



Department of
Environmental
Conservation

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION TO AMEND BROWNFIELD CLEANUP AGREEMENT AND AMENDMENT

PART I. BROWNFIELD CLEANUP AGREEMENT AMENDMENT APPLICATION

Check the appropriate box below based on the nature of the amendment modification requested:

Amendment to [check one or more boxes below]

- Add
- Substitute
- Remove
- Change in Name

applicant(s) to the existing Brownfield Cleanup Agreement [*Complete Section I-IV below and Part II*]

Does this proposed amendment involve a transfer of title to all or part of the brownfield site? Yes No

If yes, pursuant to 6 NYCRR Part 375-1.11(d), a Change of Use form should have been previously submitted. If not, please submit this form with this Amendment. See <http://www.dec.ny.gov/chemical/76250.html>

Amendment to modify description of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Sections I and V below and Part II*]

Amendment to Expand or Reduce property boundaries of the property(ies) listed in the existing Brownfield Cleanup Agreement [*Complete Section I and V below and Part II*]

Sites in Bronx, Kings, New York, Queens, or Richmond counties ONLY: Amendment to request determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. Please answer questions on the supplement at the end of the form.

Other (explain in detail below)

Please provide a brief narrative on the nature of the amendment:

The Applicant now submits supplemental data demonstrating that substantial SVOC, PCB, and metal contamination exists throughout the Site in the soil, groundwater, and soil vapor. As a result, the contamination is not coming from an off-site source, and the Site should be found eligible for tangible property tax credits pursuant to Tax Law § 21.

Please refer to the attached instructions for guidance on filling out this application

Section I. Existing Application Information

BCP SITE NAME: Glenwood Container Site

BCP SITE NUMBER: C360154

NAME OF CURRENT APPLICANT(S): Fondak Enterprises, LLC

INDEX NUMBER OF EXISTING AGREEMENT: C360154-07, DATE OF EXISTING AGREEMENT: 11/1/201

Section II. New Requestor Information (If no change to Current Applicant, skip to Section V)

NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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

 Yes No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's (DOS) Corporation & Business Entity Database. A print-out of entity information from the DOS database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.

NAME OF NEW REQUESTOR'S REPRESENTATIVE

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF NEW REQUESTOR'S CONSULTANT (if applicable)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF NEW REQUESTOR'S ATTORNEY (if applicable)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Requestor must submit proof that the party signing this Application and Amendment has the authority to bind the Requestor. This would be documentation from corporate organizational papers, which are updated, showing the authority to bind the corporation, or a Corporate Resolution showing the same, or an Operating Agreement or Resolution for an LLC. Is this proof attached? Yes No

Describe Requestor's Relationship to Existing Applicant:

Section III. Current Property Owner/Operator Information (only include if new owner/operator or new existing owner/operator information is provided, and highlight new information)

OWNER'S NAME (if different from requestor) Fondak Enterprises, LLC

ADDRESS 255 Paddock Street

CITY/TOWN Watertown, New York

ZIP CODE 13601

PHONE (315) 775-3127

FAX n/a

E-MAIL drfondak@gmail.com

OPERATOR'S NAME (if different from requestor or owner)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Section IV. Eligibility Information for New Requestor (Please refer to ECL § 27-1407 for more detail)

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

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

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

PARTICIPANT

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

VOLUNTEER

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

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

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

Requestor's Relationship to Property (check one):

Prior Owner Current Owner Potential /Future Purchaser Other _____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached? Yes No

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

Section V. Property description and description of changes/additions/reductions (if applicable)

ADDRESS

CITY/TOWN

ZIP CODE

TAX BLOCK AND LOT (TBL) (in existing agreement)

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage

Check appropriate boxes below:

- Changes to metes and bounds description or TBL correction
- Addition of property (may require additional citizen participation depending on the nature of the expansion – see attached instructions)

Approximate acreage added: _____

ADDITIONAL PARCELS:

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage

- Reduction of property

Approximate acreage removed: _____

PARCELS REMOVED:

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage

If requesting to modify a metes and bounds description or requesting changes to the boundaries of a site, please attach a revised metes and bounds description, survey, or acceptable site map to this application.

Supplement to the Application To Amend Brownfield Cleanup Agreement And Amendment - Questions for Sites Seeking Tangible Property Credits in New York City ONLY.

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to Tax Law 21(6)? Please see DEC's website for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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.	
3. Is the project an affordable housing project as defined below?	<input type="checkbox"/> Yes <input type="checkbox"/> No
From 6 NYCRR 375- 3.2(a) as of August 12, 2016: (a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units. (1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income. (2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income. (3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.	

PART II. BROWNFIELD CLEANUP PROGRAM AMENDMENT

Existing Agreement Information	
BCP SITE NAME: Glenwood Container Site	BCP SITE NUMBER: C360154
NAME OF CURRENT APPLICANT(S): Fondak Enterprises, LLC	
INDEX NUMBER OF EXISTING AGREEMENT: C360154-07-16	
EFFECTIVE DATE OF EXISTING AGREEMENT: 11/1/2016	

Declaration of Amendment:

By the Requestor(s) and/or Applicant(s) signatures below, and subsequent signature by the Department, the above application to amend the Brownfield Cleanup Agreement described above is hereby approved. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from any obligations held under the Agreement or those same laws.

Statement of Certification and Signatures: New Requestor(s) (if applicable)
<p>(Individual)</p> <p>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. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.</p> <p>Date: _____ Signature: _____</p> <p>Print Name: _____</p>
<p>(Entity)</p> <p>I hereby affirm that I am (title _____) of (entity _____); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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.</p> <p>_____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.</p> <p>Date: _____ Signature: _____</p> <p>Print Name: _____</p>

Statement of Certification and Signatures: Existing Applicant(s) (an authorized representative of each applicant must sign)

(Individual)

I hereby affirm that I am a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. My signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: _____ Signature: _____

Print Name: _____

(Entity)

I hereby affirm that I am Managing Member (title) of Fondak Enterprises, LLC (entity) which is a party to the Brownfield Cleanup Agreement and/or Application referenced in Section I above and that I am aware of this Application for an Amendment to that Agreement and/or Application. _____ signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 2-19-18 Signature: Jeffrey Fondak

Print Name: Jeffrey Fondak

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

<input type="checkbox"/> PARTICIPANT A requestor who either 1) was the owner of the site at the time of the disposal of contamination or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of contamination.	<input checked="" type="checkbox"/> VOLUNTEER A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the contamination.
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Effective Date of the Original Agreement: 11/1/16

Signature by the Department:

DATED: 5/1/18

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

By: [Signature]
Robert W. Schick, P.E., Director
Division of Environmental Remediation

SUBMITTAL INFORMATION:

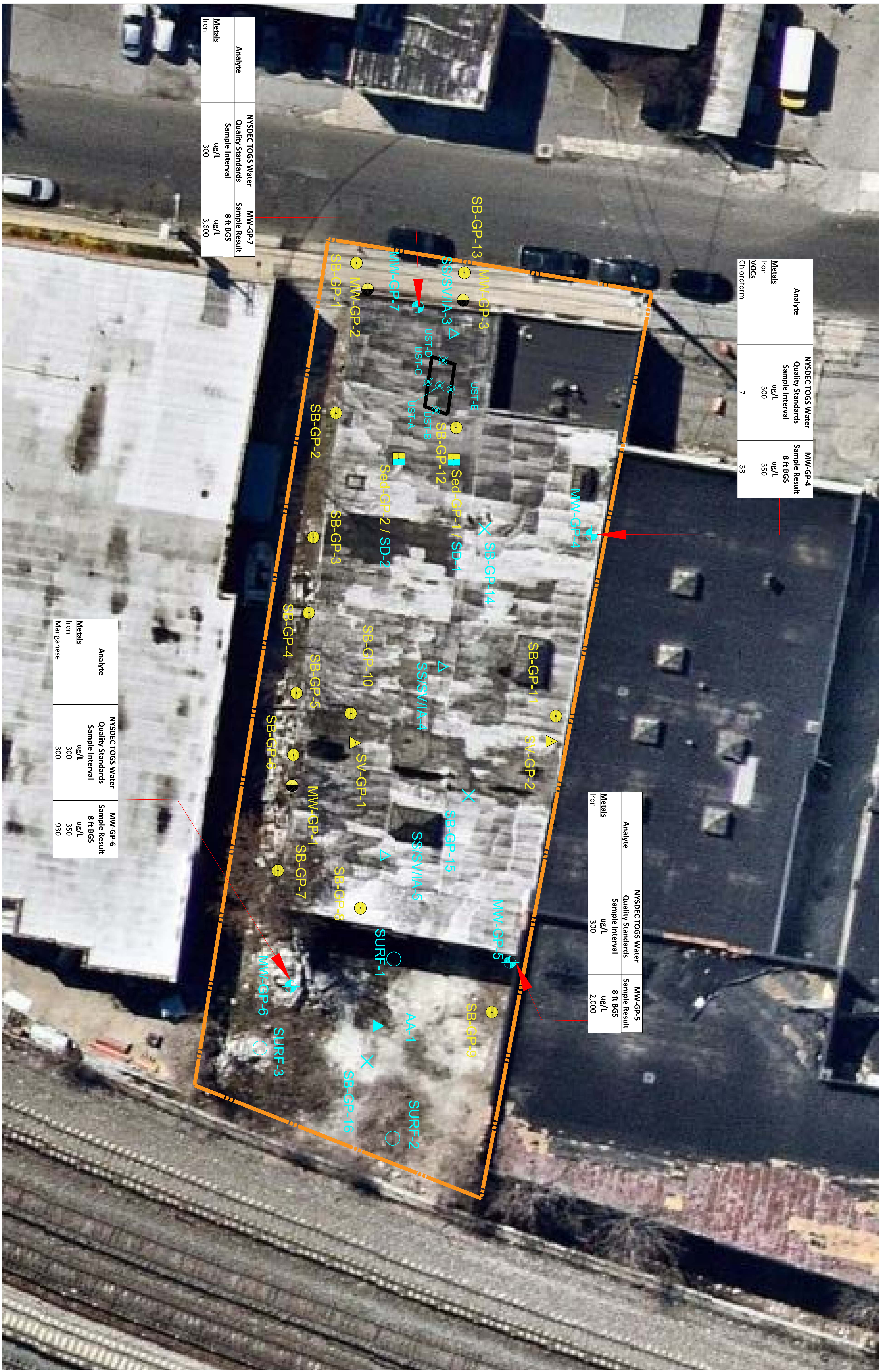
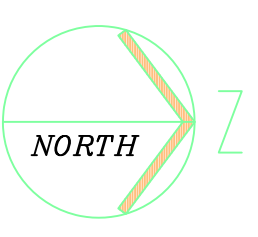
- **Two (2) copies, one hard copy with original signatures and one electronic copy in Portable Document Format (PDF) must be sent to:**

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020

FOR DEPARTMENT USE ONLY

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

PROJECT MANAGER: _____



Analyte	NSDEC TOQS Water Quality Standards Sample Interval ug/L	MW-GP-7 Sample Result ug/L
Metals		
Iron	300	3,600

Analyte	NSDEC TOQS Water Quality Standards Sample Interval ug/L	MW-GP-4 Sample Result ug/L
Metals		
Iron	300	350
VOCS		
Chloroform	7	33

Analyte	NSDEC TOQS Water Quality Standards Sample Interval ug/L	MW-GP-5 Sample Result ug/L
Metals		
Iron	300	2,000

Analyte	NSDEC TOQS Water Quality Standards Sample Interval ug/L	MW-GP-6 Sample Result ug/L
Metals		
Iron	300	350
Manganese	300	930

NOTES
 1. AERIAL IMAGERY SHOWN WAS OBTAINED FROM Bing Maps DATED MARCH 26, 2016
 2. SAMPLE LOCATIONS WERE SURVEYED BY PPS DATED 7/20/17
 3. 2017 SAMPLE DATA FROM SEPTEMBER 2017 REMEDIAL INVESTIGATION (PSS/S)



REV. /	DATE	DESCRIPTION

LEGEND

- Property Boundary
- 2011 Monitoring well Location
- 2011 Soil report Investigation Location
- 2011 Soil Boring Location
- 2011/2017 Sewer Trenches Sample Location
- 2017 Soil Boring Location
- Grounded Soil Vapor Sample Location
- 2017 Temporary Well Point and Soil Boring Location
- 2017 Surface Soil Sample Location
- 2017 Post-Excavation Soil Sample Location
- Approximate UST Location

ORIENTATION / KEY PLAN

CLIENT

FONDAK ENTERPRISES, LLC

PAULUS SZKOLONSKI
AND ASSOCIATES, LLC

67A HOUTMAN BLVD EXT
WESTCHESTER, NY 10598
PHONE: (914) 936-9700

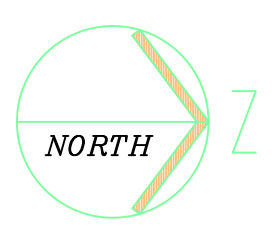
PROJECT
72 ALEXANDER STREET
FONDAK ENTERPRISES, LLC

CITY OF YONKERS
WESTCHESTER COUNTY, NEW YORK

SHEET TITLE
2017 GROUNDWATER SAMPLE EXCEEDANCES

PROJECT NO.: 65794-0001
DRAWN BY: ES
SCALE: 1" = 30'
DATE: 11/20/18
SHEET: 0F

FIGURE 5



Analyte	NYSDEC Part 375 Restricted Residential SCS	USTB Sample Result
Metals	mg/kg	mg/kg
Mercury	0.81	0.89
Copper	270	860
Lead	400	1,300
SVOCS		
Benzolanthracene	1	6
Benzofluoranthene	1	5.3
Benzo[a]fluoranthene	1	6.5
Chrysene	3.9	6.1
Dibenzol[ah]anthracene	0.33	1.2
Indenol[1,2,3-cd]pyrene	0.5	3.4

Analyte	NYSDEC Part 375 Restricted Residential SCS	SD-1 Sample Result
Metals	mg/kg	mg/kg
Mercury	0.81	5.1
Barium	400	430
Copper	270	4,600
Lead	400	24,000
Asenic	16	20
Cadmium	4.3	12
PCBs		
Aroclor Total	1	4.2
Aroclor-1254	1	4.2
SVOCS		
Benzolanthracene	1	8.9
Benzo[a]pyrene	1	8.1
Benzo[b]fluoranthene	1	11
Chrysene	3.9	9.3
Dibenzol[ah]anthracene	0.33	2
Indenol[1,2,3-cd]pyrene	0.5	5.9

Analyte	NYSDEC Part 375 Restricted Residential SCS	MW-GP-4 Sample Result
Metals	mg/kg	mg/kg
Mercury	0.81	5.8
Copper	270	290
SVOCS		
Benzolanthracene	1	7.3
Benzo[a]pyrene	1	6.3
Benzo[b]fluoranthene	1	7.4
Chrysene	3.9	7.1
Dibenzol[ah]anthracene	0.33	1.2
Indenol[1,2,3-cd]pyrene	0.5	4

Analyte	NYSDEC Part 375 Restricted Residential SCS	SB-GP-14 Sample Result
Metals	mg/kg	mg/kg
Lead	400	520

Analyte	NYSDEC Part 375 Restricted Residential SCS	MW-GP-5 Sample Result
SVOCS		
Benzolanthracene	1	1.2
Benzo[b]fluoranthene	1	1.2
Indenol[1,2,3-cd]pyrene	0.5	0.62

Analyte	NYSDEC Part 375 Restricted Residential SCS	SB-GP-15 Sample Result
Metals	mg/kg	mg/kg
Mercury	0.81	310
SVOCS		
Benzolanthracene	1	24
Benzo[a]pyrene	1	22
Benzo[b]fluoranthene	1	20
Chrysene	3.9	5.7
Indenol[1,2,3-cd]pyrene	0.5	24
Naphthalene	100	11
Pyrene	100	190

Analyte	NYSDEC Part 375 Restricted Residential SCS	SURF-1 Sample Result
Metals	mg/kg	mg/kg
Cadmium	4.3	8.7
SVOCS		
Benzo[b]fluoranthene	1	1.1
Indenol[1,2,3-cd]pyrene	0.5	0.6

Analyte	NYSDEC Part 375 Restricted Residential SCS	SB-GP-16 Sample Result
Metals	mg/kg	mg/kg
Mercury	0.81	4.3
Barium	400	1,100
Copper	270	430
Lead	400	3,000
SVOCS		
Benzo[b]fluoranthene	1	1.2
Indenol[1,2,3-cd]pyrene	0.5	0.58

Analyte	NYSDEC Part 375 Restricted Residential SCS	SURF-2 Sample Result
Metals	mg/kg	mg/kg
Mercury	0.81	1.5
Copper	270	630
Lead	400	2,500
Asenic	16	20
Cadmium	4.3	6.4
SVOCS		
Benzolanthracene	1	2.0
Benzo[a]pyrene	1	1.8
Benzo[b]fluoranthene	1	2.5
Dibenzol[ah]anthracene	0.33	0.46
Indenol[1,2,3-cd]pyrene	0.5	1.3

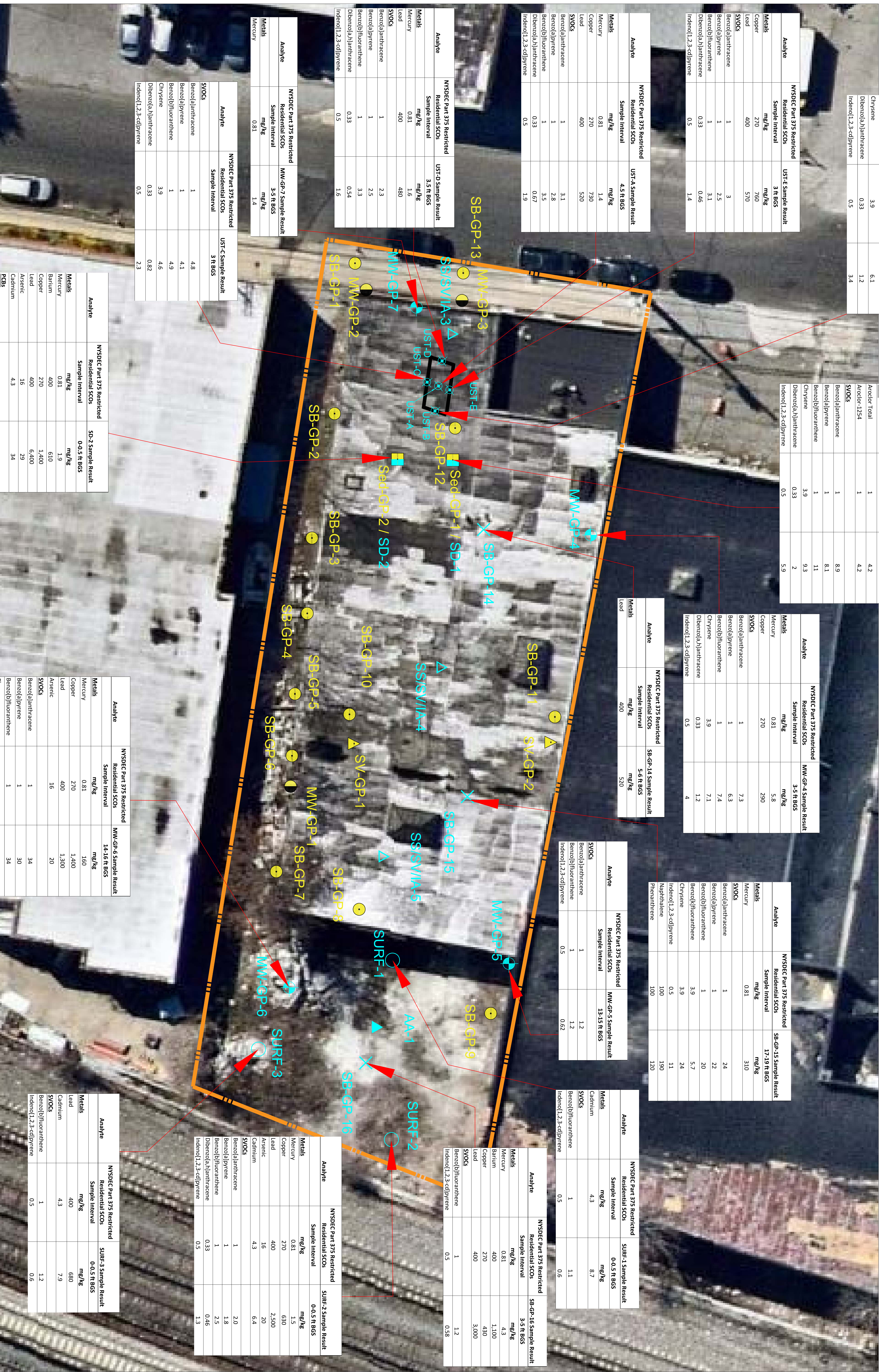
Analyte	NYSDEC Part 375 Restricted Residential SCS	SURF-3 Sample Result
Metals	mg/kg	mg/kg
Lead	400	660
SVOCS		
Benzo[b]fluoranthene	1	7.9
Indenol[1,2,3-cd]pyrene	0.5	1.2

Analyte	NYSDEC Part 375 Restricted Residential SCS	SD-2 Sample Result
Metals	mg/kg	mg/kg
Mercury	0.81	1.9
Barium	400	610
Copper	270	1,400
Lead	400	6,400
Arsenic	16	29
Cadmium	4.3	34
PCBs		
Aroclor Total	1	98
Aroclor-1254	1	98
SVOCS		
Benzolanthracene	1	10
Benzo[a]pyrene	1	7.7
Benzo[b]fluoranthene	1	9.6
Chrysene	3.9	10
Indenol[1,2,3-cd]pyrene	0.5	4.6

Analyte	NYSDEC Part 375 Restricted Residential SCS	USTC Sample Result
SVOCS		
Benzolanthracene	1	4.8
Benzo[a]pyrene	1	4.1
Benzo[b]fluoranthene	1	4.9
Chrysene	3.9	4.6
Dibenzol[ah]anthracene	0.33	0.82
Indenol[1,2,3-cd]pyrene	0.5	2.3

Analyte	NYSDEC Part 375 Restricted Residential SCS	MW-GP-7 Sample Result
Metals	mg/kg	mg/kg
Mercury	0.81	1.4

Analyte	NYSDEC Part 375 Restricted Residential SCS	UST-D Sample Result
Metals	mg/kg	mg/kg
Mercury	0.81	1.6
Lead	400	480
SVOCS		
Benzolanthracene	1	2.3
Benzo[a]pyrene	1	2.5
Benzo[b]fluoranthene	1	3.3
Dibenzol[ah]anthracene	0.33	0.54
Indenol[1,2,3-cd]pyrene	0.5	1.6



- NOTES
1. AERIAL IMAGERY SHOWN WAS OBTAINED FROM Bing Maps DATED MARCH 26, 2016
 2. SAMPLE LOCATIONS WERE SURVEYED BY FRSS ENGINEERING, DATED SEPTEMBER 2017
 3. 2017 SURVEIL DATA FROM SEPTEMBER 2017 REMEDIAL INVESTIGATION (FRSS)

LEGEND

- Property Boundary
- 2011 Monitoring Well Location
- 2011 Soil Spore Investigation Location
- 2011 Soil Boring Location
- 2011/2017 Sewer Churns Sample Location
- 2017 Soil Boring Location
- Geotechnical Soil Veneer
- Soil Slur and Indoor Air Sample Location
- 2017 Temporary Well Point and Soil Boring Location
- 2017 Surface Soil Sample Location
- 2017 Post-Excavation Soil Sample Location
- Approximate UST Location

ORIENTATION / KEY PLAN

CLIENT

FONDAK ENTERPRISES, LLC

FRSS

674 MOUNTAIN BLVD EXT
WILMINGTON, NJ 07095
PHONE: (781) 966-9700

PROJECT

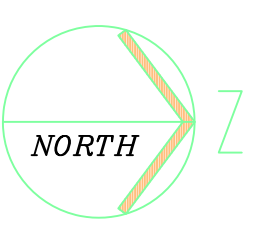
72 ALEXANDER STREET
FONDAK ENTERPRISES, LLC

SHEET TITLE

2017 SOIL SAMPLE EXCEEDANCES RESTRICTED RESIDENTIAL USE

FIGURE 4

PROJECT NO.: 05734-0001 | DRAWN BY: ES
SCALE: 1" = 30' | CHECKED BY: SC
DATE: 11/02/2018 | SHEET: 0F



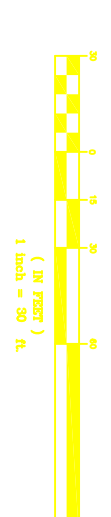
Sample ID	IA-4 / SS-4	Sub. Sub.	DOH Required Action
Analyte / DOH Matrix	CAS	Concentration (ug/m3)	DOH Required Action
1,1,1-Trichloroethane Matrix B	71-55-6	0.535	10,400 Mitigate

Sample ID	SV-GP-4	Sub. Sub.	DOH Required Action
Analyte Matrix	Collection Date	9/18/2017	
1,1,1-Trichloroethane	Matrix	Air	
CAS	units	ug/m3	LOD
71-55-6	Result	Q	10.9

Sample ID	IA-4 / SS-5	Sub. Sub.	DOH Required Action
Analyte / DOH Matrix	CAS	Inferior Air Concentration (ug/m3)	DOH Required Action
1,1,1-Trichloroethane Matrix B	71-55-6	0.715	35,700 Mitigate

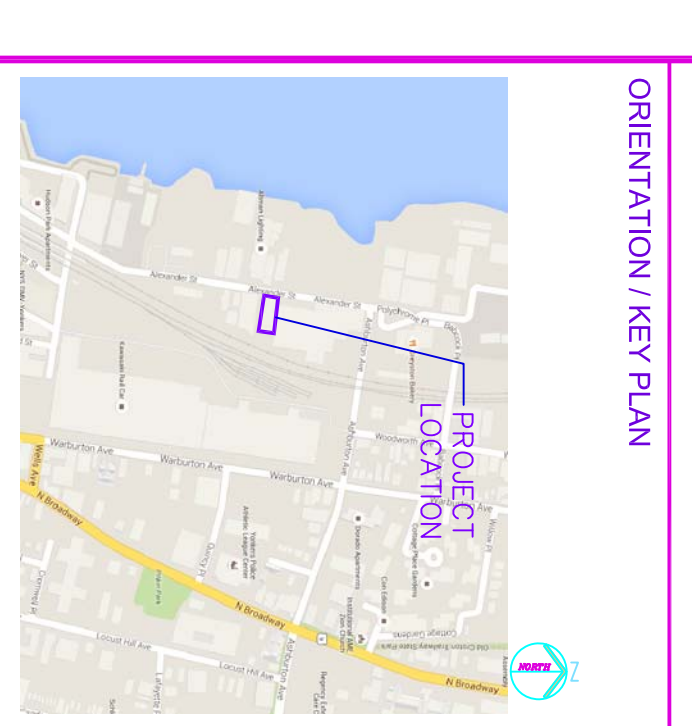
Sample ID	SV-GP-5	Sub. Sub.	DOH Required Action
Analyte Matrix	Collection Date	9/18/2017	
1,1,1-Trichloroethane	Matrix	Air	
CAS	units	ug/m3	LOD
71-55-6	Result	Q	17.0

- NOTES:
1. AERIAL IMAGERY SHOWN WAS OBTAINED FROM Bing Maps DATED MARCH 26, 2016
 2. SAMPLE LOCATIONS WERE SURVEYED BY ???, DATED ????
 3. 2017 SAMPLE DATA FROM SEPTEMBER 2017 REMEDIAL INVESTIGATION (RS&S)



REV. / ISSUE	DATE	DESCRIPTION

- LEGEND**
- Property Boundary
 - 2011 Monitoring well Location
 - 2011 Soil Vapor Investigation Location
 - 2011 Soil Boring Location
 - 2011 2017 Sewer Batches Sample Location
 - 2017 Soil Boring Location
 - 2017 Soil Boring Location
 - 2017 Soil Boring Location
 - 2017 Soil Boring Location
 - 2017 Post-Excavation Soil Sample Location
 - Approximate UST Location



FONDPAK ENTERPRISES, LLC

PS&S
72A MOUNTAIN BLVD. EXT.
WILLAGEN, NJ 07099
PHONE: (781) 565-9700
CENTRE POINT, PA 15110
WWW.PSANDS.COM

PROJECT: 72 ALEXANDER STREET FONDPAK ENTERPRISES, LLC
CITY OF YONKERS, WESTCHESTER COUNTY, NEW YORK

SHEET TITLE: 2017 SOIL VAPOR NYSDOH RECOMMENDED ACTIONS
PROJECT NO.: 05794-0001 | DRAWN BY: ES
SCALE: 1" = 30' | CHECKED BY: SC
DATE: 11/20/18 | SHEET: 0F
FIGURE 6

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

**60-Day Advance Notification of Site Change of Use, Transfer of
Certificate of Completion, and/or Ownership**



(to be submitted to: Chief, Site Control Section, New York State Department of Environmental Conservation, Division of Environmental Remediation, 625 Broadway, Albany NY 12233-7020; at least 60 days prior to any change of use, transfer of a Certificate of Completion, or change in ownership of a site as required by 6NYCRR Part 375-1.11(d) and 375-1.9(f))

I. **Site Name:** Glenwood Container Site **DEC Site ID No.** C360154

II. **Contact Information of Person Submitting Notification:**

Name: Linda R. Shaw, Esq.
Address1: Knauf Shaw LLP, 1400 Crossroads Building
Address2: 2 State Street
Phone: (585) 546-8439 E-mail: lshaw@nyenvlaw.com

III. **Type of Change and Date:** Indicate the Type of Change(s) (check all that apply):

- Change in Ownership or Change in Remedial Party(ies)
 Transfer of Certificate of Completion (CoC)
 Other (e.g., any physical alteration or other change of use)


Proposed Date of Change (mm/dd/yyyy) : 6/23/2016

IV. **Description:** Describe proposed change(s) indicated above. Provide maps, drawings, and/or parcel information as applicable. If "Other," explain how such change may affect the site's proposed, ongoing, or completed remedial program (attach additional sheets if needed).

Fondak Enterprises, LLC has replaced 72 Alexander Street LLC as the
owner of the Site.

V. **Certification Statement:** Where the change of use results in a change in ownership or in responsibility for the proposed, ongoing, or completed remedial program for the site, the following certification must be completed (by owner or designated representative; see §375-1.11(d)(3)(i)):

I hereby certify that the prospective purchaser and/or remedial party has been provided a copy of any order, agreement, Site Management Plan, or State Assistance Contract regarding the Site's remedial program as well as a copy of all approved remedial work plans and reports.

Name: 
(Signature)

February 27, 2018

(Date)

Ron Shemesh, 72 Alexander Street LLC
(Print Name)

Address1: P.O Box 863, 159 Alexander Street
Address2: Yonkers, New York 10701
Phone: (914) 954-8300 E-mail: ronshem59@icloud.com

VI. Contact Information for New Owner, Remedial Party, or CoC Holder: If the site will be sold or there will be a new remedial party, identify the prospective owner(s) or party(ies) along with contact information. If the site is subject to an Environmental Easement, Deed Restriction, or Site Management Plan requiring periodic certification of institutional controls/engineering controls (IC/ECs), indicate who will be the certifying party (attach additional sheets if needed).

Prospective Owner	Prospective Remedial Party	Prospective Owner Representative
Name: _____	_____	_____
Address1: _____	_____	_____
Address2: _____	_____	_____
Phone: _____	E-mail: _____	_____
Certifying Party Name: _____		
Address1: _____	_____	_____
Address2: _____	_____	_____
Phone: _____	E-mail: _____	_____

VII. Agreement to Notify DEC after Property Transfer/Sale: If Section VI applies and all or part of the site will be sold, a letter to notify the DEC of the completion of the transfer must be provided. If the current owner is also the holder of a CoC for the site, the CoC should be transferred to the new owner using DEC's form found at <http://www.dec.ny.gov/chemical/54736.html>. This form has its own filing/recording requirements (see Part 375-1.9(f)).

Signing below indicates that a post transfer letter of notification for the sale of the property will be provided to the DEC within the specified timeframe. If the sale of the site also includes the transfer of a CoC, the DEC agrees to accept the notice given in VII.3 below in satisfaction of the post transfer notice required by VII.1 (to be submitted within 15 days of the sale of the site).

Within 30 days of the sale of the site, I agree to submit to the DEC:

1. the name and contact information for the new owner(s) (see §375-1.11(d)(3)(ii));
2. the name and contact information for any owner representative; and
3. a notice of transfer using the DEC's form found at <http://www.dec.ny.gov/chemical/54736.html> (see §375-1.9(f)).

Name: Jeffrey J. Fendek _____
(Signature) (Date mm/dd/yyyy)

(Print Name)

Address1: _____
Address2: _____
Phone: _____ E-mail: _____

Continuation Sheet

Prospective Owner/Holder	Prospective Remedial Party	Prospective Owner Representative
Name:	_____	
Address1:	_____	
Address2:	_____	
Phone:	_____	E-mail: _____

Prospective Owner/Holder	Prospective Remedial Party	Prospective Owner Representative
Name:	_____	
Address1:	_____	
Address2:	_____	
Phone:	_____	E-mail: _____

Prospective Owner/Holder	Prospective Remedial Party	Prospective Owner Representative
Name:	_____	
Address1:	_____	
Address2:	_____	
Phone:	_____	E-mail: _____

Prospective Owner/Holder	Prospective Remedial Party	Prospective Owner Representative
Name:	_____	
Address1:	_____	
Address2:	_____	
Phone:	_____	E-mail: _____

Prospective Owner/Holder	Prospective Remedial Party	Prospective Owner Representative
Name:	_____	
Address1:	_____	
Address2:	_____	
Phone:	_____	E-mail: _____

Prospective Owner/Holder	Prospective Remedial Party	Prospective Owner Representative
Name:	_____	
Address1:	_____	
Address2:	_____	
Phone:	_____	E-mail: _____