H - Site Contact List

39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application – Section XI

ii. Current Site Owner

Proposed BCP Site
Block 183, Lot 12
GIC Queens LLC
18201 Von Karman Avenue, Suite 1170
Irvine, CA 92612

iii. Current Owners and Occupants of Adjacent Sites

Block 183, Lot 9
GIC Queens LLC
18201 Von Karman Avenue, Suite 1170
Irvine, CA 92612

Block 183, Lot 9
Lexus of Queens
40-40 Northern Boulevard
Long Island City, NY 11101

Block 666, Lot 1
Flushing Bank
220 RXR Plaza
Uniondale, NY 11556

Block 214, Lot 40
New York Community Bank
102 Duffy Avenue, 3rd Floor
Hicksville, NY 11801

Block 665, Lot 34
Scale Steinway Lender LLC c/o Slate Property
Group
38 East 29th Street, 9th Floor
New York, NY 10016

Block 183, Lot 8
Metropolitan Transportation Authority
Madison Avenue
New York, NY 10017

iv. Community, Religious, Civic and other Authorities

New York Presbyterian Church
43-23 37th Ave.
Long Island City, NY 11101
(718) 706-0100

Hope Astoria Church
36-14 35th St.
Queens, NY 11106
(646) 736-1725

Appendix H - Site Contact List

39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application – Section XI

St. George Coptic Orthodox Church
38-25 31st St.
Queens, NY 11101

FDNY Ladder 116
37-20 29th St.
Long Island City, NY 11101

FDNY Engine 325/Ladder 163
41-24 51st St.
Woodside, Queens, NY 11377

NYPD 114th Precinct
34-16 Astoria Blvd
Astoria, NY 11103
(718) 626-9311

NYPD 108th Precinct
547 50th Ave.
Long Island City, NY 11101
(718) 784-5411

FDNY Engine 260
11-15 37th Ave,
Queens, NY 11101
(718) 999-2000

v. Parks and Recreation

NYC Parks and Recreation
Playground Thirty-Five
4016 35th Ave.
Queens, NY 11101

NYC Parks and Recreation
A.R.R.O.W. Field House
35-30 35th St.
Queens, NY 11101
(718) 349-0444

vi. Day Cares and Schools

Q580 The Baccalaureate School for Global
Education
34-12 36th Ave.
Queens, NY 11106
(718) 361-5275

Q501 Frank Sinatra School of the Arts High
School
35-12 35th Ave.
Queens, NY 11106
(718) 361-9920

Our World Neighborhood Charter School
Elementary School 1
36-12 35th Ave.
Queens, NY 11106
(718) 392-3405

P.S. 166
33-09 35th Ave.
Queens, NY 11106
(718) 786-6703

Maria's Daycare
3633 32nd St.
Long Island City, NY 11106
(718) 729-8321

Appendix H - Site Contact List

39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application – Section XI

Children Blossom Daycare
3525 34th St.
Queens, NY 11106
(347) 642-3591

Babyland Daycare Astoria
35-10 35th St. B21
Queens, NY 11106
(718) 310-8532

vii. Local Water Supply

New York City Water Supply
9605 Horace Harding Expressway
Queens, NY 11368

viii. Local News and Media

LIC Post
news@queenspost.com
(929) 424-4067

New York Post
1211 Avenue of the Americas
New York, NY 10036
(212) 930-8000

New York Daily News
4 New York Plaza
New York, NY 10004

Spectrum NY 1 News
75 Ninth Avenue
New York, NY 10011

ix. Any Person, Community Based Organization, BOA Group, or Local Media Who Has Requested to be placed on the contact list

No persons have requested to be on the Site Contact List.

x. Document Repository

Queens Public Library – Long Island City
37-44 21 Street
Long Island City, NY 11101
(718) 752-3700

Queens Community Board District 2
Chairperson: Morry Galonoy
District Manager: Debra Markell Kleinert
43-22 50th Street, Room 2B
Woodside, NY 11377
(718) 533-8777
E-Mail: qn02@cb.nyc.gov

Appendix H - Site Contact List

39-04 Northern Boulevard, Long Island City, NY 11101
BCP Application – Section XI

See attached documentation confirming acceptance as document repositories in Appendix H.

From: [Smith, Tienya](#)
To: [Emily Butler](#)
Subject: Re: Document Repository - Queens Community Board 2 for 39-04 Northern Boulevard Project
Date: Thursday, June 16, 2022 4:51:15 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

This message originated outside your organization. Please use caution!

Emily Butler:

Yes, the library will serve as a document repository. Please send a CD, USB, or print materials.

Tienya

From: Emily Butler <ebutler@rouxinc.com>
Sent: Thursday, June 16, 2022 3:17 PM
To: Smith, Tienya <Tienya.Smith@queenslibrary.org>
Subject: Document Repository - Queens Community Board 2 for 39-04 Northern Boulevard Project

Ms. Smith,

My name is Emily Butler and I work for an environmental consulting firm, Roux. We are working on a project to redevelop the property located at 39-04 Northern Boulevard in Long Island City and are required to have the nearest library and the community board as document repositories for any future documents we generate for this project as requested by the New York State Department of Environmental Conservation (NYSDEC). This email is to request that the Queens Public Library - Long Island City Branch can act as one of the document repositories for the 39-04 Northern Boulevard project.

Please respond with confirmation of receipt, and please contact me with any questions.

Thank you,

Emily Butler | Project Geologist

209 Shafter Street, Islandia, NY 11749

Main: (631) 232-2600 | Direct: (631) 630-2432 | Mobile: (719) 494-6722

Email: ebutler@rouxinc.com | Website: www.rouxinc.com





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From: [QN02@cb.nyc.gov \(CB\)](mailto:QN02@cb.nyc.gov)
To: [Emily Butler](#)
Subject: Re: [EXTERNAL] Document Repository - Queens Community Board 2 for 39-04 Northern Boulevard Project
Date: Thursday, June 16, 2022 12:51:48 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

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Yes we confirm.

Thanks
Debbie

Debra Markell Kleinert
District Manager, CB 2Q
43-22 50th Street, 2nd Floor
Woodside, NY 11377
Tel: (718) 533-8773
Fax: (718) 533-8777
Email: qn02@cb.nyc.gov
CB2 Website: www.nyc.gov/queenscb2
Facebook: <https://facebook.com/Queenscb2>
Twitter: <https://twitter.com/Queenscb2>

From: Emily Butler <ebutler@rouxinc.com>
Sent: Thursday, June 16, 2022 10:36 AM
To: QN02@cb.nyc.gov (CB) <QN02@cb.nyc.gov>
Subject: [EXTERNAL] Document Repository - Queens Community Board 2 for 39-04 Northern Boulevard Project

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To whom it may concern:

My name is Emily Butler and I work for an environmental consulting firm, Roux. We are working on a project to redevelop the property located at 39-04 Northern Boulevard in Long Island City and are required to have the nearest library and the community board as document repositories for any future documents we generate for this project as requested by the New York State Department of Environmental Conservation (NYSDEC). This email is to request that Queens Community Board 2 can act as one of the document repositories for the 39-04 Northern Boulevard project.

Please respond with confirmation of receipt, and please contact me with any questions.

Thank you,

Emily Butler | Project Geologist

209 Shafter Street, Islandia, NY 11749

Main: (631) 232-2600 | Direct: (631) 630-2432 | Mobile: (719) 494-6722

Email: ebutler@rouxinc.com | Website: www.rouxinc.com



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Brownfield Cleanup Program Application
39-04 Northern Boulevard, Long Island City, NY 11101

APPENDIX I

Supplemental Questions for Sites Seeking Tangible Property Credits in
New York City

Appendix I – Supplemental Questions for Sites Seeking Tangible Property Credits in New York City

39-04 Northern Boulevard, Long Island City, NY 11101

BCP Application – Supplemental Questions for Sites Seeking Tangible Property Credits in New York City

BCP applicant, GIC Queens LLC, is seeking tangible property credits on the basis that the Site is underutilized. An affidavit supporting that the Site is underutilized is included in this appendix.

AFFIDAVIT OF UNDERUTILIZATION

STATE OF CALIFORNIA)
) ss.:
COUNTY OF ORANGE)

Alan P. Cockburn _____, being duly sworn, deposes and says:

1. I am the authorized representative of GIC Queens LLC, the current owner of certain land consisting of one approximately .90 acre lot, identified as Block 183, Lot 12 on the Tax Map of the Borough of Queens and more commonly referred to as 39-04 Northern Boulevard, Long Island City, New York 11101 (the "Site").

2. The Site area is approximately 39,305 square feet. The Property is zoned as M1-5 (Manufacturing), with a permitted Floor Area Ratio ("FAR") of 5.00. It has been so zoned for at least three years prior to the date of this application. Thus, the permissible floor area under applicable zoning for a building or buildings on the Property is 196,525 square feet.

3. The Site is currently developed with three structures, accounting for approximately 3,397 square feet of gross floor area, which were utilized as a gasoline station prior to 2018. Since that time, the structures on the Site have been vacant.

4. Because the structures on the Site have been vacant since 2018, 0% of the permissible floor area for the Site has been used.

5. Even if the site were presently occupied, the currently developed gross floor area of 3,397 square feet represents only 1.7% of the permissible floor area under the applicable base zoning would be in use.

6. Accordingly, for at least the last three years, under the applicable base zoning in effect for that period, less than 50% of the permissible floor area of the Property has been used.



Name: Alan P. Cockburn

Title: Vice President

Sworn and subscribed to before me this

_____ day of _____, 2022

see attached

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)

COUNTY OF Orange)

On March 25, 2022 before me, Gina M. Fiscus, Notary Public
DATE INSERT NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC

personally appeared, Alan P. Cockburn

who proved to me on the basis of satisfactory evidence to be the person(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 authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Gina M. Fiscus

NOTARY PUBLIC SIGNATURE

(SEAL)



OPTIONAL INFORMATION

THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAY BE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT.

TITLE OR TYPE OF DOCUMENT Affidavit of Underutilization

DATE OF DOCUMENT N/A NUMBER OF PAGES _____

SIGNERS(S) OTHER THAN NAMED ABOVE N/A

SIGNER'S NAME _____

SIGNER'S NAME _____

RIGHT THUMBPRINT

RIGHT THUMBPRINT