



REVISED BROWNFIELD CLEANUP PROGRAM APPLICATION

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Date
October 16, 2020

Site Information:

Newtown Creek Bud Site – North Block
2-10 54th Avenue, Long Island City, New York

Delivered to:

Len Zinoman, Site Control Section; New York State
Department of Environmental Conservation

On behalf of:

Bud North LLC



Environmental, Planning, and Engineering Consultants

440 Park Avenue South
7th Floor
New York, NY 10016
tel: 212 696-0670
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October 16, 2020

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

Re: Revised Brownfield Cleanup Program Application
Newtown Creek Bud Site – North Block
2-10 54th Avenue, Long Island City, New York

To Whom It May Concern:

Enclosed is the Revised Brownfield Cleanup Program (BCP) Application for the proposed redevelopment of the Newtown Creek Bud Site – North Block, located at 2-10 54th Avenue in Long Island City, New York. Bud North LLC (the Volunteer) received the Letter of Incompleteness, dated September 21, 2020, and the application has been revised in accordance with NYSDEC's comments. Please note that in addition to the requested revisions, the proposed BCP Site boundaries have been modified since the initial application was submitted, so the application has been revised to reflect those changes. As requested, one paper hardcopy of this Revised Application has been sent to your office along with a digital CD of the same.

We thank you for the opportunity to submit this Revised BCP Application on behalf of Bud North LLC, and we look forward to moving ahead with this program under the BCP. If you have any questions or need any additional detail regarding the completeness of this Application, please feel free to contact Marc at (914) 922-2356 or mgodick@akrf.com, or Patrick at (646) 388-9784 or jdiggins@akrf.com.

Sincerely,
AKRF, Inc.

A handwritten signature in black ink, appearing to read 'm godick'.

Marc S. Godick, LEP
Senior Vice President

A handwritten signature in black ink, appearing to read 'J. Patrick Diggins'.

J. Patrick Diggins
Technical Director

cc: Bruce Weill, George Georgioudakis, Mael Illien – Bud North LLC
Charles Warren – Kramer Levin Naftalis & Frankel LLP



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "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). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

☐ Yes

☒ No

If yes, provide existing site number: _____

PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 10*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME Bud North LLC

ADDRESS 387 Park Avenue South, 7th Floor

CITY/TOWN New York

ZIP CODE 10016

PHONE (212) 984-1774

FAX

E-MAIL bruce.weill@tfcornerstone.com

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 Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment.

Do all individuals that will be certifying documents meet the requirements detailed below? ☒ Yes ☐ No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](#) and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

Section II. Project Description

1. What stage is the project starting at?

☒ Investigation

☐ Remediation

NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.

2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): ☐ Yes ☐ No

3. Please attach a short description of the overall development project, including:

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (***please submit the information requested in this section in electronic format only***):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF).**

2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum			X
Chlorinated Solvents			X
Other VOCs		X	X
SVOCs	X	X	
Metals	X	X	
Pesticides	X		
PCBs	X	X	
Other*			

*Please describe: _____

3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:

- SAMPLE LOCATION
- DATE OF SAMPLING EVENT
- KEY CONTAMINANTS AND CONCENTRATION DETECTED
- FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE
- FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5
- FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

☒ Yes ☐ No

4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

- | | | | |
|---|---|---|--|
| <input type="checkbox"/> Coal Gas Manufacturing | <input checked="" type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input type="checkbox"/> Dry Cleaner |
| <input type="checkbox"/> Salvage Yard | <input type="checkbox"/> Bulk Plant | <input type="checkbox"/> Pipeline | <input type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill | <input type="checkbox"/> Tannery | <input type="checkbox"/> Electroplating | <input type="checkbox"/> Unknown |

Other: Sugar refinery, stone yard, Budweiser distribution facility

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME Newtown Creek Bud Site – North Block				
ADDRESS/LOCATION 2-10 54th Avenue				
CITY/TOWN Long Island City		ZIP CODE 11101		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Queens				
COUNTY Queens		SITE SIZE (ACRES) 3.00		
LATITUDE (degrees/minutes/seconds) 40 ° 44 ' 26.8 N "		LONGITUDE (degrees/minutes/seconds) 73 ° 57 ' 32.7 W "		
Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed , please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.				
Parcel Address	Section No.	Block No.	Lot No.	Acreage
2-10 54th Avenue	01	11	1 and 2	1.03/0.88
2-10 54th Avenue	01	11	3 (Partial)	1.09
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If no, please attach an accurate map of the proposed site.				
2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (application will not be processed without map)				
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, identify census tract : _____ Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input type="checkbox"/> 100%				
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, identify name of properties (and site numbers if available) in related BCP applications: _____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach relevant supporting documentation.				
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, these lands should be clearly delineated on the site map.				

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?
If yes, identify here and attach appropriate information. ☒ Yes ☐ No

Easement/Right-of-way Holder

Description

City of New York

Permanent easement for storm sewer within footprint of the former 5th Street

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

Description

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**?

☒ Yes ☐ No

Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? ☒ Yes ☐ No

If yes, requestor must answer questions on the supplement at the end of this form.

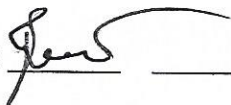
12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? ☐ Yes ☒ No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? ☐ Yes ☐ No

NOTE: If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: _____



BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

Section V. Additional Requestor Information See Instructions for Further Guidance		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Mr. Bruce M Weill			
ADDRESS 387 Park Avenue South, 7th Floor			
CITY/TOWN New York		ZIP CODE 10016	
PHONE (212) 984-1774	FAX _____	E-MAIL bruce.weill@tfcornestone.com	
NAME OF REQUESTOR'S CONSULTANT Mr. Marc Godick, AKRF, Inc.			
ADDRESS 440 Park Avenue South, 7th Floor			
CITY/TOWN New York		ZIP CODE 10016	
PHONE (914) 922-2356	FAX _____	E-MAIL mgodick@akrf.com	
NAME OF REQUESTOR'S ATTORNEY Mr. Charles Warren, Kramer Levin Naftalis & Frankel LLP			
ADDRESS 1177 Avenue of the Americas			
CITY/TOWN New York, New York		ZIP CODE 10036	
PHONE (212) 715-9387	FAX _____	E-MAIL cwarren@kramerlevin.com	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME _____		OWNERSHIP START DATE: _____	
ADDRESS _____			
CITY/TOWN _____		ZIP CODE _____	
PHONE _____	FAX _____	E-MAIL _____	
CURRENT OPERATOR'S NAME _____			
ADDRESS _____			
CITY/TOWN _____		ZIP CODE _____	
PHONE _____	FAX _____	E-MAIL _____	
PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".			
IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.			
Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)			
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?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, 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, DEC 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 DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ 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 REQUESTOR MUST CERTIFY THAT HE/SHE 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 hazardous waste or discharge of petroleum 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 hazardous waste or discharge of petroleum.

☒ 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.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

☐ Previous 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 VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment. ☐ Yes ☒ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? ☐ Yes ☒ No
If yes, please provide: Site # _____ Class # _____
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? ☐ Yes ☒ No
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. ☐ Yes ☒ No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? ☐ Yes ☒ No
If yes, please provide: Order # _____
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? ☐ Yes ☒ No
If yes, please provide explanation as an attachment.

Section IX. Contact List Information

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? R7-3, C2-5, and SHP

What uses are allowed by the current zoning? (Check boxes, below)

☒ Residential ☒ Commercial ☐ Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: ☐ Residential ☒ Commercial ☐ Industrial ☐ Vacant ☐ Recreational (check all that apply)

Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: ☒ Residential ☒ Commercial ☐ Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing?

☐ Yes ☒ No

4. Do current historical and/or recent development patterns support the proposed use?

☒ Yes ☐ No

See attached supplemental documentation.

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

See attached supplemental documentation.

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

See attached supplemental documentation.

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____

Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am EXEC VP (title) of BND NORTH LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 9/2/2020

Signature: 

Print Name: BRUCE M WEILL

SUBMITTAL INFORMATION:

- Two (2) copies, one paper 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 DEC USE ONLY

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

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

BCP App Rev 10

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input checked="" 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 checked="" 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 NYS Tax Law 21(b)(6)? Please see DEC's website for more information. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2. Is the property upside down or underutilized as defined below?	<div style="display: flex; justify-content: space-between;"> <div>Upside Down?</div> <div><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</div> </div> <div style="display: flex; justify-content: space-between;"> <div>Underutilized?</div> <div><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</div> </div>
From ECL 27-1405(31): "Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.	
From 6 NYCRR 375-3.2(I) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)	
375-3.2: (I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and (1) the proposed use is at least 75 percent for industrial uses; or (2) at which: (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses; (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and (iii) one or more of the following conditions exists, as certified by the applicant: (a) property tax payments have been in arrears for at least five years immediately prior to the application; (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or (c) there are no structures.	
"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.	

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

- ☐ Project is an Affordable Housing Project - Regulatory Agreement Attached;
- ☒ Project is Planned as Affordable Housing, But Agreement is Not Yet Available*
(*Checking this box will result in a "pending" status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);
- ☐ This is Not an Affordable Housing Project.

From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' 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.

BCP Application Summary (for DEC use only)

Site Name: Newtown Creek Bud Site – North Block **Site Address:** 2-10 54th Avenue
City: Long Island City **County:** Queens **Zip:** 11101

Tax Block & Lot
Section (if applicable): 01 **Block:** 11 **Lot:** 1 and 2

Requestor Name: Bud North LLC **Requestor Address:** 387 Park Avenue South, 7th Floor
City: New York **Zip:** 10016 **Email:** bruce.weill@tfcornestone.com

Requestor's Representative (for billing purposes)
Name: Mr. Bruce M Weill **Address:** 387 Park Avenue South, 7th Floor
City: New York **Zip:** 10016 **Email:** bruce.weill@tfcornestone.com

Requestor's Attorney
Name: Mr. Charles Warren, Kramer Levin Naftalis & Frankel LLP **Address:** 1177 Avenue of the Americas
City: New York, New York **Zip:** 10036 **Email:** cwarren@kramerlevin.com

Requestor's Consultant
Name: Mr. Marc Godick, AKRF, Inc. **Address:** 440 Park Avenue South, 7th Floor
City: New York **Zip:** 10016 **Email:** mgodick@akrf.com

Percentage claimed within an En-Zone: ☒ 0% ☐ <50% ☐ 50-99% ☐ 100%

DER Determination: ☐ Agree ☐ Disagree

Requestor's Requested Status: ☒ Volunteer ☐ Participant

DER/OGC Determination: ☐ Agree ☐ Disagree
Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits: ☒ Yes ☐ No

Does Requestor Claim Property is Upside Down: ☐ Yes ☒ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Property is Underutilized: ☐ Yes ☒ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Affordable Housing Status: ☐ Yes ☐ No ☒ Planned, No Contract

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Brownfield Cleanup Program Application Supporting Documentation

PART A

Supplement to Section I – Requestor Information

1. Requestor Information

Contact information and the names of members/owners of the Applicants are set forth below:

Entity Name/Applicant	Members/Owners	Contact Information
Bud North LLC (a New York Limited Liability Company)	Bruce M. Weill	c/o TF Cornerstone Bruce M Weill 387 Park Avenue South 7 th Floor New York, NY 10016 Tel: (212) 984-1774

The NYS Department of State’s Corporation and Business Entity Database information for the requestor is included as *Attachment A*. The entity is herein referred to as (the “Applicant”).

Supplement to Section II - Project Description

The following figures are included in *Attachment B*:

- Figure 1 – Site Location
- Figure 2 – Site Plan and Previous Sampling Locations
- Figure 3 – En-Zone Boundary Map
- Figure 4 – Tax Map
- Figure 5 – Zoning Map
- Figure 6 – Surrounding Land Use
- Figures 7A, 7B, and 7C – Soil Sample Concentrations Above NYSDEC UUSCOs and RRSCOs
- Figure 8 – Groundwater Sample Concentrations Above NYSDEC AWQSGVs
- Figure 9 – Soil Vapor Sample Concentrations

3. Remedial Investigation Report

A Final Remedial Investigation Report (RIR) is not included with this application; however, a subsurface investigation of the property referred to as the Newtown Creek Bud Site - North Block, located at 2-10 54th Avenue, Long Island City, New York (the Site) was conducted by AKRF, Inc. (AKRF), and documented in an Interim Investigation Report, dated April 2020.

During AKRF’s subsurface investigation, polycyclic aromatic hydrocarbons (PAHs) [a class of semi-volatile organic compounds (SVOCs)], metals, and polychlorinated biphenyls (PCBs) were detected in soil samples across the Site at concentrations exceeding the corresponding guidance values. In addition, the detected concentrations of mercury and/or lead detected in five of the soil samples may be indicative of the presence of characteristic hazardous waste at the Site. PAHs, metals, and PCBs were detected in groundwater samples across the Site at concentrations exceeding the corresponding guidance values. Dichlorodifluoromethane (Freon-12), a refrigerant, was detected in groundwater, and it was detected at elevated concentrations in soil vapor. Several petroleum-related VOCs and chlorinated solvent-related VOCs, including tetrachloroethylene (PCE) and trichloroethene (TCE), were also detected in soil vapor beneath the Site.

The April 2020 Interim Investigation Report being used to support this BCP Application is included in *Attachment C*. To supplement the investigation of the Site, a Remedial Investigation Work Plan (RIWP) will be submitted in conjunction with this application.

4. Project Description

The Site, referred to as Newtown Creek Bud Site - North Block, comprises an approximately 130,915-square-foot (sf) section of a larger development property that includes New York City Tax Block 11, Lots 1, 2, 3, and 4. The Site includes the entirety of Lots 1 and 2, and the northern portion of Lot 3. The remaining portion of the large development property, which is referred to as Newtown Creek Bud Site - South Block (not included in this BCP Application) and comprises Lot 4 and the southern portion of Lot 3, lies to the south of the Site. A Site Location map and Site Plan are included in *Attachment B* as *Figures 1* and *2*, respectively.

The Site part of a larger development property that includes New York City Tax Block 11, Lots 1, 2, 3, and 4. The proposed development for the Site, which comprises the entirety of Lots 1 and 2, and the northern portion of Lot 3, includes demolition of the existing structures and construction of two mixed-use commercial and residential towers, and will include a private roadway and landscaped areas. Currently, the Site comprises two buildings (constructed around 1940), with one asphalt-paved parking lot. The Site is occupied by two commercial businesses (Electro-Harmonix Corporation, New York Mart Group, Inc.).

The Site is part of the Queens County Census Tract 1. According to the 2014-2018 American Community Survey (ACS) 5-year Profile data, 3.0% of the population in Census Tract 1 is living below the poverty line. The unemployment rate for Tract 1 is 3.0%, compared to the New York City unemployment rate of 3.8% (as of 2018) and the national unemployment rate of 3.9% (as of 2018). The Site is not located in an En-Zone. The boundaries of the nearest En-Zone are presented on *Figure 3 (Attachment B)*.

The Applicant plans to enter into the BCP as a Volunteer. Entry into the BCP would facilitate the remediation and redevelopment of the Site into a mixed-use commercial and residential building. The proposed development plan for the Site is in design stage, and will include preparation of an RIR and Remedial Action Work Plan (RAWP), demolition of the existing buildings, and construction of two new residential towers with open spaces (a private roadway, walkways, and landscaping).

As part of redevelopment, the larger property (comprising all of Block 11, Lots 1, 2, 3, and 4) is expected to be reorganized into two lots. The North Block parcel (currently Lots 1, 2, and the northern portion of Lot 3) would be Lot 2. The South Block parcel (not included in this BCP application) would be Lot 1. A map showing the proposed tax lot revisions, and a metes and bounds survey of the proposed tax lot boundaries are included as *Attachment D*.

The likely approximate gross square footage (gsf) of designated spaces is as follows:

- Ground floor commercial, residential, amenity, parking, bike room, mechanical: 85,622 gsf
- Second floor residential, amenity, mechanical and laundry room: 68,877 gsf

- Third floor residential and bike room: 65,104 gsf
- Fourth and fifth floor residential: 62, 649 gsf per floor
- Sixth floor residential: 38,344 gsf
- Seventh floor residential and amenity space: 19,048 gsf
- Eighth through 22nd floor residential: 19,048 gsf per floor
- 23rd through 25th floor residential: 16,846 gsf per floor
- 26th through 35th floor residential: 8,068 gsf per floor
- 36th through 38th floor residential: 6,448 gsf per floor

The Requestor plans on conducting all remedial investigation and remedial activities in accordance with Environmental Conservation Law (ECL) Article 27, Title 14, 6 New York Codes, Rules, and Regulations (NYCRR) 375-1.6(a), 375-3.6, and 375-6, and all applicable laws, rules, regulations, and guidance documents.

Estimated Project Schedule:

The remedial program is planned to begin in January 2021 and the Certificate of Completion (COC) is anticipated to be obtained in March 2024. The BCP project will likely include some or all of the activities listed below. This preliminary project schedule is subject to change.

Activity	Time To Complete
Submittal of Brownfield Cleanup Program (BCP) Application and Remedial Investigation Work Plan (RIWP)	August 2020
30-day New York State Dept. of Environmental Conservation (NYSDEC) Completeness Review	September 2020
Resubmittal of BCP Application and RIWP	October 2020
30-day Public Notice/Public Comment Period for Application and RIWP	October/November 2020
NYSDEC Acceptance and Execution of Brownfield Cleanup Agreement	December 2020
Submittal of Citizen Participation Plan (CPP)	December 2020
Submittal of Final RIWP and Fact Sheet	January 2020
Remedial Investigation	January 2021
Submittal of Draft Remedial Investigation Report (RIR) and Draft Remedial Action Work Plan (RAWP)	April 2021
Submittal of Pre-Design Investigation (PDI) Work Plan	April 2021
45-day Public Comment Period for RIR and RAWP is initiated	April 2021
Pre-Design Investigation Field Work	May 2021
Submittal of PDI Report and Updated Draft RIR/RAWP	July 2021
Submittal of Final RIR/RAWP	August 2021
NYSDEC Issuance of Decision Document & Remedial/Construction Notice Fact Sheet	September 2021
Begin Remedial Construction with RAWP implementation	January 2022
Execution of Environmental Easement	June 2023
Submittal of Draft Site Management Plan (SMP)	August 2023
Submittal of Draft Final Engineering Report (FER) and Fact Sheet	September 2023
Submittal of Final SMP and FER	November 2023
Certificate of Completion and Fact Sheet	December 2023
Completion of Building (first occupancy)	March 2024

Supplement to Section III – Property’s Environmental History

The following figures are included in *Attachment B*:

- Figure 1 – Site Location
- Figure 2 – Site Plan and Sampling Locations
- Figure 3 – En-Zone Boundary Map
- Figure 4 – Tax Map
- Figure 5 – Zoning Map
- Figure 6 – Surrounding Land Use
- Figures 7A, 7B, and 7C – Soil Sample Concentrations Above NYSDEC UUSCOs and RRSCOs
- Figure 8 – Groundwater Sample Concentrations Above NYSDEC AWQSGVs
- Figure 9 – Soil Vapor Sample Concentrations

1. *Environmental Reports*

Copies of the following previous environmental reports for the Site are included as *Attachment C* (Electronic Copies only):

- Subsurface (Phase II) Investigation, dated February 2006, prepared by Associated Environmental Services, LTD.
- Phase I Environmental Site Assessment (ESA), dated February 2006, prepared by Singer Environmental Group LTD.
- Site Assessment Report for the Underground Tank Removal Located At: 55-01 2nd Street, Long Island City, NY, dated August 2011, prepared by Empire Environmental Services.
- Subsurface (Phase II) Investigation, dated November 2013, prepared by AKRF, Inc.
- Site Information Report for 55-01 2nd Street, Long Island City, New York, dated June 2016, prepared by Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C.
- Phase I ESA, dated March 2019, prepared by AKRF, Inc.
- Interim Investigation Report – North Block, dated April 2020, prepared by AKRF, Inc.

Summaries of previous investigations are provided below. The Applicant believes that there is sufficient information to demonstrate significant contamination for each of the lots comprising the site warranting remediation under the BCP. The Applicant, as a Volunteer under the BCP, seeks to enroll in the program to remediate the Site in a timely manner under the oversight of NYSDEC.

Subsurface Phase II Investigation – 55-01 2nd Street, 54-10 2nd Street, 2-10 54th Avenue, & 2-20 54th Avenue, Long Island City, New York, Associated Environmental Services, LTD., February 2006

Associated Environmental Services, LTD. conducted a multi-property Subsurface Phase II Investigation that included the Site. A summary of the analytical results for the Site is as follows:

- Methyl tert-butyl ether (MTBE) was detected at a concentration of 16 micrograms per liter (µg/L) in one groundwater sample collected adjacent to two underground storage tanks (USTs) near the northwestern portion of the Site. The concentration was detected above the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1. Ambient Water Quality Standard and Guidance Value (AWQSGV) of 10 µg/L.
- Benzene was detected in groundwater at a concentration of 0.7 µg/L, below the NYSDEC AWQSGV of 1 µg/L in the southern portion of the Site.
- Metals and SVOCs commonly found in fill material were detected throughout the Site at concentrations above the NYSDEC Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs).

- No VOCs or PCBs were detected in soil samples at concentrations above the NYSDEC UUSCOs.

Phase I Environmental Site Assessment – 55-01 2nd Street, 54-01 2nd Street, 2-10 54th Avenue, 2-20 54th Avenue, Long Island City, New York, Singer Environmental Group, LTD, February 2006

Singer Environmental Group, LTD. (Singer) prepared a multi-property Phase I ESA for several facilities, including the Site. Singer identified potential sources of contamination at the Site, including: current and former petroleum storage tanks; former aboveground fuel oil and solvent tanks on the south-adjacent site (the South Block Site); former automotive-related operations, including gasoline and diesel storage tanks; a closed-status hydraulic oil spill reported for the Site; the likely presence of urban fill, and a history of on- and off-site industrial and manufacturing activities.

As part of the Phase I ESA, Singer reviewed a UST Closure Report prepared by Piazza Construction Corp. dated May 2000 documenting the removal of one 4,000-gallon gasoline UST and one 4,000-gallon diesel UST from the Site. According to the report, inspection of the tanks revealed no holes or corrosion, and no evidence of contamination was noted in the tank excavation. Six soil and two groundwater samples were laboratory tested, and MTBE (a historic gasoline additive) was detected in one groundwater sample. No other petroleum-related compounds were detected in the samples.

Based on the assessment Singer recommended a subsurface (Phase II) investigation.

Site Assessment Report for the Underground Tank Removal Located At: 55-01 2nd Street, Long Island City, NY, Empire Environmental Services, August 2011

Empire Environmental Services (EES) of Brooklyn, New York was retained to remove two adjacent 4,000-gallon diesel USTs. The tanks were located beneath an asphalt parking lot in the northwestern portion of the Site. In July 2011, the contents of the two tanks were pumped out and the tanks were subsequently cleaned. The tanks and tank contents were disposed of off-site.

EES reported that there was no visual evidence of contamination observed beneath the tanks. Four post-excavation samples were collected along the sidewalls of the excavation area and one groundwater sample was collected at the water table, approximately 5 feet below grade. The report did not specify how the groundwater sample was collected.

The soil and groundwater samples were analyzed for the VOCs and SVOCs. No VOCs were detected above laboratory reporting limits in the soil samples. Up to 11 SVOCs were detected above UUSCOs and/or Part 375 Restricted Residential Use Soil Cleanup Objectives for (RRSCOs) at concentrations ranging from 575 to 35,800 milligrams per kilogram (mg/kg). The highest concentrations were detected in the soil sample collected along the southern sidewall of the excavation area. In the groundwater sample, the petroleum-related VOCs 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, and o-xylene were detected above the AWQSGVs at concentrations ranging from 5.7 to 33.6 µg/L. The SVOCs acenaphthene, fluorene, and phenanthrene were detected above the AWQSGVs at concentrations ranging from 3.41 to 11.2 µg/L.

No further remediation or investigation was specified in the report.

Subsurface (Phase II) Investigation – 55-01 2nd Street, Long Island City, Queens, New York, AKRF, November 2013

AKRF conducted a Subsurface (Phase II) Investigation of the Site in October 2013. The investigation included the advancement of eight soil borings with the collection and laboratory analysis of eight soil samples, and the installation of eight temporary monitoring wells, with the collection and laboratory analysis of eight groundwater samples. Five of the sample locations (SB-1, SB-2, SB-3, SB-7, and SB-8) were located on the Site.

The stratigraphy beneath the Site consisted of urban fill (generally sand with silt, gravel, and brick) down to approximately 10 feet below ground surface (bgs), which was the maximum soil boring depth. Groundwater was encountered at approximately 5 to 8 bgs. Bedrock was not encountered during the investigation. Soil was field-screened with a photoionization detector (PID) to measure relative

concentrations of organic vapors. PID readings up to 153 parts per million (ppm) and a slight petroleum-like odor were observed between 4 and 8 feet below grade, and a slight sheen was observed at approximately 6 feet below grade in the northwestern portion of the Site. No elevated PID readings or other evidence of contamination was observed in the remaining sample locations.

Soil sample analytical results were compared to the UUSCOs and the Part 375 Restricted Residential Use Soil Cleanup Objectives for (RRSCOs). Results of the soil analytical results for samples collected at the Site are summarized below:

- Acetone was detected in one sample at a concentration of 0.37 mg/kg, above the UUSCO of 0.05 mg/kg, but below the RRSCO of 100 mg/kg.
- SVOCs were detected in seven of the eight soil samples at concentrations above the UUSCOs and RRSCOs, ranging from 0.6 mg/kg to 71 mg/kg. The SVOC detections were attributed to historic fill material, which was observed throughout the Site.

Groundwater sample analytical results were compared to the AWQSGVs, which are summarized below:

- Benzene was detected in one sample at a concentration of 2.4 µg/L, above the AWQSGV of 1 µg/L. No other VOCs were detected above the AWQSGVs.
- SVOCs were detected at concentrations above the AWQSGVs in seven groundwater samples. Naphthalene was detected in one sample at a concentration of 24 µg/L, above the AWQSGV of 10 µg/L. The remainder of the SVOCs were detected at significantly lower concentrations in the analyzed soil samples. The presence of SVOCs were attributed to turbidity in groundwater during sample collection.

Based on the findings, AKRF concluded that, although not identified during the investigation, an on-site source could not be ruled out.

Site Information Report for 55-01 2nd Street, Long Island City, New York, Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C., June 2016

Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C. (Langan) prepared a Site Information Report to summarize due-diligence research and investigations pertaining to future development of the larger property. At the time of the report, the Site was developed with a warehouse with light commercial uses, parking lots, and loading docks. Langan reported that the Site had historical industrial uses, such as a sugar refinery, a construction company, garages, auto repair shop, and a beer distributor, since at least the 1890s. The report included information that is largely summarized throughout the remainder of AKRF's March 2019 Phase I ESA, such as Site history, database listings, and previous investigations. Langan indicated that groundwater is approximately 5 to 8 feet below grade and tidally influenced by Newtown Creek and the East River. The report also indicated that future development must follow requirements of the Newtown Creek Waterfront Access Plan.

Phase I ESA – 55-01 2nd Street, Long Island City, Queens, New York, AKRF, March 2019

AKRF prepared a Phase I ESA for the Site, which identified the following Recognized Environmental Conditions (RECs):

- Historical Sanborn maps indicated that the property that includes the Site was developed since at least the 1890s with industrial uses, including New York Sugar Refining Co., C. Hommel Stone Yard, The White Granite Co., and H.F. Burrough's Lumber Yard. Auto repair and garages with gasoline tanks were identified in the northern portion of the Site between 1915 and 1986. By 1970, Standard Folding Cartons Inc. occupied the current warehouse in the central portion of the Site, up until approximately 1991 when it was shown as a warehouse of unspecified use. Solvent tanks were identified in the southern-adjacent site (the South Block parcel) between 1977 and 1986. The northern portion of the Site was primarily occupied by parking and storage areas in the late 1980s through 2006.

- The Site was listed on the NYSDEC PBS database with several closed-removed diesel, waste oil, and lube oil USTs and ASTs. Previous investigations identified petroleum-related compounds in groundwater, including MTBE, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, and o-xylene.
- Historic fill material containing elevated concentrations of certain VOCs, SVOCs, and metals was encountered down to approximately 10 feet bgs throughout the Site during multiple environmental investigations performed between 2006 and 2013. In addition, a review of historical topographic maps and aerial photographs indicate that areas of the Site may have been filled in during and prior to the 1970s.
- The Site was assigned an (E) Designation (E-213) for hazardous materials, noise, and air as a part of the Hunter's Point South Rezoning. An (E) Designation indicates the potential presence of hazardous materials on the Site, and requires that a subsurface testing protocol be submitted to, approved by, and completed to the satisfaction of the OER before the issuance of any building permits associated with subsurface disturbance. In addition, OER will require appropriate remedial measures to be conducted prior to or as part of redevelopment (or renovation) involving subsurface disturbance or changes of the existing buildings to a more sensitive use.
- A review of the United States Department of Environmental Protection (USEPA)'s online records indicated that historical uses of properties nearby and adjacent to Newtown Creek began in the early 1800s, and included more than 50 oil refineries, petrochemical plants, fertilizer and glue factories, sawmills, and lumber and coal yards. The heavy industrial use of the adjacent and nearby properties, along with the associated commercial vessel operation on the creek resulted in industrial pollution in and along the length of the creek. In addition, the City of New York began discharging raw sewage into the creek in 1856. A Consent Order to investigate the nature and extent of sediment and surface water contamination within the creek and soil and groundwater contamination on the adjacent properties under the Superfund Program, was issued by USEPA in July 2011. The investigation was completed in early 2019; however, online records did not indicate that remediation of the creek had been undertaken as of February 2019. Contamination from current and/or historical industrial and municipal uses of the Newtown Creek and adjacent and/or surrounding properties could have affected the subsurface at the Site.
- Historical Sanborn maps, city directories, and the regulatory database information identified industrial and automotive uses in the surrounding area between 1898 and 2014, including a lumberyard, Long Island Railroad (LIRR) train yard, lumber and cement facilities, a sugar refinery, Cars and Steel Corp., Trucking Corp., New York Whitehall Transportation Co., Keystone Iron & Wire Works Inc., and Allstar Elevator & Escalator. Such uses may have affected the Site subsurface. Some facilities were also identified on the NY Spills and hazardous waste generator databases. These historical industrial and automotive uses on surrounding properties may have affected the subsurface at the Site.
- Based on the presumed age of the buildings, electrical equipment, lighting fixtures, hydraulic elevators and/or loading dock lifts, and caulk may include PCB- or mercury-containing components. No obvious leaks or odors were observed in connection with observed equipment or the lighting fixtures.

Interim Investigation Report – North Block – 2-10 54th Avenue, Long Island City, Queens, New York, AKRF, April 2020

From March 9 through March 17, 2020, AKRF conducted a subsurface investigation, which included the advancement of 14 soil borings with the collection of 28 soil samples, the installation of four temporary groundwater well points with collection of six groundwater samples from the four temporary wells and two existing permanent wells, and the installation of seven soil vapor points with the collection of seven soil vapor samples. The report included the following conclusions:

Soil

Based on the contemplated end use of the Site, soil sample analytical results were compared to UUSCOs and RRSCOs.

- Historic fill (brown and/or black sand and silt with gravel, brick, concrete, and trace amounts of asphalt, and brick) was observed between ground surface and between 5 and 11 ft bgs, which was underlain by apparent native sand, silt, and clay. VOCs were not detected in the soil cores screened with the PID, and no odors or staining was observed in the soil cores. Groundwater was encountered in the soil borings at depths ranging from approximately 5 and 8 feet bgs.
- Acetone was detected above its UUSCOs of 0.05 mg/kg in one sample, but well below its RRSCOs of 100 mg/kg. Acetone is a common laboratory contaminant. The VOC detections in the remaining soil samples were at trace concentrations.
- Elevated concentrations of nine PAHs were detected at concentrations above the UUSCOs and/or the RRSCOs in 22 of 28 soil samples collected, including: benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, fluoranthene, indeno(1,2,3-cd)pyrene, and/or pyrene. The SVOC 3-methylphenol/4-methylphenol was also detected in two samples at a total concentration above the UUSCO, but below the RRSCO. Other SVOCs detected in the remaining soil samples were at trace concentrations that did not exceed the UUSCOs or RRSCOs.
- Seven metals (arsenic, cadmium, trivalent chromium, copper, lead, mercury, and zinc) were detected at concentrations above UUSCOs and/or RRSCOs in one or more of 14 soil samples collected from the Site. Nickel was detected above the UUSCO of 30 mg/kg, but below RRSCO of 310 mg/kg, in five samples with concentrations ranging between 33.4 mg/kg and 56 mg/kg. Lead and mercury were detected at elevated concentrations possibly indicative of characteristic hazardous waste in four of the soil samples collected from the Site. All other metals were detected at variable concentrations typical of anthropogenic background and/or historic fill throughout the Site.
- Pesticides (4,4'-DDD, 4,4'-DDE, and/or 4,4'-DDT) were detected in five soil samples at concentrations above their respective UUSCOs, but below their respective RRSCOs. Other pesticides detected in the remaining samples were at trace concentrations, below the UUSCOs and RRSCOs.
- Total PCBs were detected at concentrations above the UUSCO in 10 of the soil samples, with total PCBs also exceeding the RRSCO in two of the 10 samples. The remaining PCB detections were at trace concentrations below the UUSCOs and RRSCOs.
- Three of the 21 PFAS compounds analyzed in sample SB-19_0-2_20200310 were detected at estimated trace concentrations ranging from 0.000052 mg/kg to 0.000169 mg/kg, and 1,4-dioxane was not detected in the sample.

Groundwater

Groundwater samples were compared to the NYSDEC TOGS 1.1.1. AWQSGVs, and groundwater analytical results are summarized in Tables 6 through 10.

- One VOC [dichlorodifluoromethane (Freon-12)] was detected above its AWQSGV of 5 µg/L in groundwater one sample (and its duplicate) in the sample collected from MW-19 at a concentration of 25 µg/L. No other VOCs were detected above the AWQSGVs in the samples collected.
- Several PAHs [benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, and/or indeno(1,2,3-cd)pyrene] were detected above their respective AWQSGVs in two samples and a duplicate samples. No other SVOCs detections were detected above the AWQSGVs in the samples collected.

- Four total metals (iron, magnesium, manganese, and sodium), which are naturally occurring in soil and/or brackish water, were detected in one or more of the unfiltered groundwater samples analyzed at concentrations above the AWQSGVs. The same four dissolved metals were also detected above the AWQSGVs in one or more of the filtered samples collected.
- Total PCBs were detected above the AWQSGV of 0.09 µg/L in groundwater samples MW-02_20200317 (0.246 µg/L) and MR-101P_20200317 (0.152 µg/L). PCBs were not detected at concentrations above the AWQSGVs in any of the other samples collected at the Site. Pesticides were not detected in any of the samples collected at the Site at concentrations above the AWQSGVs.
- One sample was analyzed for the NYSDEC list of 21 PFAS compounds. The total of the perfluorooctanoic acid (PFOA) and perfluorooctanesulfonate (PFOS) concentrations was compared to the USEPA's Drinking Water Health Advisory Level (DWHAL) of 70 nanograms per liter (ng/L). Total PFOA/PFOS were detected at 0.0445 ng/L, well below the combined USEPA DWHAL of 70 ng/L. The sample was also analyzed for 1,4-dioxane, which was not detected.

Soil Vapor

A total of 33 VOCs were detected in one more of the seven soil vapor samples analyzed, with the total detected VOC concentrations ranging from 492 micrograms per cubic meter (µg/m³) to 14,900,000 µg/m³. The VOC dichlorodifluoromethane was detected at a concentration of 14,900,000 µg/m³ in the sample collected from soil vapor point SV-19. Dichlorodifluoromethane was also detected at elevated concentrations in groundwater at this location (MW-19). PCE was detected in four of the samples at concentrations ranging from 2.86 µg/m³ to 81.4 µg/m³, and TCE was detected in one of the soil vapor samples at a concentration of 1.83 µg/m³. Several petroleum-related compounds were detected in all of the soil vapor samples analyzed, including benzene, toluene, ethylbenzene, and/or xylenes (collectively referred to as BTEX). BTEX was detected in six of the seven samples at concentrations ranging 73.3 µg/m³ to 736 µg/m³.

Supplement to Section IV- Property Information

Site Tax Map Information

Parcel Address	Block No.	Lot No.	Acreage
2-10 54 th Avenue	11	1	1.03
		2	0.88
		3 (partial)	1.09
		Total Acreage	3.00

2. Tax Map

A tax map of the Site and adjacent properties is provided as *Figure 4 (Attachment B)*. The Site is identified by the City of New York as Queens Block 11, Lots 1, 2, the northern portion of Lot 3. A survey showing the extents of the BCP Site, and a map showing the proposed tax lots are included in *Attachment D*.

8. Easements/Rights of Way

There is a permanent easement for a City of New York owned storm sewer along eastern Site boundary (within the footprint of the former 5th Street). The easement encroaches into eastern portion of Site between 54th Ave and Newtown Creek. The location of the storm sewer and easement are identified on the survey map of the existing development parcel provided in *Attachment E*.

9. Permits Issued by NYSDEC or USEPA

No permits have been issued for the Site by NYSDEC or USEPA to date. However, the Applicant has filed for an NYSDEC Wetlands Permit for shoreline improvements as part of redevelopment of the larger development property for the Newtown Creek Bud Site - South Block, which is not part of this BCP application.

10. Property Description and Environmental Assessment

Location – The Site, referred to as Newtown Creek Bud Site - North Block, located in the Long Island City section of Queens, New York. The current assigned address is 2-10 54th Avenue, and currently includes the addresses 55-01 2nd Street, 54-19 2nd Street, 2-02 54th Avenue, 2-10 54th Avenue, 2-12 54th Avenue, 2-16 54th Avenue, 2-20 54th Avenue, 2-22 54th Avenue, 2-50 54th Avenue, and 2-42 54th Avenue. The applicant plans to assign the Site with the address 2 Malt Way, the proposed name for the new private roadway planned as part of Site redevelopment. The application for the private road is still pending. The Applicant plans to assign the address 1 Malt Way to the Newtown Creek Bud Site – South Block parcel, which is adjacent to the Site to the south.

The Site is bounded to the north by 54th Avenue, followed by various shipping and storage warehouses (including construction supplies, and iron and wireworks); to the west by 2nd Street, followed by a construction site; to the south by the South Block Site, which comprises remainder of the central property building occupied by Electro-Harmonix Corporation and the City Harvest shipping warehouse and office, and an asphalt-paved parking lot, followed by Newtown Creek; and to the east by van and bus rental facility, followed by an air conditioning supplies and parts warehouse.

Site Features – The Site proposed for entrance into the BCP is a 130,915-square foot (sf) section of the larger 329,600-sf development property, consisting of two full tax lots (Lots 1 and 2) and one partial tax lot (the northern portion of Lot 3), and excludes Lot 4 and the southern portion of Lot 3 (the South Block site). The Site currently comprises two buildings (constructed around 1940), with one asphalt-paved parking lot. The Site is occupied by two commercial businesses (Electro-Harmonix Corporation and New York Mart Group, Inc.).

Current Zoning and Land Use – The Site is currently zoned as R7-3 (residential) for medium-density apartment house districts with a C2-5 commercial overlay along 2nd Street, as part of the Special Southern Hunters Point District (SHP), which seeks to transform an underutilized waterfront area into a higher-density mixed use development with residential and retail uses, community facilities, a public park, and waterfront open space. A Zoning Map is presented as *Figure 5* in *Attachment B*.

Past Use of the Site – Historic records identified current and historical commercial, industrial and automobile-related uses on the Site, including a sugar refinery, stone yard, lumber yard, beer distributor, and automobile repair facility with a garages and a gasoline tanks. The Site was also listed on the New York State Department of Environmental Conservation (NYSDEC) Petroleum Bulk Storage (PBS) database with several closed-removed diesel, waste oil, and lube oil USTs and aboveground storage tanks (ASTs).

Site Geology and Hydrology – Based on the U.S. Geological Survey–Brooklyn, New York 2013 Quadrangle map, the Site is approximately 6 to 7 feet above the North American Vertical Datum of 1988 (NAVD88), which is an approximation of mean sea level. Groundwater was encountered at the Site between approximately 5 and 8 feet below grade surface across the Site during AKRF's 2020 subsurface investigation. Groundwater is expected to flow in a south to southwesterly direction across the Site towards Newtown Creek and the East River. Newtown Creek is south-adjacent to the South Block site.

Soil borings, which were advanced to between 10 and 15 feet below sidewalk grade across the Site during AKRF's 2020 subsurface investigation, encountered 5 to 10 feet of historic fill material (brown and/or black

sand and silt with gravel, brick, concrete, and trace amounts of asphalt, and brick) underlain by apparent native sand, silt, and clay.

Environmental Assessment – Based on the investigations conducted to date, the primary contaminants of concern for the Site are petroleum-related VOCs, chlorinated VOCs, PAHs, and metals.

Soil – Soil sample analytical results obtained during AKRF’s 2020 subsurface investigation (as summarized in AKRF’s Interim Investigation Report, dated April 2020) were compared to NYSDEC Part 375 UUSCOs and RRSCOs.

- Acetone was detected above its UUSCOs of 0.05 mg/kg in one sample (SB-19_4-6_20200310), but well below its RRSCOs of 100 mg/kg. Acetone is a common laboratory contaminant. The VOC detections in the remaining soil samples were at trace concentrations
- Elevated concentrations of several PAHs, a class of SVOCs associated with petroleum products that are commonly found in historic fill, were detected at concentrations above the UUSCOs and/or the RRSCOs in 22 of 28 soil samples collected. PAHs, including benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, fluoranthene, indeno(1,2,3-cd)pyrene, and/or pyrene, were detected at concentrations above the RRSCOs and UUSCOs in one or both of the samples from borings SB-06 through SB-10, SB-12 through SB-15, and SB-17 through SB-20. The SVOC 3-methylphenol/4-methylphenol was also detected in two samples (SB-06_4-6_20200309 and SB-8_0-2_20200309) at a total concentration above the UUSCO, but below the RRSCO. Other SVOCs detected in the remaining soil samples were at trace concentrations that did not exceed the UUSCOs or RRSCOs
- Seven metals (arsenic, cadmium, trivalent chromium, copper, lead, mercury, and zinc) were detected at concentrations above UUSCOs and/or RRSCOs in one or more of 14 soil samples collected from the Site. Nickel was detected above the UUSCO of 30 mg/kg, but below RRSCO of 310 mg/kg, in five samples with concentrations ranging between 33.4 mg/kg and 56 mg/kg.

Elevated concentrations of lead (above 1,000 mg/kg) were detected in samples SB-06_4-6_20200309 (1,290 mg/kg), SB-17_4-6_20200310 (10,400 mg/kg), and SB-18_0-2_20200310 (1,490 mg/kg). An elevated concentration of mercury (above 1.8 mg/kg) was detected in sample SB-17_4-6_20200310 (2.97 mg/kg). All other metals were detected at variable concentrations typical of anthropogenic background and/or historic fill throughout the Site.

- Pesticides (4,4'-DDD, 4,4'-DDE, and/or 4,4'-DDT) were detected in samples SB-12_0-2_20200309, SB-13_0-2_20200309, SB-15_0-2_20200310, SB-18_4-6_20200310, and SB-19_0-2_20200310 at concentrations above their respective UUSCOs, but below their respective RRSCOs. Other pesticides detected in the remaining samples were at trace concentrations, below the UUSCOs and RRSCOs.
- Total PCBs were detected at concentrations above the UUSCO and RRSCO in samples SB-19_0-2_20200310 and SB-19_4-6_20200310. Total PCBs were detected at concentrations above the UUSCOs but below the RRSCOs in samples SB-04_0-2_20200310, SB-07_0-2_20200309, SB-07_4-6_20200309, SB-08_0-2_20200309, SB-09_0-2_20200309, SB-12_0-2_20200309, SB-13_0-2_20200309, SB-17_0-2_20200310, SB-20_0-2_20200310, and SB-20_4-6_20200310. The remaining PCB detections were at trace concentrations below the UUSCOs and RRSCOs.
- Three of the 21 PFAS compounds analyzed in sample SB-19_0-2_20200310 were detected at estimated trace concentrations ranging from 0.000052 mg/kg to 0.000169 mg/kg, and 1,4-dioxane was not detected in the sample.

Groundwater – Groundwater samples collected during previous investigations were compared to the NYSDEC TOGS AWQS.

- One VOC (dichlorodifluoromethane) was detected above its AWQSGV of 5 µg/L in groundwater sample MW-19_20200310 and its duplicate (DUP-01_20200310) at a concentration of 25 µg/L. No other VOCs were detected above the AWQSGVs in the samples collected.
- Several PAHs [benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, and/or indeno(1,2,3-cd)pyrene] were detected above their respective AWQSGVs in samples MR-101P_20200317, MW-02_20200317, and DUP-01_20200310 (collected from MW-19). No other VOCs detections were detected above the AWQSGVs in the samples collected.
- Four total metals (iron, magnesium, manganese, and sodium), which are naturally occurring in soil and/or brackish water, were detected in one or more of the unfiltered groundwater samples analyzed at concentrations above the AWQSGVs. The same four dissolved metals were also detected above the AWQSGVs in one or more of the filtered samples collected.
- Pesticides were not detected in any of the samples collected at the Site at concentrations above the AWQSGVs
- Total PCBs were detected above the AWQSGV of 0.09 µg/L in groundwater samples MW-02_20200317 (0.246 µg/L) and MR-101P_20200317 (0.152 µg/L). PCBs were not detected at concentrations above the AWQSGVs in any of the other samples collected at the Site.
- Groundwater sample MW-15_20200310 was analyzed for the NYSDEC list of 21 PFAS compounds. Although New York State does not have standards or guidance values for PFAS, the total of the perfluorooctanoic acid (PFOA) and perfluorooctanesulfonate (PFOS) concentrations was compared to the USEPA's Drinking Water Health Advisory Level (DWHAL) of 70 nanograms per liter (ng/L). Total PFOA/PFOS were detected at 0.0445 ng/L, well below the combined USEPA DWHAL of 70 ng/L. The sample was also analyzed for 1,4-dioxane, which was not detected

Soil Vapor – There are currently no standards or guidance values for soil vapor in New York State; however, the May 2017 New York State Department of Health (NYSDOH) Soil Vapor Intrusion Decision Matrix Tables A, B, and C list Matrix Values for the following compounds: TCE, cis-1,2-dichloroethylene, 1,1-dichloroethylen, carbon tetrachloride, PCE, 1,1,1-trichlorethane, methylene chloride, and vinyl chloride. The detected VOCs in soil vapor are not compared to the matrix values; however, detections of these compounds are included in the summary below.

A total of 33 VOCs were detected in one more of the seven soil vapor samples analyzed, with the total detected VOC concentrations ranging from 492.01 µg/m³ in sample SV-15_20200310 to 14,900,000 µg/m³ in sample SV-19_20200310. Dichlorodifluoromethane was detected at elevated concentrations in sample SV-19_20200310 (14,900,000 µg/m³). Dichlorodifluoromethane was also detected at elevated concentrations in groundwater at this location (in the sample collected from MW-19). PCE was detected in four of the samples at concentrations ranging from 2.86 µg/m³ to 81.4 µg/m³. TCE was detected in one of the soil vapor samples (SV-19_202003210) at a concentration of 1.83 µg/m³. Several petroleum-related compounds were detected in all of the soil vapor samples analyzed, including BTEX, which was detected in six of the seven samples at concentrations ranging 73.3 µg/m³ to 736 µg/m³.

Soil, groundwater, and soil vapor sample results are summarized in *Figures 7A, 7B, 7C, 8, and 9 (Attachment B)*.

PART B

Supplement to Section VI. – Previous Property Owners/Operators

Current owner(s):

The current owner (as defined herein) of the proposed BCP Site, located at 2-10 54th Avenue, Long Island City, Queens, NY, is Bud North LLC (The Applicant).

Prior owner(s), known corporate members, and relationship to Requestor(s):

The Applicant anticipates voluntarily investigating and remediating the Site, as required under the Brownfield Cleanup Program, as part of its redevelopment of the Site into a residential building. Previous property owners are not associated with the Applicant. Current operators and previous owners are listed below:

Table 2
Previous Property Owners and Current Operators

Lot(s)	Property Owners/ Operators	Years of Ownership/ Operation	Status of Entity (Alive, Deceased, Active, Dissolved)	Current/Last Known Address/Phone Number (if available)	Relationship to Requestor(s)	Owner/ Operator
3 and 4 (partial)	Electro-Harmonix Corporation	2008 to present	Active	55-01 2 nd Street Long Island City, NY 11101 (718) 937-8300	Tenant	Operator
1	New York Mart Group, Inc.	2008 to present	Active	239 54 th Ave, Long Island City, NY 11101 (718) 552-3154	Tenant	Operator
4 (partial)	City Harvest	2008 to present	Active	6 E 32 nd St, New York, NY 10016 (646) 412-0600	Tenant	Operator
1	Holterbosch, H. Dieter	July 2016 to May 2019	Deceased	10-25 45 th Rd Long Island City, New York 11101	None	Owner
1	HDH LLC	July 2016 to May 2019	Active	P.O. Box 1606 New York, NY 10150	None	Owner
1	Port Distributing Corp.	April 1983 to February 1987	Active	375 Park Avenue, 25 th Floor New York, NY 10152	None	Owner
1	News Syndicate Co. Inc.	December 1971 to March 1983	Inactive	435 North Michigan Avenue Chicago, IL 60611	None	Owner
1	National Sugar Refining Co.	Unknown to August 1971	Active	480 Kent Avenue Brooklyn, NY 11211	None	Owner

Supplement to Section VII. – Requestor Eligibility Information

Volunteer Status

The Applicant qualifies as a Volunteer with respect to the Site because it has not owned or operated the Site at the time of the disposal of hazardous substances, waste, and/or petroleum. The Applicant performed all appropriate inquiry prior to acquiring the Site, i.e., they retained a qualified environmental consultant to conduct a Phase I ESA and subsurface investigation at the Site and are voluntarily applying to be accepted into the BCP to undertake all required investigation and remediation of the Site prior to and/or concurrent with its redevelopment. The Applicant took possession of the Site on May 15, 2019.

Proof of Access

An access agreement to implement the Remedial Investigation and remediation under the BCP will not be required, as the Applicant owns the Site.

Supplement to Section VIII. – Property Eligibility Information

Registry Listings

b. Resource Conservation and Recovery Act (RCRA) Notifiers Listings

United States Environmental Protection Agency (USEPA) Resource Conservation Recovery Act (RCRA) Generator Database – USEPA Facility ID NYR000002535 was issued for Anheuser Busch Distributors of NY Inc. (55-01 2nd Street). The Property was listed as a Non-Generator in 2006 with the facility name, Anheuser Busch Distributors of NY Inc. The Property was also listed as an historical CESQG in 1995 of ignitable hazardous waste, benzene, methyl ethyl ketone, and PCE. No violations were reported.

Supplement to Section IX. – Contact List Information

1. Local, State, and Federal Officials

Hon. Bill de Blasio Mayor of New York City City of New York 1 Centre Street New York, NY 10007	Hon. Scott M. Stringer New York City Comptroller Office of the Comptroller, City of NY 1 Centre Street New York, NY 10007
Jumaane Williams Public Advocate 1 Centre Street New York, NY 10007	Melinda Katz Queens Borough President 120-55 Queens Boulevard Kew Gardens, NY 11424
Catherine Nolan State Assembly District 37 47-40 21 st Street Rm 810 Long Island City, NY 11101	Jimmy Van Bramer City Council District 26 47-01 Queens Boulevard Suite 205 Sunnyside, NY 11104
Commissioner NYC Department of City Planning 120 Broadway, 31 st Floor New York, New York 10271	NYC Department of City Planning Brooklyn Borough Office 16 Court Street, 7 th Floor Brooklyn, NY 11231-0103
Hon. Charles Schumer U.S. Senate 780 Third Avenue, Suite 2301 New York, NY 10017	Hon. Kirsten Gillibrand U.S. Senate 780 Third Avenue, Suite 2601 New York, New York 10017
Carolyn Maloney U.S. House of Representatives 31-19 Newtown Avenue, Astoria, NY 11102	Hon. Governor Andrew M. Cuomo NYS State Capitol Building Albany, New York 12224

Mark McIntyre, Director Mayor's Office of Environmental Remediation 100 Gold Street, 2 nd Floor New York, NY 10038	Mark Chambers, Director Mayor's Office of Environmental Sustainability 253 Broadway, 7 th Floor New York, New York 10007
John McLaughlin DEP – Bureau of Environmental Planning and Analysis 96-05 Horace Harding Expressway Flushing, New York 11373	Audrey Pheffer, County Clerk County of Kings Clerks' Office 8811 Sutphin Boulevard # 106 Jamaica, NY 11435
Vincent Sapienza Acting Commissioner, NYC Dept. of Environmental Protection 59-17 Junction Boulevard Flushing, NY 11373	Michael Gianaris New York State Senator, 12 th District 31-19 Newton Avenue # 402 Astoria, NY 11102
Debra Markell Kleinert District Manager, Queens Community Board 2 43-22 50 th Street, Suite 2B Woodside, NY 11377	Denise Keehan-Smith Chairperson, Queens Community Board 2 43-22 50 th Street, Suite 2B Woodside, NY 11377

2. Residents, Owners, and Occupants of the Site and Adjacent Properties

The Site, Tax Block 11, Lots 1, 2, and 3 (partial), is currently owned by Bud North LLC, with a mailing address of 387 Park Avenue South, 7th Floor, New York, NY 10016. The adjacent site that is included as part of the larger property development (located on Lot 4 and the remaining portion of Lot 3) is owned by Bud South LLC. A list of the remaining adjacent properties and owners is provided below:

<u>Adjacent to the north:</u>	<u>Adjacent to the east:</u>
<u>Block 13, Lot 175</u> Current Occupant 52-37 2 nd Street Queens, NY 11101 Bryce Newtown LLC (owner) c/o Bryan Cave, LLP 1290 Avenue of the Americas New York, NY 10104 <u>Block 13, Lot 160</u> Current Occupant 52-39 54 th Avenue Queens, NY 11101 Dragon Development LLC (owner) 117 Flushing Avenue Brooklyn, NY 11237	<u>Block 36, Lot 90</u> Vacant Land Bryce Newtown LLC (owner) c/o Bryan Cave, LLP 1290 Avenue of the Americas New York, NY 10104 <u>Block 36, Lot 75</u> Current Occupant 5-02 54 th Avenue Queens, NY 11101 Bryce Newtown LLC (owner) c/o Bryan Cave, LLP 1290 Avenue of the Americas New York, NY 10104

<u>Adjacent to the south:</u>	<u>Adjacent to the west:</u>
<u>Block 11, Lots 4 and 3 (partial)</u> Commercial Business and Food Charity Organization Queens, NY 11101 Bud South LLC (owner) 387 Park Avenue S, 7 th Floor New York, NY 10016	<u>Block 6 Lot 50</u> Parking Queens, NY 11101 NYC Housing Preservation and Development (owner) <u>Block 6, Lot 45</u> Outdoor Space Queens, NY 11101 NYC Department of Parks and Recreation (owner) <u>Block 6, Lot 40</u> Vacant Land Queens, NY 11101 NYC Housing Preservation and Development (owner)

3. Local News Media

New York Post 1211 Avenue of the Americas New York, New York 10036	New York Daily News 4 New York Plaza New York, New York 10004
New York 1 News 75 Ninth Avenue New York, NY 10011 Email: ny1news@ny1.com	PIX 11 220 East 42 nd Street New York, NY 10017
Queens Chronical 71-19 80 th Street, Suite 8-201 Glendale, NY 11385	Queens Gazette 42-16 34 th Avenue Long Island City, NY 11101

4. Public Water Supply

Public water is provided by The City of New York, Department of Environmental Protection:

Customer Service Center
59-17 Junction Boulevard, 13th Floor
Flushing, New York 11373

5. Additional Contacts

None.

6. Nearby School and Day Care Centers

Daycares:

Brighter Babies
50-09 2nd Avenue
Long Island City, NY 11101
Director
(718) 786-2273
Distance: 0.2 miles north of the Site

Little Ones LLC
4-74 48th Avenue
Long Island City, NY 11101
Director
(718) 392-1254
Distance: 0.4 miles north of the Site

City Owlets
10-42 Jackson Avenue
Long Island City, NY 11101
Director
(718) 786-6957
Distance: 0.5 miles northeast of the Site

Schools:

The Riverview School
1-50 51st Avenue
Long Island City, NY 11101
(718) 609-3320
Ms. Gina Raffi-Naporano, Site Coordinator
Distance: 0.2 miles north of the Site

Public School 78
48-09 Center Boulevard
Long Island City, NY 11101
(718) 392-5402
Louis Pavone, Principal
Distance: 0.4 miles north of the Site

7. Document Repositories

Queens Public Library at Hunters Point
47-40 Center Boulevard
Long Island City, NY 11101
Ms. Euni Chang, Manager
(718) 990-4150

Queens Community Board District 2
Debra Markell Kleinert, District Manager
43-22 50th Street, Suite 2B
Woodside, NY 11377
(718) 533-8773

Letters signed by representatives of the designated document repositories are included in *Attachment F*.

8. Local Community Board

Queens Community Board District 2
Debra Markell Kleinert, District Manager
43-22 50th Street, Suite 2B
Woodside, NY 11377
(718) 533-8773

Supplement to Section X. – Land Use Factors

1. Zoning

The Site is currently zoned as R7-3 (residential) for medium-density apartment house districts with a C2-5 commercial overlay along 2nd Street, as part of the Special SHP District which seeks to transform an underutilized waterfront area into a higher-density mixed use development with residential and retail uses, community facilities, a public park and waterfront open space. The proposed use of the Site is mixed-use commercial residential, which is consistent with the new zoning designation. A Zoning Map is presented as *Figure 5* in *Attachment B*.

2. Current Site Use

Currently, the Site comprises two buildings (constructed around 1940), with one asphalt-paved parking lot. The Site is occupied by two commercial businesses (Electro-Harmonix Corporation, New York Mart Group, Inc.). An Existing Land Use map is included as *Figure 6* in *Attachment B*.

3. Proposed Site Use

The proposed development plan for the Site is in design stage, and will include preparation of an RIR and RAWP, demolition of the existing buildings, and construction of two new residential towers with open spaces (roadways, walkways, and landscaping). As part of redevelopment, the larger property (comprising Block 11, Lots 1, 2, 3, and 4) is expected to be reorganized into two lots. The Site (currently Lots 1, 2, and the northern portion of 3) would be Lot 2. The Newtown Creek Bud Site - South Block (not part of this application), which is located on Lot 4 and the remaining portion of Lot 3, would be Lot 1.

4. Community Master Plans, Local Waterfront Revitalization Plans, and/or Adopted Land Use Plans

The neighborhood represented by Queens Community Board No. 2, where the proposed redevelopment site is located. R7-3 (residential) for medium-density apartment house districts with a C2-5 commercial overlay along 2nd Street, as part of the Special SHP District, which seeks to transform an underutilized waterfront area into a higher-density mixed use development with residential and retail uses, community facilities, a public park and waterfront open space.

ATTACHMENT A

NYS Department of State's Corporation and Business Entity Database Information

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through July 21, 2020.

Selected Entity Name: BUD NORTH LLC

Selected Entity Status Information

Current Entity Name: BUD NORTH LLC

DOS ID #: 5547170

Initial DOS Filing Date: MAY 06, 2019

County: NEW YORK

Jurisdiction: DELAWARE

Entity Type: FOREIGN LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

BUD NORTH LLC

ATTN: GENERAL COUNSEL

387 PARK AVE SOUTH, 7TH FL

NEW YORK, NEW YORK, 10016

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate](#).

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
-------------	---------------	--------------------

No Information Available

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
JAN 16, 2020	Actual	BUD NORTH LLC
MAY 06, 2019	Actual	55-01 F LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

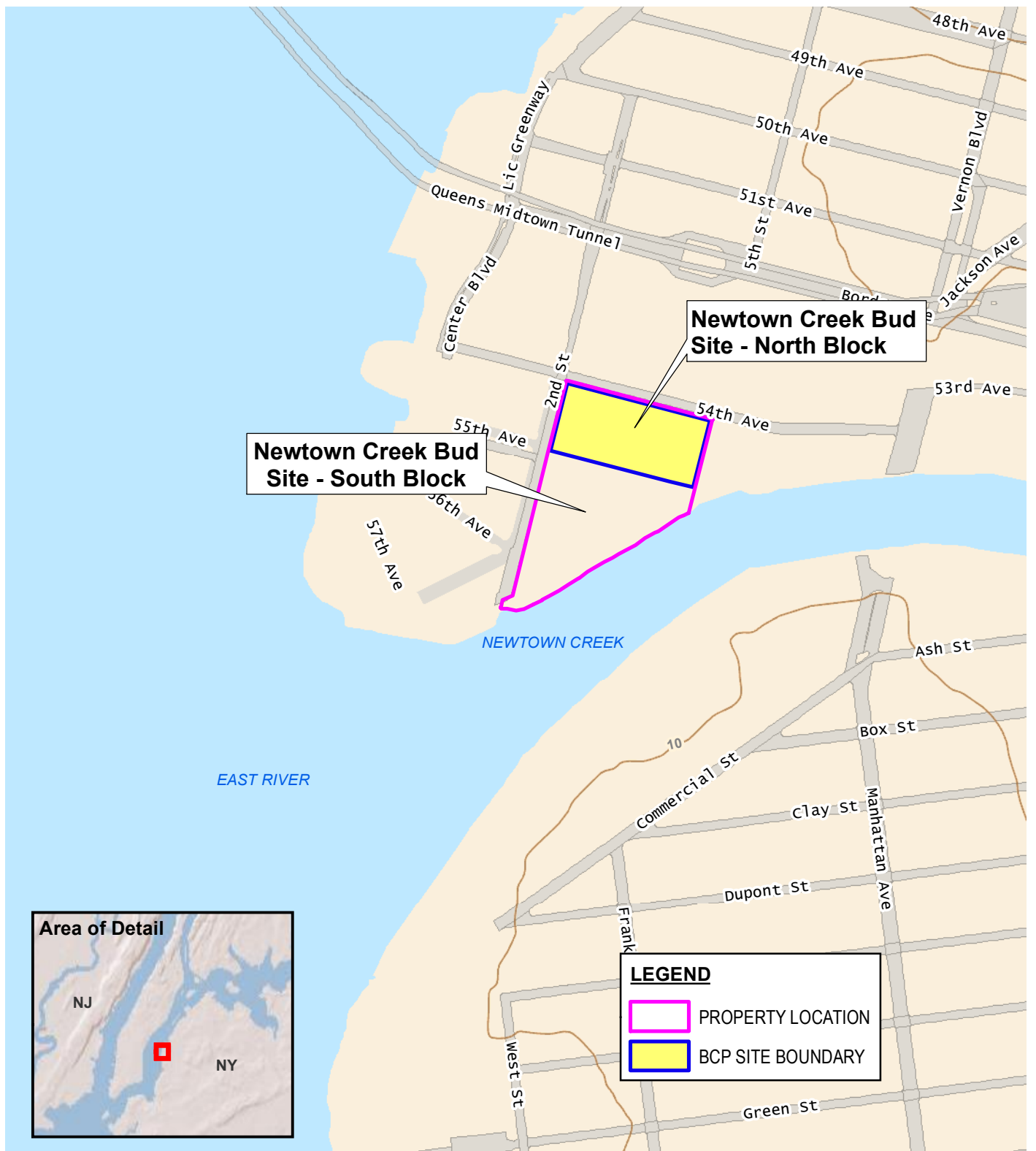
NOTE: New York State does not issue organizational identification numbers.

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ATTACHMENT B

Figures



440 Park Avenue South, New York, NY 10016

Newtown Creek Bud Site - North Block
2-10 54th Avenue - Long Island City, New York

SITE LOCATION

DATE

10/8/2020

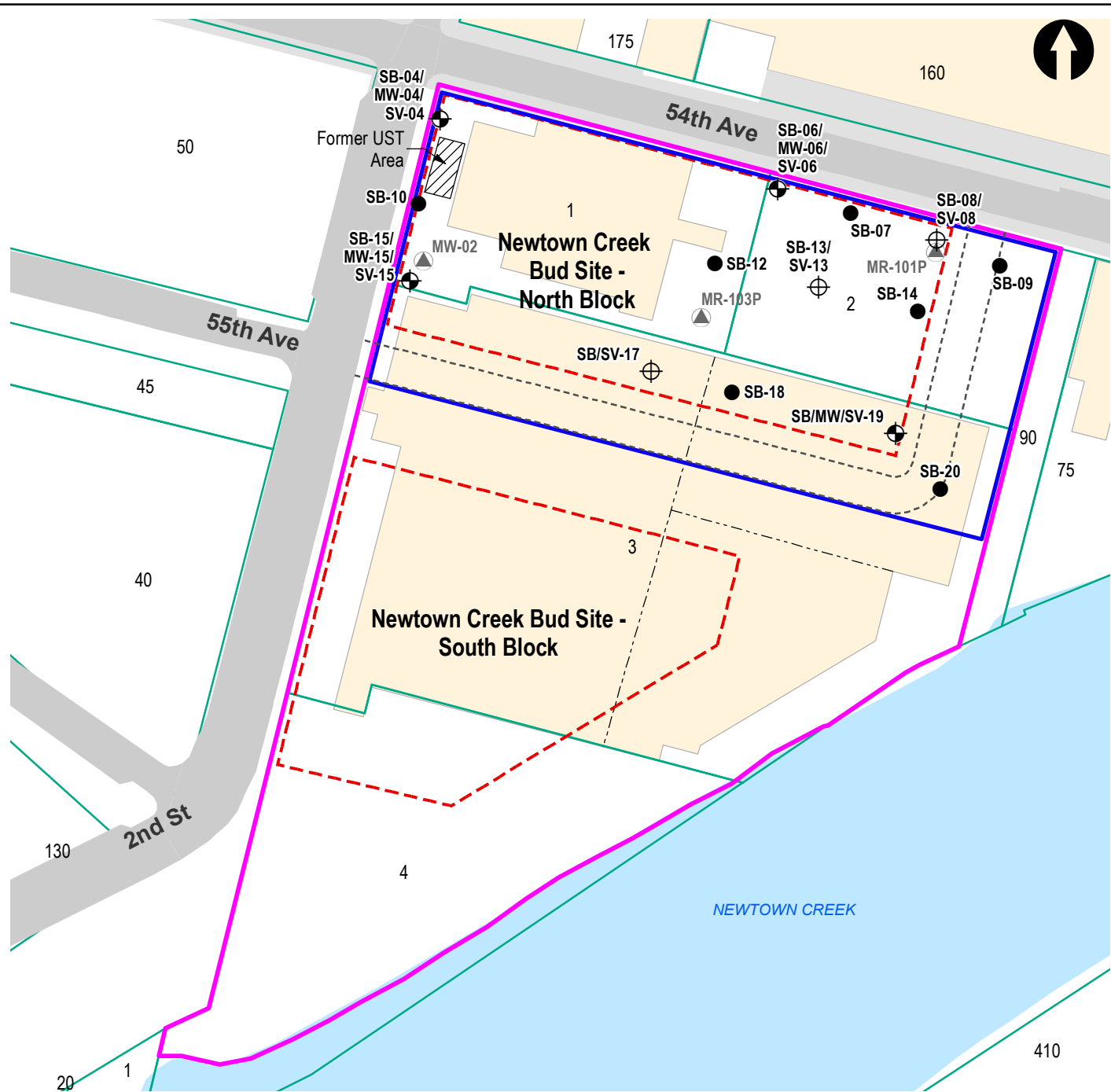
PROJECT NO.

200112

FIGURE

1

©2020 AKRF W:\Projects\200112 - BUD NORTH\Technical\GIS and Graphics\shazmat\200112 Fig 2 Site Plan Sample Locations.mxd 10/8/2020 3:02:33 PM iszalus



LEGEND

PROPERTY BOUNDARY

BCP SITE BOUNDARY

EXISTING BUILDING

APPROXIMATE LOCATION OF PROPOSED ROAD

PROPOSED BUILDING FOOTPRINT

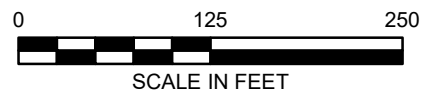
LOT BOUNDARY AND TAX LOT NUMBER

EXISTING MONITORING WELL LOCATION

SOIL BORING LOCATION

SOIL BORING/GROUNDWATER/SOIL VAPOR POINT LOCATION

SOIL BORING/SOIL VAPOR POINT LOCATION



440 Park Avenue South, New York, NY 10016

Newtown Creek Bud Site North Block
2-10 54th Avenue - Long Island City, New York

**SITE PLAN AND PREVIOUS
SAMPLING LOCATIONS**

DATE

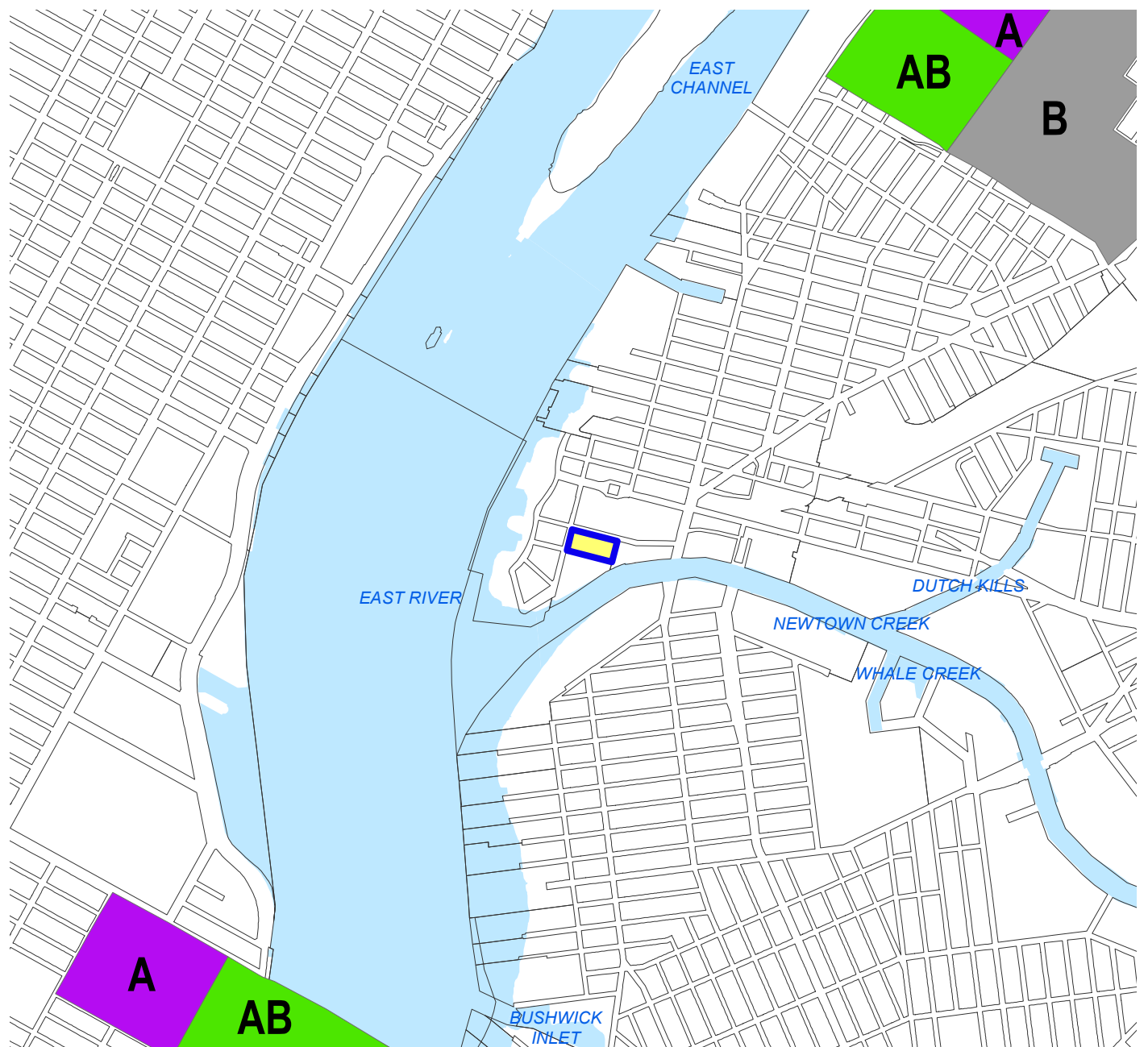
10/8/2020

PROJECT NO.

200112

FIGURE

2



LEGEND



BCP SITE BOUNDARY



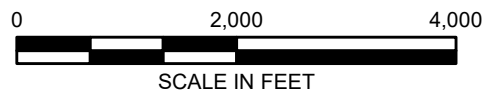
CRITERIA A, Y - INDICATOR FOR CENSUS TRACT HAVING A "POVERTY RATE OF AT LEAST 20% AND UNEMPLOYMENT RATE OF AT LEAST 125% THE STATEWIDE UNEMPLOYMENT RATE." 'Y' INDICATES THAT THE CENSUS TRACT MEETS THIS CRITERIA



CRITERIA B, Y - INDICATOR FOR CENSUS TRACT HAVING A "POVERTY RATE OF AT LEAST 2 TIMES THE POVERTY RATE FOR THE COUNTY." 'Y' INDICATES THAT THE CENSUS TRACT MEETS THIS CRITERIA.



CRITERIA AB, Y - INDICATOR THAT THE CENSUS TRACT MEETS BOTH CRITERIA A AND B. 'Y' INDICATES THAT THE CENSUS TRACT MEETS THIS CRITERIA



440 Park Avenue South, New York, NY 10016

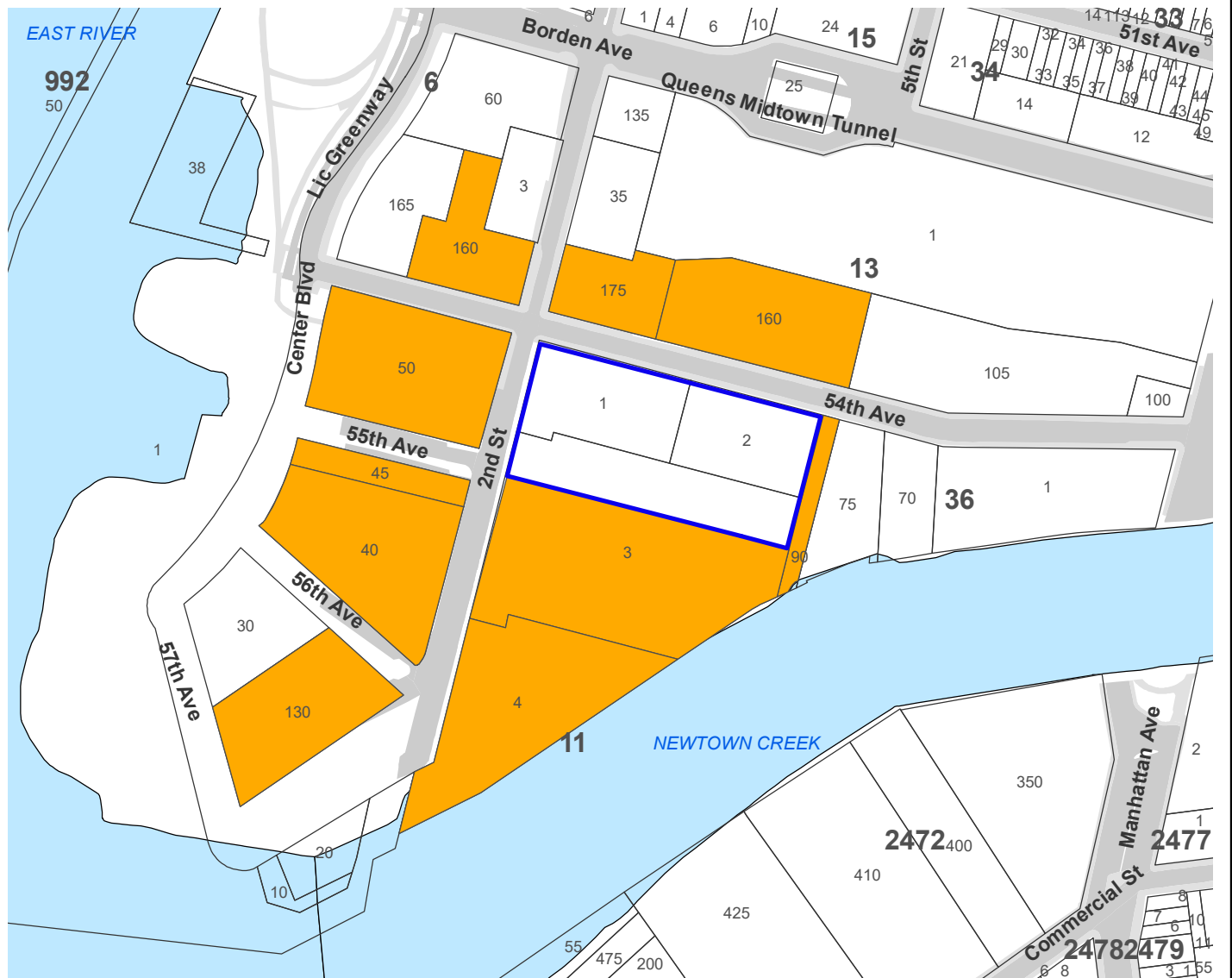
Newtown Creek Bud Site - North Block
2-10 54th Avenue - Long Island City, New York

EN-ZONE BOUNDARY MAP

DATE
10/13/2020

PROJECT NO.
200112

FIGURE
3



Map Source:
NYC DCP (NYC Dept. of City Planning) GIS database

LEGEND

- BCP SITE BOUNDARY
- ADJACENT PROPERTY
- 3 LOT BOUNDARY AND TAX LOT NUMBER
- 13** BLOCK NUMBER
- WATER

Adjacent Property Owners			
Address	Block	Lot	OwnerName
52-37 2 nd Street	13	43	52-35 Second Llc
2 nd Street	6	34	NYC Transit
2 nd Street	6	136	Nyc Department Of Parks And Recreation
2 nd Street	6	137	Nyc Housing Preservation And Development
2-39 54 th Avenue	13	44	Dragon Development Llc
2 nd Street	6	139	Nyc Department Of Education
1-55 54 th Avenue	6	35	Unavailable Owner
54 th Avenue	36	26	Rudolph Family B, Llc
2 nd Street	6	138	Nyc Housing Preservation And Development
55-01 2 nd Street	11	3 (partial) and 4	Bud South LLC



440 Park Avenue South, New York, NY 10016

Newtown Creek Bud Site - North Block
2-10 54th Avenue - Long Island City, New York

TAX MAP & SURROUNDING PROPERTIES

DATE

10/13/2020

PROJECT NO.

200112

FIGURE

4

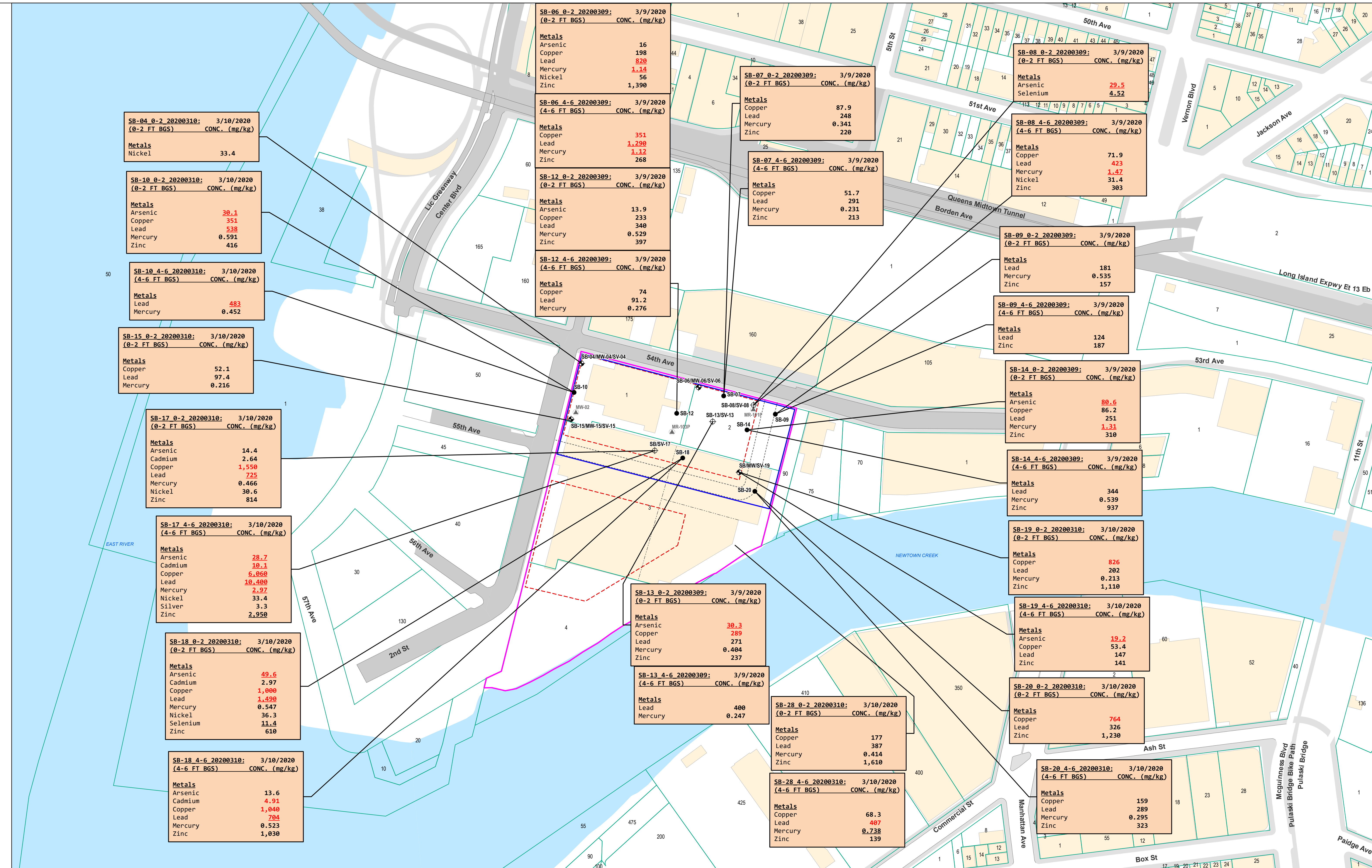
Newtown Creek Bud Site - North Block
2-10 54th Avenue - Long Island City, New York

Soil Sample Concentrations Above NYSDEC
UUSCOs and RRSCOs - Metals

FIGURE
7C

PROJECT NO.
200112

DATE
10/8/2020



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	UUSCOs mg/kg	RRSCOs mg/kg	PGWSCOs mg/kg
Metals			
Arsenic	13	16	16
Cadmium	2.5	4.3	7.5
Copper	50	270	1720
Lead	63	400	450
Mercury	0.18	0.81	0.73
Nickel	30	310	130
Selenium	3.9	180	4
Silver	2	180	8.3
Zinc	109	10,000	2,480

Part 375 Soil Cleanup Objectives (SCOs): SCOs listed in the New York State Department of Environmental Conservation (NYSDEC) "Part 375" Regulations (6 NYCRR Part 375).

Exceedances of UUSCOs are shown in **Bold**.
Exceedances of RRSCOs are shown in **Red**.
Exceedances of PGWSCOs are Underlined.
mg/kg: milligrams per kilogram = parts per million (ppm)

Sample ID: SB-28 0-2 20200310: 3/10/2020
(0-2 FT BGS) CONC. (mg/kg)

Metals

Copper	177
Lead	387
Mercury	0.414
Zinc	1,610

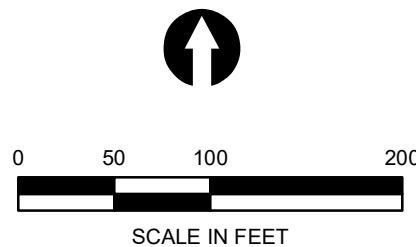
Sample Date: 3/10/2020

Concentration: 0.414

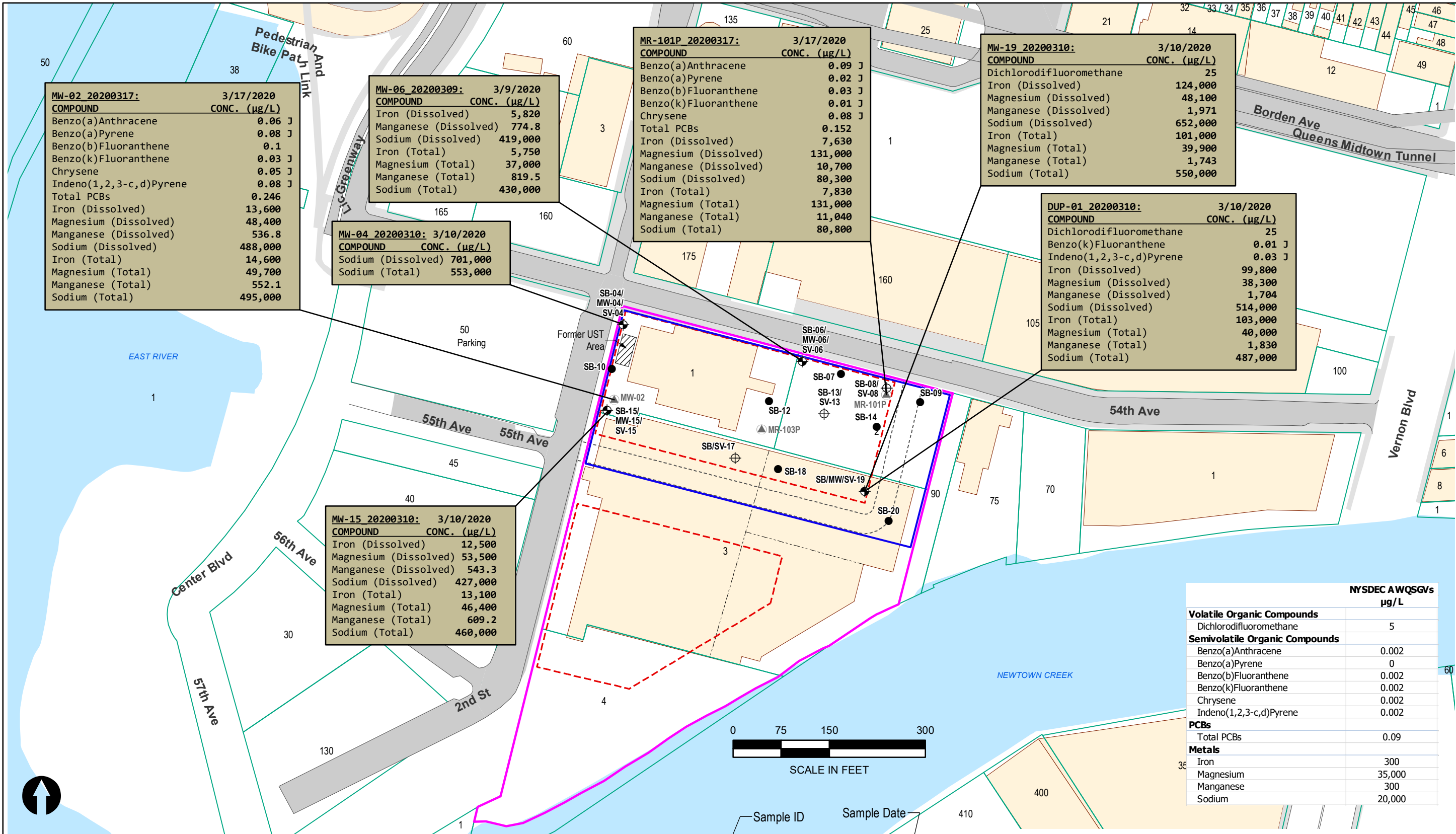
Analyte/Compound: Zinc

LEGEND

- PROPERTY BOUNDARY
- BCP SITE BOUNDARY
- PROPOSED BUILDING FOOTPRINT
- APPROXIMATE LOCATION OF PROPOSED ROAD
- LOT BOUNDARY
- EXISTING MONITORING WELL LOCATION
- SOIL BORING LOCATION
- SOIL BORING/GROUNDWATER/SOIL VAPOR POINT LOCATION
- SOIL BORING/SOIL VAPOR POINT LOCATION



©2020 AKRF W:\Projects\200112 - BUD NORTH\Technical\GIS and Graphics\hazmat\BCPApp\200112 Fig 8 Groundwater Sample Concentrations Above NYSDEC AWQSGVs.mxd10/8/2020 3:34:46 PM jszalus



LEGEND

PROPERTY BOUNDARY

BCP SITE BOUNDARY

PROPOSED BUILDING FOOTPRINT

APPROXIMATE LOCATION OF PROPOSED ROAD

LOT BOUNDARY

EXISTING MONITORING WELL LOCATION

SOIL BORING LOCATION

SOIL BORING/GROUNDWATER/SOIL VAPOR POINT LOCATION

SOIL BORING/SOIL VAPOR POINT LOCATION

Sample ID	Sample Date
MW-02 20200317:	3/17/2020
COMPOUND CONC. (µg/L)	
SVOC	
Benzo(a)Anthracene	0.06 J
Benzo(a)Pyrene	0.08 J
Benzo(b)Fluoranthene	0.1

Analyte/Compound

Concentration

NYSDEC TOGS Class GA Ambient Water Quality Standard and Guidance Values (AWQSGVs):
New York State Department of Environmental Conservation (NYSDEC)
Technical and Operational Guidance Series (TOGS) (1.1.1):

µg/L: micrograms per Liter = parts per billion (ppb)

Only Exceedances of NYSDEC AWQSGVs are shown.

J: The concentration given is an estimated value.

NYSDEC AWQSGVs µg/L	
Volatile Organic Compounds	
Dichlorodifluoromethane	5
Semivolatile Organic Compounds	
Benzo(a)Anthracene	0.002
Benzo(a)Pyrene	0
Benzo(b)Fluoranthene	0.002
Benzo(k)Fluoranthene	0.002
Chrysene	0.002
Indeno(1,2,3-c,d)Pyrene	0.002
PCBs	
Total PCBs	0.09
Metals	
Iron	300
Magnesium	35,000
Manganese	300
Sodium	20,000

AKRF

440 Park Avenue South, New York, NY 10016

Newtown Creek Bud Site - North Block

2-10 54th Avenue - Long Island City, New York

DATE

10/8/2020

PROJECT NO.

200112

FIGURE

8

Groundwater Sample Concentrations Above NYSDEC AWQSGVs

© 2020 AKRF W:\Projects\200112 - BUD NORTH\Technical\GIS and Graphics\hazmat\BCP\200112 Fig 9 Soil Vapor Concentrations.mxd 10/8/2020 3:25:25 PM iszalus



SV-04 20200310:	
COMPOUND	3/10/2020 CONC. (µg/m³)
1,2,4-Trimethylbenzene	68.3
1,3,5-Trimethylbenzene (Mesitylene)	27.1
2-Hexanone	4.88
4-Ethyltoluene	19.2
Acetone	157
Benzene	52.4
Carbon Disulfide	35.2
Cyclohexane	2.58
Dichlorodifluoromethane	2,950
Ethylbenzene	29.6
Isopropanol	1.65
M,P-Xylenes	59.1
Methyl Ethyl Ketone (2-Butanone)	14.8
N-Heptane	5.41
N-Hexane	3.88
O-Xylene (1,2-Dimethylbenzene)	36.9
Styrene	1.21
Tetrachloroethylene (PCE)	3.13
Tetrahydrofuran	1.53
Toluene	31.1
Trichlorofluoromethane	2.35

SV-15 20200310:	
COMPOUND	3/10/2020 CONC. (µg/m³)
1,2,4-Trimethylbenzene	70.8
1,3-Butadiene	1.97
1,3,5-Trimethylbenzene (Mesitylene)	17.2
2-Hexanone	4.08
4-Ethyltoluene	16.5
Acetone	146
Benzene	9.46
Carbon Disulfide	39.9
Cyclohexane	62
Dichlorodifluoromethane	18.1
Ethanol	10.7
Ethylbenzene	7.04
M,P-Xylenes	35.7
Methyl Ethyl Ketone (2-Butanone)	10.1
N-Heptane	4.92
N-Hexane	10.6
O-Xylene (1,2-Dimethylbenzene)	14.6
Tert-Butyl Alcohol	5.82
Toluene	6.52

SV-06 20200309:	
COMPOUND	3/9/2020 CONC. (µg/m³)
1,2,4-Trimethylbenzene	89.5
1,3-Butadiene	0.484
1,3,5-Trimethylbenzene (Mesitylene)	24.4
2,2,4-Trimethylpentane	113
4-Ethyltoluene	26.2
Acetone	622
Benzene	2.02
Carbon Disulfide	10.1
Cyclohexane	3.35
Dichlorodifluoromethane	3.11
Ethylbenzene	14.8
Isopropanol	1.47
M,P-Xylenes	66
Methyl Ethyl Ketone (2-Butanone)	22.9
N-Heptane	56.6
N-Hexane	46.9
O-Xylene (1,2-Dimethylbenzene)	29.1
Styrene	0.932
Tert-Butyl Alcohol	3.91
Toluene	8.89
Trichlorofluoromethane	27.3

SV-13 20200309:	
COMPOUND	3/9/2020 CONC. (µg/m³)
1,2,4-Trimethylbenzene	91.4
Acetone	649
Cyclohexane	1,310
Dichlorodifluoromethane	233
N-Heptane	140

SV-08 20200309:	
COMPOUND	3/9/2020 CONC. (µg/m³)
1,2,4-Trimethylbenzene	58
1,3-Butadiene	2.61
1,3,5-Trimethylbenzene (Mesitylene)	15.3
2,2,4-Trimethylpentane	6.73
4-Ethyltoluene	15.5
Acetone	359
Benzene	4.06
Carbon Disulfide	2.9
Chloroform	2.29
Chloromethane	0.64
Cyclohexane	3.86
Dichlorodifluoromethane	9.84
Ethylbenzene	11.1
Isopropanol	1.38
M,P-Xylenes	47.8
Methyl Ethyl Ketone (2-Butanone)	14.9
Methylene Chloride	7.92
N-Heptane	5.86
N-Hexane	6.17
O-Xylene (1,2-Dimethylbenzene)	19.5
Tert-Butyl Alcohol	2.99
Tetrachloroethylene (PCE)	2.86
Toluene	12.7
Trichlorofluoromethane	3.94

SV-19 20200310:	
COMPOUND	3/10/2020 CONC. (µg/m³)
1,1,1-Trichloroethane	2.98
1,2,4-Trimethylbenzene	61
1,3-Butadiene	0.659
1,3,5-Trimethylbenzene (Mesitylene)	14.9
2,2,4-Trimethylpentane	6.45
4-Ethyltoluene	14.5
Acetone	141
Benzene	151
Carbon Disulfide	12.2
Cyclohexane	5.58
Dichlorodifluoromethane	1.49e+07
Ethanol	59.5
Ethylbenzene	399
Isopropanol	12.9
M,P-Xylenes	104
Methyl Ethyl Ketone (2-Butanone)	19.8
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	4.84
Methylene Chloride	2.5
N-Heptane	15.3
N-Hexane	16
O-Xylene (1,2-Dimethylbenzene)	32.2
Styrene	108
Tert-Butyl Alcohol	12.3
Tetrachloroethylene (PCE)	2.26
Tetrahydrofuran	4.93
Toluene	49.7
Trichloroethylene (TCE)	1.83
Trichlorofluoromethane	86

SV-17 20200310:	
COMPOUND	3/10/2020 CONC. (µg/m³)
1,2,4-Trimethylbenzene	70.3
1,3-Butadiene	1.85
1,3,5-Trimethylbenzene (Mesitylene)	24
4-Ethyltoluene	20.5
Acetone	295
Benzene	43.4
Carbon Disulfide	17
Chloroform	1.08
Cyclohexane	8.61
Dichlorodifluoromethane	524,000
Ethanol	90.1
Ethylbenzene	183
Isopropanol	60.7
M,P-Xylenes	235
Methyl Ethyl Ketone (2-Butanone)	22.1
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	4.84
N-Heptane	18.6
N-Hexane	23.7
O-Xylene (1,2-Dimethylbenzene)	84.7
Styrene	36
Tert-Butyl Alcohol	7.43
Tetrachloroethylene (PCE)	81.4
Tetrahydrofuran	1.82
Toluene	32
Trichlorofluoromethane	70.8

LEGEND

PROPERTY BOUNDARY

BCP SITE BOUNDARY

PROPOSED BUILDING FOOTPRINT

APPROXIMATE LOCATION OF PROPOSED ROAD

LOT BOUNDARY

EXISTING MONITORING WELL LOCATION

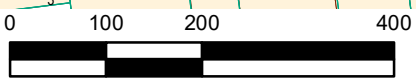
SOIL BORING LOCATION

SOIL BORING/GROUNDWATER/SOIL VAPOR POINT LOCATION

SOIL BORING/SOIL VAPOR POINT LOCATION

Notes

Only detections are shown in this figure.



SCALE IN FEET



440 Park Avenue South, New York, NY 10016

2-10 54th Avenue - Long Island City, New York

2-10 54th Avenue - Long Island City, New York

SOIL VAPOR CONCENTRATIONS

DATE

10/8/2020

PROJECT NO.

200112

FIGURE

9

ATTACHMENT C

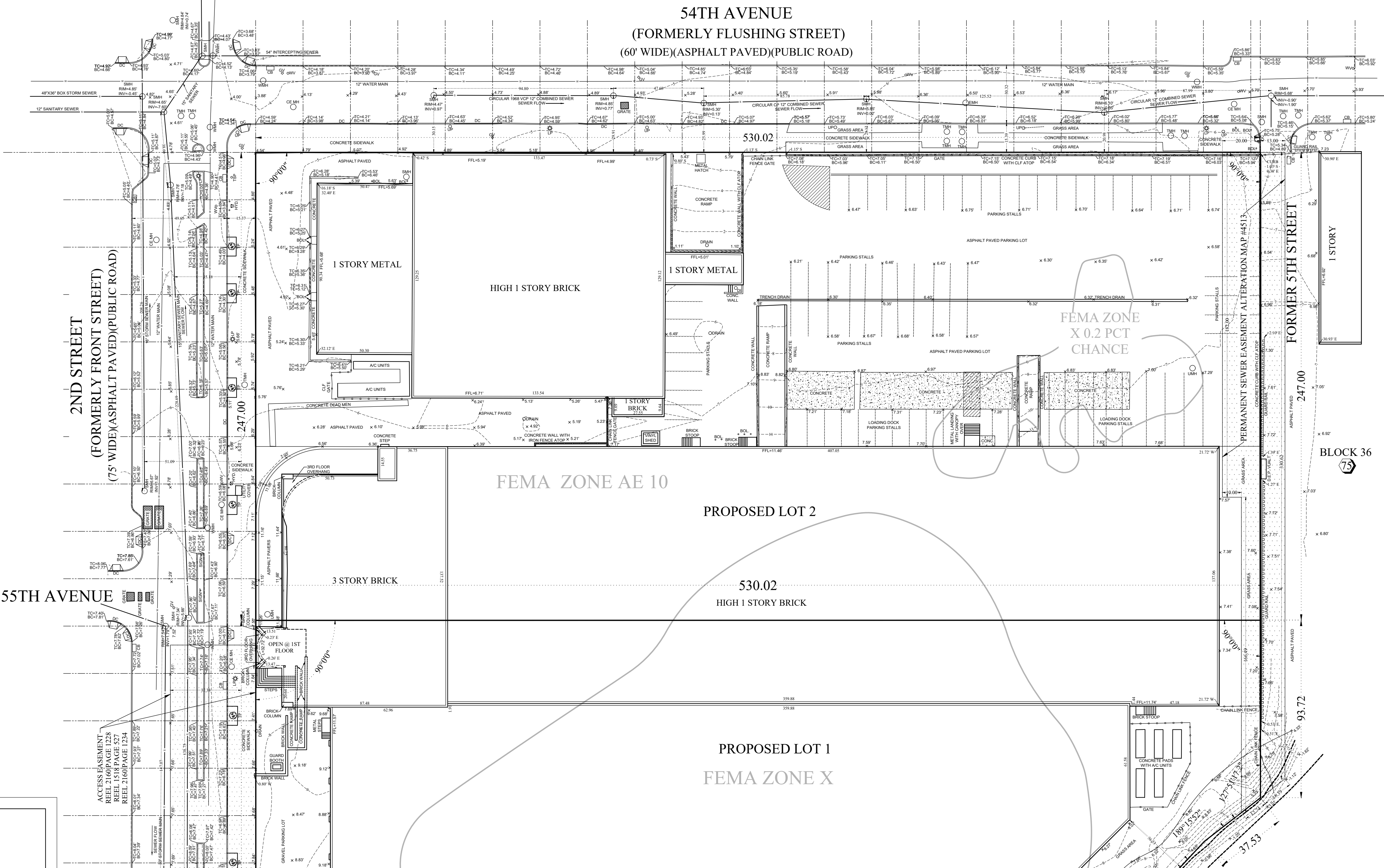
Previous Environmental Reports (under separate cover)

ATTACHMENT D
Proposed Lot Survey and Tax Plan Map

BLOCK: 11
PROPOSED LOT: 2
TOTAL LOT AREA:
SQ. FT.: 130,914.94
ACRES: 3.0054

ARCHITECTURAL SURVEY

TITLE NO.



LEGEND		
—W—W—	WATER MAIN	DC DROP CURB
—E—E—	ELECTRIC MAIN	TC TOP OF CURB
—G—G—	GAS MAIN	BC BOTTOM OF CURB
—S—S—	SEWER LINE	CL CENTER LINE OF ROAD
—ST—ST—	STEAM MAIN	BW BACK OF WALK
—T—T—	TELEPHONE LINE	CLF CHAIN LINK FENCE
----	OVERHEAD UTILITY WIRES	WIF WROUGHT IRON FENCE
CE MH	CON ED MANHOLE COVER	WSF WOOD STOCKADE FENCE
EMH	ELECTRIC MANHOLE COVER	PRF POST AND RAIL FENCE
WMH	WATER MANHOLE COVER	CE CELLAR ENTRANCE
SMH	SEWER MANHOLE COVER	PA PLANTED AREA
TMH	TELEPHONE MANHOLE COVER	T.P. TREE PIT
CO MH	CLEAN OUT MANHOLE COVER	C.B. CATCH BASIN
WV	WATER VALVE	MM MUNI-METER
GV	GAS VALVE	EB ELECTRIC BOX
UP	UTILITY POLE	TSP TRAFFIC SIGN POLE
AS	AUTO SPRINKLER	LP LIGHT POLE
SP	STAND PIPE	— SIGN
HYD.	FIRE HYDRANT	○ TAX LOT
OF	OIL FILL	

NOTES:

CURRENT D.E.P. SEWER AND WATER MAPS DO NOT INDICATE ANY UTILITY LINES ON 2ND STREET. SEWER MANHOLE LOCATIONS, ELEVATIONS, AND INVERTS ARE FROM FIELD MEASUREMENTS. CONNECTIONS AND PIPE SIZES ARE UNKNOWN

ALL ELEVATIONS ARE IN NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88)

ALL UNDERGROUND UTILITIES INDICATED HEREON HAVE BEEN PLOTTED FROM MAPS AS PROVIDED BY THE RESPECTIVE UTILITY COMPANIES AND/OR GOVERNMENTAL AGENCIES. WE BEAR NO RESPONSIBILITY FOR THEIR ACCURACY OR COMPLETENESS. IT IS THE OWNERS RESPONSIBILITY TO CONTACT THE APPROPRIATE UTILITY COMPANY PRIOR TO ANY EXCAVATION IN ORDER TO VERIFY ALL UTILITY LOCATIONS.

ALL MANHOLE COVERS PLOTTED FROM ACTUAL FIELD MEASUREMENTS. INVERT ELEVATIONS FIELD VERIFIED.

CAUTION: BEFORE DOING ANY DIGGING OR DRILLING ON THIS SITE IT IS REQUIRED THAT SUB-SURFACE SERVICE, INCLUDING THE UNDERGROUND MAINS, DUCTS & CABLES BE MARKED AND IDENTIFIED BY THE UTILITY INVOLVED. THIS SHOULD BE DONE BY PROVIDING THE AFFECTED UTILITY WITH THE NOTICE REFERRED TO IN THE STATE OF NEW YORK INDUSTRIAL CODE 53.

PROPOSED LOT 2

ALL that certain plot, piece or parcel of land, situate, lying and being in the County of Queens, City and State of New York, more particularly bounded and described as follows;

BEGINNING at a point formed by the intersection of the southerly side of 54th Avenue, formerly Flushing Street and the easterly side of 2nd Street, formerly Front Street;

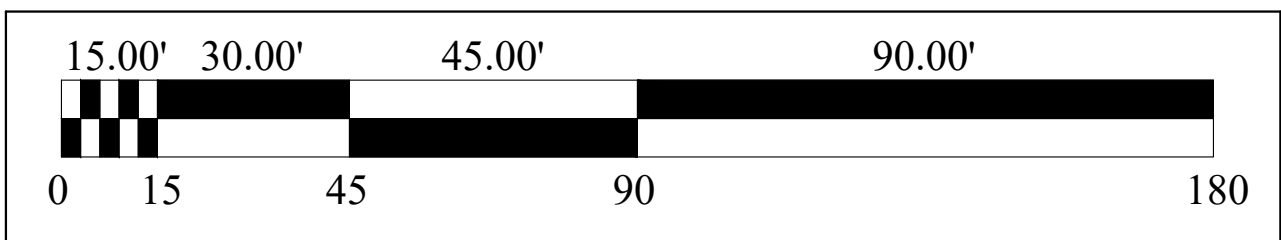
RUNNING THENCE easterly along the southerly side of 54th Avenue, 530.02 feet to a point in the former center line of 5th Street;

THENCE southerly along the former center line of 5th Street, at right angles to 54th Avenue, 247.00 feet to a point;

THENCE westerly at right angles with the last described course, 530.02 feet to the easterly line of 2nd Street, formerly Front Street;

THENCE northerly at right angles with the last described course and along the easterly line of 2nd Street, 247.00 feet to the point or place of BEGINNING.

REVISED: SEPTEMBER 23, 2020: PROPOSED LOT



SCALE: 1" = 30'

SURVEYED: JUNE 6, 2019

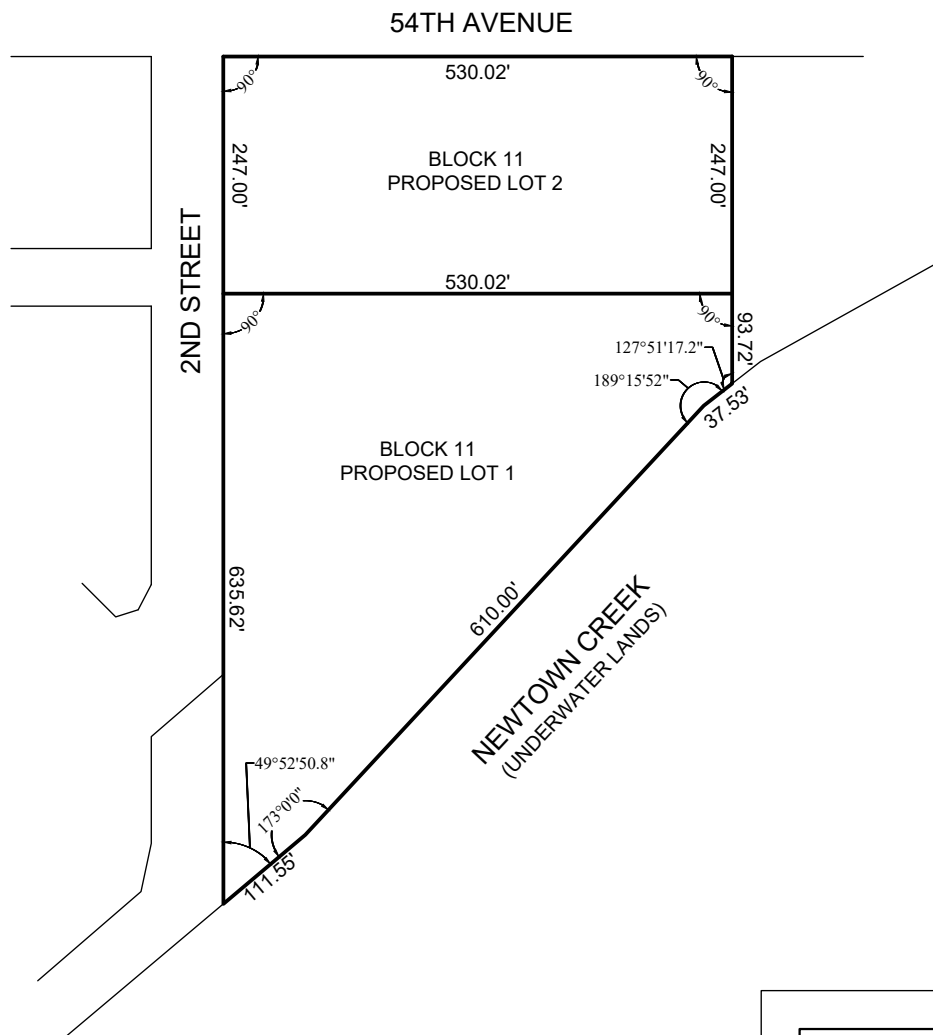
SURVEY OF PROPERTY SITUATED IN:
55-01 2ND STREET
BOROUGH OF QUEENS
COUNTY OF QUEENS
CITY OF NEW YORK
STATE OF NEW YORK

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 2209 OF THE NEW YORK STATE EDUCATION LAW.
COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYORS INCISED SEAL OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.
GUARANTEES INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON THE BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. GUARANTEES ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

FEHRINGER SURVEYING, P.C.
ROBERT FEHRINGER
LICENSED LAND SURVEYOR
WWW.FEHRINGERSURVEYING.COM
2200 JACKSON AVENUE
SEAFORD, N.Y. 11783
(516) 763 - 5515 FAX NO. (516) 763 - 5525
FS@FEHRINGERSURVEYING.COM

DRAWN BY: MF

LOT DIAGRAM



DRAWN BY: FS

SCALE: 1" = 200'

DRAWN: SEPTEMBER 23, 2020

SURVEY OF PROPERTY SITUATED IN:

55-01 2ND STREET
BOROUGH OF QUEENS
COUNTY OF QUEENS
CITY OF NEW YORK
STATE OF NEW YORK

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.

COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S INKED SEAL OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.

GUARANTEES INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. GUARANTEES ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

FEHRINGER SURVEYING, P.C.

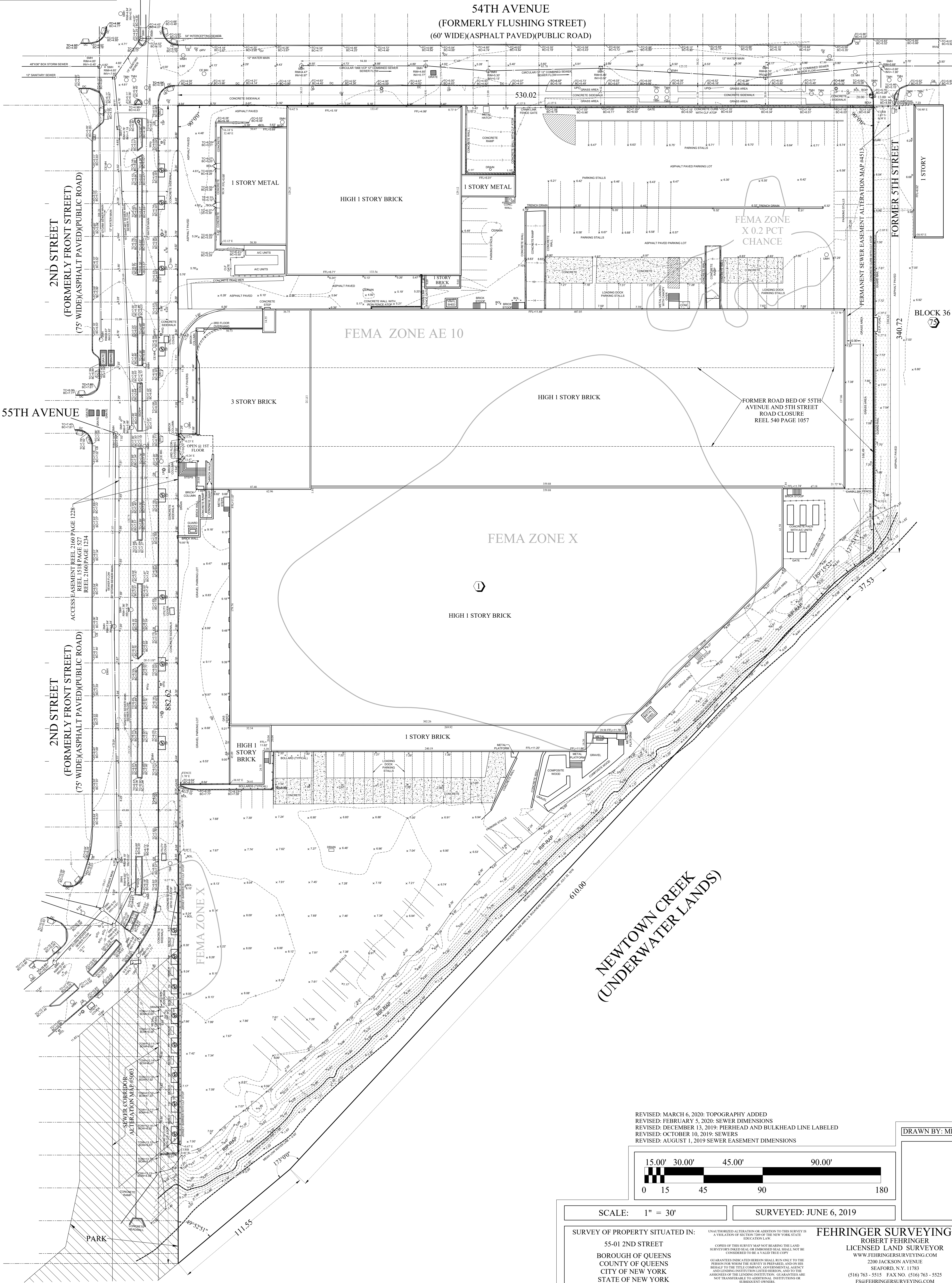
ROBERT FEHRINGER
LICENSED LAND SURVEYOR
WWW.FEHRINGERSURVEYING.COM

2200 JACKSON AVENUE
SEAFORD, N.Y. 11783
(516) 763 - 5515 FAX NO. (516) 763 - 5525
FS@FEHRINGERSURVEYING.COM

ATTACHMENT E
Existing Property Survey

BLOCK: 11
LOT: 1
TOTAL LOT AREA:
SQ. FT.: 326,421.79
ACRES: 7.4936

ARCHITECTURAL SURVEY



NOTES:

CURRENT D.E.P. SEWER AND WATER MAPS DO NOT INDICATE ANY UTILITY LINES ON 2ND STREET. SEWER MANHOLE LOCATIONS, ELEVATIONS, AND INVERTS ARE FROM FIELD MEASUREMENTS. CONNECTIONS AND PIPE SIZES ARE UNKNOWN.

THIS IS TO CERTIFY THAT THERE ARE NO VISIBLE STREAMS OR NATURAL WATER COURSES IN THE PROPERTY AS SHOWN ON THIS SURVEY.

ALL ELEVATIONS ARE IN NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD8S).

ALL UNDERGROUND UTILITIES INDICATED HEREON HAVE BEEN PLOTTED FROM MAPS AS PROVIDED BY THE RESPECTIVE UTILITY COMPANIES AND/OR GOVERNMENTAL AGENCIES. WE BEAR NO RESPONSIBILITY FOR THEIR ACCURACY OR COMPLETENESS. IT IS THE OWNERS RESPONSIBILITY TO CONTACT THE APPROPRIATE UTILITY COMPANY PRIOR TO ANY EXCAVATION IN ORDER TO VERIFY ALL UTILITY LOCATIONS.

ALL MANHOLE COVERS PLOTTED FROM ACTUAL FIELD MEASUREMENTS. INVERT ELEVATIONS FIELD VERIFIED.

CAUTION:

BEFORE DOING ANY DIGGING OR DRILLING ON THIS SITE IT IS REQUIRED THAT SUB-SURFACE SERVICE, INCLUDING THE UNDERGROUND MAINS, DUCTS & CABLES BE MARKED AND IDENTIFIED BY THE UTILITY INVOLVED. THIS SHOULD BE DONE BY PROVIDING THE AFFECTED UTILITY WITH THE NOTICE REFERRED TO IN THE STATE OF NEW YORK INDUSTRIAL CODE 53.

LEGEND			
—W—W—	WATER MAIN	DC	DROP CURB
—E—E—	ELECTRIC MAIN	TC	TOP OF CURB
—G—G—	GAS MAIN	BC	BOTTOM OF CURB
—S—S—	SEWER LINE	CL	CENTER LINE OF ROAD
—ST—ST—	STEAM MAIN	BW	BACK OF WALK
—T—T—	TELEPHONE LINE	CLF	CHAIN LINK FENCE
----	OVERHEAD UTILITY WIRES	WIF	WROUGHT IRON FENCE
CE MH ○	CON ED MANHOLE COVER	WSF	WOOD STOCKADE FENCE
EMH ○	ELECTRIC MANHOLE COVER	PRF	POST AND RAIL FENCE
WMH ○	WATER MANHOLE COVER	CE	CELLAR ENTRANCE
SMH ○	SEWER MANHOLE COVER	PA	PLANTED AREA
TMH ○	TELEPHONE MANHOLE COVER	T.P. (S)	TREE PIT
CO MH ○	CLEAN OUT MANHOLE COVER	(CB)	CATCH BASIN
WV ○	WATER VALVE	MM □	MUNI-METER
GV ◇	GAS VALVE	EB □	ELECTRIC BOX
UP ○	UTILITY POLE	TSP ○	TRAFFIC SIGN POLE
AS ○	AUTO SPRINKLER	BOL ○	BOLLARD
SP ○	STAND PIPE	LP ◇	LIGHT POLE
HYD. (S) ○	FIRE HYDRANT	—	SIGN
OF ○	OIL FILL	○	TAX LOT

REVISD: MARCH 6, 2020: TOPOGRAPHY ADDED
REVISD: FEBRUARY 4, 2020: SEWER DIMENSIONS
REVISD: DECEMBER 13, 2019: PIERHEAD AND BULKHEAD LINE LABELED
REVISD: OCTOBER 10, 2019: SEWERS
REVISD: AUGUST 1, 2019 SEWER EASEMENT DIMENSIONS

DRAWN BY: MF

15.00' 30.00' 45.00' 90.00'

0 15 45 90 180

SCALE: 1" = 30'

SURVEYED: JUNE 6, 2019

SURVEY OF PROPERTY SITUATED IN:

55-01 2ND STREET
BOROUGH OF QUEENS
COUNTY OF QUEENS
CITY OF NEW YORK
STATE OF NEW YORK

UNATTESTED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 708 OF THE NEW YORK STATE DECORATION LAW.

COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S SEAL OR ENDORSEMENT SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.

GUARANTEE INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND NOT TO THE TITLE COMPANY, GOVERNMENTAL AGENCY, AND LENDING INSTITUTION, LITIGANT, AND TO THE ADDRESS OF THE LENDING INSTITUTION. GUARANTEES ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

FEHRINGER SURVEYING, P.C.
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2200 JACKSON AVENUE
SEAFORD, N.Y. 11783
(516) 763-5515 FAX NO. (516) 763-5525
FS@FEHRINGERSURVEYING.COM

ATTACHMENT F
Document Repository Letters



Environmental, Planning, and Engineering Consultants

440 Park Avenue South
7th Floor
New York, NY 10016
tel: 212 696-0670
fax: 212 213-3191
www.akrf.com



August 12, 2020

Ms. Debra Markell Kleinert
District Manager
Queens Community Board District 2
43-22 50th Street, Suite 2B
Woodside, NY 11377

Re: Document Repository for Newtown Creek Bud Site – North Block

Dear Ms. Markell Kleinert:

AKRF, Inc. is submitting a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Application on behalf of Bud North, LLC for the Newtown Creek Bud Site – North Block project site located at 2-10 54th Avenue in Long Island City, New York. As required by NYSDEC, Queens Community Board District 2 will be the repository to which all pertinent electronic documents generated for this project will be sent. Please understand that these documents will have to be made available to the public when requested until the NYSDEC determines that these documents are no longer needed.

Please signify your understanding and agreement by signing below and returning a copy of the signed letter via email to jdiggins@akrf.com. Please call me at (646) 388-9784 with any questions. Thank you.

Sincerely,
AKRF, Inc.

J. Patrick Diggins
Technical Director

ACKNOWLEDGED AND ACCEPTED:

Ms. Debra Markell Kleinert

District Manager

Name

Title

Signature



Environmental, Planning, and Engineering Consultants

440 Park Avenue South
7th Floor
New York, NY 10016
tel: 212 696-0670
fax: 212 213-3191
www.akrf.com

August 12, 2020

Ms. Euni Chang
Manager
Queens Public Library at Hunters Point
47-40 Center Boulevard
Long Island City, New York 11101

Re: Document Repository for Newtown Creek Bud Site – North Block

Dear Ms. Chang:

AKRF, Inc. is submitting a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Application on behalf of Bud North, LLC for the Newtown Creek Bud Site – North Block project site located at 2-10 54th Avenue in Long Island City, New York. As required by NYSDEC, Queens Public Library at Hunters Point will be the repository to which all pertinent electronic documents generated for this project will be sent. Please understand that these documents will have to be made available to the public when requested until the NYSDEC determines that these documents are no longer needed.

Please signify your understanding and agreement by signing below and returning a copy of the signed letter via email to jdiggins@akrf.com. Please call me at (646) 388-9784 with any questions. Thank you.

Sincerely,
AKRF, Inc.

A handwritten signature in black ink, appearing to read 'J. Patrick Diggins' with a stylized flourish at the end.

J. Patrick Diggins
Technical Director

ACKNOWLEDGED AND ACCEPTED:

Ms. Euni Chang

Manager

A handwritten signature in blue ink, consisting of a stylized, circular shape.

Name

Title

Signature