



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

Required by 6NYCRR Part 375-1.11(d) and 375-1.9(f)

To be submitted at least 60 days prior to change of use to:

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

**I. Site Name:** 500 Mamaroneck Ave **DEC Site ID No.** V00213

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

Name: Skylar Francis  
Address1: 280 East Broad Street, Suite 200  
Address2: \_\_\_\_\_  
Phone: 585-498-7948 E-mail: sfrancis@bergmannpc.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): 12/30/2023

**IV. Description:** Describe proposed change(s) indicated above and attach maps, drawings, and/or parcel information.

The attached document outlines the proposed construction and Environmental Management Plan (EMP) for the proposed solar panel canopy project. PowerFlex Solar LLC, will be installing a solar panel canopy project over the existing parking lot located onsite.

If "Other," the description must explain and advise the Department how such change may or may not affect the site's proposed, ongoing, or completed remedial program (attach additional sheets if needed).

See the attached EMP for the needed information.

- 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)

December 22, 2022

(Date)

Thomas N. Keltner, Exec, Vice President

(Print Name)

Address1: ESRT 500 Mamaroneck Avenue L.L.C. c/o Empire Realty Trust, Inc.

Address2: 111 West 33rd Street, 12th Floor, NY, NY

Phone: 212-850-2680

E-mail: TKeltner@esrtreit.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 Transfer:** 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 the 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 requirements (see 6NYCRR Part 375-1.9(f)).

Signing below indicates that these notices will be provided to the DEC within the specified time frames. 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 notice required by VII.1 below (which normally must 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: \_\_\_\_\_



(Signature)

December 22, 2022

(Date)

Thomas N. Keltner, Jr.

(Print Name)

Address1: ESRT 500 Mamaroneck Avenue L.L.C. c/o Empire Realty Trust, Inc.

Address2: 111 West 33rd Street, 12th Floor, New York. NY 10120

Phone: 212-850-2680 E-mail: tkeltner@esrtreit.com

### Continuation Sheet

☐ Prospective Owner/Holder ☒ Prospective Remedial Party ☐ Prospective Owner Representative  
Name: PowerFlex Solar LLC

Address1: 805 3rd Avenue, 20th Floor, New York, NY

Address2: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: jacqueline.horowitz@powerflex.com

☐ Prospective Owner/Holder ☒ Prospective Remedial Party ☐ Prospective Owner Representative  
Name: Art Taylor, PowerFlex Solar, LLC

Address1: 805 Third Avenue, 20th Floor, New York, NY 10022

Address2: \_\_\_\_\_

Phone: 203-554-9227 E-mail: art.taylor@powerflex.com

☐ 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: \_\_\_\_\_