

Brownfield Cleanup Program Application

40-40 Northern Boulevard Long Island City, New York BCP Site # C241268

September 23, 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



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

Is this an application to amend an existing BCA wit application instructions for further guidance related to E			n? Please	refer to	the No)
If yes, provide existing site number:	5 6 7 (,		
Is this a revised submission of an incomplete appli If yes, provide existing site number: C241268	cation?		•	Yes	O No)
BCP App Rev 13						
SECTION I: Property Information Appendix A						
PROPOSED SITE NAME 40-40 Northern Boulevard						
ADDRESS/LOCATION 40-30 - 40-40 Northern Boule	evard					
CITY/TOWN Long Island City		ZIP	CODE 11	1101		
MUNICIPALITY (LIST ALL IF MORE THAN ONE) Ne	w York Cit	V				
COUNTY Queens	· ·	SIT	E SIZE (A	CRES) 2	2.295	
LATITUDE	LONGITUDE					
40 ° 45 ' 07.91 "	73	° 55	5	' 23	3.38	ii.
Provide tax map information for all tax parcels included of any lot is to be included, please indicate as such by appropriate box below, and only include the acreage for acreage column. ATTACH REQUIRED TAX MAPS PER THE APPLICATION AP	inserting "p/o" ir or that portion of	front o the tax	of the lot nu parcel in t Figure 2	imber in he corre	the	
Parcel Address	S	ection	Block	Lot	Acre	age
40-40 Northern Boulevard			183	9	2.2	95
 Do the proposed site boundaries correspond to If no, please attach an accurate map of the prop description. 				bounds	Y	N O
Is the required property map provided in electro (Application will not be processed without a ma)			lication?		•	
 Is the property within a designated Environmen 21(b)(6)? (See <u>DEC's website</u> for more informa If yes, identify census tract: 	tal Zone (En-zo	, .				•
Percentage of property in En-zone (check one):		% ∪ 5	0-99%) 100%	\cup	
 Is the project located within a disadvantaged co See application instructions for additional inform 	•					
5. Is the project located within a NYS Department	of State (NYS D	,	ownfield C	pportun	ity (

6. Is this application one of multiple applications for a large development project, where the	Υ	N
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	\cup	
applications:		
7. Is the contamination from groundwater or soil vapor solely emanating from property other	\bigcirc	
than the site subject to the present application?	\cup	0
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?	\cup	
If yes, attach relevant supporting documentation.		
9. Are there any lands under water?	\bigcirc	
If yes, these lands should be clearly delineated on the site map.	\cup	
10. Has the property been the subject of or included in a previous BCP application?	\bigcirc	
If yes, please provide the DEC site number:	\cup	O
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)?	\cup	
If yes, please provide the DEC site number: Class:		
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.	\cup	
Easement/Right-of-Way Holder Description		
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or		
attach appropriate information):	\cup	
<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	\cup	
and Environmental Assessment narratives included in the prescribed format? Appendix A		
Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five co	ount	ies
comprising New York City.		
15. Is the Requestor seeking a determination that the site is eligible for tangible property tax	Υ	N
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.	_	_
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the		
property is Upside Down?	\sim	
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	\cup	\cup
property is not contaminated, included with the application?		
NOTE: If a tangible property tax credit determination is not being requested at the time of application,		
applicant may seek this determination at any time before issuance of a Certificate of Completion by us	sing 1	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:		
		_

SECT	ION II: Project Description Appendix B		
1.	The project will be starting at: Investigation Remediation		
Repor Reme	: If the project is proposed to start at the remediation stage, at a minimum, a Remedial Invest t (RIR) must be included, resulting in a 30-day public comment period. If an Alternatives Anal dial Action Work Plan (RAWP) are also included (see <u>DER-10, Technical Guidance for Site</u> <u>igation and Remediation</u> for further guidance), then a 45-day public comment period is require	ysis a	
2.	If a final RIR is included, does it meet the requirements in ECL Article 27-1415(2)?		
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 tha remedial program is to begin, and the date by which a Certificate of Completion is expected issued.		
	Is this information attached? Yes Appendix B No		
SECT	ION 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 I		
4.	Please provide a summary of current business operations or uses, with an emphasis on	Υ	N
	identifying possible contaminant source areas. If operations or uses have ceased, provide the date by which the site became vacant. Appendix C	•	
5.	Is this summary included with the application? Reasonably anticipated post-remediation use (check all that apply):		
	Residential Commercial Industrial 🗸		
	If residential, does it qualify as single-family housing? N/A	\bigcirc	
6.	Please provide a statement detailing the specific proposed post-remediation use. Is this summary attached? Appendix C	•	$\overline{\bigcirc}$
7.		O	<u>•</u>
8.		(•)	\bigcirc
9.	Is the proposed use consistent with applicable zoning laws/maps? Appendix C		
10	Please provide a brief explanation and additional documentation if necessary. Is the proposed use consistent with applicable comprehensive community master plans,		
10	local waterfront revitalization plans, or other adopted land use plans? Please provide a brief explanation and additional documentation if necessary.	•	0

SECTION IV: Property's Environmental History	Appendix D
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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 (<u>ASTM E1903</u>). 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	√		✓
Chlorinated Solvents	✓		✓
Other VOCs			✓
SVOCs	✓		
Metals	✓		
Pesticides			
PCBs			
PFAS			
1,4-dioxane			
Other – indicated below			

^{*}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					
F	Are the required drawings inclu	dec	d with this application?	(•) YES	3	○ NO
	4. Indicate Past Land Uses	(c	heck all that apply):			
	Coal Gas Manufacturing		Manufacturing	Agricultural Co-Op		Dry Cleaner
Ι	Salvage Yard		Bulk Plant	Pipeline	\checkmark	Service Station
Γ	Landfill		Tannery	Electroplating		Unknown
(Other:					

SECTION V: Requestor Informatio	n Appendix E			
NAME				
GIC Queens LLC				
ADDRESS 18201 Von Karman Avenue, Suite 1170)			
CITY/TOWN		ZIP CODE		
Irvine, CA		92612		
,	EMAIL	32012		
PHONE 484-221-6702				
404-221-0702	charles.stehlik@goodman.com			NI
1 le the requester outherized to	andust business in New Vo	ork State (NVS)2	Y	N
Is the requestor authorized to	conduct business in New 10	ork state (INYS)?		\bigcirc
 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 			•	0
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				0
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.			•	0
<u> </u>				

SECTION VI: Requestor Eligibility Appendix F		
If answering "yes" to any of the following questions, please provide appropriate explanation and documentation as an attachment.	d/or	
	Υ	N
1. Are any enforcement actions pending against the requestor regarding this site?		
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?		•
 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. 	0	•
4. Has the requestor been determined in an administrative, civil or criminal proceeding to lin 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?		•
 Has the requestor previously been denied entry to the BCP? If so, please provide the si name, address, assigned DEC site number, the reason for denial, and any other releval information regarding the denied application. 		•
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 transportir of contaminants?	ig O	•

SECTION VI: Requestor Eligibility (CONTINUTED)				
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?				
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?	0	•		
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?	0	•		
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?	0	•		
11. Are there any unregistered bulk storage tanks on-site which require registration?	\bigcirc	•		
12. THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLU IN ACCORDANCE WITH ECL 27-1405(1) BY CHECKING ONE OF THE BOXES BELOW:	JNTE	ER		
Appendix F 13. If the requestor is a volunteer, is a statement describing why the requestor should be consider volunteer attached? Appendix F	ered	<u></u> а		
Yes No N/A				

CECTION VII. Be assect on Elimibility	(CONTINUED)		
SECTION VI: Requestor Eligibility	(CONTINUTED)		
14. Requestor relationship to the	e property (check one; if multiple appl	icants, check all that apply):	
Previous Owner	nt Owner Potential/Future Purc	chaser Other:	
provided. Proof must show that the	ner, proof of site access sufficient requestor will have access to the prong the ability to place an environment	operty before signing the BCA and	
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 REPRESENTATIV GIC Queens LLC/Charles Stehlik	E		
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 (CO			
Noelle Clarke			
COMPANY			
Roux Environmental Engineering and Geo ADDRESS	ology, D.P.C.		
209 Shafter Street			
CITY		ZIP CODE	
Islandia		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		ZIP CODE	
New York		10022	
PHONE	EMAIL	ı	
646-378-7210	mbogin@sprlaw.com		

SECTION VIII: Program Fee		
Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver be demonstration of financial hardship.		on
	Υ	N
1. Is the requestor applying for a fee waiver based on demonstration of financial hardship?	\bigcirc	•
 If yes, appropriate documentation to demonstrate financial hardship must be provided with the application. See application instructions for additional information. Is the appropriate documentation included with this application? 	0	0

SECTION IX: Current Property Ow	ner 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 Lexus of Queens		
CONTACT NAME Ken Wartel		
ADDRESS 40-40 Northern Boulevard		
CITY Long Island City		ZIP CODE 11101
PHONE 718-392-7500	EMAIL ken.wartel@lexusofqueens.com	
OPERATION START DATE Approximately 2007		

SECTION X: Property Eligibility Information		
	Y	N
 Is/was the property, or any portion of the property, listed on the National Priorities Lis If yes, please provide additional information. 	st?	•
 Is/was the property, or any portion of the property, listed on the NYS Registry of Inac Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: Class: 	itive	•

SECT	SECTION X: Property Eligibility Information (continued)							
3.	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:	0	•					
	Date Permit Issued: Permit Expiration Date:							
4.	4. If the answer to question 2 or 3 above is <i>YES</i> , 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.	\bigcirc	\bigcirc					
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:	\cup	•					
6.	Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information.	0	•					

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.

	CTION XII: Statement of Certification and Signatures
	and of Scrambacion 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 <u>DER-32</u> , <u>Brownfield Cleanup Program Applications and Agreements</u> ; 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	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
P	LEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of ONLY the application form and a table of contents.
	OR DEC USE ONLY CP 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	V	N
documentation as required.		
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?		0
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	•	0
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?	0	•
4. Is the property upside down or underutilized as defined below?		
Upside down		•
Appendix I Underutilized	•	

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:

$\overline{}$	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 pro	vided to the Department and the Brownfield Cleanup Agreement will need to be amended prior
to issu	ance 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, subtransmission, 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 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 40-40 Northern Boulevard	SITE ADDRESS 40-30 - 40-40 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@g	oodman.com		

PROPERTY ADDRESS	SECTION	BLOCK	LOT
40-40 Northern Boulevard		183	9

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	^{ZIP} 11749	EMAIL nclarke@rouxinc.com

REQUESTOR'S REQUESTED STATUS	PARTICIPANT	VOLUNTEER ✓
DEC DETERMINATION	AGREE	DISAGREE
APPLIED FOR FEE WAIVER	YES	NO

PERCENTAGE WITHIN AN EN-ZONE	0%	\odot	<50%	$\overline{}$	50-99%	$\overline{}$	100%	
DEC DETERMINATION	AGREE				DISAGR	EE		

BCP APPLICATION SUMMARY (FOR DEC USE ONLY) (CONTINUED)								
FOR SITES IN NEW YORK CITY ONLY								
IS THE REQUESTOR SEEKING TANGIBLE PRO	YES	•	NO	0				
UPSIDE DOWN		YES	0	NO	•			
DEC DETERMINATION		AGREE		DISAGREE	Ξ			
UNDERUTILIZED		YES	•	NO	0			
DEC DETERMINATION		AGREE		DISAGREE	Ξ			
AFFORDABLE HOUSING STATUS	PLANNED O	YES	0	NO	•			
DEC DETERMINATION		AGREE		DISAGREE	Ξ			
DISADVANTAGED COMMUNITY AND CONFORM	/ING BOA	YES	0	NO	•			
DEC DETERMINATION		AGREE		DISAGREE	Ξ			
RENEWABLE ENERGY FACILITY SITE		YES	0	NO	•			
DEC DETERMINATION		AGREE		DISAGREE	Ξ			
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 <u>Regional Office</u> to schedule a meeting. To add a party to an existing BCP Agreement, use the <u>BCP Agreement Amendment Application</u>.

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)	
Registry Listing and P-site Status 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.	
Provide a property description in the format provided below. Each section shoul be no more than one paragraph long. Location: 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 mile east of the intersection of County Route 55 and Industrial Road.") Site Features: Example: "The main site features include several large, abandoned buildings surrounded by former parking areas and roadways. About one quarter of the sit area is wooded. Little Creek passes through the northwest corner." Current Zoning and Land Use; (Ensure the current zoning is identified) 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 eas Route 55." Past Use of the Site; include source(s) of contamination and remedial measures (site characterizations, investigations, Interim Remedial Measures, etc.) comple outside of the current remedial program (e.g., work under a petroleum spill incident). Example: "Until 1992 the site was used for manufacturing wire and wire product (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 land north of Building 7, and releases of wastewater into a series of dry wells." 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 report Only include remedial activities which were implemented PRIOR to the BCA. Do not describe sampling information. Site Geology and Hydrogeology: As appropriate, provide a very brief summary of the main hydrogeological featu of the site includ	test on esteted ets to dfill

SECTION I: Property Information (continued)

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.

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.

A typical Environmental Assessment would look like the following:

Environmental Assessment

Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).

Soil - 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).

Groundwater - 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.

Soil Vapor & Indoor Air - 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.

Questions 15-17: New York City Sites

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 Supplemental Questions for Sites Seeking Tangible Property Credits in New York City must be completed.

SECTION II: Project Description

As a separate attachment, provide complete and detailed information about the project, including the purposed 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	Provide additional explanation and/or documentation as necessary to support
Development, and Community Master Plans	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	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. 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

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 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.

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.

reports; however, it is requested 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)	
Existing Order	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.
Pending Enforcement Actions	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.

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:

Groundwater Table:

Analytes > AWQSe I	Detections > AWQSf	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)

- ^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.

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

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 (μg/m³)	Туре
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 healthbased 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:
 - 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).
 - 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.

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Brownfield Cleanup Program Application Form

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- 1. Site Location Map
- 2. Tax Map
- 3. Existing Conditions
- 4. Surrounding Properties
- 5. Summary of Exceedances in Soil
- 6. VOC Detections in Soil Vapor
- 7. Adjacent Property Ownership

Appendices

A. Section I: Property Descriptive Narrative

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 Owners and Operators Information

H. Section XI: Site Contact List

I. Section XII: Underutilized Affidavit

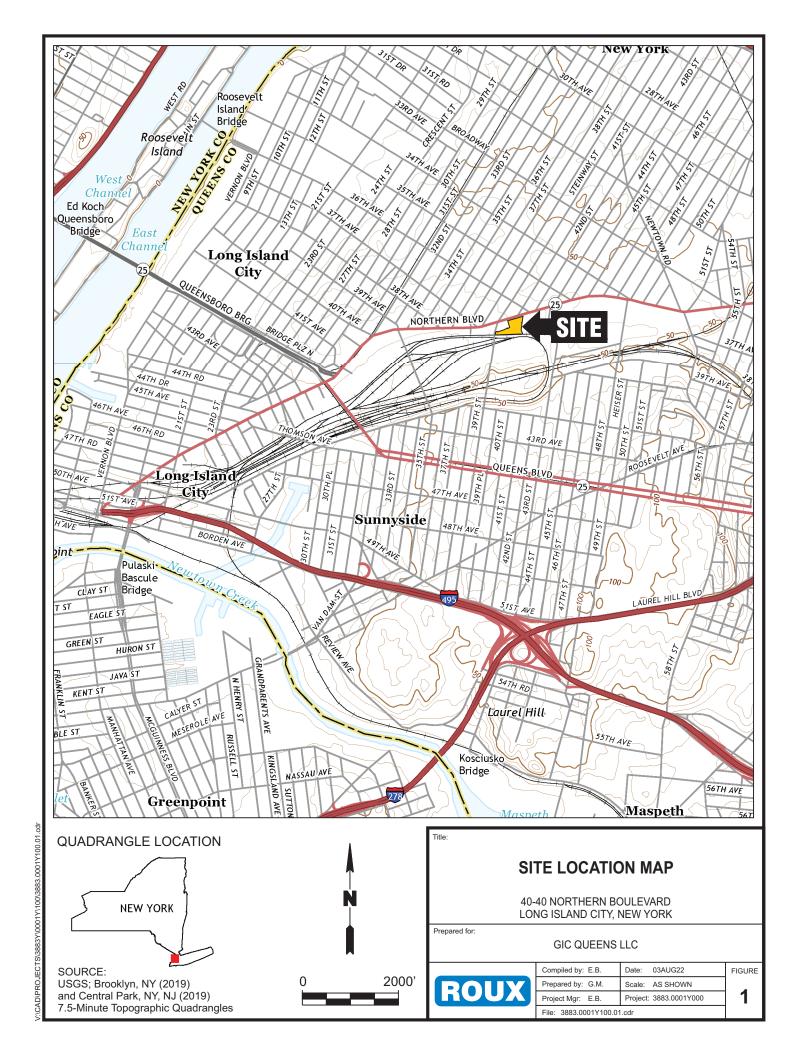
3883.0001Y100/TOC BCP Application | **ROUX** | 1

Brownfield Cleanup Program Application 40-40 Northern Boulevard, Long Island City, NY

FIGURES

- 1. Site Location Map
- 2. Tax Map
- 3. Existing Conditions
- 4. Surrounding Properties
- 5. Summary of Exceedances in Soil
- 6. VOC Detections in Soil Vapor

3883.0001Y100/CVRS ROUX





60' 0 60'

TAX MAP

40-40 NORTHERN BOULEVARD LONG ISLAND CITY, NEW YORK

Prepared for:

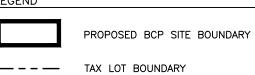
GIC QUEENS

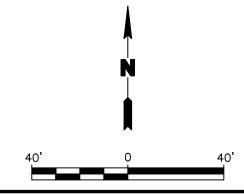


PROPOSED BCP SITE BOUNDARY









EXISTING CONDITIONS

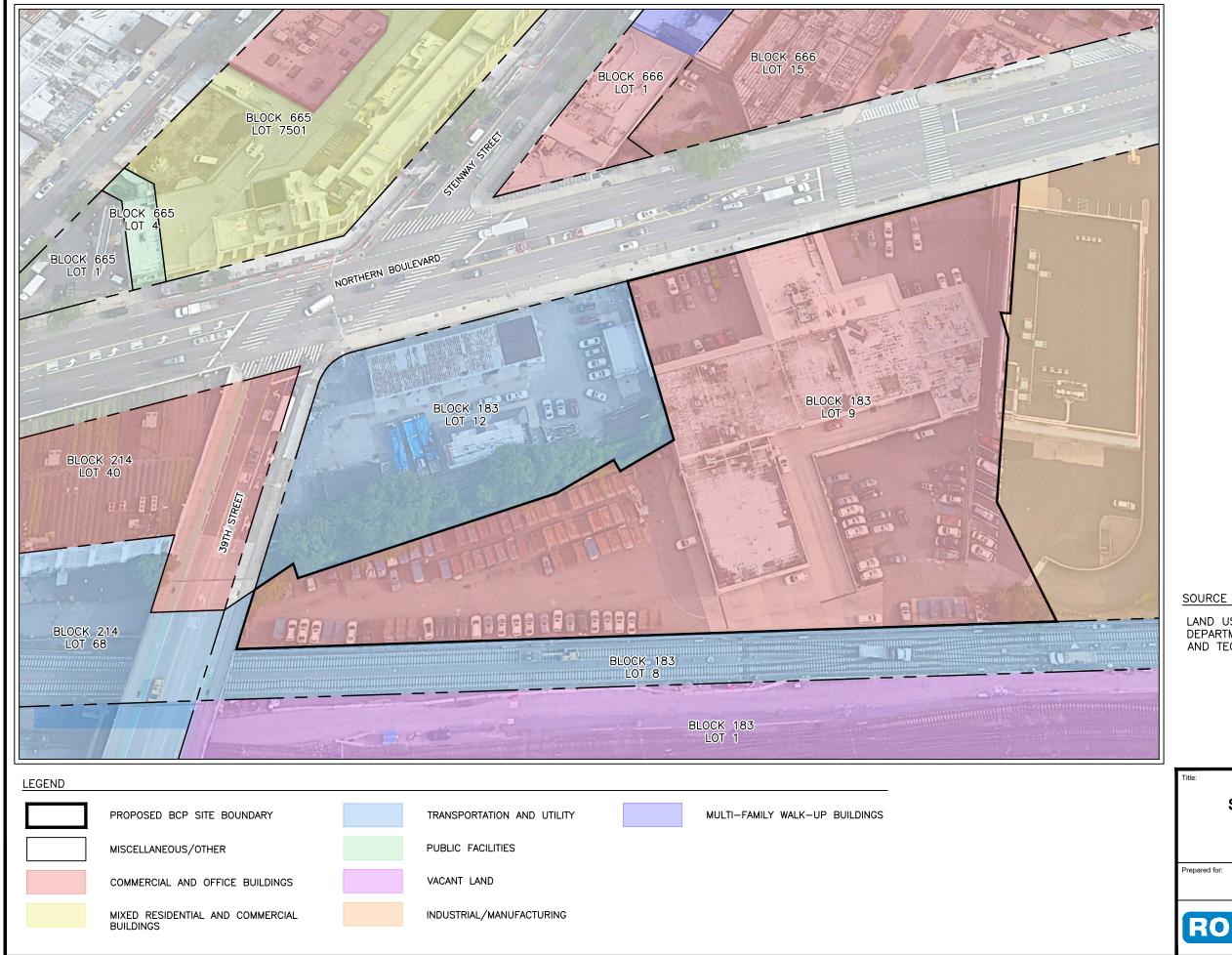
40-40 NORTHERN BOULEVARD LONG ISLAND CITY, NEW YORK

Prepared for:

GIC QUEENS

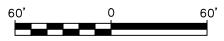
	Compiled by: E.B.
POHY	Prepared by: G.M.
RUUA	Project Mgr: E.B.
	File: 3883.0001Y10

Compiled by: E.B.	Date: 04AUG22	FIG
Prepared by: G.M.	Scale: AS SHOWN	
Project Mgr: E.B.	Project: 883.0001Y000	,
File: 3883.0001Y100.02	DWG	





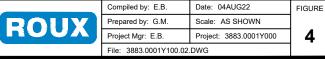
LAND USE PROVIDED BY NEW YORK CITY DEPARTMENT OF CITY PLANNING, INFORMATION AND TECHNOLOGY DIVISION



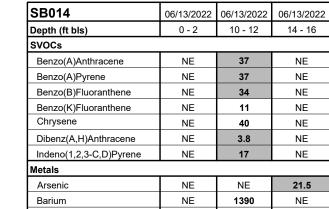
SURROUNDING PROPERTIES

40-40 NORTHERN BOULEVARD LONG ISLAND CITY, NEW YORK

GIC QUEENS



V:\CAD\PROJECTS\3883Y\0001Y\100\3883.0001Y100.02.DWC



NE NE

					indeno(1,2,3-C,D)Fyrene	INE	17
				[1	Metals		
SB015	06/13/2022	06/13/2022	06/13/2022		Arsenic	NE	NE
Depth (ft bls)	0 - 2	6 - 8	12 - 14		Barium	NE	1390
Metals					Lead	NE	776
Mercury	NE	1.02	NE		Mercury	NE	3.73
	NE	1.02	NE	Į į			

SB013	06/10/2022	06/10/2022	06/10/2022
Depth (ft bls)	0 - 2	6 - 8	10 - 12
Metals			
Mercury	NE	1.34	NE
	•		

SB011	05/05/2022	05/05/2022
Depth (ft bls)	0 - 2	15 - 17
Metals		
Mercury	0.777	ND

SB017	06/10/2022	06/10/2022
Depth (ft bls)	0 - 2	2 - 4
VOCs		
Acetone	0.12	ND
Tetrachloroethylene (PCE)	NE	8.2
Trichloroethylene (TCE)	NE	21

	SB-011
NORTHERN BOULEVARD SB-015 SB-014	SB-013
SB-016 SB007	SB010
SB-018	SB009
SB002 SB006	SB-021
	SB003

SB012	06/10/2022	06/10/2022	06/10/2022	06/10/2022
Depth (ft bls)	0 - 2	12 - 14	12 - 14 DUP	15 - 17
VOCs				
Acetone	ND	0.066	ND	ND
Metals				
Arsenic	NE	23.3	NE	NE
Lead	NF	609	NF	NF

LEGEND



SB019

SVOCs

Depth (ft bls)

Benzo(A)Anthracene

Benzo(A)Pyrene Chrysene

PROPOSED BCP SITE BOUNDARY



TAX LOT BOUNDARY



SB001 LOCATION AND DESIGNATION OF PWGC SOIL BORING

SB-011 LOCATION AND DESIGNATION OF ROUX SOIL BORING

06/09/2022 06/09/2022

0 - 2 2 - 4

1.3

1.2

NE

NE

PWGC P.W. GROSSER CONSULTING, INC.

	NYSDEC Part 375	NYSDEC Part	
Parameter	Protection of	375 Industrial	
i didilictor	Groundwater Soil	Soil Cleanup	
	Cleanup Objectives	Objectives	Units
VOCs			
Acetone	0.05	1000	mg/kg
Tetrachloroethylene (PCE)	1.3	300	mg/kg
Trichloroethylene (TCE)	0.47	400	mg/kg
SVOCs			
Benzo(A)Anthracene	1	11	mg/kg
Benzo(A)Pyrene	22	1.1	mg/kg
Benzo(B)Fluoranthene	1.7	11	mg/kg
Benzo(K)Fluoranthene	1.7	110	mg/kg
Chrysene	1	110	mg/kg
Dibenz(A,H)Anthracene	1000	1.1	mg/kg
Indeno(1,2,3-C,D)Pyrene	8.2	11	mg/kg
Metals			
Arsenic	16	16	mg/kg
Barium	820	10000	mg/kg
Lead	450	3900	mg/kg
Mercury	0.73	5.7	mg/kg
PCBs	NE	NE	mg/kg
Pesticides	NE	NE	mg/kg
PFAS	NE	NE	ng/g

mg/kg - MILLIGRAMS PER KILOGRAM

ng/g - NANOGRAMS PER GRAM

NYSDEC - NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- - NO NYSDEC PART 375 SOIL CLEANUP OBJECTIVES AVAILABLE

BOLD DATA INDICATES THAT PARAMETER WAS DETECTED ABOVE THE NYSDEC PART 375 PROTECTION OF GROUNDWATER SOIL CLEANUP OBJECTIVES

SHADED DATA INDICATES THAT PARAMETER WAS DETECTED ABOVE THE NYSDEC PART 375 INDUSTRIAL SOIL CLEANUP OBJECTIVES

J — ESTIMATED VALUE

DUP - DUPLICATE SAMPLE

VOCS - VOLATILE ORGANIC COMPOUNDS

SVOCS - SEMIVOLATILE ORGANIC COMPOUNDS

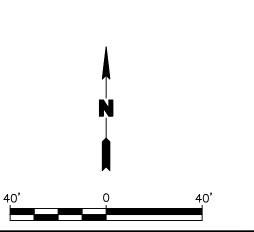
PCBS - POLYCHLORINATED BIPHENYLS

PFAS - PER-AND POLYFLUOROALKYL SUBSTANCES

NE - NO EXCEEDANCE

ND - NO DETECTION

FT BLS - FEET BELOW LAND SURFACE



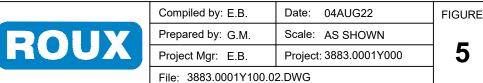
SUMMARY OF EXCEEDANCES IN SOIL

40-40 NORTHERN BOULEVARD LONG ISLAND CITY, NEW YORK

Prepared for:

Title:

GIC QUEENS



7.52

Trichloroethylene (TCE)

/003	03/08/2022	
)Cs		IA003
,3-Butadiene	0.96	VOCs
,2,4-Trimethylpentane	1.98	1,2,4-Trimethylbenzene
cetone	69.1	1,3,5-Trimethylbenzene (Mesitylene)
enzene	1.7	2,2,4-Trimethylpentane
arbon Disulfide	1.02	4-Ethyltoluene
hloroform	1.2	Acetone
yclohexane	2.76	Benzene
ichlorodifluoromethane	2.42	Carbon Tetrachloride
thanol	268	Chloromethane
thyl Acetate	5.19	Cyclohexane
thylbenzene	12.9	Dichlorodifluoromethane
sopropanol	11.5	Ethanol
n,p-Xylene	12.3	Ethylbenzene
lethyl Ethyl Ketone (2-Butanone)	4.63	Isopropanol
-Heptane	3.14	m,p-Xylene
-Hexane	7.12	N-Heptane
0-Xylene (1,2-Dimethylbenzene)	5.86	N-Hexane
ert-Butyl Alcohol	3.82	O-Xylene (1,2-Dimethylbenzene)
etrachloroethylene (PCE)	3.44	Tetrachloroethylene (PCE)
etrahydrofuran	7.76	Tetrahydrofuran
oluene	29.1	Toluene
richlorofluoromethane	5.05	Trichlorofluoromethane

12.5 3.38 19.9

3.29 88.6

6.77 0.459

1.26

7.19 2.45

9.47

43.3

17.3 20.5

13.5

0.312

122

SV006	03/08/2022	IA006	03/08/20:
VOCs		VOCs	
1,1,1-Trichloroethane (TCA)	15.9	1,2,4-Trimethylbenzene	48.8
1,2,4-Trimethylbenzene	1.23	1,3,5-Trimethylbenzene (Mesitylene)	12.7
1,3-Butadiene	3.63	1,3-Butadiene	0.577
1,4-Dioxane (P-Dioxane)	3.01	2,2,4-Trimethylpentane	52.3
2,2,4-Trimethylpentane	1.57	4-Ethyltoluene	10.2
2-Hexanone	0.988	Acetone	196
Acetone	182	Benzene	17.3
Benzene	5.3	Carbon Tetrachloride	0.478
Carbon Disulfide	12.7	Chloromethane	1.3
Cyclohexane	2.72	Cyclohexane	18.9
Dichlorodifluoromethane	8.55	Dichlorodifluoromethane	2.48
Ethanol	366	Ethanol	194
Ethyl Acetate	1.92	Ethylbenzene	28.1
Ethylbenzene	32.2	Isopropanol	201
Isopropanol	43	m,p-Xylene	105
m,p-Xylene	26.8	Methyl Ethyl Ketone (2-Butanone)	1.52
Methyl Ethyl Ketone (2-Butanone)	9.97	Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	5.74
Methylene Chloride	2.66	N-Heptane	47.9
N-Heptane	2.6	N-Hexane	54.6
N-Hexane	3.67	O-Xylene (1,2-Dimethylbenzene)	41.5
O-Xylene (1,2-Dimethylbenzene)	14.6	Styrene	1.01
Styrene	1.19	Tetrachloroethylene (PCE)	0.244
Tert-Butyl Alcohol	6.15	Tetrahydrofuran	13.4
Tetrachloroethylene (PCE)	275	Toluene	168
Tetrahydrofuran	9		
Toluene	69.7		
Trichlorofluoromethane	22.4		

IA012	03/08/2022
VOCs	
1,2,4-Trimethylbenzene	10.8
1,3,5-Trimethylbenzene (Mesitylene)	2.88
2,2,4-Trimethylpentane	19
4-Ethyltoluene	2.7
Acetone	164
Benzene	6.64
Carbon Tetrachloride	0.453
Chloromethane	1.28
Cyclohexane	6.92
Dichlorodifluoromethane	2.48
Ethanol	332
Ethylbenzene	8.69
Isopropanol	76.2
m,p-Xylene	31.8
Methyl Ethyl Ketone (2-Butanone)	2.01
N-Heptane	17.2
N-Hexane	20.3
O-Xylene (1,2-Dimethylbenzene)	12.1
Tetrachloroethylene (PCE)	0.237
Tetrahydrofuran	33.9
Toluene	55.8
Trichlorofluoromethane	1.21

SV004	03/08/2022	IA004	03/08/2022
VOCs		VOCs	
2,2,4-Trimethylpentane	2.25	1,2,4-Trimethylbenzene	2.5
2-Hexanone	1.07	2,2,4-Trimethylpentane	2.29
Acetone	111	Acetone	29
Benzene	5.81	Benzene	1.09
Carbon Disulfide	1.48	Carbon Tetrachloride	0.465
Cyclohexane	5.34	Chloromethane	1.26
Dichlorodifluoromethane	2.74	Cyclohexane	0.774
Ethanol	275	Dichlorodifluoromethane	2.44
Ethyl Acetate	5.3	Ethanol	30.1
Ethylbenzene	28.5	Ethylbenzene	1.46
Isopropanol	16.8	Isopropanol	5.83
m,p-Xylene	24.5	m,p-Xylene	5.47
Methyl Ethyl Ketone (2-Butanone)	2.75	N-Heptane	1.91
Methylene Chloride	2.13	N-Hexane	1.92
N-Heptane	2.65	O-Xylene (1,2-Dimethylbenzene)	2.15
N-Hexane	8.67	Tetrahydrofuran	2.86
O-Xylene (1,2-Dimethylbenzene)	12.8	Toluene	9.8
Styrene	0.984	Trichlorofluoromethane	1.12
Tert-Butyl Alcohol	4.49		-
Tetrahydrofuran	3.57		
Toluene	64.8		
Trichlorofluoromethane	10.8		

Carbon Tetrachloride

Chloromethane

Tetrahydrofuran

0.497

2.35

	SV001	IA001
	7/18/21	7/18/2
VOCs		
1,1,1-Trichloroethane	3.85	ND
1,1,2-Trichloro-1,2,2-trifluoroethane (Freon 113)	1.32	0.639
1,2,4-Trimethylbenzene	29.7	9.35
1,3,5-Trimethylbenzene	7.53	2.38
2-Butanone	5.73	1.97
4-Methyl-2-pentanone	2.11	2.73
Acetone	35.2	66
Benzene	3.52	7.05
Carbon disulfide	3.43	0.519
Carbon tetrachloride	0.325	0.477
Chloromethane	ND	1.27
Cyclohexane	1.3	3.24
Dichlorodifluoromethane	3.57	1.87
Ethyl acetate	ND	0.901
Ethyl Benzene	9.63	11.6
Isopropanol	6.6	0.857
Methylene chloride	ND	0.948
n-Heptane	2.75	6.56
n-Hexane	4.49	8.2
o-Xylene	13.3	12.5
p- & m- Xylenes	44.8	42
p-Ethyltoluene	21.5	7.15
Styrene	5.35	ND
Tetrachloroethylene	7	ND
Toluene	42.1	40.3
Trichloroethylene	0.555	0.163
Trichlorofluoromethane (Freon 11)	14.8	1.41

	SV002	IA002
	7/18/21	7/18/21
VOCs		
1,1,1-Trichloroethane	383	ND
1,2,4-Trimethylbenzene	27.6	4.81
1,3,5-Trimethylbenzene	8.58	1.59
2-Butanone	19.9	2.13
4-Methyl-2-pentanone	ND	3.77
Acetone	19.9	2.13
Benzene	13.1	11.3
Carbon disulfide	33.8	0.296
Carbon tetrachloride	1.43	0.478
Chloromethane	ND	1.29
Cyclohexane	60.4	8.93
Dichlorodifluoromethane	5.63	1.88
Ethyl Benzene	7.91	12.5
Isopropanol	3.73	0.817
Methylene chloride	ND	1.25
n-Heptane	15.2	10.4
n-Hexane	28.2	22.3
o-Xylene	12.5	14.6
p- & m- Xylenes	37.6	44.8
p-Ethyltoluene	19	7.71
Styrene	4.85	ND
Tetrachloroethylene	1,080	ND
Toluene	38.1	66.6
Trichloroethylene	912	ND
Trichlorofluoromethane (Freon 11)	ND	1.28

SV009	03/08/2022	IA009	03/08/202
VOCs		VOCs	
1,1,1-Trichloroethane (TCA)	11.3	1,2,4-Trimethylbenzene	5.06
1,4-Dioxane (P-Dioxane)	2.67	1,3,5-Trimethylbenzene (Mesitylene)	1.26
Acetone	204	2,2,4-Trimethylpentane	5.18
Benzene	0.824	4-Ethyltoluene	1.17
Carbon Disulfide	1.56	Acetone	48.9
Chloroform	1.2	Benzene	1.84
Cyclohexane	1.27	Carbon Tetrachloride	0.428
Dichlorodifluoromethane	2.42	Chloromethane	1.28
Ethanol	103	Cyclohexane	1.91
Ethyl Acetate	1.92	Dichlorodifluoromethane	2.48
Ethylbenzene	17.1	Ethanol	52.2
Isopropanol	19.7	Ethylbenzene	2.86
m,p-Xylene	16.2	Isopropanol	12.1
Methyl Ethyl Ketone (2-Butanone)	3.95	m,p-Xylene	10.8
Methylene Chloride	2.95	N-Heptane	4.39
N-Heptane	1.45	N-Hexane	4.44
N-Hexane	1.48	O-Xylene (1,2-Dimethylbenzene)	4.2
O-Xylene (1,2-Dimethylbenzene)	8.08	Tetrachloroethylene (PCE)	0.217
Tert-Butyl Alcohol	10.5	Toluene	18.6
Tetrachloroethylene (PCE)	5.03	Trichlorofluoromethane	1.17
Toluene	35.3		-
Trichlorofluoromethane	1.17		

VOCs		VOCs	
1,1,1-Trichloroethane (TCA)	50.7	1,2,4-Trimethylbenzene	50.6
1,2,4-Trimethylbenzene	2.03	1,3,5-Trimethylbenzene (Mesitylene)	12.9
1,4-Dioxane (P-Dioxane)	30.8	2,2,4-Trimethylpentane	50.9
2,2,4-Trimethylpentane	2.48	4-Ethyltoluene	11
2-Hexanone	1.44	Acetone	184
Acetone	1400	Benzene	13.5
Benzene	20.9	Carbon Tetrachloride	0.472
Carbon Disulfide	23.9	Chloromethane	1.28
Cyclohexane	10.5	Cyclohexane	16.1
Dichlorodifluoromethane	3.35	Dichlorodifluoromethane	2.49
Ethanol	2340	Ethanol	196
Ethylbenzene	22	Ethylbenzene	25.9
Isopropanol	344	Isopropanol	94.9
m,p-Xylene	24.1	m,p-Xylene	96.4
Methyl Ethyl Ketone (2-Butanone)	25.2	Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	3.85
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	7.38	N-Heptane	38.5
Methylene Chloride	2.79	N-Hexane	46.2
N-Heptane	4.14	O-Xylene (1,2-Dimethylbenzene)	38.8
N-Hexane	6.48	Styrene	1.78
O-Xylene (1,2-Dimethylbenzene)	11.3	Tetrachloroethylene (PCE)	0.237
Tert-Butyl Alcohol	27.2	Tetrahydrofuran	5.4
Tetrachloroethylene (PCE)	10.4	Toluene	132
Toluene	58	Trichlorofluoromethane	1.14
Trichloroethylene (TCE)	128		

03/08/2022 **IA011**

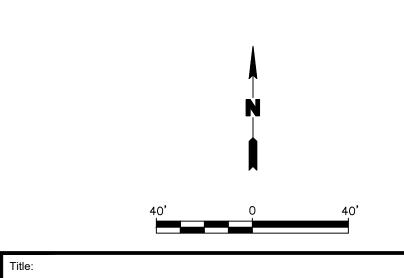
SV010	03/08/2022	IA010	03/08/2022
VOCs		VOCs	
1,1,1-Trichloroethane (TCA)	2.94	1,2,4-Trimethylbenzene	20.8
1,2,4-Trimethylbenzene	2.26	1,3,5-Trimethylbenzene (Mesitylene)	5.46
1,3-Butadiene	0.511	2,2,4-Trimethylpentane	23.8
1,4-Dioxane (P-Dioxane)	0.728	4-Ethyltoluene	4.35
2,2,4-Trimethylpentane	1.58	Acetone	125
Acetone	126	Benzene	6.87
Benzene	2.52	Carbon Tetrachloride	0.51
Carbon Disulfide	2.89	Chloromethane	1.26
Cyclohexane	4.78	Cyclohexane	7.99
Dichlorodifluoromethane	2.56	Dichlorodifluoromethane	2.46
Ethanol	228	Ethanol	119
Ethyl Acetate	3.02	Ethylbenzene	12.3
Ethylbenzene	25.6	Isopropanol	51.6
Isopropanol	17.1	m,p-Xylene	46
m,p-Xylene	25.2	Methyl Ethyl Ketone (2-Butanone)	2.86
Methyl Ethyl Ketone (2-Butanone)	6.87	Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	2.11
N-Heptane	2.52	N-Heptane	19.5
N-Hexane	2.59	N-Hexane	22.8
O-Xylene (1,2-Dimethylbenzene)	12.5	O-Xylene (1,2-Dimethylbenzene)	18.2
Styrene	1.17	Tetrachloroethylene (PCE)	0.176
Tert-Butyl Alcohol	4.15	Tetrahydrofuran	4.16
Tetrachloroethylene (PCE)	12.7	Toluene	62.6
Tetrahydrofuran	9.91	Trichlorofluoromethane	1.2
Toluene	55.8		•
Trichloroethylene (TCE)	1.14		
Trichlorofluoromethane	1.15		

1,2,4-Trimethylbenzene	1.6	1,2,4-Trimethylbenzene	21.9
1,3-Butadiene	3.65	1,3,5-Trimethylbenzene (Mesitylene)	5.85
2,2,4-Trimethylpentane	1.55	2,2,4-Trimethylpentane	25.1
Acetone	149	4-Ethyltoluene	4.29
Benzene	5.05	Acetone	158
Carbon Disulfide	33.3	Benzene	7.73
Chloroform	1.14	Carbon Tetrachloride	0.447
Cyclohexane	14.2	Chloromethane	1.24
Dichlorodifluoromethane	2.44	Cyclohexane	9.57
Ethanol	354	Dichlorodifluoromethane	2.4
Ethyl Acetate	6.63	Ethanol	124
Ethylbenzene	21.2	Ethylbenzene	20.7
Isopropanol	52.6	Isopropanol	715
m,p-Xylene	24.1	m,p-Xylene	82.1
Methyl Ethyl Ketone (2-Butanone)	6.72	Methyl Ethyl Ketone (2-Butanone)	1.97
N-Heptane	2.46	Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	4.05
N-Hexane	3.77	N-Heptane	28.9
O-Xylene (1,2-Dimethylbenzene)	11.5	N-Hexane	27.7
Styrene	1.16	O-Xylene (1,2-Dimethylbenzene)	29.4
Tert-Butyl Alcohol	5.61	Tetrachloroethylene (PCE)	0.176
Tetrachloroethylene (PCE)	1.97	Tetrahydrofuran	18.6
Tetrahydrofuran	21.6	Toluene	194
Toluene	54.3	Trichlorofluoromethane	1.14
Trichloroethylene (TCE)	3.58		
Trichlorofluoromethane	1.45		

007	03/08/2022	IA007		
s		VOCs		
,1-Trichloroethane (TCA)	135	1,2,4-Trimethylbenzene		
,4-Trimethylbenzene	2.25	1,3,5-Trimethylbenzene (Mesity		
-Dichlorobenzene	1.27	2,2,4-Trimethylpentane		
-Butadiene	0.706	4-Ethyltoluene		
2,4-Trimethylpentane	3.27	Acetone		
Hexanone	1.75	Benzene		
etone	112	Carbon Tetrachloride		
nzene	2.97	Chloromethane		
rbon Disulfide	3.58	Cyclohexane		
clohexane	3.27	Dichlorodifluoromethane		
chlorodifluoromethane	3.43	Ethanol		
nanol	264	Ethylbenzene		
nyl Acetate	8.72	Isopropanol		
nylbenzene	58.6	m,p-Xylene		
propanol	23.7	Methyl Ethyl Ketone (2-Butanor		
p-Xylene	47.3	Methyl Isobutyl Ketone (4-Meth		
thyl Ethyl Ketone (2-Butanone)	5.13	N-Heptane		
Heptane	3.78	N-Hexane		
Hexane	5.5	O-Xylene (1,2-Dimethylbenzen		
Xylene (1,2-Dimethylbenzene)	25.2	Styrene		
rene	1.92	Tetrachloroethylene (PCE)		
rt-Butyl Alcohol	5.12	Tetrahydrofuran		
trachloroethylene (PCE)	209	Toluene		
trahydrofuran	5.37			
luene	128			
chloroethylene (TCE)	5.48			
chlorofluoromethane	2.42			
nyl Chloride	0.511			

Vinyl Chloride

			١,	VUCS		
				Acetone	5.94	
		ANALYTES —		Benzene	0.655	CONCENTRATION
1000		ANALITES		Carbon Tetrachloride	0.497	(µg/m³)
4008	03/08/2022		F	Chloromethane	1.24	0-3, ,
OCs 1,2,4-Trimethylbenzene	21.9		F	Dichlorodifluoromethane	2.35	
· · · · · · · · · · · · · · · · · · ·	5.85		-	Isopropanol	1.45	
,3,5-Trimethylbenzene (Mesitylene) ,2,4-Trimethylpentane	25.1		-	Tetrahydrofuran	14.9	
• • • • • • • • • • • • • • • • • • • •	4.29		-	,		
4-Ethyltoluene		L	_ L	Toluene	1.99	
Acetone	158					
Benzene	7.73					
Carbon Tetrachloride	0.447	CON	NC	ENTRATIONS IN µg/m³		
Chloromethane	1.24	µg/m³ — MICROGRAMS PER CUBIC METER VOCs — VOLATILE ORGANIC COMPOUNDS ND — COMPOUND WAS ANALYZED FOR BUT NOT DETE				TFR
yclohexane	9.57					
Dichlorodifluoromethane	2.4					
Ethanol	124					BOL NOT DETECTED
hylbenzene	20.7					
sopropanol	715					
n,p-Xylene	82.1					
Methyl Ethyl Ketone (2-Butanone)	1.97					
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	4.05					
N-Heptane	28.9					
N-Hexane	27.7					
D-Xylene (1,2-Dimethylbenzene)	29.4					
Tetrachloroethylene (PCE)	0.176					
etrahydrofuran	18.6					
Toluene	194					
Trichlorofluoromethane	1.14					



PROPOSED BCP SITE BOUNDARY

LOCATION AND DESIGNATION OF ROUX SOIL VAPOR/INDOOR AIR SAMPLE

PWGC P.W. GROSSER CONSULTING, INC.

TYPICAL DATA BOX INFORMATION

03/08/2022 ── SAMPLE DATE

LOCATION AND DESIGNATION OF PWGC/ROUX SOIL VAPOR/INDOOR AIR SAMPLE

TAX LOT BOUNDARY

SAMPLE ID# —— OA001

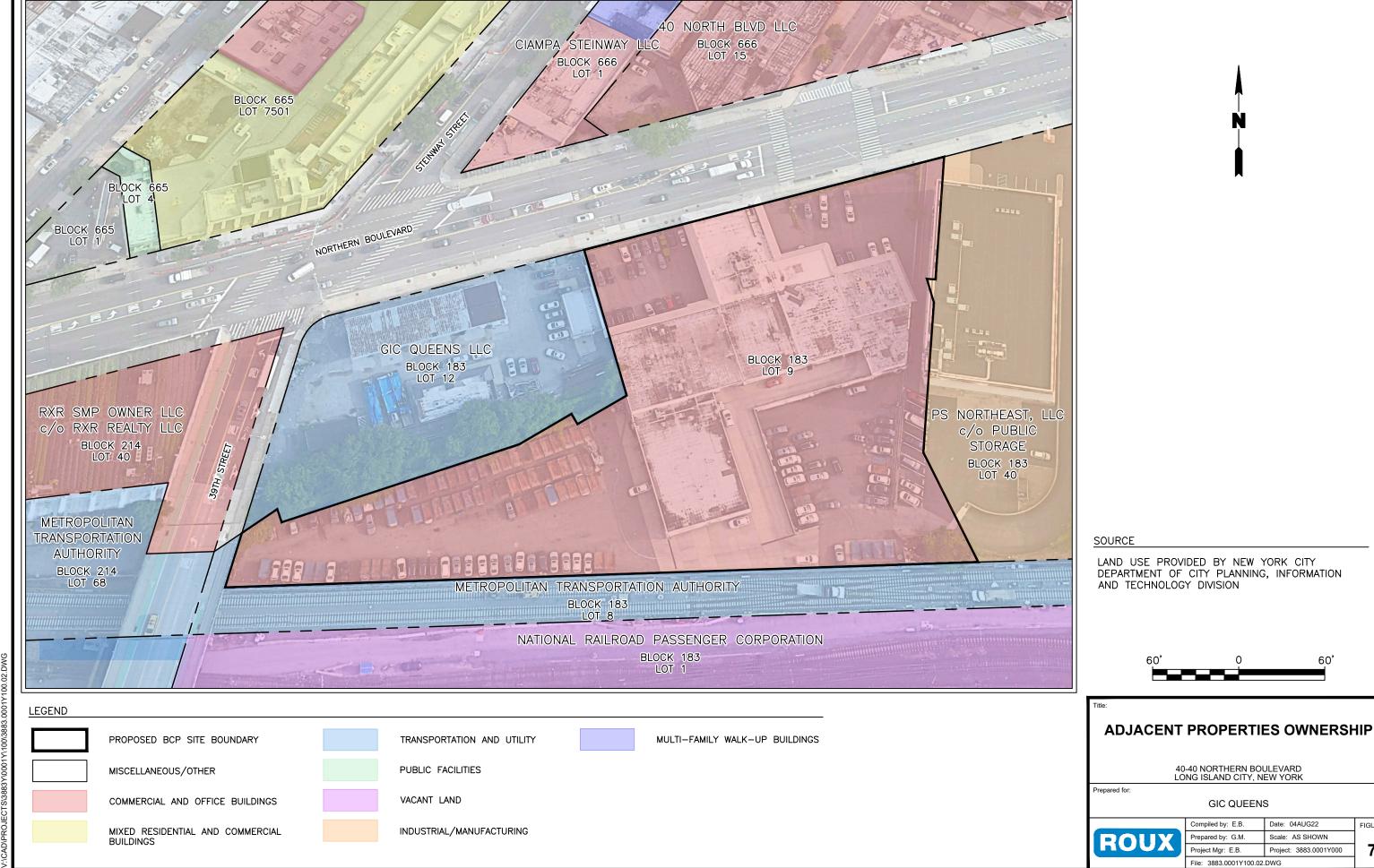
VOC DETECTIONS IN SOIL VAPOR

40-40 NORTERN BOULEVARD LONG ISLAND CITY, NEW YORK

GIC QUEENS LLC

Prepared by: B.H.C. Scale: AS SHOWN Project Mgr: E.B. Project: 3883.0001Y000

Compiled by: E.B. Date: 04AUG22 File: 3883.0001Y100.02.DWG



FIGURE

Brownfield Cleanup Program Application 40-40 Northern Boulevard, Long Island City, NY

APPENDICES

- A. Section I Property Descriptive Narrative
- 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 Owners and Operators Information
- H. Section XI Site Contact List
- I. Section XII Underutilized Affidavit

3883.0001Y100/CVRS ROUX

Brownfield Cleanup Program Application 40-40 Northern Boulevard, Long Island City, NY APPENDIX A

Section I **Property Descriptive Narrative**

Appendix A – Property Description Narrative

40-40 Northern Boulevard, Long Island City, NY 11101 BCP Application - Section IV

Parcel Address	Block No.	Lot No.	Acreage
40-30 and 40-40 Northern Boulevard	183	9	2.295

Location

The Site is located at 40-30 / 40-40 Northern Boulevard in Long Island City, New York, as shown on Figure 1. The Site is identified as Tax Block 183, Lot 9 in Queens County.

Adjacent Property Direction	Property Use
North	Commercial properties across Northern Boulevard
South	LIRR railroad tracks and then Amtrak Sunnyside Yard railyard
East	Public Storage facility
West	Vacant former gas station

Site Features

The Site is a 2.295-acre irregularly shaped parcel that is currently improved with a two-story, 37,610 square foot commercial building currently used as a Lexus automobile dealership and service center (Figure 3). The building is constructed on sloped land: the second floor on the northern portion of the building is at street level with Northern Boulevard and the first/basement floor on the southern portion of the Site is at grade with the parking area. There are paved parking areas on the northern, southern, and western portions of the Site.

Current Zoning and Land Use

The Site is zoned for commercial/industrial use. The Site is currently used as an active Lexus car dealership and service center, covering approximately 6.36 percent of the permissible floor area under the applicable zoning. The Site building is a split-level style built on sloped terrain. The street level portion of the property along Northern Boulevard contains a front parking lot, vehicle check-in area, upper vehicle storage garage, the sales floor and associated office space. The lower portion of the Lexus dealership is reached via ramps within the dealership or via an access road that cuts through the adjoining property to the east. The lower portion of the property contains a large asphalt parking lot with numerous hydraulic lifts, as well as a large service garage containing a car wash, detailing areas, automotive repair areas, parts sales and storage areas, and a small employee gym. The Site is secured on all sides by a fence. The remainder of the Site is covered with asphalt and is either vacant or used as parking. The Site is bounded by Northern Boulevard to the north, 41-02 Northern Boulevard (Public Storage) to the east, Long Island Rail Road (LIRR) tracks and then Amtrak Sunnyside Railyard to the south, and 39-04 Northern Boulevard (vacant former gas station) to the west.

Past Use of the Site

A review of historical sources indicate the Site was used for automobile sales and/or service as far back as at least 1936. The current dealership building was constructed sometime between 1966 and 1970. Prior to this time, there were small buildings at the north end of the Site and railroad tracks covered the remainder of the Site.

Appendix A - Property Description Narrative

40-40 Northern Boulevard, Long Island City, NY 11101 BCP Application - Section IV

Site Geology and Hydrogeology

The elevation of the Site is approximately 25 feet (southern portions) to 40 feet (northern portions) above mean sea level (ft amsl). There is a steep vegetated slope separating the adjacent vacant former gas station at the higher elevation from the lower southwestern portion of the Site. On the eastern side of the Site, where the building is present, the grade change from the higher elevations to the north and the lower elevations to the south is facilitated by the lower level of the building. The Site is not located in or adjacent to any wetlands and is not located in the 100-year or 500-year flood zones.

P.W. Grosser performed a Phase II ESA at the Site and, based on their work, soils at the Site largely consisted of historic urban fill material from grade to a depth of approximately 3 feet below grade. The soils below the historic fill layer were comprised of brown, medium to coarse sands with gravel to a depth of approximately 7 feet below grade, underlain by light brown coarse sand and gravel with trace fines from approximately 7 to at least 10 feet below grade. A formal groundwater flow direction study has not been conducted; however, based on information from the neighboring property, groundwater flow in the vicinity of the Subject Property is presumed to be generally towards the west/southwest in the direction of the East River.

Environmental Assessment

Based on a review of the available environmental assessment reports and completed investigation reports, the Site has a history of automobile sales and/or service as far back as at least 1936 and use as a railyard even earlier. The Site's historical uses have had an adverse impact to soil and soil vapor. The primary contaminants of concern in soils for the Site include chlorinated volatile organic compounds (CVOCs), semivolatile organic compounds (SVOCs), including polycyclic aromatic hydrocarbons (PAHs), and metals, including lead and mercury. The primary contaminants of concern in soil vapor for the Site include CVOCs and petroleum-related compounds, including BTEX.

P.W. Grosser performed a Phase II ESA at the Site; the results for soil and soil vapor sampling are described in the report, dated August 2021 (Appendix D). Roux performed a Soil Vapor Intrusion (SVI) Investigation at the Site; the results of which are described in the summary report dated May 11, 2022 (Appendix D). Roux also performed BCP Eligibility Sampling in June 2022. 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. All soil vapor detections are summarized in Figure 6.

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, no petroleum impacts were observed in the soils on Site. Historic fill material was observed across the Site. The historic fill material and underlying soils appear to be impacted with metals and SVOCs.

CVOCs above the PGWSCOs and SVOCs (including PAHs) and metals above the ISCOs are the primary contaminants found in soil at the Site. CVOCs, including tetrachloroethylene (PCE) and trichloroethylene (TCE), were detected at SB017 above PGWSCOs. 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 at

Appendix A - Property Description Narrative

40-40 Northern Boulevard, Long Island City, NY 11101 BCP Application - Section IV

varying depths throughout the Site. Metals, including lead and mercury, were detected at concentrations above the ISCOs and/or PGWSCOs in multiple soil samples at varying depths.

Soil Vapor –The P.W. Grosser 2021 SVI Investigation included the collection of two sub-slab soil vapor samples, and two co-located indoor air samples. Most of the reported detections were of CVOCs, including PCE and TCE, carbon tetrachloride, 1,1,1-Trichloroethane, methylene chloride and petroleum-related compounds, including BTEX. The Roux 2022 SVI Investigation included the collection of nine sub-slab soil vapor samples, nine co-located indoor air samples, one indoor air sample from the office area, and one outdoor ambient air sample. Most of the detections were of CVOCs, including PCE and TCE, and petroleum-related compounds, including BTEX.

Brownfield Cleanup Program Application 40-40 Northern Boulevard, Long Island City, NY APPENDIX B

Section II **Project Description**

<u>Appendix B – Project Description</u>

40-40 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 40-30 / 40-40 Northern Boulevard in Long Island City, New York (Site), as shown on Figure 1. The Site is identified as Tax Block 183, Lot 9 in Queens County as shown on Figure 2. The Site is currently a Lexus car dealership and service center with paved parking surrounding the Site building. The proposed BCP Site is bounded by the following properties, as summarized in the table below:

Adjacent Property Direction	Property Use
North	Commercial properties across Northern Boulevard
South	LIRR railroad tracks and then Amtrak Sunnyside Yard Railyard
East	Public Storage facility
West	Vacant former gas station/ LIRR railroad tracks

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

Proposed Redevelopment Plan

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

Projected Schedule

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

Brownfield Cleanup Program Application 40-40 Northern Boulevard, Long Island City, NY APPENDIX C

Section III Land Use Factors

Appendix C - Land Use Factors

40-40 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, including warehouse and logistics centers, are allowed by the property's current zoning.
- 3. Current Use The Site is currently used as a Lexus car dealership and service facility covering approximately 6.36 percent of the permissible floor area under the applicable zoning.
- **4. Current Business Operations/Uses –** The Site is used as an active Lexus car dealership and service facility covering approximately 6.36 percent of the permissible floor area under the applicable zoning. The remainder of the Site is covered with asphalt and is either vacant or used as parking.
- **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 use, which would fall within the general services/manufacturing use groups under the New York City Zoning Resolution, is consistent with the current property zoning of M1-5 for Light Manufacturing. The proposed building is also consistent with the applicable bulk, height, and setback requirements of the New York City Zoning Resolution.

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. The proposed industrial use is consistent with the industrial character of the area, and the current and reasonably foreseeable future uses in the neighborhood.

ROUX -1- 3883.0001Y100/APC

Brownfield Cleanup Program Application 40-40 Northern Boulevard, Long Island City, NY APPENDIX D

Section IV Property's Environmental History

40-40 Northern Boulevard, Long Island City, NY 11101 BCP Application - Section IV

The proposed Brownfield Cleanup Program (BCP) Site -40-30 - 40-40 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 D and on the enclosed CD:

- Phase I Environmental Site Assessment Report (ESA), prepared by P.W. Grosser Consulting, Inc. (P.W. Grosser), dated May 2021
- Phase II ESA, prepared by P.W. Grosser, dated August 2021
- **Phase I ESA**, prepared by Roux Environmental Engineering and Geology, D.P.C. (Roux), dated November 12, 2021
- Soil Vapor Intrusion (SVI) Investigation Summary Report, prepared by Roux, dated May 11, 2022
- Brownfield Cleanup Program (BCP) Eligibility Sampling, performed by Roux in June 2022

The proposed Site redevelopment plan includes a multi-story industrial package assembly and 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 BCP. A summary of the findings from the Site is provided below.

Phase I ESA, prepared by P.W. Grosser, dated May 2021

P.W. Grosser performed a Phase I ESA at the Site located at 40-40 Northern Boulevard, LIC, New York, Block 183, Lot 9. The Site was an active Lexus automobile dealership and service center at the time of the Phase I ESA and included a two-story 37,610 square foot (ft²) commercial building. The remainder of the Site consisted of asphalt paved parking and drive lanes. The parking areas contained multiple hydraulic electric above grade car lifts used to increase the parking capacity of the parking lots.

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

- Current and historic use of the basement of the building for auto repair services. Operations were
 observed to include products such as motor oil, antifreeze, and polishes. Auto repair operations
 can result in impact to shallow soils from prolonged and frequent use of such products. Previous
 use of the central and southern portions of the property included a railyard. Railyards are prone to
 being associated with impacted surface soils due to train usage of petroleum products and brakes
 composed of heavy metals.
- Current and historic use of subgrade hydraulic lifts in the service area within the basement.
 Subgrade hydraulic lifts used hydraulic fluid, which is a petroleum product potentially containing PCBs. If a leak occurred with one or more of these lifts, it would likely have gone unnoticed and could impact shallow soils.
- Neighboring former gasoline station to the west of the property includes an active petroleum spill.

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

- Subsurface investigation focusing on shallow soils in auto repair areas and former railyard locations, and soil and/or groundwater in potential out-of-use hydraulic lift locations.
- Soil vapor investigation.

40-40 Northern Boulevard, Long Island City, NY 11101 BCP Application - Section IV

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.
- Potential for historic fill to be present beneath the site due to location within the five boroughs of New York City. If excavated, historic fill will require special handling and disposal.

Phase II ESA, prepared by P.W. Grosser, dated August 2021

To address the RECs noted in their May 2021 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 historic urban fill material from grade to a depth of approximately 3 feet below grade (ft bgs). The soils below the historic fill layer were comprised of brown, medium to coarse sands with gravel to a depth of approximately 7 ft bgs, underlain by light brown coarse sand and gravel with trace fines from approximately 7 to at least 10 ft bgs. The property elevation is approximately 27 feet above the National Geodetic Vertical Datum (NGVD). Groundwater at the Site is approximately 7 ft bgs and was estimated to flow to the west.

P.W. Grosser subcontracted Advanced Geological Services (AGS) to perform a geophysical survey to investigate the locations of suspected out-of-service hydraulic lifts, as well as surveying other accessible areas of the property to investigate for unknown subgrade objects. The findings are briefly summarized below:

- Three areas of out-of-service subgrade hydraulic lifts were identified within the auto repair areas inside the building.
- A subsurface anomaly was identified in the southeast portion of the property. The geophysical signal of the unknown anomaly was not indicative of USTs or other subgrade structures such as drywells. AGS indicated that the identified unknown anomaly could be a piece of metal debris.
- Several electric and storm sewer lines were identified and marked to clear drilling locations.

P.W. Grosser performed a soil quality evaluation and soil vapor intrusion investigation to investigate if historical and/or current site operations have impacted the subsurface or if petroleum impact from the adjacent spill site had resulted in a soil vapor intrusion concern.

Soil borings were installed at ten locations in accordance with RECs noted in the Phase I ESA and geophysical survey anomalies, where allowed. There were no exceedances of ISCOs in any of the soil samples collected in this Phase II ESA. 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)
Acetone	1	0.15	0.05	0 - 2

P.W. Grosser performed a soil vapor intrusion investigation and collected two sub-slab soil vapor samples and two indoor ambient air samples (each co-located with one of the sub-slab soil vapor samples). Several VOCs were detected above their laboratory Method detection Limits (MDLs). There were detections of

40-40 Northern Boulevard, Long Island City, NY 11101 BCP Application - Section IV

petroleum-related compounds including benzene, toluene, ethylbenzene and xylenes (BTEX) as well as chlorinated volatile organic compounds (CVOCs). Trichloroethylene (TCE) and perchloroethylene (PCE) concentrations in one soil vapor sample fell within the "Mitigate" range of the matrices included in the New York State Department of Health Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York, October 2006 and Revised in May 2017. The Phase II soil vapor sampling results are summarized in the table below.

Analyte	Total Detections	Max. Detection (μg/m³)	Туре
1,1,1-Trichloroethane (TCA)	2	383	Soil Vapor
1,1,2-Trichloro-1,2,2-trifluoroethane (Freon 113)	2	1.32	Soil Vapor
1,2,4-Trimethylbenzene	4	29.7	Soil Vapor
1,3,5-Trimethylbenzene	4	8.58	Soil Vapor
2-Butanone	4	19.9	Soil Vapor
4-Methyl-2-pentanone	3	3.77	Indoor Air
Acetone	4	353	Soil Vapor
Benzene	4	13.1	Soil Vapor
Carbon Disulfide	3	33.8	Soil Vapor
Carbon tetrachloride	4	1.43	Soil Vapor
Chloromethane	2	1.29	Indoor Air
Cyclohexane	4	60.4	Soil Vapor
Dichlorodifluoromethane	4	5.63	Soil Vapor
Ethyl acetate	1	0.901	Indoor Air
Ethyl Benzene	4	12.5	Indoor Air
Isopropanol	3	6.6	Soil Vapor
Methylene chloride	2	1.25	Indoor Air
n-Heptane	4	15.2	Soil Vapor
n-Hexane	4	28.4	Soil Vapor
o-Xylene	4	14.6	Indoor Air
p- & m- Xylenes	4	44.8	Soil Vapor/Indoor Air
p-Ethyltoluene	4	21.5	Soil Vapor
Styrene	2	5.35	Soil Vapor
Tetrachloroethylene	2	1,080	Soil Vapor
Toluene	4	66.6	Indoor Air

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Analyte	Total Detections	Max. Detection (μg/m³)	Туре
Trichloroethylene	3	912	Soil Vapor
Trichlorofluoromethane (Freon 11)	3	14.8	Soil Vapor

Phase I ESA, prepared by Roux, dated November 12, 2021

Roux performed a Phase I ESA of the real property identified as 40-40 Northern Boulevard (Block 183, Lot 9) 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 for automobile sales and/or service as far back as at least 1936. The current dealership and service building was constructed sometime between 1966 and 1970. Prior to this time, there were small buildings at the north end of the property and railroad tracks covered the remainder of the property.

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

• Vehicle Service Operations (REC-1):

The Site has conducted automobile and truck service operations for decades. Specific areas of concern include a potential used oil UST, evidence of former underground hydraulic lifts observed in some of the service bays, and the use of solvents and associated vapor intrusion issues.

• Former Filling Station Operations and Open Spill Case at Adjacent Former Gasoline Station (REC 2):

The former gasoline station west of the Site has been a filling station for decades and has been undergoing investigation and remediation since 1995 when contamination was identified during UST removal activities.

Former Railroad Tracks (REC-3):

A majority of the Site was covered with railroad tracks (part of a railyard that extended east of the Subject Property) prior to approximately 1970.

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 was 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 represented a Business Environmental Risk (BER).

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SVI Investigation Summary Report, prepared by Roux, dated May 11, 2022

Roux conducted an SVI investigation to determine the extents of the impacted soil vapor and indoor air noted during the Phase II ESA. The Scope of Work (SOW) included the following:

- Completion of a Site walk and chemical inventory prior to sampling.
- Installation of nine sub-slab vapor pins (one was near slab located outside the showroom) and collection of nine sub-slab soil vapor samples, nine co-located indoor air samples, one indoor air sample from the office area, and one outdoor ambient air sample.

Petroleum-related compounds, including BTEX, and CVOCs, including PCE, TCE, carbon tetrachloride, TCA, methylene chloride, and/or vinyl chloride were detected in sub-slab and indoor air samples. The SVI Investigation sampling results are summarized in the table below.

Analyte	Total Detections	Max. Detection (μg/m³)	Туре
1,1,1-Trichloroethane (TCA)	6	135	Soil Vapor
1,2,4-Trimethylbenzene	16	68.3	Indoor Air
1,2-Dichlorobenzene	1	1.27	Soil Vapor
1,3,5-Trimethylbenzene (Mesitylene)	9	17.9	Indoor Air
1,3-Butadiene	6	3.65	Soil Vapor
1,4-Dioxane (P-Dioxane)	1	0.865	Soil Vapor
2,2,4-Trimethylpentane	18	72.4	Indoor Air
2-Hexanone	5	1.75	Soil Vapor
4-Ethyltoluene	9	13.5	Indoor Air
Acetone	20	1,400	Soil Vapor
Benzene	20	20.9	Soil Vapor
Carbon Disulfide	9	33.3	Soil Vapor
Carbon Tetrachloride	11	0.51	Indoor Air
Chloroform	3	1.2	Soil Vapor
Chloromethane	12	1.32	Indoor Air
Cyclohexane	19	25.2	Indoor Air
Dichlorodifluoromethane	20	8.55	Soil Vapor
Ethanol	19	2,340	Soil Vapor
Ethyl Acetate	8	8.72	Soil Vapor
Ethylbenzene	19	58.6	Soil Vapor
Isopropanol	20	715	Indoor Air

40-40 Northern Boulevard, Long Island City, NY 11101 BCP Application - Section IV

Analyte	Total Detections	Max. Detection (μg/m³)	Туре
m.p-Xylene	19	143	Indoor Air
Methyl Ethyl Ketone (2-Butanone)	15	25.2	Soil Vapor
Methyl Isobutyl Ketone (4-Methyl-2- Pentanone)	7	7.38	Soil Vapor
Methylene Chloride	5	4.2	Soil Vapor
n-Heptane	19	61.1	Indoor Air
n-Hexane	19	73.7	Indoor Air
o-Xylene (1,2-Dimethylbenzene)	19	57.3	Indoor Air
Styrene	10	1.92	Soil Vapor
Tert-Butyl Alcohol	9	27.2	Soil Vapor
Tetrachloroethylene (PCE)	17	275	Soil Vapor
Tetrahydrofuran	17	122	Indoor Air
Toluene	20	194	Indoor Air
Trichloroethylene (TCE)	5	128	Soil Vapor
Trichlorofluoromethane	15	22.4	Soil Vapor
Vinyl Chloride	1	0.511	Soil Vapor

BCP Eligibility Sampling Summary Tables, June 2022

Roux completed soil sampling in order to collect environmental samples for the purposes of BCP Eligibility. The SOW included the following:

- Installation of two shallow soil borings in the western portion of the building adjacent to where elevated chlorinated solvents were detected in soil vapor and no soil samples were collected by P.W. Grosser.
- Installation of four shallow soil borings in the southern part of the lot, targeting the urban fill layer.
- Installation of five deep soil borings in the northern portion of the lot where the grade elevation is higher, and the urban fill layer is expected to be thicker. No samples were previously collected from this area by P.W. Grosser.
- Two soil samples from each of the six shallow soil borings were collected and run for the full suite of parameters listed in NYSDEC Part 375 Table 6.8 (VOCs, SVOCs, metals, pesticides/herbicides, and polychlorinated biphenyls [PCBs]) and the emerging contaminants (ECs) 1,4-Dioxane and Perand Polyfluoroalkyl Substances (PFAS). One sample was collected from the 0-2 ft bgs interval and one soil sample was collected from the two-foot interval exhibiting the most evidence of contamination, if any, based on visual or olfactory observations, or photo ionization detector (PID) measurements. If no evidence of contamination was observed, the interval at the bottom of the observed urban fill layer was collected.
- Up to three soil samples from each of the five deeper soil borings were collected and run or the full suite of parameters listed in NYSDEC Part 375 Table 6.8 (VOCs, SVOCs, metals, pesticides/herbicides, and PCBs) and the ECs 1,4-Dioxane and PFAS. One sample was collected

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from the 0-2 ft bgs interval, one soil sample was collected from the deepest two-foot interval of any observed urban fill, and one soil sample was collected from the two-foot interval exhibiting the highest degree of impacts or directly above groundwater, if impacts are not noted.

The results show exceedances of SVOCs and metals above the ISCOs. Additionally, there are VOCs (including CVOCs), SVOCs, and metals above the PGWSCOs. The BCP Eligibility 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	37	11	10 - 12
Benzo(a)pyrene	2	37	1.1	10 - 12
Benzo(b)fluoranthene	1	34	11	10 - 12
Dibenz(A,H)anthracene	1	3.8	1.1	10 - 12
Indeno(1,2,3-c,d)pyrene	1	17	11	10 - 12
Arsenic	2	23.3	16	12 - 14

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)
Acetone	2	0.12	0.05	0 - 2
Tetrachlorothylene (PCE)	1	8.2	1.3	2 - 4
Trichloroethylene (TCE)	1	21	0.47	2 - 4
Benzo(a)anthracene	2	37	1	10 - 12
Benzo(a)pyrene	1	37	22	10 - 12
Benzo(b)fluoranthene	1	34	1.7	10 - 12
Benzo(k)fluoranthene	1	11	1.7	10 - 12
Chrysene	2	40	1	10 - 12
Indeno(1,2,3-c,d)pyrene	1	17	8.2	10 - 12
Arsenic	2	23.3	16	12 - 14
Barium	1	1,390	820	10 - 12
Lead	2	776	450	10 - 12
Mercury	4	3.73	0.73	10 - 12

Brownfield Cleanup Program Application 40-40 Northern Boulevard, Long Island City, NY APPENDIX E

Section V **Requestor Information**

Appendix E – Requestor Information
40-40 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.

ROUX -1-3883.0001Y100/APE

Department of StateDivision of Corporations

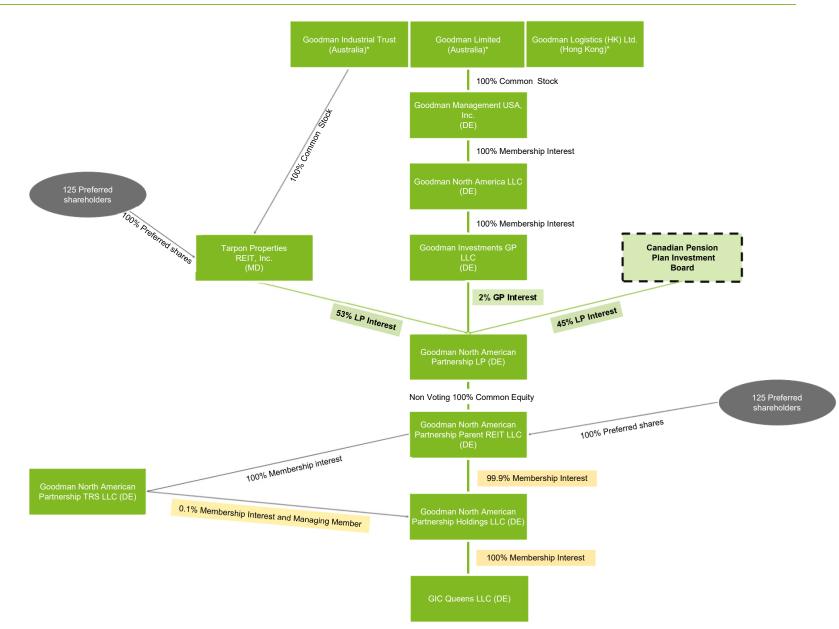
Entity Information

Return to Results Return to Search

Neturn to Nesura	Neturn to dealor		
Entity Details	^		
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FOREIGN LEGAL NAME: GIC QUEENS LLC	FICTITIOUS NAME:		
ENTITY TYPE: FOREIGN LIMITED LIABILITY COMPANY	DURATION DATE/LATEST DATE OF DISSOLUTION:		
SECTIONOF LAW: LIMITED LIABILITY COMPANY - 802 LIMITED LIABILITY	ENTITY STATUS: ACTIVE		
COMPANY LAW - LIMITED LIABILITY COMPANY LAW			
DATE OF INITIAL DOS FILING: 11/10/2021	REASON FOR STATUS:		
EFFECTIVE DATE INITIAL FILING: 11/10/2021	INACTIVE DATE: STATEMENT STATUS: CURRENT		
FOREIGN FORMATION DATE: 11/08/2021			
COUNTY: NEW YORK	NEXT STATEMENT DUE DATE: 11/30/2023		
JURISDICTION: DELAWARE, UNITED STATES	NFP CATEGORY:		
ENTITY DISPLAY NAME HISTORY FILING HIST	ORY 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 <u>Formation</u>. 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 <u>Name</u>. 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 <u>Business Purpose; Powers.</u> 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 <u>Term.</u> Subject to the provisions of Article 6 below, the Company shall have perpetual existence.

ARTICLE 2 The Member

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

Name Address

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** <u>Liability of the Member</u>. 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** <u>Admission of Members</u>. 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

- 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** <u>Capital Structure.</u> 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** <u>Capital Contributions</u>. 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** <u>Distributions</u>. 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

- **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 <u>Tax Treatment</u>. 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** <u>Amendments</u>. 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 <u>Severability</u>. 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 <u>Limited Liability Company</u>. 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 40-40 Northern Boulevard, Long Island City, NY APPENDIX F

Section VI Requestor Eligibility Information

Appendix F – Requestor Eligibility Information

40-40 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 (iii) the Requestors do not have any affiliation with any responsible party.

Requestor has exercised appropriate care by conducting follow-up sub-slab and indoor air sampling and installing portable air purifiers as a precautionary measure in areas where sub-slab vapor concentrations were elevated, even though indoor air concentrations of chlorinated volatile organic compounds were low to non-detect. These measures were taken shortly after the Requestor took ownership of the Site and received permission from the existing car dealership tenant. In addition, the Site is fully fenced to prevent access by trespassers. 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).

ROUX -1- 3883.0001Y100/APF

Brownfield Cleanup Program Application 40-40 Northern Boulevard, Long Island City, NY APPENDIX G

Section IX Previous Property Owners and Operators Information

Appendix G – Previous Property Owners and Operators

40-40 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 9.

PREVIOUS OWNERS' INFORMATION* Block 183, Lot 9

Period	Tax Parcel	Owner	Source	Relationship to Requestor	Contact (address or phone number if available)**
Unknown to 4/20/1966*	Block 183, Lot 9	Boulevard Terminal Co.	Deed	None	383 Pearl Street, Brooklyn, New York
4/20/1966					Rutherford Land, Lawrence, New York;
to 4/20/1966	Block 183, Lot 9	Richard Zirinsky; Ralph Zirinski; Bernard Greenberg	Deed	None	50 Hickory Road, Woodmere, New York;
4/20/1900					150 Beach 147 th Street, Long Island, New York
4/20/1966 to 12/28/1977	Block 183, Lot 9	Ford Leasing Development Co.	Deed	None	The American Road, Dearborn Michigan 48121
12/28/1977 to 5/9/2002	Block 183, Lot 9	Universal Ford Inc. (succeeded by name change to Universal Capital Corp.)	Deed	None	40-40 Northern Boulevard, Long Island City, New York 11101
5/9/2002 to 9/6/2005	Block 183, Lot 9	Long Island Northern Blvd., LLC	Deed	None	701 Western Avenue, Glendale, California 91201
9/6/2005 to 11/16/2021	Block 183, Lot 9	40-40 Northern, LLC	Deed	None	7500 West Side Avenue, North Bergen, New Jersey 07047
11/16/2021 to Present	Block 183, Lot 9	GIC Queens LLC	Deed	Current Owner	18201 Von Karman Avenue, Suite 1170, Irvine, California 92612 484-221-6702

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

^{**} Information obtained from property deeds.

Appendix G – Previous Property Owners and Operators

40-40 Northern Boulevard, Long Island City, NY 11101 BCP Application - Section IX

PREVIOUS OPERATORS' INFORMATION* Block 183, Lot 9

Period	Tax Parcel	Operator	Source	Relationship to Requestor	Contact (address and phone number if available)**
1970	Block 183, Lot 9	All State Auto Rental Corp., Harold Oshry Autos, Universal Ford Sales & Service, Parts, Used Car Lot	City Directory	None	Harold Oshry – deceased Michael Oshry – deceased. Phone number associated with the dealership 718-786- 1660
1976	Block 183, Lot 9	All State Auto Rental Corp.	City Directory	None	None
1983	Block 183, Lot 9	All State Auto Rental Corp., Harold Oshry Autos, Universal Ford Sales & Service, Parts/Truck Parts, Used Car Lot	City Directory	None	Same as 1970
1991	Block 183, Lot 9	Esquire Insurance Agency, Universal Ford, Universal Ford Inc. Service, Universal Ford Showroom Car Parts, Universal Ford Inc. Used Cars, Universal Truck Center	City Directory	None	A company called Esquire Insurance Agency is listed at 45- 01 Northern Boulevard, Long Island City. Phone number (718) 433-4031. It is not possible to confirm if it was the same company in the past.

Appendix G – Previous Property Owners and Operators

40-40 Northern Boulevard, Long Island City, NY 11101 BCP Application - Section IX

Period	Tax Parcel	Operator	Source	Relationship to Requestor	Contact (address and phone number if available)**
					Phone number associated with the dealership 718-786- 1660
1994	Block 183, Lot 9	Esquire Insurance Agency, Universal Ford, Universal Ford Inc. Service, Universal Ford Showroom Car Parts, Universal Ford Inc. Used Cars, Universal Truck Center, Universal Isuzu	City Directory	None	Same as 1991
1999	Block 183, Lot 9	Esquire Insurance Agency, Universal Ford, Universal Ford Inc. Service, Universal Ford Showroom Car Parts, Universal Ford Inc. Used Cars, Universal Truck Center	City Directory	None	Same as 1991
2000	Block 183, Lot 9	Esquire Insurance Agency, Universal Ford, Universal Kia, Universal Ford Inc. Service, Universal Ford Showroom Car Parts, Universal Ford Inc. Used Cars, Universal Truck Center	City Directory	None	Same as 1991
2004	Block 183, Lot 9	Peter Curca	City Directory	None	Non-Available
2005 to 2007	Block 183, Lot 9	Universal Ford Inc.	City Directory	None	Phone number associated with the dealership 718-786- 1660
2007 to present	Block 183, Lot 9	Lexus of Queens	Google Earth/City Directory	None	718-392-7500

^{*} 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.

^{**} Contact information obtained from Google search.

Brownfield Cleanup Program Application 40-40 Northern Boulevard, Long Island City, NY APPENDIX H

Section XI Site Contact List

ROUX 3883.0001Y100/CVRS

40-40 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

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

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

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

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

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

Congresswoman Carolyn B. Maloney 12th Congressional District 31-19 Newtown Ave. Astoria, NY 11102 718-932-1804 Queens Borough President Donovan Richards 120-55 Queens Boulevard Kew Gardens, NY 11424 718-286-3000

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

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

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

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

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

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40-40 Northern Boulevard, Long Island City, NY 11101 BCP Application – Section XI

ii. Current Site Owner and Operator

Owner: Proposed BCP Site Block 183, Lot 9 GIC Queens LLC 18201 Von Karman Avenue, Suite 1170 Irvine, CA 92612

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

ROUX -2 - 3883.0001Y100/APH

40-40 Northern Boulevard, Long Island City, NY 11101 BCP Application – Section XI

iii. Current Owners and Occupants of Adjacent Sites

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

Block 666, Lot 1 Ciampa Steinway LLC 136-26 37th Avenue Flushing, NY 11354

Block 666, Lot 1 Current Occupant 40-01 Northern Boulevard Long Island City, NY 11101

Block 666, Lot 15 40 North Blvd LLC 203 Meserole Avenue Brooklyn, NY 11222

Block 666, Lot 15 Current Occupant 40-15 Northern Boulevard Long Island City, NY 11101

Block 214, Lot 40 RXR SMP Owner LLC C/O RXR Realty LLC 625 RXR Plaza Uniondale, NY 11556

Block 214, Lot 40 Current Occupant 37-02 Northern Boulevard Long Island City, NY 11101

Block 214, Lot 68 Metropolitan Transportation Authority 347 Madison Avenue New York, NY 10017

Block 214, Lot 68 Metropolitan Transportation Authority/Current Occupant 39th Street Long Island City, NY 11101

Block 667, Lot 1 Gina Vulcano 7 Sintsink Drive West Port Washington, NY 11050

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40-40 Northern Boulevard, Long Island City, NY 11101 BCP Application – Section XI

Block 667, Lot 1 Current Occupant 41-05 Northern Boulevard Long Island City, NY 11101

Block 183, Lot 8 Metropolitan Transportation Authority 347 Madison Avenue New York, NY 10017

Block 183, Lot 8 Metropolitan Transportation Authority/Current Occupant 40-08 Northern Boulevard Long Island City, NY 11101

Block 183, Lot 40 PS Northeast, LLC c/o Public Storage 701 Western Avenue Glendale, CA 91201

Block 183, Lot 40 Public Storage 40-02 Northern Boulevard Long Island City, NY 11101

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

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

40-40 Northern Boulevard, Long Island City, NY 11101 BCP Application – Section XI

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

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

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

P.S. 166

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

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

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

40-40 Northern Boulevard, Long Island City, NY 11101 BCP Application – Section XI

(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

El Diario 345 Hudson St New York, NY 10014

India Abroad Publications Inc. 2 Tower Center Blvd., 8th Floor East Brunswick, NJ 08816

World Journal 141-07 20th Ave. Whitestone, NY 11357

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

Repository confirmations are attached.

ROUX -6- 3883.0001Y100/APH

Noelle Clarke

From: Smith, Tienya <Tienya.Smith@queenslibrary.org>

Sent: Sunday, August 7, 2022 2:56 PM

To: Noelle Clarke

Subject: Re: Document Repository - Queens Public Library - Long Island City Branch for 40-40 Northern

Boulevard Project

This message originated outside your organization. Please use caution!

Noelle,

I am writing to acknowledge that I received your email and that Queens Public Library at LIC will serve as one of the document repositories for your project.

Tienya Smith

From: Noelle Clarke <nclarke@rouxinc.com>

Sent: Friday, August 5, 2022 11:38 PM

To: Emily Butler <ebutler@rouxinc.com>; Smith, Tienya <Tienya.Smith@queenslibrary.org>

Subject: RE: Document Repository - Queens Public Library - Long Island City Branch for 40-40 Northern Boulevard

Project

Hi,

Just following up on this request. Please email us back so we can include it in the BCP application.

Thanks and have a nice weekend.

Noelle

Noelle M. Clarke, P.E. - NY | Principal Engineer

209 Shafter Street, Islandia, New York 11749

Main: 631-232-2600 | Direct: 631-630-2341 | Mobile: 631-807-6523

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



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From: Emily Butler <ebutler@rouxinc.com> Sent: Wednesday, August 3, 2022 11:27 AM

To: Tienya.Smith@queenslibrary.org **Cc:** Noelle Clarke <nclarke@rouxinc.com>

Subject: Document Repository - Queens Public Library - Long Island City Branch for 40-40 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 40-40 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 40-40 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)

To: <u>Emily Butler</u>
Cc: <u>Noelle Clarke</u>

Subject: Re: [EXTERNAL] Document Repository - Queens Community Board 2 for 40-40 Northern Boulevard Project

Date: Wednesday, August 3, 2022 4:59:27 PM

Attachments: <u>image001.png</u>

image002.png image003.png image004.png image005.png

This message originated outside your organization. Please use caution!

Thank you.

This was received and yes we are a repository.

Sincerely,
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: Wednesday, August 3, 2022 11:28 AM
To: QN02@cb.nyc.gov (CB) <QN02@cb.nyc.gov>

Cc: Noelle Clarke <nclarke@rouxinc.com>

Subject: [EXTERNAL] Document Repository - Queens Community Board 2 for 40-40 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 40-40 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 40-40 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 40-40 Northern Boulevard, Long Island City, NY APPENDIX I

Section XII **Underutilized Affidavit**

ROUX 3883.0001Y100/CVRS

<u>Appendix I – Supplemental Questions for Sites Seeking Tangible Property Credits in New York City</u> 40-40 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.

ROUX -1- 3883.0001Y100/API

AFFIDAVIT OF UNDERUTILIZATION

Alan P. Cockburn	, being duly sworn, deposes and says:
COUNTY OF ORANGE	,
DITTLE OF CHEH ORUM) ss.:

STATE OF CALIFORNIA

- 1. I am the authorized representative of GIC Queens LLC, the current owner of certain land consisting of one approximately 2.3 acre lot, identified as Block 183, Lot 9 on the Tax Map of the Borough of Queens and more commonly referred to as 40-40 Northern Boulevard (also known as 40-30 Northern Boulevard), Long Island City, New York 11101 (the "Site").
- 2. The Site area is approximately 100,627 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 503,135 square feet.
- 3. The Site is currently developed with one one-story structure, accounting for approximately 32,002 square feet of gross floor area, which has been utilized as a car sales showroom. This represents only 6.36% of the permissible floor area under the applicable base zoning.
- 4. 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
On March 75, 2022 before me, Gria M. Fiscus, Mo fair Public insert NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC personally appeared, 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 COMM. # 2342901 NOTARY PUBLIC - CALIFORNIA O ORANGE COUNTY COMM. EXPIRES JAN. 21, 2025
OPTIONAL INFORMATION
THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAY BE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT.
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