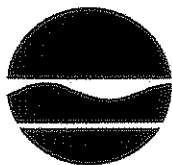


APPENDIX D

**LIST OF PERMITS,
COMMUNITY PARTICIPATION DOCUMENTS**

90-30 Metropolitan Avenue, Rego Park, NY 11374
Permit Agency: NEW YORK CITY DEPARTMENT OF BUILDINGS

Job #	Work Scope
402060808	Interior demolition
402437485	Interior partitions/ceiling modifications & other general construction.
402437788	Alt I - Change of Use (to retail use)
402440284	Installation of fire alarm system
402440293	Site work
402442077	Sprinkler & standpipe modifications
402464481	Permit for use of bobcats
A260101	Electric work for environmental remediation equipment
A253796	Electric work for elevators/escalators
A252482	Electric work for elevators/escalators
A251153	Electric service - common areas
A228630	Electric service - temporary lighting



Project Announcement

**Remedial Action Work Plan for
90-30 Metropolitan Avenue
Available for Comment**

Document Repositories

North Forest Park Public Library
98-27 Metropolitan Avenue
Forest Hills, NY 11375
Telephone: (718) 261-5512

Monday: 1 to 8 PM

Tuesday: 1 to 6 PM

Wednesday: 10 AM to 6 PM

Thursday: 1 to 8 PM

Friday: 10 AM to 6 PM

Sat/Sun: Closed

. . .

NYSDEC Region 2 Office
47-40 21st Street
Long Island City, NY 11101
(call in advance) (718) 482-4891

Hours: Mon. to Fri. 9 AM to 5 PM

. . .

Queens Community Board 6 Office
73-05 Yellowstone Boulevard
Forest Hills, NY 11375
Telephone: (718) 263-9250

Hours: Mon. to Fri. 9 AM to 5 PM

Project Contacts

Vadim Brevdo, P.E., Project Manager
NYSDEC
47-40 21st Street
Long Island City, NY 11101
(718) 482-4891
vxbrevdo@gw.dec.state.ny.us

For public health related questions:

Julia Guastella
NYSDOH
547 River Street
Troy, NY 12180-2216
(518) 402-7880

This fact sheet is being provided to you pursuant to the New York State Department of Environmental Conservation's policies under the Voluntary Cleanup Program. You have been sent this fact sheet because you own or live on property near the 90-30 Metropolitan Avenue Site or because the New York State Department of Environmental Conservation (NYSDEC) believes you may otherwise be interested in activities at the Site. Please contact the NYSDEC's project manager (see the lower-left hand side of this page) if you do not want to receive any future updates on this project.

The goal of this fact sheet is to provide you with a brief overview of this project and, if you are interested, how you can get more information concerning the Remedial Action Work Plan (RAWP). The NYSDEC will accept public comments on the RAWP during the 30-day comment period ending July 28, 2006. Copies of the RAWP and other appropriate documents are available in the site document repositories located at the addresses listed in the box on the left side of this page. The NYSDEC will review the RAWP and public comments and then make a determination on approval of the RAWP.

PROJECT BACKGROUND The 90-30 Metropolitan Avenue Site (Site) is a 1.87-acre commercial property. The Woodhaven Lanes Bowling Alley adjoins the west side of the Site. Metropolitan Avenue bounds the north side of the Site and Trotting Course Lane is present to the east. 73rd Avenue bounds the south side of the Site. The existing Site building was constructed in 1951 on former residential/agricultural property and was operated as a pharmaceutical distribution warehouse until 1976. Between 1977 and 1993 the Site was occupied by a manufacturer and distributor of printing presses and parts. Since 1993 the Site has remained vacant until redevelopment activities began in 2005.

The groundwater beneath the southern portion of the Site is impacted by a solvent, tetrachloroethene (PCE). No onsite source of PCE has been identified. A separate plume of contaminated groundwater is associated with the adjoining Woodhaven Lanes Bowling Alley. These plumes co-mingle on the west side of the Site. The onsite plume of impacted groundwater will be cleaned up during redevelopment of the Site. The Site is currently being redeveloped for retail use.

VOLUNTARY CLEANUP PROGRAM (VCP) OVERVIEW New York established its VCP to address the environmental, legal, and financial barriers that often hinder the redevelopment and reuse of contaminated properties and to enhance private sector cleanups. New York's VCP is a cooperative endeavor among NYSDEC, the New York State Department of Health (NYSDOH), and Volunteers to investigate and remediate contaminated sites. Under the VCP, a Volunteer enters into a Voluntary Cleanup Agreement (VCA) with the NYSDEC and thereafter submits one or more work plans to investigate and remediate a site. The goal under the VCP is to remediate sites to a level that is protective of public health and the environment. In 2002, a Voluntary Cleanup Agreement for the Site was entered into between NYSDEC and Titan Management LP (Titan). DPSW Forest Hills LLC (DPSW) purchased the Site from Titan in 2004 and was added as a Co-Volunteer in 2005. DPSW is redeveloping the Site for commercial retail use.

SUMMARY OF THE REMEDIAL ACTION WORK PLAN Soil investigations at the Site have failed to identify an onsite PCE source. PCE and related compounds have been detected in groundwater beneath the Site, which is present between approximately 45 and 133 feet below grade. Concentrations of PCE in groundwater decrease downward. No significant concentrations of PCE are present in soil vapor beneath the Site.

The proposed remedy includes of an air sparge/soil vapor extraction (AS/SVE) system to remediate potential PCE-impacted soil and PCE-impacted groundwater along the southern portion of the Site and to address potential soil vapor intrusion issues. This system will treat the groundwater beneath the Site by removing the PCE. Effluent from the system will be monitored and treated, as necessary. Monitoring of the groundwater, soil vapor, indoor air and system operation will be performed to confirm that remediation is progressing and that exposures are minimized to the Site occupants or surrounding neighborhood.

WHAT CAN I DO?

If you would like to learn more or if you have any questions or comments on the project you can call, mail or email the project contacts shown on the left-hand side of the first page. You can also go to any of the document repositories, also shown on the left-hand side of the first page, to look at the remediation work plan. If you have any questions or comments after reviewing the work plan, please contact NYSDEC's project manager. Comments and questions are welcome at any time - before, during and after the remediation work.

For More Information contact:

Vadim Brevdo, P.E., Project Manager
New York State Department of Environmental Conservation
47-40 21st Street
Long Island City, NY 11101
(718) 482-4891
email: vxbrevdo@gw.dec.state.ny.us

For health related information contact:

Julia Guastella
New York State Department of Health
547 River Street
Troy, NY 12180-2216
(518) 402-7880
email: Jmg07@health.state.ny.us

Site Location

90-30 Metropolitan Avenue Site Plan

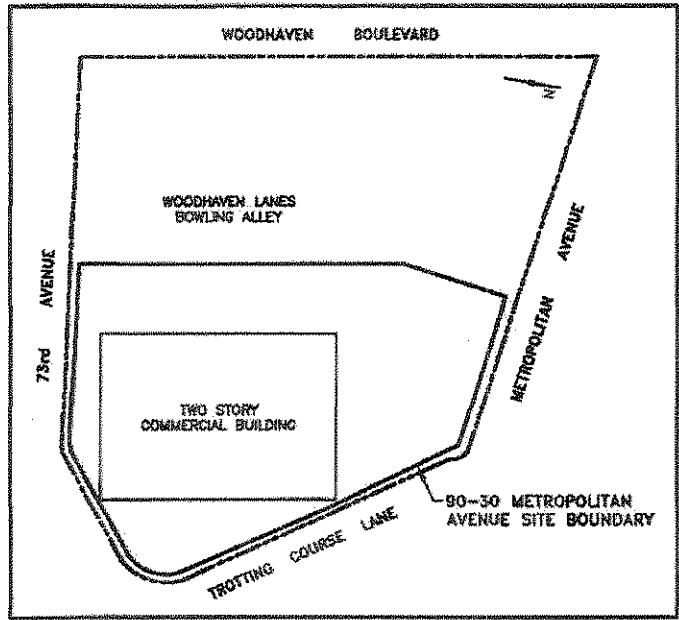
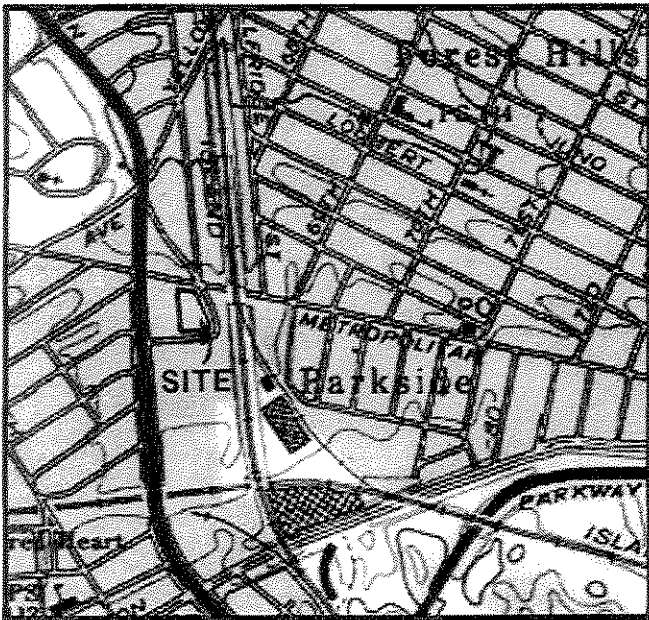


EXHIBIT C



MARK HOLDINGS LLC

May 10, 2006

VIA: CERTIFIED MAIL

Ms. Francis Tobin
Library Manager
North Forest Park Public Library
98-27 Metropolitan Avenue
Forest Hills, NY 11375

RE: Public Information Repository for Remediation Action Work Plan
DPSW Forest Hills LLC ("Owner")
Site Location: 90-30 Metropolitan Avenue, Rego Park, NY 11374

Dear Ms. Tobin:

My name is Jennifer Lee and I represent the Owner of the building located at 90-30 Metropolitan Avenue in Rego Park, NY 11374 ("Property"). We have been asked by the New York State Department of Environmental Conservation ("NYSDEC") to establish the public library closest to the Property as a repository for the Remediation Action Work Plan and other project-related documents ("Project Documents"). Since the North Forest Park Public Library ("Library") is located closest to the Property, we are writing to respectfully request that these Project Documents, which will be sent to you in the near future, be placed in the DPSW Forest Hills LLC site information repository in the Library's Reference Section.

The NYSDEC regularly establishes such repositories as places where people can go to read the public documents associated with a site. Please note that, given the difficulty of replacing the Project Documents, they should not leave the Library. Nor should the Library incur any additional logistic or financial burdens associated with copying. Also note that the Library need not be concerned about answering any questions stemming from the Project Documents. All such questions should be directed to the NYSDEC's representative, Mr. Vadim Brevdo at (718) 482-4891.

We appreciate the North Forest Park Public Library assisting the NYSDEC with this important community function of making documents available for the public to read. As mentioned above, the Project Documents will be sent to you under separate cover in the near future. If you have any questions regarding this matter, please feel free to contact me at 516-876-3427.

Very truly yours,

MARK MANAGEMENT LLC

A handwritten signature in cursive script, appearing to read "Jennifer Lee".
Jennifer Lee
Associate

cc: Stephanie Davis, FPM Group

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

FOREST HILLS, NY 11375

Postage	\$ 0.39	UNIT ID: 0753 Postmark Here 05/10/06 Clerk: KC7114
Certified Fee	2.40	
Return Receipt Fee (Endorsement Required)	1.85	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 4.64	05/10/06

Sent To
 MS. FRANCIS TOBIN
 Street, Apt. No. or PO Box No. 98-27 METROPOLITAN AVENUE
 City, State, ZIP+4 FOREST HILLS, NY 11375

7005 0390 0002 7353 6828

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MS. FRANCIS TOBIN
 LIBRARY MANAGER
 NORTH FOREST PARK PUBLIC LIBRARY
 98-27 METROPOLITAN AVENUE
 FOREST HILLS, NY 11375

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
 X *Francis Tobin*
 B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
 (Transfer from service label)

7005 0390 0002 7353 6828



May 19, 2006

VIA: CERTIFIED MAIL

Ms. Francis Tobin
Library Manager
North Forest Park Public Library
98-27 Metropolitan Avenue
Forest Hills, NY 11375

RE: Public Information Repository for Remediation Action Work Plan
DPSW Forest Hills L.I.C. ("Owner")
Site Location: 90-30 Metropolitan Avenue, Rego Park, NY 11374

Dear Ms. Tobin:

As a follow-up to the letter I had sent you on May 10, 2006, enclosed are copies of the documents that we respectfully request be made available to the public in your library's reference section. These documents include the following:

- Remedial Action Work Plan prepared by FPM Group, dated November 2005
- Pilot Test Report prepared by FPM Group, dated September 2005
- Voluntary Cleanup Agreement
- Remedial Investigation Report prepared by AKRF, dated April 2004

The New York State Department of Environmental Conservation ("NYSDEC") regularly establishes such repositories as places where people can go to read the public documents associated with a site. Please note that, given the difficulty of replacing the Project Documents, they should not leave the Library. Nor should the Library incur any additional logistic or financial burdens associated with copying. Also note that the Library need not be concerned about answering any questions stemming from the Project Documents. All such questions should be directed to the NYSDEC's representative, Mr. Vadim Brevdo at (718) 482-4891.

We appreciate the North Forest Park Public Library assisting the NYSDEC with this important community function of making documents available for the public to read. If you have any questions regarding this matter, please feel free to contact me at 516-876-3427.

Very truly yours,

MARK MANAGEMENT LLC

Jennifer Lee
Jennifer Lee
Associate

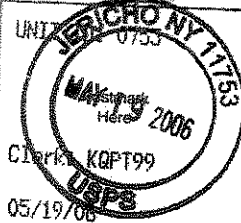
cc: Mr. Vadim Brevdo (NYSDEC)
Ms. Stephanie Davis (FPM Group)

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Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 10.90



Sent To
 MS. FRANCIS TUBIN - NORTH FOREST PARK LIBRARY
 Street, Apt. No.,
 or PO Box No. 98-27 METROPOLITAN AVE.
 City, State, ZIP+4
 FOREST HILLS, NY 11375

PS Form 3800, June 2002 See Reverse for Instructions

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MS. FRANCIS TUBIN
 NORTH FOREST PARK PUBLIC LIBRARY
 98-27 METROPOLITAN AVE.
 FOREST HILLS, NY 11375

2. Article Number

(Transfer from service label)

7005 0390 0002 7353 6736

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Francis Tubin* Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes



June 20, 2006

VIA: HAND DELIVERY

Ms. Francis Tobin
Library Manager
North Forest Park Public Library
98-27 Metropolitan Avenue
Forest Hills, NY 11375

RE: Public Information Repository for Remediation Action Work Plan
DPSW Forest Hills LLC ("Owner")
Site Location: 90-30 Metropolitan Avenue, Rego Park, NY 11374

Dear Ms. Tobin:

As a follow-up to the letter we had sent you on May 19, 2006, enclosed are copies of additional documents (to be combined with the documents included in the May 19, 2006 letter) that we respectfully request be made available to the public in your library's reference section. These documents include the following:

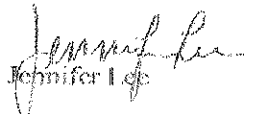
- Fact Sheet #1 (June 2006)
- Addendum to Remedial Action Work Plan dated May 3, 2006
- Second Addendum to Remedial Action Work Plan dated June 8, 2006
- Stipulation List dated June 6, 2006

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We appreciate the North Forest Park Public Library assisting the NYSDEC with this important community function of making documents available for the public to read. If you have any questions regarding this matter, please feel free to contact me at 516-876-3427.

Very truly yours,

MARK MANAGEMENT LLC


Jennifer Lee

cc: Mr. Vadim Brevdo (NYSDEC)
Ms. Stephanie Davis (FPM Group)

EXHIBIT C-1



MARK HOLDINGS LLC

May 10, 2006

VIA: CERTIFIED MAIL

Mr. Frank Gulluscio
District Manager
Queens Community Board 6
73-05 Yellowstone Boulevard
Forest Hills, NY 11375

**RE: Public Information Repository for Remediation Action Work Plan
DPSW Forest Hills LLC ("Owner")
Site Location: 90-30 Metropolitan Avenue, Rego Park, NY 11374**

Dear Mr. Gulluscio:

My name is Jennifer Lee and I represent the Owner of the building located at 90-30 Metropolitan Avenue in Rego Park, NY 11374 ("Property"). We have been asked by the New York State Department of Environmental Conservation ("NYSDEC") to establish the community board with jurisdiction over the Property as a repository for the Remediation Action Work Plan and other project-related documents ("Project Documents"). Since the Property falls within the jurisdiction of Queens Community Board 6 ("Community Board"), we are writing to respectfully request that these Project Documents, which will be sent to you in the near future, be placed in the Community Board's office and made available to the public.

The NYSDEC regularly establishes such repositories as places where people can go to read the public documents associated with a site. Please note that, given the difficulty of replacing the Project Documents, they should not leave the Community Board's office. Nor should the Community Board incur any additional logistic or financial burdens associated with copying. Also note that the Community Board need not be concerned about answering any questions stemming from the Project Documents. All such questions should be directed to the NYSDEC's representative, Mr. Vadim Brevdo at (718) 482-4891.

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Very truly yours,

MARK MANAGEMENT LLC


Jennifer Lee
Associate

cc: Stephanie Davis, FPM Group

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Return Receipt Fee (Endorsement Required)	1.85	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 4.64	

Sent To
 Mr. Frank Gulluscio
 Street, Apt. No.;
 or PO Box No. 73-05 Yellowstone Boulevard
 City, State, ZIP+4®
 Forest Hills, NY 11375

7005 0390 0002 7353 6774

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Frank Gulluscio
 District Manager
 Community Board 6
~~73-05~~ 73-05 Yellowstone Blvd
 Forest Hills, NY 11375

2. Article Number
 (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *V. Aviemmo* Agent Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7005 0390 0002 7353 6774

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540



May 19, 2006

VIA: CERTIFIED MAIL

Mr. Frank Gulluscio
District Manager
Queens Community Board 6
73-05 Yellowstone Boulevard
Forest Hills, NY 11375

RE: **Public Information Repository for Remediation Action Work Plan
DPSW Forest Hills LLC ("Owner")
Site Location: 90-30 Metropolitan Avenue, Rego Park, NY 11374**

Dear Mr. Gulluscio:

As a follow-up to the letter I had sent you on May 10, 2006, enclosed are copies of the documents that we respectfully request be made available, at your offices, to the public for review. These documents include the following:


- Remedial Action Work Plan prepared by FPM Group, dated November 2005
- Pilot Test Report prepared by FPM Group, dated September 2005
- Voluntary Cleanup Agreement
- Remedial Investigation Report prepared by AKRF, dated April 2004

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Very truly yours,

MARK MANAGEMENT LLC


Associate

cc: Mr. Vadim Brevdo (NYSDEC)
Ms. Stephanie Davis (FPM Group)

625T 4528 E000 DT52 4007

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FOREST HILLS, NY 11375

Postage	\$ 6.65	UNIT ID: 0753
Certified Fee	2.40	
Return Receipt Fee (Endorsement Required)	1.85	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 10.90	

Sent To
FRANK GULLUSCIA - AOB #6
 Street, Apt. No.,
 or PO Box No. **73-05 YELLOWSTONE BLVD**
 City, State, ZIP+4
FOREST HILLS, NY 11375

PS Form 3800, June 2002 See Reverse for Instructions



Track/Confirm - Intranet Item Inquiry
Item Number: 7004 2510 0003 8254 1529

This item was delivered on 05/22/2006 at 14:24

Signature:	Delivery Section

Enter Request Type and Item Number:

Quick Search Extensive Search

[Explanation of Quick and Extensive Searches](#)

Version 1.0

Inquire on [multiple items](#).

Go to the Product Tracking System [Home Page](#).



Track/Confirm - Intranet Item Inquiry - Domestic

Item: 7004 2510 0003 8254 1529		Date/Time Mailed: 05/19/2006 14:00	
Destination	ZIP Code: 11375	City: FOREST HILLS	State: NY
Origin	ZIP Code: 11753-2106	City: JERICO	State: NY
Class: Priority Mail			
Anticipated Delivery Date: 05/22/2006			
Weight: 5 lb(s) 13 oz(s)		Postage: \$6.65	
PO Box?: N			
Special Services	Associated Labels	Amount	
CERTIFIED MAIL	7004 2510 0003 8254 1529	\$2.40	
RETURN RECEIPT		\$1.85	

Event	Date/Time	Location	Scanner ID
DELIVERED	05/22/2006 14:24	FOREST HILLS, NY 11375	K507776
	Request Delivery Record		
	View Delivery Signature		
NOTICE LEFT	05/20/2006 12:18	FOREST HILLS, NY 11375	K507776
ACCEPT OR PICKUP	05/19/2006 14:00	JERICO, NY 11753	

Enter Request Type and Item Number:

Quick Search Extensive Search [Explanation of Quick and Extensive Searches](#)

Version 1.0

Inquire on [multiple items](#).Go to the Product Tracking System [Home Page](#).



June 20, 2006

VIA: HAND DELIVERY

Mr. Frank Gulluscio
District Manager
Queens Community Board 6
73-05 Yellowstone Boulevard
Forest Hills, NY 11375

**RE: Public Information Repository for Remediation Action Work Plan
DPSW Forest Hills LLC ("Owner")
Site Location: 90-30 Metropolitan Avenue, Rego Park, NY 11374**

Dear Mr. Gulluscio:

As a follow-up to the letter we had sent you on May 19, 2006, enclosed are copies of additional documents (to be combined with the documents included in the May 19, 2006 letter) that we respectfully request be made available, at your offices, to the public for review. These documents include the following:

- Fact Sheet #1 (June 2006)
- Addendum to Remedial Action Work Plan dated May 3, 2006
- Second Addendum to Remedial Action Work Plan dated June 8, 2006
- Stipulation List dated June 6, 2006

The New York State Department of Environmental Conservation ("NYSDEC") regularly establishes such repositories as places where people can go to read the public documents associated with a site. Please note that, given the difficulty of replacing the Project Documents, they should not leave the Community Board's office. Nor should the Community Board incur any additional logistic or financial burdens associated with copying. Also note that the Community Board need not be concerned about answering any questions stemming from the Project Documents. All such questions should be directed to the NYSDEC's representative, Mr. Vadim Brevdo at (718) 482-4891.

We appreciate Queens Community Board 6 assisting the NYSDEC with this important community function of making documents available for the public to read. If you have any questions regarding this matter, please feel free to contact me at 516-876-3427.

Very truly yours,

MARK MANAGEMENT LLC

A handwritten signature in cursive script that reads "Jennifer Lee".

Jennifer Lee

cc: Mr. Vadim Brevdo (NYSDEC)
Ms. Stephanie Davis (FPM Group)



May 19, 2006

VIA: CERTIFIED MAIL

Mr. Vadim Brevdo
P.E., Project Manager
New York State Department of Environmental Conservation
47-40 21st Street
Long Island City, NY 11101

**RE: Public Information Repository for Remediation Action Work Plan
DPSW Forest Hills LLC ("Owner")
Site Location: 90-30 Metropolitan Avenue, Rego Park, NY 11374**

Dear Vadim:

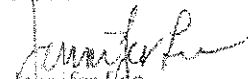
Please find enclosed the project documents for purposes of the public repository to be located at your offices. These documents include the following:

- Remedial Action Work Plan prepared by FPM Group, dated November 2005
- Pilot Test Report prepared by FPM Group, dated September 2005
- Voluntary Cleanup Agreement
- Remedial Investigation Report prepared by AKRF, dated April 2004

We appreciate the NYSDEC assisting with this important community function of making documents available for the public to read. If you have any questions regarding this matter, please feel free to contact me at 516-876-3427.

Very truly yours,

MARK MANAGEMENT LLC


Jennifer Lee
Associate

cc: Ms. Stephanie Davis (FPM Group)



MARK HOLDINGS LLC

June 22, 2006

VIA: FEDEX

Mr. Vadim Brevdo
P.E., Project Manager
New York State Department of Environmental Conservation
47-40 21st Street
Long Island City, NY 11101

**RE: Public Information Repository for Remediation Action Work Plan
DPSW Forest Hills LLC ("Owner")
Site Location: 90-30 Metropolitan Avenue, Rego Park, NY 11374**

Dear Vadim:

As a follow-up to the letter we had sent you on May 19, 2006, enclosed are additional project documents (to be combined with the documents included in the May 19, 2006 letter) for purposes of the public repository to be located at your offices. These documents include the following:

- Fact Sheet #1 (June 2006)
- Addendum to Remedial Action Work Plan dated May 3, 2006
- Second Addendum to Remedial Action Work Plan dated June 8, 2006
- Stipulation List dated June 6, 2006

We appreciate the NYSDEC assisting with this important community function of making documents available for the public to read. If you have any questions regarding this matter, please feel free to contact me at 516-876-3427.

Very truly yours,

MARK MANAGEMENT LLC


Jennifer Lee
Associate

cc: Ms. Stephanie Davis (FPM Group)