



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 President Street Properties consist of 7 contiguous tax lots. Five of the lots (Tax Block 455, Lots 8 and 50 [former President Street] and Block 438, Lots 1, 2 and 3) entered into the Brownfield Cleanup Program (BCP) on October 8, 2015 (BCP Site no. C224221). As of November 23, 2016, the former President Street is identified as Tax Block 445, Lot 50 by New York City Tax Maps. Because the level of contamination at the other two lots (Lots 11, and 20) did not exceed the commercial standard, they were tentatively excluded from the program pending additional investigation results. A subsurface investigation was implemented from April 6 to 7, 2017 and between August 28 and September 28, 2017 within Lots 11 and 20, in accordance with the NYSDEC-approved Remedial Investigation Work Plan and addendum, to confirm eligibility for enrollment in the BCP. This BCA Amendment presents new data and observations to support enrollment of Lots 11 and 20 under the existing Site no. C224221. Per correspondence with NYSDEC, Lots 11 and 20 would be included in the BCP program in effect prior to the July 2015 program revision date. +

See Attachment A

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

Section I. Existing Application Information			
BCP SITE NAME: President Street Properties		BCP SITE NUMBER: C224221	
NAME OF CURRENT APPLICANT(S): 426 President Street LLC			
INDEX NUMBER OF EXISTING AGREEMENT: C224221-06-15 DATE OF EXISTING AGREEMENT: 10/8/15			
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)? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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 426 President Street and 383 Carroll Street

CITY/TOWN Brooklyn, New York

ZIP CODE 11231

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

See Attachment B

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: 0.883

ADDITIONAL PARCELS:

See Attachment B

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
426 President Street		3	445	20	0.204
383 Carroll Street		3	445	11	0.679

☐

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 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: President Street Properties	BCP SITE NUMBER: C224221
NAME OF CURRENT APPLICANT(S): 426 President Street LLC	
INDEX NUMBER OF EXISTING AGREEMENT: C224221-06-15	
EFFECTIVE DATE OF EXISTING AGREEMENT: October 8, 2015	

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)

(Individual)

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.

Date: _____ Signature: _____

Print Name: _____

(Entity)

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.

_____ 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: _____

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 President (title) of 426 President St 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. Daniel Tinney signature below constitutes the requisite approval for the amendment to the BCA Application, which will be effective upon signature by the Department.

Date: 1/4/18 Signature: Daniel Tinney

Print Name: Daniel Tinney

REMAINDER OF THIS AMENDMENT WILL BE COMPLETED SOLELY BY THE DEPARTMENT

Status of Agreement:

☐

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 contamination.

Effective Date of the Original Agreement: 10/8/15

Signature by the Department:

DATED: 3/23/18

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: _____

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

This form must be used to add a party, modify a property description, or reduce/expand property boundaries for an existing BCP Agreement and/or Application. **NOTE: DEC requires a standard application to request major changes to the description of the property set forth in the BCA (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). The application must be submitted to DEC in the same manner as the original application to participate.**

SECTION II NEW 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. If an LLC, the members/owners names need to be provided on a separate attachment). 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 above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.

Requestor Address, etc.

Provide the requestor's mailing address, telephone number; fax number and e-mail address.

Representative Name, Address, etc.

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 unless another contact name and address is provided with the application.

Consultant Name, Address, etc.

Provide information for the requestor's consultant.

Attorney Name, Address, etc.

Provide information for the requestor's attorney.

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 in form.

Owner Name, Address, etc.

Provide information for the new owner of the property. List all new parties holding an interest in the property.

Operator Name, Address, etc.

Provide information for the new operator (if different from the new requestor or owner).

SECTION IV**NEW REQUESTOR ELIGIBILITY INFORMATION**

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.

SECTION V PROPERTY DESCRIPTION AND DESCRIPTION OF CHANGES / ADDITIONS / REDUCTIONS (IF APPLICABLE)

NOTE: DEC requires a standard application to request major changes to the description of the property set forth in the BCA (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). The application must be submitted to DEC in the same manner as the original application to participate.

Property Address

Provide a street address, city/town, and zip code. For properties with multiple addresses, provide information for all.

Tax Parcel Information

Provide the tax parcel/section/block/lot information. 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, and/or acceptable site map to this application. 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.

ATTACHMENT B
Section V: Property Description

- Figure 1 - Site Location Map
- Figure 2 - Site Map 1,000 Ft Radius
- Figure 3 – Site and Surrounding Land Use Map
- Figure 4 - Tax Block and Lot Map
- Figure 5 - Environmental Conditions Plan

ATTACHMENT B
SECTION V: PROPERTY DESCRIPTION AND DESCRIPTION OF
CHANGES/ADDITIONS/REDUCTIONS

The Reference Point for the given latitude (40°40'44.85") and longitude (-73°59'23.22") is the approximate center of the site.

Figure 1 is a United States Geological Survey (USGS) 7.5 minute quadrangle map showing the location of the site.

Figure 2 provides a property base map that shows i) a distance of at least 1,000 feet around the site at a scale no smaller than one inch equal to 200 feet; and ii) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways.

Figure 3 provides a property base map that shows i) site boundary lines, with adjacent property owners clearly identified; and ii) surrounding property land uses.

Figure 4 is a Digital Tax Map from the New York City Department of Finance showing the site boundary and its tax block and lots.

Figure 5 is a presentation of environmental conditions that were identified during a site investigation conducted by the US Environmental Protection Agency (USEPA) in 1991, a site investigation conducted by the New York City Department of Environmental Protection (NYC DEP) in 1991, a Phase I ESA conducted by Tenen Environmental, LLC in 2014, and from observations noted during implementation of the New York State Department of Environmental Conservation (NYSDEC)-approved Remedial Investigation Work Plan (RIWP).

Attachment A of the BCP Amendment presents environmental conditions that were identified within off-site Lots 11 and 20 during implementation of a portion of the NYSDEC-Approved RIWP and RIWP Addendum by Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C. (Langan) in April 2017 and September 2017.

Existing BCP Parcel Site Address Information – Site No. C224221

Property Addresses for C224221:

319 Bond Street, 323 Bond Street, 325 Bond Street, 327 Bond Street, and former President Street in Brooklyn, New York 11231.

New York City Tax Map Information for all Tax Parcels Included within the Existing BCP Property Boundary for Site No. C224221:

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
319 Bond Street		3	438	3	0.654
323 Bond Street		3	438	2	0.034
325 Bond Street		3	438	1	0.034
327 Bond Street		3	445	8	0.103
Former President Street		3	445	50	0.41

Tax Lot and Block Description

The BCP existing property boundaries for site Tax Block 438, Lots 1, 2, and 3 and Tax Block 445, Lot 8 correspond to current tax map metes and bounds. As of November 23, 2016, the former portion of President Street owned by 426 President Street LLC corresponds to tax map metes and bounds: Tax Block 445, Lot 50.

Additional Parcel Site Address Information for the BCP Application Amendment

Property Addresses:

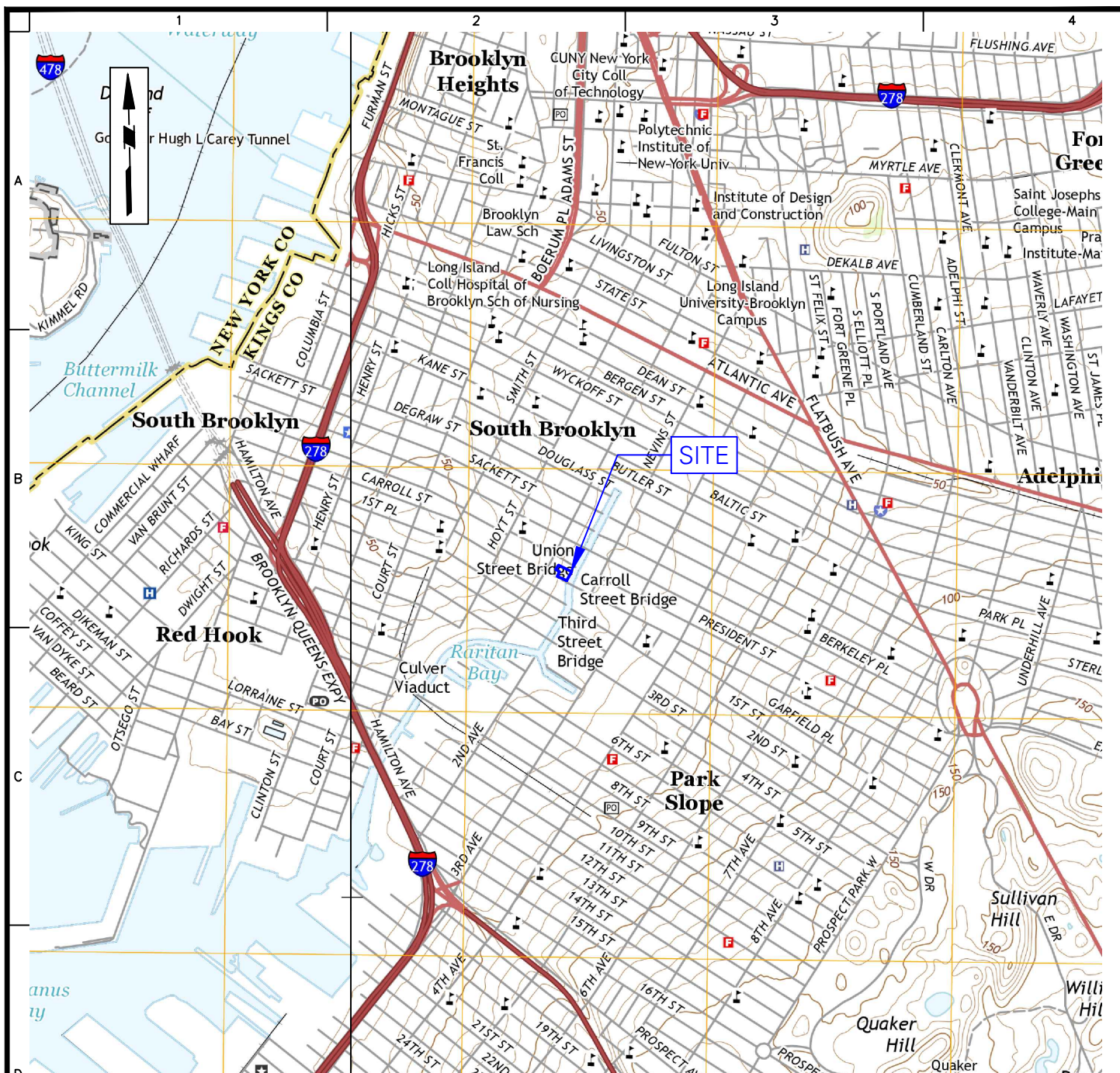
426 President Street and 383 Carroll Street in Brooklyn, New York 11231.

New York City Tax Map Information for all Tax Parcels Included within the Property Boundaries:

Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage
426 President Street		3	445	20	0.204
383 Carroll Street		3	445	11	0.679

Tax Lot and Block Description

The existing property boundaries for the site include Tax Block 445, Lot 11 and Lot 20. The boundaries correspond to current tax map metes and bounds. Please refer to Figures 2 and 4 provided in Attachment B for a copy of the NYC tax map.



LEGEND

— SITE BOUNDARY

NOTES

1. SITE BOUNDARY LOCATIONS ARE APPROXIMATE.
2. BACKGROUND IMAGE REFERENCED FROM UNITED STATES GEOLOGICAL SURVEY (USGS) 7.5-MINUTE TOPOGRAPHIC MAPS 2016 FOR BROOKLYN, NY QUADRANGLE.



LANGAN

21 Penn Plaza, 360 West 31st Street, 8th Floor
New York, NY 10001

T: 212.479.5400 F: 212.479.5444 www.langan.com
Langan Engineering, Environmental, Surveying and
Landscape Architecture, D.P.C. S.A.
Langan Engineering, Environmental, Surveying and
Landscape Architecture, D.P.C.
Langan Engineering and Environmental Services, Inc.
Langan CT, Inc.
Langan International LLC
Collectively known as Langan

Project

**426 PRESIDENT ST. &
383 CARROLL ST.**

BLOCK No. 445, LOT Nos. 11 & 20
BROOKLYN

KINGS

NEW YORK

Figure Title

**SITE LOCATION
MAP**

Project No.
170364001

Date
10/2/2017

Scale
1" = 2000'

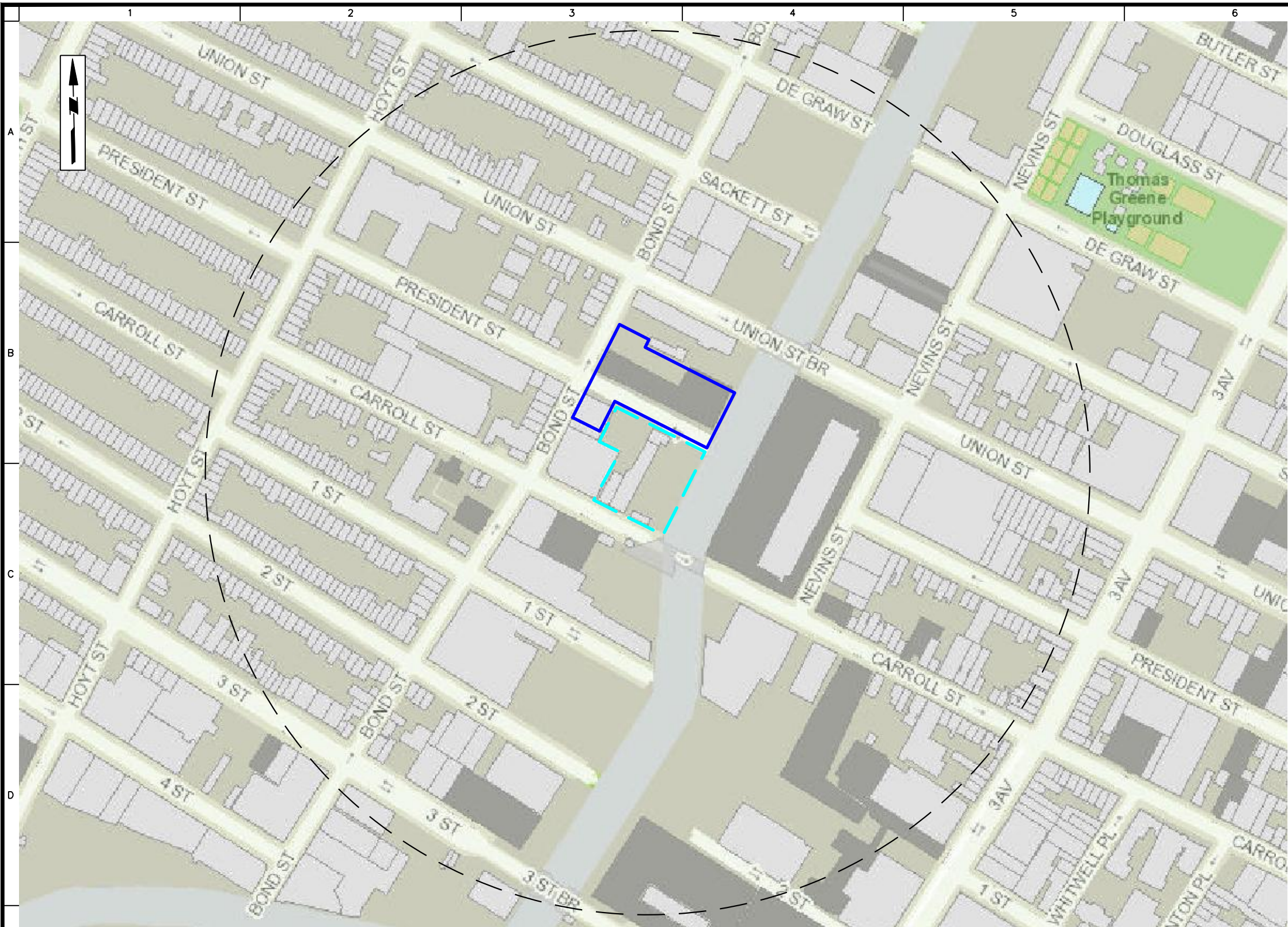
Drawn By KN Checked By ELS

Submission Date
OCTOBER 2017

Figure No.

1

Sheet 1 of 5

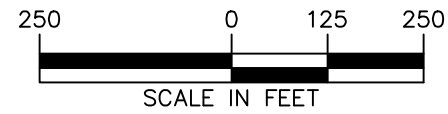


LEGEND:

- AMENDED BCP SITE BOUNDARY
- EXISTING BCP SITE BOUNDARY
- 1000-FOOT RADIUS

NOTES:

- BASE MAP TAKEN FROM [HTTP://GIS.NYC.GOV/DOITT/NYCITYMAP/](http://gis.nyc.gov/doitt/nycitymap/)
- BCP = BROWNFIELD CLEANUP PROGRAM

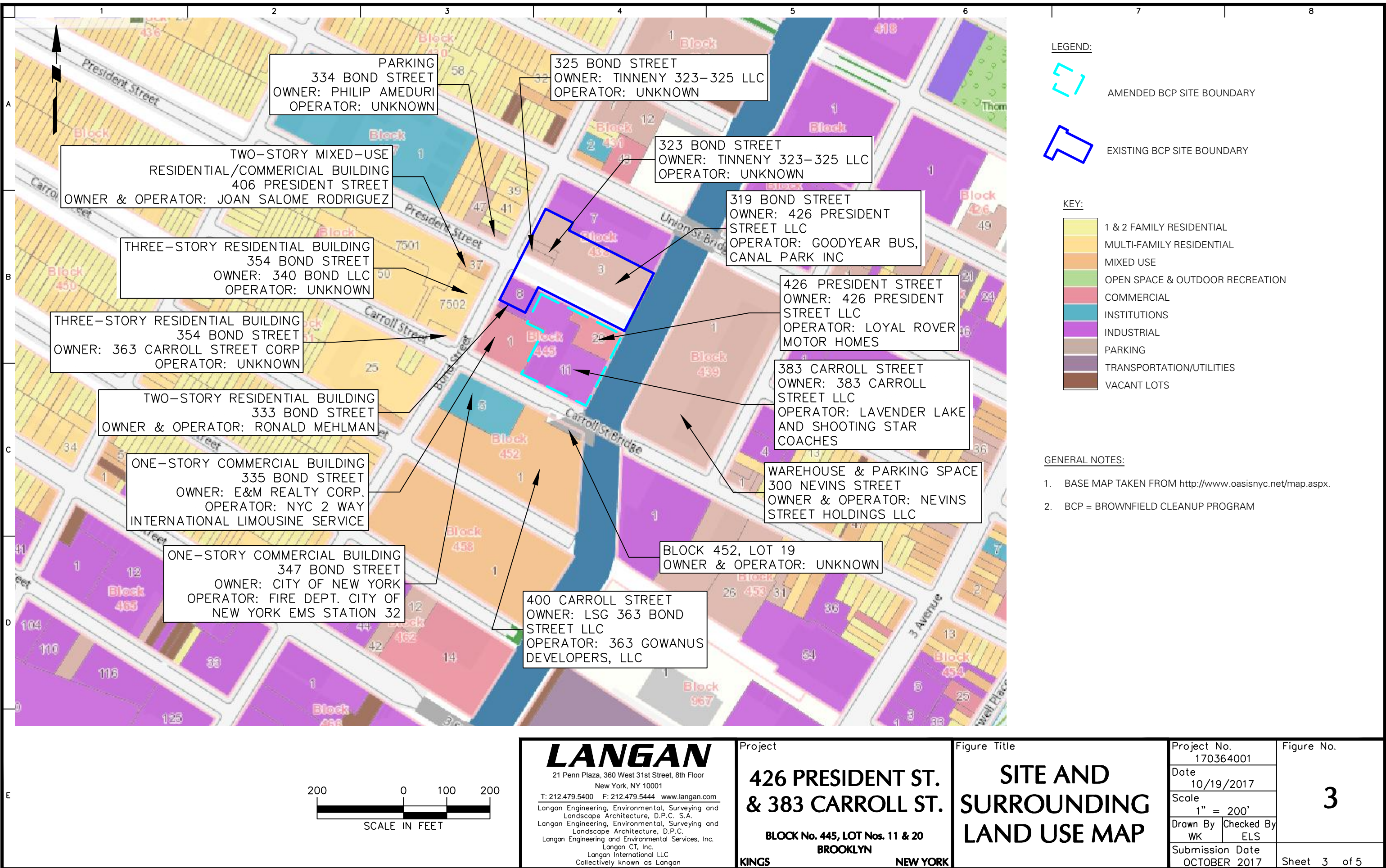


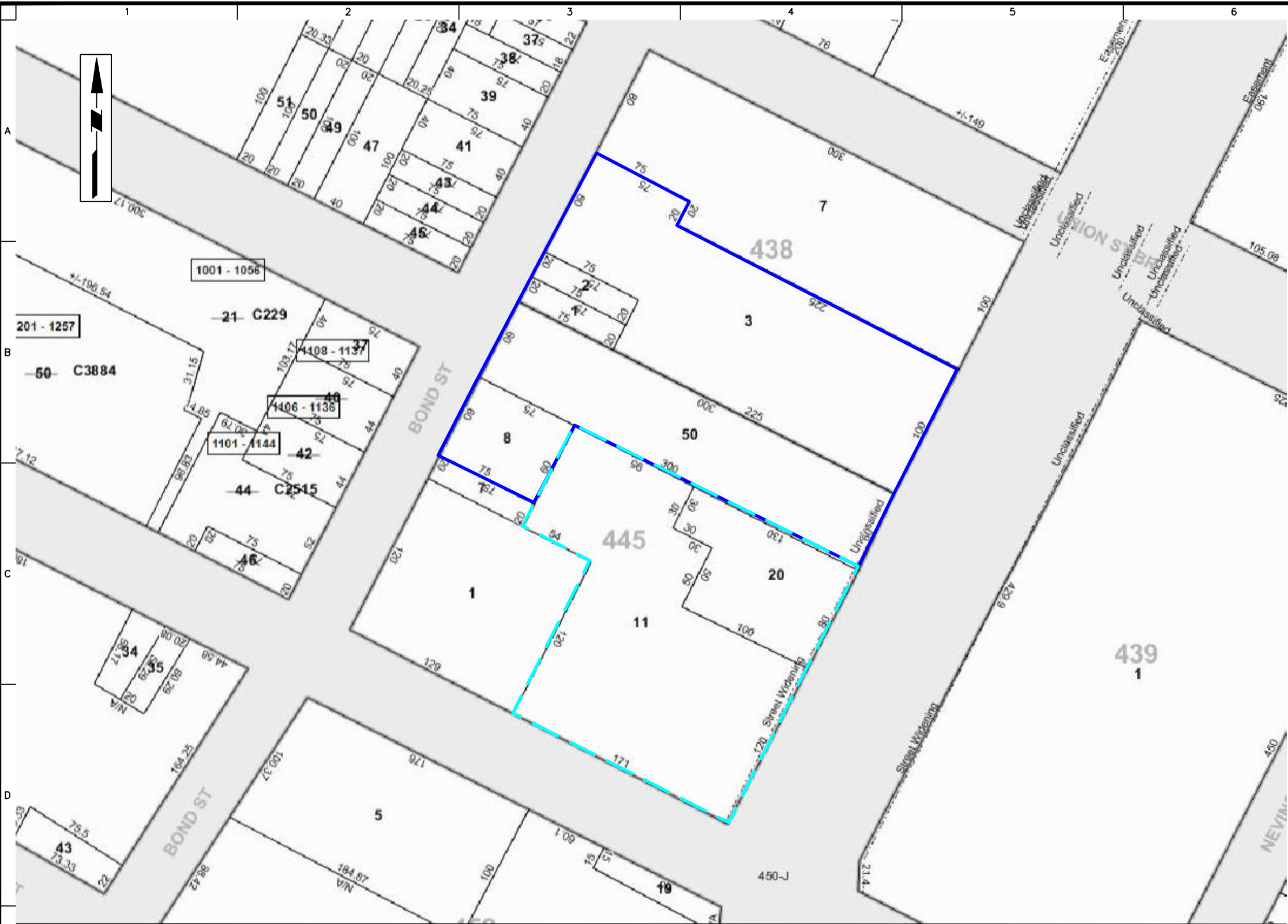
LANGAN
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Landscape Architecture, D.P.C.
Langan Engineering and Environmental Services, Inc.
Langan CT, Inc.
Langan International LLC
Collectively known as Langan

Project
**426 PRESIDENT ST.
& 383 CARROLL ST.**
BLOCK No. 445, LOT Nos. 11 & 20
BROOKLYN
KINGS NEW YORK

Figure Title
**SITE MAP 1000
FEET RADIUS**

Project No. 170364001	Figure No. 2
Date 10/19/2017	
Scale 1" = 250'	
Drawn By WK	
Checked By ELS	Sheet 2 of 5
Submission Date OCTOBER 2017	





LEGEND:



AMENDED BCP SITE BOUNDARY



EXISTING BCP SITE BOUNDARY

- | | |
|-------------------------------|---|
| Borough Boundary | C50 Condo Flag/Condo Number |
| Tax Block Boundary | A50 Air Right Flag/Lot Number |
| 50 Tax Block Number | S50 Subterranean Right Flag/Lot Number |
| Tax Lot Boundary | R REUC Flag |
| 50 Tax Lot Number | Under Water Tax Lot Boundary |
| Condo FKA Tax Lot Number | Other Boundary |
| 50.5 Tax Lot Dimension | Possession Hook |
| Approximate Tax Lot Dimension | Misc Miscellaneous Text |
| Condo Units Range Label | Small Tax Lot Dimension |
| Building Footprint | Surface Water |

GENERAL NOTES:

- BASE MAP TAKEN FROM <http://maps.nyc.gov/taxmap/map.htm>
- BCP = BROWNFIELD CLEANUP PROGRAM



LANGAN

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Collectively known as Langan

Project
**426 PRESIDENT ST.
& 383 CARROLL ST.**
BLOCK No. 445 LOT Nos. 11 & 20
BROOKLYN

KINGS NEW YORK

Figure Title
**TAX BLOCK AND
LOT MAP**

Project No.
170364001
Date
01/04/2018
Scale
1"=80'
Drawn By
WK
Checked By
RM
Submission Date
-

Figure No.
4
Sheet 4 of 5

ATTACHMENT A
Subsurface Investigation Technical Memo
Prepared by Langan
Dated December 2017

December 15, 2017

Ms. Heather Bishop
Division of Environmental Remediation
New York State Department of Environmental Conservation
625 Broadway, 12th Floor
Albany, NY 12233

**Re: Off-Site Subsurface Investigation Letter Report
426 President Street and 383 Carroll Street
Block 445 Lots 11, and 20
Brooklyn, New York 11231
Langan Project No.: 170364001**

Dear Ms. Bishop:

Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C. (Langan) conducted an off-site subsurface investigation on behalf of 426 President Street LLC for the properties at 426 President Street (Block 445, Lot 20) and 383 Carroll Street (Block 445, Lot 11) in Brooklyn, New York. Lots 11 and 20 are a part of the President Street Properties, consisting of seven contiguous tax lots. Five of the tax lots (Tax Block 445, Lots 8 and 50 [former President Street]) and Block 438, Lots 1, 2, and 3) entered into the in the New York State Brownfield Cleanup Program (BCP) on October 8, 2015 (BCP Site No. C224221). As of November 23, 2016, the former President Street is identified as Tax Block 445, Lot 50 by New York City Tax Maps. In letters dated June 30, 2015 and September 16, 2015 from the New York State Department of Environmental Conservation (NYSDEC), Tax Block 445, Lots 11 and 20 were excluded from the BCP because the contamination found was deemed insufficient; although contamination within Lot 11 and 20 exceeded the residential cleanup standard, results did not exceed commercial cleanup standards. The NYSDEC agreed that these lots could be added later to the existing Brownfield Cleanup Agreement if additional information was found that qualified the lots for the program.

The purpose of this investigation was to evaluate possible impacts to soil and groundwater due to historical use of the site to support eligibility for enrollment in the NYSDEC BCP. The off-site subsurface investigation was conducted in accordance with the NYSDEC-approved August 4, 2016 Remedial Investigation Work Plan (RIWP) and May 12, 2017 RIWP Addendum. This letter report provides a description of the site background, investigation methodologies, investigation results, and conclusions.

Site Background

Lots 11 and 20 include a combined area of approximately 0.88 acres and are occupied by a bus service and maintenance, parking lots, office and storage spaces, a vacant building, and a bar/restaurant. Lots 11 and 20 are bound by the President Street Properties site to the north (BCP Site No. C224221); the Gowanus Canal to the east; 335 Bond Street (BCP Site No.

C224225) and Carroll Street to the south; and 335 Bond Street, a fabrication shop, and a two-story residential development to the west. A Site Location Map and a Boring Location Plan with lot boundaries are presented as Figures 1 and 2, respectively.

Surrounding properties are predominantly occupied by mixed-use industrial and commercial developments.

Historical Sanborn Map Review

Langan reviewed available Sanborn Maps for Lots 11 and 20 and the surrounding area for the years 1886 through 2007. Sanborn Maps constitute a database of prior site uses of real property for many cities and towns in the United States. Langan's Sanborn Map review revealed that the site was occupied circa 1886 by three, one- and two-story buildings by John Morton & Sons and included a lime and brick shed and lumber yard. Additional historical site use of Lots 11 and 20 included the following:

- 1904, 1915, and 1922 – A masonry operation with wagon warehouse, office, and storage yard throughout Lots 11 and 20
- 1938 – A coal yard with adjacent coal pocket within Lot 20; and vacant areas, storage and offices in Lot 11
- 1950 – A coal pocket and a gasoline storage tank in Lot 20; a warehouse, welding shop, truck parking, offices, and a gasoline storage tank in Lot 11
- 1969 – A coal pocket and a gasoline storage tank in Lot 20; a warehouse, woodworking shop, truck parking, offices, and a gasoline storage tank in Lot 11
- 1977, 1979 to 1982, 1986 to 1988, 1991 to 1993 – Parking and offices in Lot 20; a warehouse, woodworking shop, truck parking, offices, and a gasoline storage tank in Lot 11
- 1995 to 1996, 2001 to 2007 – Parking and offices in Lot 20; a parking lot, woodworking shop, office, warehouse and a gasoline storage tank in Lot 11

Historical use of the Site as a coal storage yard, truck parking, welding shop, and a history of gasoline storage may have resulted in inadvertent releases of petroleum products, solvents, metals, or other hazardous substances that could have impacted soil, groundwater and/or soil vapor. Copies of Sanborn Fire Insurance Maps are included in Attachment 1.

Previous Environmental Reports

Previous environmental reports and related documents prepared for the President Street Properties site and summarized below for Lots 11 and 20 include the following:

Preliminary Assessment Report, Vidan Auto Salvage, Brooklyn, New York, Prepared by Halliburton NUS Environmental Corporation Superfund Division (Halliburton), Dated September 13, 1991

This report prepared for the United States Environmental Protection Agency (USEPA) included observations and findings from a site reconnaissance conducted by Halliburton. The Vidan Auto Salvage site encompassed the following Tax Block and Lots: Block 438, Lots 1, 2, and 3; Block

445, Lots 8, 11, and 20. During the site reconnaissance, Halliburton observed the following environmental conditions associated with Lot 11:

- The presence of three to four, 35-gallon, polyethylene drums; two rusted, closed head drums; 12 open top drums; and five 10-gallon carboys – the contents of each container were unknown

Based on findings from the preliminary assessment, Halliburton concluded that a release of hazardous substances to the groundwater and nearby surface water was suspected from the site. It was speculated that fluids contained within automobiles were allowed to drain directly on the ground surface without any means of containment, creating a direct pathway for soil, surface water, and groundwater contamination. Halliburton recommended a formal Site Inspection (SI) be performed for the Vidan Auto Salvage site to determine the presence and extent of contamination in the subsurface and nearby surface water.

Vidan Auto Salvage Sampling Summary Letter, Brooklyn New York, Prepared by USEPA Region II, Dated September 26, 1991

This letter report summarizes sampling activities conducted at the Vidan Auto Salvage site on July 10 1991, by representatives of the USEPA. Within Lot 11, samples were collected from a drain containing a heavy sheen and petroleum hydrocarbons were detected at 37.4 parts per million (ppm) in the aqueous sample collected from the drain. The following constituents were detected in the grab aqueous *Water Drain* sample at concentrations exceeding their respective NYSDEC Division of Water Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards (AWQS) and Guidance Values for Class GA groundwater:

- *Volatile Organic Compounds (VOC):*
 - Total Xylenes – 63.0 micrograms per liter (µg/L)
- *Semivolatile Organic Compounds (SVOC):*
 - 2,4-Dichlorophenol – 7.4 µg/L
 - Chrysene – 0.4 µg/L
 - Phenol – 1.4 µg/L
 - Tetramethylbenzene – 28.0 µg/L

Based on the results, the USEPA concluded that a release of hazardous substances had occurred.

Phase I Environmental Site Assessment, President Street Properties, Brooklyn, New York, prepared by Tenen Environmental, LLC (Tenen), dated July 9, 2014

Tenen completed a Phase I Environmental Site Assessment (ESA) for the President Street Properties site, including Block 445, Lots 8, 11 and 20 and Block 438, Lots 1, 2, and 3 located in the Gowanus neighborhood of Brooklyn, New York. The Phase I ESA was conducted in accordance with the ASTM International (ASTM) E1527-13 Standard Practice of Environmental Site Assessments: Phase I. The following recognized environmental conditions (REC) associated with Lots 11 and 20 were identified:

- Lots 11 and 20 are a portion of the overall site identified by the USEPA as a Potentially Responsible Party (PRP) in regards to the Gowanus Canal Superfund Site
- The proximity of Lots 11 and 20 to the Gowanus Canal, which is adjacent to the east
- The presence of historic fill material from an unidentified source
- Historical evidence of gasoline tanks
- Former site operations including lime processing, coal storage, auto parking and repair, a welding shop, and auto wreckage and salvage
- Former operations at adjacent properties including coal storage, a brass foundry, a blacksmith, a lubricating oil company, an auto repair shop, asphalt works, paint manufacturing, fuel oil storage and dispensing, a motor freight company, auto wrecking, and an electric bulb manufacturer
- In the parking area of Lot 11, a "pit of unknown use" was noted
- An approximately 550-gallon above-ground storage tank (AST) was noted at the exterior of the building located on Lot 20
- A former AST was reportedly located within the building on Lot 20
- On Lot 20, staining indicative of automotive fluids and lacquer thinner was noted in an area where the pavement was in poor condition

Subsurface Investigation Letter Report, President Street Properties, Brooklyn, New York, prepared by Langan, dated June 8, 2015

This letter report summarizes the subsurface investigation conducted at the site on May 28, 2015. The purpose of this investigation was to evaluate possible impacts to soil due to historical use of the site. With respect to Lots 11 and 20, the subsurface investigation included a geophysical survey, advancement of five soil borings to depths ranging from 8 to 10 feet below grade surface (bgs), and collection of five soil samples (one per soil boring) and one dry well sample.

A petroleum-like odor was noted in boring SB-8 from approximately 5 to 6 feet bgs within Lot 11. In Lot 20, a maximum photoionization detector (PID) reading of 144 ppm and a petroleum-like odor were noted in boring SB-6 from approximately 4 to 5 feet bgs. Soil analytical results were compared to the NYSDEC Title 6 of the New York Codes, Rules and Regulations (6 New York Codes, Rules and Regulations [NYCRR]) Unrestricted Use Soil Cleanup Objectives (SCO) and Restricted Use Restricted-Residential (RRU) SCOs. Laboratory analytical results from soil samples collected in Lot 11 indicated exceedances of Unrestricted Use SCOs for one pesticide, 4,4'-DDT, total polychlorinated biphenyls (PCB), and metals. Lead was detected at a concentration in exceedance of RRU SCOs in one sample collected (SB-5).

Copies of the previous reports referenced are included as Attachment 2.

Field Investigation

The subsurface investigation was implemented on April 6 and 7, 2017 and between August 28 and September 28, 2017 and included:

- A geophysical survey to locate potential underground storage tanks (UST) and other subsurface structures
- Advancement of nine environmental soil borings to depths of 15 to 16 feet bgs, one deep geotechnical/ environmental soil boring to a depth of 75 feet bgs, and collection of 18 soil samples (one to two per soil boring plus quality assurance/ quality control [QA/QC] samples) in accordance with the NYSDEC-approved RIWP in Lot 11
- Advancement of four environmental soil borings to depths of 15 to 16 feet bgs, one deep geotechnical/ environmental soil boring to a depth of 75 feet bgs, and collection of 11 soil samples (two per soil boring plus quality QA/QC samples) in accordance with the NYSDEC-approved RIWP in Lot 20
- Installation of two permanent groundwater monitoring wells to a depth of 15 feet bgs and collection of two groundwater samples plus QA/QC samples in accordance with the NYSDEC-approved RIWP in Lot 11
- Installation of one temporary monitoring well to a depth of 8 feet bgs and collection of one groundwater sample plus QA/QC samples in accordance with the NYSDEC-approved RIWP in Lot 20

Geophysical Survey

NOVA Geophysical Services (NOVA) conducted a geophysical survey under the supervision of a Langan field engineer to identify USTs and subsurface structures located beneath the existing concrete and asphalt parking lot. The survey included the use of ground penetrating radar (GPR). A copy of the geophysical survey is provided as Attachment 3.

Soil Investigation

AARCO Environmental Services Corp. (AARCO) advanced nine soil borings (SB-07, SB-09, SB-22, SB-23, SB-26, SB-32, SB-33, SB-34, and SB-35) in Lot 11 and four soil borings (SB-08, SB-24, SB-27, and SB-28) in Lot 20. The soil borings were advanced to depths of 15 and 16 feet bgs using a Geoprobe® 7730DT direct-push drill rig. Soil samples were collected into 4-foot-long, 2-inch-inside-diameter Macro-Core® samplers equipped with dedicated acetate liners. In addition, AARCO advanced one deep geotechnical/ environmental soil boring (SB-31) in Lot 11 and one deep geotechnical/ environmental soil boring (SB-25) in Lot 20. These borings were advanced to depths of 75 feet bgs using a Geoprobe® 7822DT track-mounted drill rig and mud rotary drilling techniques. Soil samples were collected into 2-foot-long, 2-inch-inside-diameter split spoon samplers. Split spoon and Macro-Core® samplers were decontaminated between boring locations.

Langan field personnel documented drilling and collected soil samples. Soil samples were inspected for visual and olfactory evidence of contamination and screened for organic vapors with a PID. Soil boring locations are shown on Figure 2. Soil boring logs are provided as Attachment 4.

Two grab soil samples were collected from each soil boring, with the exception of SB-33, SB-34, and SB-35 (see Figure 2) in accordance with the NYSDEC-approved RIWP and RIWP Addendum. Samples were collected from the interval of greatest observable impacts and

immediately beneath impacts or from the upper two feet of historic fill and the bottom of the historic fill. Samples were collected into laboratory-supplied containers and delivered via courier under standard chain-of-custody protocol to Alpha Analytical, Inc. (Alpha). Alpha is a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP)-certified laboratory. Each sample (with the exception of SB-31) was analyzed VOCs, SVOCs, metals, pesticides, and PCBs. Samples collected from SB-31 were analyzed for VOCs and SVOCs per the NYSDEC-Approved RIWP Addendum. A sample collection summary is provided in Table 1.

Groundwater Investigation

One temporary monitoring well (TW-01) was installed at SB-27 in the southwest portion of Lot 20. The monitoring well was constructed using a 2-inch-diameter pre-packed well with 5 feet of 0.02-inch-slotted polyvinyl chloride (PVC) screen (straddling the water table) and solid riser casing to the surface. The PVC well screen is surrounded by clean sand packed between the slotted PVC and a stainless steel mesh. Following installation, TW-01 was developed by surging across the well screen and purging a minimum of three well volumes using a peristaltic pump.

Two permanent monitoring wells (MW-07 and MW-09) were installed at SB-07 and SB-09 in the northwest and southeast portions of Lot 11, respectively. The monitoring wells were constructed using 2-inch-diameter PVC, with 10 feet of 0.02-inch-slotted PVC screen (placed across the water table) and solid riser casing to the surface. The PVC well screens are surrounded by a clean sand-pack. Following installation, MW-07 and MW-09 were developed by surging across the well screen and purging a minimum of three well volumes using a submersible wale pump.

TW-01 was sampled on April 7, 2017 with a peristaltic pump using low-flow purging techniques to minimize drawdown. Monitoring wells MW-07 and MW-09 were sampled on September 28, 2017 with a submersible Monsoon pump. Groundwater quality parameters (i.e., pH, temperature, specific conductance, turbidity, oxidation-reduction potential [ORP], and dissolved oxygen [DO]) were measured and recorded at five-minute intervals using a multiparameter Horiba water quality meter. Because of poor recharge at MW-07 and MW-09, parameters did not stabilize and a minimum of three well volumes were purged prior to sampling. Groundwater samples were collected using a peristaltic pump or submersible Monsoon pump and dedicated, disposable polyethylene tubing. Samples were collected into laboratory-supplied containers and delivered via courier under standard chain-of-custody protocol to Alpha, a NYSDOH ELAP-certified laboratory. Groundwater samples were analyzed for VOCs, SVOCs, pesticides, PCBs, and total/ dissolved metals. Groundwater monitoring well construction and sampling logs are provided in Attachment 5.

Observations and Results

Geophysical Survey

The geophysical survey identified subsurface anomalies indicative of utilities and other scattered anomalies within Lots 11 and 20. Borings were relocated as necessary to avoid the

identified utilities. The geophysical survey did not identify anomalies consistent with USTs. The results of the geophysical survey are provided in Attachment 3.

Soil Observations

Block 445, Lot 11

Below the concrete and/ or asphalt surface, the subsurface strata consists of fill material characterized by black to reddish-brown, medium to fine sand with varying amounts of brick, coal, mortar, ash, slag, wood, and gravel. The fill layer thickness ranges from about 6.5 feet bgs in boring SB-26 to 12 feet bgs in borings SB-07 and SB-09. An organic clay layer was encountered below the fill layer in all soil borings. Petroleum-like odors, staining, and PID readings up to 15,000 ppm VOCs were apparent in boring SB-26 from approximately 0 to 2 feet bgs. In addition, petroleum-like odors, staining, and sheen were encountered in boring SB-32 from approximately 0 to 1 feet bgs. A native peat and silt layer was observed below the clay layer in SB-31 from about 17 to 20 feet bgs. The organic layer was underlain by native dark brown fine sand from about 20 to 34 feet bgs. The native sand was underlain by an approximately 8-inch-thick clay layer. Native sand was observed below the deeper clay layer to completion depth (75 feet bgs).

Block 445, Lot 20

Below the concrete surface, soil consists of fill material characterized by light and dark brown to gray, medium to fine sand with varying amounts of brick, coal, slag, and gravel. The fill layer thickness ranges from about 9.5 feet bgs in boring SB-08 and SB-28 to 11.5 feet bgs in boring SB-24. An organic clay layer was encountered below the fill layer in all soil borings. Petroleum-like odors, staining, PID readings up to 15,000 ppm and sheen were apparent in boring SB-27 from about 6 to 9 feet bgs. During advancement of the deep geotechnical/ environmental boring SB-25, a clay layer was observed between 8 and 14 feet bgs. Native sand and clay were observed below the clay to depths up to 30 feet bgs. An approximately 6-inch clay layer was observed between 30 and 30.5 feet bgs and was underlain by native dark brown to gray sands observed to completion depth (75 feet bgs).

Soil Analytical Results

Soil analytical results were compared to the NYSDEC Title 6 NYCRR Part 375 RRU SCOs and Restricted Use Commercial (CU) SCOs. The RRU SCOs are the appropriate comparison because an area-wide rezoning is anticipated that will allow for residential use. A comparison to Commercial Use SCOs was also performed because this is the type of as-of-right development allowed by current zoning. A summary of soil analytical results is provided in Table 2. Figure 3 highlights soil analytical results. The laboratory analytical reports are provided as Attachment 6.

Block 445, Lot 11

Several SVOCs were detected at concentrations exceeding RRU SCOs in soil samples collected from Lot 11 (SB07_0-2, SB09_0-2, SB22_0-2, SB23_7-8, SB26_0-2, SB-31_0-2, SB32_0-1, and SB-34_2.5-4.5). Benzo(a)pyrene (maximum concentration of 5.8 milligrams per

kilogram [mg/kg]) was detected at concentrations above the CU SCOs in five soil borings. Benzo(a)anthracene (maximum concentration of 6.2 mg/kg), benzo(b)fluoranthene (maximum concentration of 7.4 mg/kg), and dibenzo(a,h)anthracene (maximum concentration of 0.75 mg/kg) were detected above the CU SCOs in boring SB-34. Petroleum-related tentatively identified compounds (TIC) detected in Lot 11 ranged from non-detect to 24.8 mg/kg for VOCs and from non-detect to 88.9 mg/kg for SVOCs. The highest concentration of VOC and SVOC TICs were detected in boring SB-26 from 0 to 2 feet bgs where petroleum-like impacts were observed. Total VOCs detected in soil samples ranged from non-detect to 26.9 mg/kg. Total SVOCs detected in soil samples ranged from 0.08 to 89.8 mg/kg.

Mercury was detected in four borings at concentrations above the RRU SCO (maximum concentration of 2.6 mg/kg).

Block 445, Lot 20

Several SVOCs and metals were detected at concentrations exceeding RRU in soil samples collected from Lot 20 (SB08_6-8, SB24_0-2, and SB-28_0-2). Benzo(a)anthracene (maximum concentration of 120 mg/kg), benzo(a)pyrene (maximum concentration of 100 mg/kg), benzo(b)fluoranthene (maximum concentration of 120 mg/kg), chrysene (maximum concentration of 110 mg/kg), dibenzo(a,h)anthracene (maximum concentration of 14 mg/kg), and indeno(1,2,3-cd)pyrene (maximum concentration of 50 mg/kg) were detected at concentrations above CU SCOs. Petroleum-related TICs ranged from non-detect to 50.4 mg/kg for VOCs and from non-detect to 358 mg/kg for SVOCs. In soil boring SB-27, where petroleum impacts were observed, VOC and SVOC TICs were detected at concentrations of 35 mg/kg and 28.86 mg/kg, respectively. Total VOCs detected in soil samples ranged from 0.02 to 50.97 mg/kg. Total SVOCs detected in soil samples ranged from non-detect to 1,832.4 mg/kg.

Metals including mercury, arsenic, and lead were detected at concentrations above RRU SCOs in Lot 20. Arsenic (maximum concentration of 18 mg/kg) and lead (maximum concentration of 1,300 mg/kg) were detected at concentrations above CU SCOs.

Groundwater Analytical Results

Groundwater analytical results were compared to the NYSDEC TOGS 1.1.1 AWQS and guidance values for drinking water (class GA). A summary of groundwater analytical results is provided in Table 3. Figure 4 highlights groundwater analytical results. The laboratory analytical reports are provided as Attachment 6.

Block 445, Lot 11

One VOC, chlorobenzene, was detected at a concentration above NYSDEC TOGS AWQS, and several other petroleum-related VOCs and SVOCs were detected. SVOCs including benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, and chrysene were detected at concentrations above NYSDEC TOGS AWQS. Total VOCs detected in groundwater samples ranged from 7.3 to 72.9 µg/L. Total SVOCs detected in groundwater samples ranged from 0.02 to 0.58 µg/L.

Block 445, Lot 20

One VOC, 1,2,4-trimethylbenzene, was detected at a concentration above NYSDEC TOGS AWQS, and several other petroleum-related VOCs and SVOCs were detected. SVOCs including benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, chrysene, and indeno(1,2,3-cd)pyrene were detected at concentrations above NYSDEC TOGS AWQS. Petroleum-related VOC TICs were detected at a concentration up to 51.4 µg/L and SVOC TICs were detected at a concentration up to 28.9 µg/L. Total VOCs detected in groundwater samples ranged from 69.72 to 77.62 µg/L. Total SVOCs detected in groundwater samples ranged from 28.07 to 28.9 µg/L.

Conclusions

Soil and groundwater at Lots 11 and 20 are impacted by several VOCs, SVOCs and metals related to former site use and what appears to be a historical petroleum spill. Soil within Lots 11 and 20 contained multiple SVOCs and metals exceeding Commercial Use SCOs. VOCs and SVOCs in groundwater samples collected within Lots 11 and 20 exceed NYSDEC TOGS AWQS, with detections of petroleum-related VOCs and TICs. Petroleum-like odors and sheen were apparent in the purge water during groundwater sampling at TW-01 within Lot 20.


Petroleum-related impacts were observed in three soil borings during sampling (i.e. staining, odors, elevated PID readings) and one temporary monitoring well within Lots 11 (SB-26 and SB-32) and 20 (SB-27/TW-01). Although constituent concentrations do not exceed Commercial Use SCOs in borings SB-26 and SB-27, the total VOC and SVOC concentrations detected indicate petroleum impacts are likely the result of a historical spill. Accordingly, a spill was reported to NYSDEC (Spill No. 1700202). Additionally, historical uses of the lot include a coal storage facility, multiple petroleum bulk storage tanks, and areas of staining, most likely from automotive fluids, observed in areas of non-competent pavement across the site. These observations, paired with findings from previous environmental reports and recent analytical results indicate a historical petroleum spill and contaminated historic fill on Lots 11 and 20. Considering these findings, both lots that were previously omitted from the BCA are eligible for the NYSBCP. An application will be filed with the NYSDEC requesting an amendment to the existing BCA.

Sincerely,

**Langan Engineering, Environmental, Surveying and
Landscape Architecture, D.P.C.**



Ryan Manderbach, CHMM
Associate



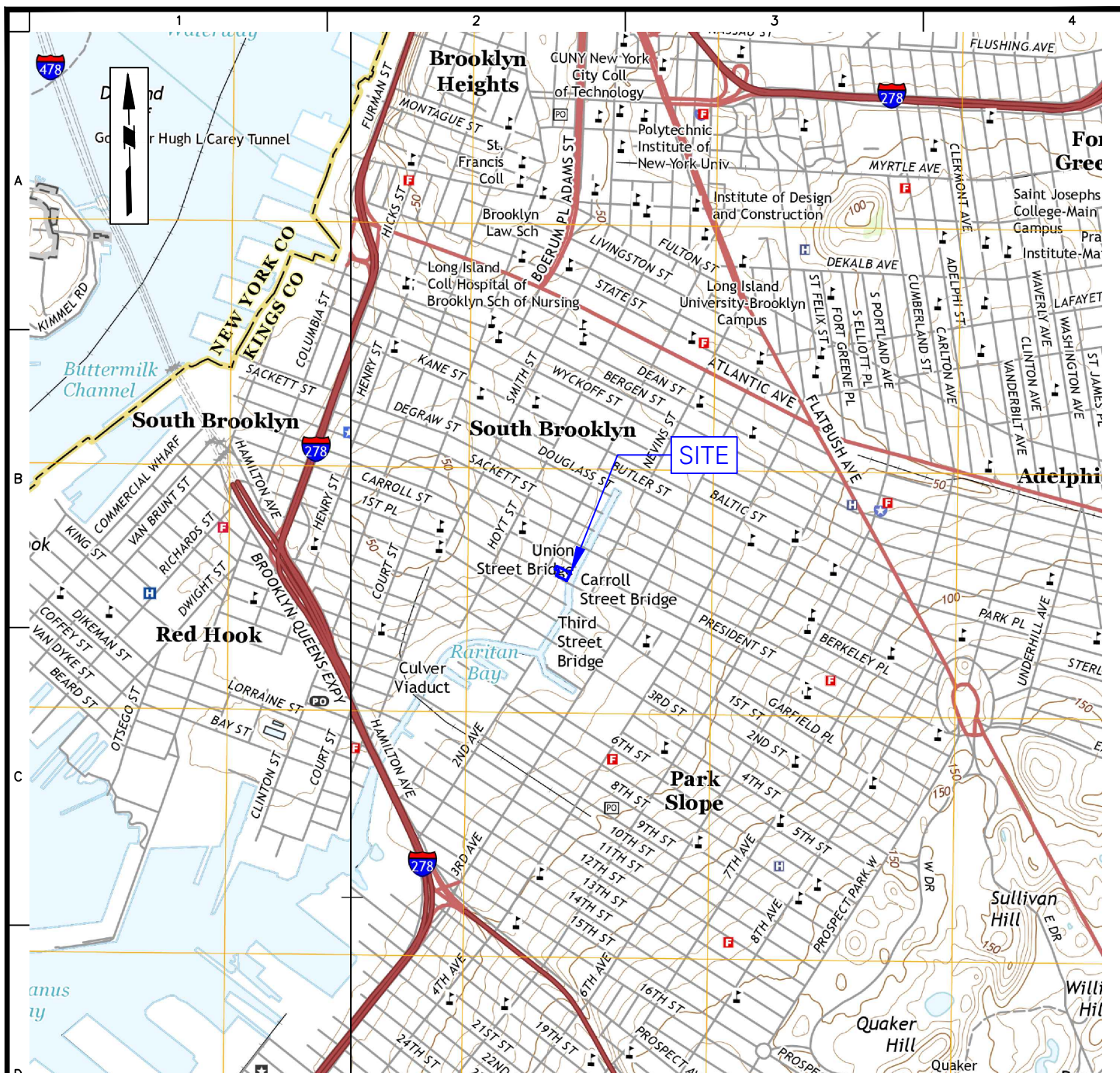
Michael D. Burke, CHMM
Principal/Vice President

Enclosure(s): Figure 1 – Site Location Map
 Figure 2 – Sample Location Plan
 Figure 3 – Soil Sample Analytical Results Map
 Figure 4 – Groundwater Analytical Results Map

 Table 1 – Sample Summary
 Table 2 – Soil Sample Detections – VOCs, SVOCs, Pesticides, PCBs and Metals
 Table 3 – Groundwater Sample Detections - VOCs, SVOCs, Pesticides, PCBs, & Total and Dissolved Metals

 Attachment 1 – Historic Sanborn Maps
 Attachment 2 – Previous Reports
 Attachment 3 - Geophysical Survey
 Attachment 4 – Soil Boring Logs
 Attachment 5 – Groundwater Sampling Logs and Well Construction Logs
 Attachment 6 - Laboratory Analytical Reports

FIGURES



LEGEND

— SITE BOUNDARY

NOTES

1. SITE BOUNDARY LOCATIONS ARE APPROXIMATE.
2. BACKGROUND IMAGE REFERENCED FROM UNITED STATES GEOLOGICAL SURVEY (USGS) 7.5-MINUTE TOPOGRAPHIC MAPS 2016 FOR BROOKLYN, NY QUADRANGLE.

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Langan CT, Inc.
Langan International LLC
Collectively known as Langan

Project

**426 PRESIDENT ST. &
383 CARROLL ST.**

BLOCK No. 445, LOT Nos. 11 & 20
BROOKLYN

KINGS

NEW YORK

Figure Title

**SITE LOCATION
MAP**

Project No.
170364001

Date
10/2/2017

Scale
1" = 2000'

Drawn By KN Checked By ELS

Submission Date
OCTOBER 2017

Figure No.

1

Sheet 1 of 4



LEGEND:

BCP SITE BOUNDARY

LOT 11 AND LOT 20 BOUNDARY

POTENTIAL DRAINAGE FEATURE

SB-07/MW-07

REMEDIAL INVESTIGATION SOIL BORING / GROUNDWATER MONITORING WELL LOCATION

SB-25

REMEDIAL INVESTIGATION DEEP SOIL BORING

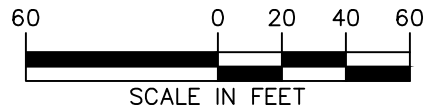
SB-24

REMEDIAL INVESTIGATION SOIL BORING COMPLETED IN APRIL 2017 AND SEPTEMBER 2017

SB-5

PREVIOUS SOIL BORING / TEMPORARY GROUNDWATER MONITORING WELL LOCATION FROM MAY 2015 INVESTIGATION

- NOTES :**
- SOIL BORING LOCATIONS AND PROPERTY BOUNDARIES ARE APPROXIMATE.
 - BASEMAP PROVIDED BY ESRI, HERE, DELORME, USGS, INTERMAP, INCREMENT P CORP., NRCAN, ESRI JAPAN, METI, ESRI CHINA (HONG KONG), ESRI (THAILAND), TOM TOM, MAPMY INDIA, © OPENSTREETMAP CONTRIBUTORS, AND THE GIS USER COMPANY.



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Project
**426 PRESIDENT ST.
& 383 CARROLL ST.**
BLOCK No. 445, Lot No. 11 & 20
BROOKLYN
KINGS NEW YORK

Figure Title
**SUBSURFACE
INVESTIGATION
SAMPLING
LOCATION MAP**

Project No. 170364001	Figure No. 2
Date 10/2/2017	
Scale 1" = 60'	
Drawn By NEK	
Submission Date OCTOBER 2017	Sheet 2 of 4

