



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 Radix 95-25 149th St LLC, 95-08 150th St LLC, and 95-12 150th St 11435 LLC ADDRESS 347 Fifth Avenue, 16th Floor CITY/TOWN New York, NY ZIP CODE 10016 PHONE 917-597-9811 FAX N/A E-MAIL eric@dl-development.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    |             | X        |
| Other VOCs           |      |             |          |
| SVOCs                |      |             |          |
| Metals               | X    |             |          |
| Pesticides           |      |             |          |
| PCBs                 |      |             |          |
| 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 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 checked="" type="checkbox"/> Tannery | <input type="checkbox"/> Electroplating     | <input type="checkbox"/> Unknown         |

Other: Manufacturing, tarring, coal house, plating shop, machine shops, battery service

**Section IV. Property Information - See Instructions for Further Guidance**

PROPOSED SITE NAME **Jamaica Works**

ADDRESS/LOCATION **95-25 149th Street**

CITY/TOWN **Queens, NY** ZIP CODE **11435**

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):  
**Jamaica, Borough of Queens, NYC**

COUNTY **Queens** SITE SIZE (ACRES) **1.17**

|  |   |
|--|---|
| LATITUDE (degrees/minutes/seconds)<br>40 ° 41 ' 56.7 " | LONGITUDE (degrees/minutes/seconds)<br>73 ° 48 ' 12.5 " |
|--|---|

**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.** Continued on attached supplemental text.

| Parcel Address                              | Section No. | Block No.    | Lot No.   | Acreage     |
|---|-------------|--------------|-----------|-------------|
| <b>95-25 149th Street, Queens, NY 11435</b> | <b>4</b>    | <b>10002</b> | <b>1</b>  | <b>0.92</b> |
| <b>95-08 150th Street, Queens, NY 11435</b> | <b>4</b>    | <b>10002</b> | <b>10</b> | <b>0.09</b> |

1. Do the proposed site boundaries correspond to tax map metes and bounds?  Yes  No  
If no, please attach an accurate map of the proposed site.

2. Is the required property map attached to the application?  Yes  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  No

If yes, identify census tract : \_\_\_\_\_

Percentage of property in En-zone (check one):  <sup>0%</sup> 0-49%  50-99%  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)?  Yes  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?  Yes  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?  Yes  No  
If yes, attach relevant supporting documentation.

7. Are there any lands under water?  Yes  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

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information) Not applicable

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)**

|  |   |
|--|---|
| <b>Section V. Additional Requestor Information</b><br><b>See Instructions for Further Guidance</b> | DEC USE ONLY<br>BCP SITE NAME: _____<br>BCP SITE #: _____ |
|--|---|

|   |                         |                                       |
|---|-------------------------|---------------------------------------|
| NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE <b>Eric Deutsch</b>                 |                         |                                       |
| ADDRESS <b>347 Fifth Avenue, 16th Floor</b>                                       |                         |                                       |
| CITY/TOWN <b>New York, NY</b>   | ZIP CODE <b>10016</b>   |                                       |
| PHONE <b>917-597-9811</b>   | FAX <b>N/A</b>          | E-MAIL <b>eric@dl-development.com</b> |
| NAME OF REQUESTOR'S CONSULTANT <b>AKRF, Inc./ Stephen Malinowski</b>              |                         |                                       |
| ADDRESS <b>440 Park Avenue South, 7th Floor</b>                                   |                         |                                       |
| CITY/TOWN <b>New York, NY</b>   | ZIP CODE <b>10016</b>   |                                       |
| PHONE <b>631-574-3724</b>   | FAX <b>212-213-3191</b> | E-MAIL <b>smalinowski@akrf.com</b>    |
| NAME OF REQUESTOR'S ATTORNEY <b>Sive Paget Riesel, PC / Scott E. Furman, Esq.</b> |                         |                                       |
| ADDRESS <b>560 Lexington Avenue, 15th Floor</b>                                   |                         |                                       |
| CITY/TOWN <b>New York, NY</b>   | ZIP CODE <b>10022</b>   |                                       |
| PHONE <b>212-421-2150</b>   | FAX <b>212-421-1891</b> | E-MAIL <b>sfurman@sprlaw.com</b>      |

**Section VI. Current Property Owner/Operator Information – if not a Requestor**

|  |                |              |
|--|----------------|--------------|
| CURRENT OWNER'S NAME <b>See attached supplemental text</b> OWNERSHIP START DATE: _____ |                |              |
| ADDRESS _____  |                |              |
| CITY/TOWN _____  | ZIP CODE _____ |              |
| PHONE _____  | FAX _____      | E-MAIL _____ |
| CURRENT OPERATOR'S NAME <b>See attached supplemental text</b>                          |                |              |
| 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?  Yes  No
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?  Yes  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.  Yes  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 See attached supplemental text and Attachment D.

**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? M1-4 (manufacturing)

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 text.

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

Yes  No

The Site zoning designation of the Site is M1-4. As part of the proposed redevelopment, the Site zoning is anticipated to be changed to allow the Site to be used for residential, commercial, and/or industrial purposes. The zoning change will go under review by the NYC Department of City Planning as part of the Uniform Land Use Review Procedure (ULURP).

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 text.



**XI. Statement of Certification and Signatures**

(By requestor who is an individual)

If this application is approved, I hererby 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 authorized signatory (title) of 95-12 150th St 11435 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: 02/18/2021 Signature: 

Print Name: Eric J. Deutsch

**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:** \_\_\_\_\_

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Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

(By a requestor other than an individual)

I hereby affirm that I am authorized signatory (title) of 95-08 150th St 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: 02/18/2021 Signature:  \_\_\_\_\_

Print Name: Eric J. Deutsch

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Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

(By a requestor other than an individual)

I hereby affirm that I am authorized signatory (title) of Radix 95-25 149th St 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: 01/18/2021 Signature: 

Print Name: Eric J. Deutsch

**SUBMITTAL INFORMATION:**

- **Two (2) copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:**
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  - New York State Department of Environmental Conservation
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  - 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  |
| <b>Please answer questions below and provide documentation necessary to support answers.</b>   |  |
| 1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see <a href="#">DEC's website</a> for more information.  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  |
| 2. Is the property upside down or underutilized as defined below?  | Upside Down? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Underutilized? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <b>From ECL 27-1405(31):</b>   |  |
| <p>"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.</p>  |  |
| <b>From 6 NYCRR 375-3.2(I) as of August 12, 2016:</b> (Please note: Eligibility determination for the underutilized category can only be made at the time of application)  |  |
| 375-3.2:   |  |
| <p>(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</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(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</p> <p>(c) there are no structures.</p> |  |
| <p>"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.</p>  |  |

**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:** Jamaica Works  
**City:** Queens, NY

**Site Address:** 95-25 149th Street  
**County:** Queens **Zip:** 11435

**Tax Block & Lot**  
**Section (if applicable):** 4 **Block:** 10002 **Lot:** 1

**Requestor Name:** Radix 95-25 149th St LLC, 95-08 150th St LLC, and 95-12 150th St 11435 LLC **Requestor Address:** 347 Fifth Avenue, 16th Floor  
**City:** New York, NY **Zip:** 10016 **Email:** eric@dl-development.com

**Requestor's Representative (for billing purposes)**  
**Name:** Eric Deutsch **Address:** 347 Fifth Avenue, 16th Floor  
**City:** New York, NY **Zip:** 10016 **Email:** eric@dl-development.com

**Requestor's Attorney**  
**Name:** Sive Paget Riesel, PC / Scott E. Furman, Esq. **Address:** 560 Lexington Avenue, 15th Floor  
**City:** New York, NY **Zip:** 10022 **Email:** sfurman@sprlaw.com

**Requestor's Consultant**  
**Name:** AKRF, Inc./ Stephen Malinowski **Address:** 440 Park Avenue South, 7th Floor  
**City:** New York, NY **Zip:** 10016 **Email:** smalinowski@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:

**TABLE 1  
REQUESTOR INFORMATION**

| <b>Entity Name/Applicant</b>   | <b>Members/Owners</b>   | <b>Contact Information</b>  |
|--|---|---|
| Radix 95-25 149 <sup>th</sup> St LLC<br>95-08 150 <sup>th</sup> St LLC<br>95-12 150 <sup>th</sup> St 11435 LLC | Southside JQ Member LLC<br>Radix Jamaica Venture I, LP<br>Southside JQ Manager LLC<br>RC Southside JQ LLC<br>DL Jamaica I LLC<br>Radix Capital LLC<br>D/L Development Partners, LLC | % D/L Development Partners, LLC<br>Attn: Eric J. Deutsch<br>Phone: 917-597-9811<br>Fax: Not Available<br>Email: eric@dl-development.com |

The New York State Department of State’s Corporation and Business Entity Database information for the requestor is included as *Attachment A*. The entities collectively are herein referred to as (the “Applicant”) for the properties located at 95-25 149<sup>th</sup> Street, 95-08 150<sup>th</sup> Street, and 95-12 150<sup>th</sup> Street in the Jamaica section of Queens, NY (hereafter referred to as the “Site”). An Applicant-member organization structure is provided in Attachment B.

**Section II - Project Description**

*2. Remedial Investigation Report*

A Final Remedial Investigation Report (RIR) has not been prepared for the Site; however, a November 2020 Phase II Environmental Site Assessment (ESA) report documenting investigations conducted by AKRF, Inc. (AKRF) in August and October 2020 has been prepared. The November 2020 Phase II ESA report, which included data associated with soil, groundwater, soil vapor, and indoor air sampling, is being provided in support of this Brownfield Cleanup Program (BCP) Application. The Phase II ESA is discussed in more detail in Section III. Based on the results of the Phase II ESA, an Interim Remedial Measures Work Plan (IRMWP) is being submitted with the BCP Application; the objective of the IRMWP is to mitigate the potential for soil vapor intrusion at the Site. A Remedial Investigation Work Plan (RIWP) will be proposed, and upon approval a Remedial Investigation (RI) will be initiated, after implementation of the IRMWP under the BCP.

*3. Project Description and Schedule*

The Site consists of an approximately 1.17-acre parcel located at 95-25 149<sup>th</sup> Street, 95-08 150<sup>th</sup> Street, and 95-12 150<sup>th</sup> Street in the Jamaica section of Queens, New York, and is identified by the City of New York as Borough of Queens Block 10002, Lots 1, 10, and 13. The three lots will be the subject of a lot merger application to merge the lots into a unified tax parcel.

Currently, the Site contains a total of 11 one- to two-story former industrial/warehouse buildings. Several partial basements and crawl spaces are located throughout the buildings. Block 10002, Lot 1 is 40,077 square feet (SF) and contains nine structures built in approximately 1929, some of which are interconnected. The majority of Lot 1 is vacant with occupied portions being utilized by the current Site owner for office space, storage of construction materials, and warehousing. The southernmost portion is occasionally utilized for professional films and television sets. There is a 7,500-gallon aboveground oil storage tank located inside a structure on the southern portion of Lot 1 that remains in-service but has not been utilized

for about a year. Block 10002, Lot 10 is 3,920 SF and contains a one-story brick building built in approximately 1950 with a garage, shop, and office utilized by a contractor. Block 10002, Lot 13 is 6,800 SF and contains a vacant two-story building built in approximately 1910. The surrounding area comprises predominantly commercial and industrial uses, with residential uses located further west and south. A Site Location Map and Site Plan are included in *Attachment C* as *Figures 1* and *2*, respectively.

The Site is part of the Queens County Census Tract 208. According to the 2014-2018 American Community Survey (ACS) Profile data, it is estimated that approximately 12% of the population in Census Tract 208 is living below the poverty line. The unemployment rate for Census Tract 208 is estimated at 8.8%, compared to the New York City unemployment rate of 6.9% in 2014-2018 (the New York City unemployment rate is 13.2% as of October 2020). The Site is not located in an En-Zone.

The Applicant plans to enter into the BCP as a Volunteer. Neither the Applicant nor any of its members or affiliates have had any previous involvement in the ownership or operation the Site and have not contributed to or exacerbated the environmental impacts at the Site that are the subject of this application to enter into the BCP. Entry into the BCP would facilitate the remediation and redevelopment of the Site into a mixed-use commercial, industrial, and residential redevelopment referred to as Jamaica Works. The Applicant intends to acquire the Site upon determination of the New York State Department of Environmental Conservation (NYSDEC) that the Applicant is eligible to enter the BCP as a Volunteer and offers a Brownfield Cleanup Agreement to the Applicant. The redevelopment plans and regulatory approvals will be advanced under the Uniform Land Use Review Procedure (ULURP). The proposed redevelopment plans will include demolition of the existing structures. The future uses of the Site is proposed to include affordable housing, industrial, retail, and office space. To support the proposed redevelopment, the Site is anticipated to be rezoned from M1-4 (manufacturing).

The Applicant 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:

Implementation of the IRM Work Plan is anticipated to begin following acceptance into the BCP program and approval of the IRM Work Plan. As the Volunteer intends to advance development plans under a proposed rezoning, the Final Remedial Investigation and Remedial Action Work Plan will be prepared as the zoning approval and development plans are finalized. The Certificate of Completion (COC) is anticipated to be obtained in December 2024. The BCP project will likely include some or all of the activities listed below. This preliminary project schedule is subject to change.

**TABLE 2  
ESTIMATED PROJECT SCHEDULE**

| <b>Activity</b>  | <b>Time To Complete</b> |
|--|-------------------------|
| Submit revised BCP Application and IRM Work Plan to NYSDEC                               | March 2021              |
| 30-Day Completeness Review   | April 2021              |
| 30-day Public Comment Period Initiated for BCP Application & IRM Work Plan               | April 2021              |
| BCP Acceptance and Brownfield Cleanup Agreement (BCA) Execution                          | May 2021                |
| Preparation and Submittal of Citizen Participation Plan (CPP) to NYSDEC                  | May 2021                |
| Conduct Sub-slab Depressurization System (SSDS) Communication Testing and Vapor Sampling | June 2021               |
| Preparation and Submittal of SSDS Design Report to NYSDEC                                | June 2021               |
| Implement IRMWP/Install and Start-up of SSDS   | July - August 2021      |
| Preparation and Submittal of IRM Completion Report to NYSDEC                             | October 2021            |



| Activity   | Time To Complete  |
|--|---|
| Preparation and Submittal of Draft Remedial Investigation Work Plan (RIWP) to NYSDEC | November 2021   |
| Distribute Fact Sheet/30-day Public Comment Period for RIWP                          | December 2021   |
| Implement First Phase of Remedial Investigation (RI) Field Work                      | January 2022  |
| Submit Interim RI Report to NYSDEC   | April 2022  |
| Rezoning application submitted for ULURP Rezoning                                    | May 2022  |
| Rezoning Action Under ULURP Approved and Redevelopment Plans Finalized               | November 2023<br>(estimated 18 months from application) |
| Implement Second Phase of RI Field Work  | December 2023   |
| Preparation and Submittal of Final RI Report to NYSDEC                               | January 2024  |
| NYSDEC Review of Final RI Report   | February 2024   |
| Preparation and Submittal of Draft Remedial Action Work Plan (RAWP)                  | March 2024  |
| NYSDEC Review of Draft RAWP  | April 2024  |
| Finalize RI and RAWP and Distribute Fact Sheet/45-day Public Comment                 | May 2024  |
| Issue Remedial/Construction Notice Fact Sheet  | June 2024   |
| Site Mobilization  | July 2024   |
| Begin Redevelopment (Construction) with Implementation of RAWP                       | August 2024   |
| Draft Final Engineering Report (FER) and Fact Sheet                                  | August 2025   |
| NYSDEC Review of Draft FER   | September 2025  |
| Finalize FER to Address Any NYSDEC Comments  | October 2025  |
| NYSDEC Issues Certificate of Completion and Fact Sheet                               | December 2025   |

### Section III – Property’s Environmental History

The following figures are included in *Attachment C*:

- Figure 1 – Site Location
- Figure 2 – Site Plan
- Figure 3 – Tax Map
- Figure 4 – Surrounding Land Use
- Figure 5 – Zoning Map
- Figure 6 – Soil Sample Concentrations Above NYSDEC UUSCOs and/or RRSCO
- Figure 7 – Soil Vapor and Indoor Air Detections
- Figure 8 – VOC Detections in Groundwater

#### 1. Environmental Reports

Copies of the following previous environmental studies for the Site are included as *Attachment D* (electronic copies only):

1. *Phase I Environmental Site Assessment*, 95-04 & 95-25 149<sup>th</sup> Street, 95-08 & 95-12 150<sup>th</sup> Street, Queens, Queens County, New York, Partridge Venture Engineering, P.C. & Lawrence ENV, LLC, November 2019
2. *Phase II Environmental Site Assessment*, Abbott 149<sup>th</sup> and 150<sup>th</sup> Street Site, 95-25 149<sup>th</sup> St. and 95-08 & 95-12 150<sup>th</sup> St., Queens, New York, AKRF, November 2020

The Applicant believes that there is sufficient information to demonstrate significant contamination 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 the NYSDEC.

The previous reports are summarized below:

*Phase I Environmental Site Assessment, 95-04 & 95-25 149<sup>th</sup> Street, 95-08 & 95-12 150<sup>th</sup> Street, Queens, Queens County, New York, Partridge Venture Engineering, P.C. & Lawrence ENV, LLC, November 2019*

Partridge Venture Engineering P.C. (PVE) doing business as Lawrence ENV, LLC (LENV) prepared a Phase I Environmental Site Assessment (ESA) in November 2019. The Phase I ESA was conducted in conformance with the scope and limitations of American Society for Testing & Materials (ASTM) Practice E1527-13, and included a visual inspection of the Site and a review of regulatory database records and historical records. It should be noted that this Phase I ESA was prepared for a larger property, which included the Site. The assessment identified the following Recognized Environmental Conditions (RECs) in connection with the Site:

- All three tax lots within the Site contain an E-Designation for hazardous materials.
- Historically, the Site was utilized for industrial purposes since approximately 1897, including metal plating, finishing and manufacturing, machine shops, tanneries, painting rooms, a tarring house, a cap and fuse factory, and battery service. The Site's historical uses and anticipated waste generated constituted a REC.
- Nearby current and historic off-site uses with the potential to affect soil vapor beneath the Site included, a vehicle dismantling facility, a dry cleaner, auto repair shops, gasoline stations, garages with fuel oil tanks, an air conditioning manufacturer, a wire products manufacturer, and an auto painting and spraying facility. The regulatory database also identified five nearby sites in the Voluntary Cleanup Program (VCP).

*Phase II Environmental Site Assessment, Abbott 149<sup>th</sup> and 150<sup>th</sup> Street Site, 95-25 149<sup>th</sup> St. and 95-08 & 95-12 150<sup>th</sup> St., Queens, New York, AKRF, November 2020*

AKRF was retained by the Applicant to conduct a Phase II ESA between August and October 2020. The scope of work was based on the findings of the November 2019 Phase I ESA prepared by PVE and LENV. The Phase II ESA included a geophysical survey; the advancement of 10 soil borings across the Site and collection of up to two soil samples from each boring; installation of five temporary groundwater monitoring wells and collection of five groundwater samples; installation of seven temporary soil vapor points with collection of seven soil vapor samples; and collection of seven indoor air samples from the interior of buildings and one ambient (outdoor) air sample.

Twelve soil samples were collected from the Site for laboratory analysis. A shallow sample (collected from a 2-foot interval within the upper 5 feet below grade) was taken from each of the 10 soil borings. A second deeper sample (from the 2-foot interval directly above the water table at the groundwater interface) was collected from borings SB-10 and SB-18. Soil samples were analyzed for volatile organic compounds (VOCs) by EPA Method 8260, semivolatile organic compounds-base neutral fraction (SVOCs-BN) by EPA Method 8270, polychlorinated biphenyls (PCBs) by EPA Method 8082, and the Target Analyte List (TAL) of metals by EPA Method 6000/7000 series. Five 1-inch diameter temporary groundwater monitoring wells were installed within five borings across the Site. The groundwater samples were analyzed for VOCs and SVOCs-BNs by EPA Methods 8260 and 8270, respectively.

Between August 26 and 27, 2020, five temporary soil vapor points (SV-09, SV-10, SV-13, SV-16, and SV-18) were installed to enable the collection of soil vapor samples for laboratory analysis. All soil vapor points were installed between 4 and 5 feet below grade with the exception of SV-16, which was installed approximately 1 to 2 feet beneath the basement slab of the northwestern building on Lot 1. Due to elevated levels of chlorinated volatile organic compounds (CVOCs) detected in the soil sample from SB-18 as well as several of the soil vapor samples, supplemental soil vapor and indoor air sampling was conducted on October 23 and 26, 2020. The supplemental sampling included the collection of two additional sub-slab soil vapor samples, seven indoor air samples, and one ambient (exterior courtyard) air sample. The soil vapor, indoor, and ambient air samples were analyzed for VOCs by EPA Method TO-15.

### *Soil Quality Conditions*

Historic fill material (comprising sand, gravel, and silt, with varying amounts of brick) was encountered in the upper 5 feet below grade, underlain by sand and silt with fine gravel, down to the maximum boring terminus of 25 feet below grade. Bedrock was not encountered during the investigation. No petroleum-like odors, staining, or elevated photoionization detector (PID) readings were detected.

In the Phase II ESA, AKRF compared the soil sample analytical results to the NYSDEC 6 NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs), Commercial Soil Cleanup Objectives (CSCOs), and Protection of Groundwater Soil Cleanup Objectives (PGWSCOs). However, for the purposes of this BCP Application and the proposed end-use of the Site, soil samples are compared to the UUSCOs and Restricted Residential Soil Cleanup Objectives (RRSCOs). Soil laboratory analytical results are summarized below:

- PCE was detected in sample SB-18\_3-5\_20200827 at a concentration of 14 milligrams per kilogram (mg/kg), above the UUSCO of 1.3 mg/kg, but below the RRSCO of 19 mg/kg. No other VOCs were detected above the UUSCOs and/or RRSCOs. PCE was detected in six other soil samples at concentrations below the UUSCOs. The significance of the soil data is that it indicates the Site as a source of the PCE impacts to be further assessed as a component of the RIWP.
- SVOCs were detected at low levels up to 1.3 mg/kg, below the UUSCOs and RRSCOs.
- PCBs were not detected at concentrations above the laboratory reporting limits.
- Copper, lead, mercury, and zinc were detected at concentration above their respective UUSCOs. Copper was detected in one sample (SB-14\_2-4\_20200828) at a concentration of 1,200 mg/kg, above the UUSCO of 50 mg/kg and the RRSCO of 270 mg/kg. Mercury was detected in samples SB-10\_17-19\_20200827 and SB-11\_3-5\_20200828 at concentrations of 1.7 mg/kg and 2.5 mg/kg, respectively, above the UUSCO of 0.18 mg/kg and the RRSCO of 0.81 mg/kg. No other metals were detected at concentrations above the RRSCOs.

### *Groundwater Quality Conditions*

Groundwater was encountered between approximately 16 and 20 feet below grade. No visual or olfactory evidence of contamination was detected in the purge water from any monitoring well. Groundwater samples were compared to the NYSDEC 6 NYCRR Part 703.5 Class GA Groundwater Quality Standards and Guidance Values (AWQSGVs)

- No VOCs were detected at concentrations above the AWQSGVs. PCE was detected in all five samples at concentrations ranging from 1.3 to 4.6 micrograms per liter ( $\mu\text{g/L}$ ), below the AWQSGV of 5  $\mu\text{g/L}$ .
- SVOCs were not detected above laboratory reporting limits in any of the groundwater samples.

### *Soil Vapor Quality Conditions*

Petroleum-related VOCs, including 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 2,2,4-trimethylpentane, 2-butanone, 2-hexanone, 4-ethyltoluene, benzene, butane, cyclohexane, ethylbenzene, isopropylbenzene, m,p-xylenes, methyl ethyl ketone (MEK), n-butylbenzene, n-heptane, n-hexane, n-propylbenzene, o-xylene, and toluene, were detected at concentrations up to 1,600 micrograms per cubic meter ( $\mu\text{g/m}^3$ ).

Chlorinated solvent-related VOCs, including PCE, trichloroethylene (TCE), 1,1,1-trichloroethane (1,1,1-TCA), carbon disulfide, carbon tetrachloride, chlorodifluoromethane, chloromethane, cis-1,2-dichloroethylene, methylene chloride, and trichlorofluoromethane, were detected at concentrations up to 54,300  $\mu\text{g/m}^3$ .

A comparison of the co-located soil vapor and indoor air sample results to the values in the New York State Department of Health (NYSDOH) Soil Vapor/Indoor Air Matrix B indicates that mitigation is required for

PCE at all locations. A comparison of the co-located soil vapor and indoor air sample results to the values in the NYSDOH Soil Vapor/Indoor Air Matrix A indicates that mitigation is required for TCE at sampling locations SV-18/IA-18, SV-19/IA-19, and SV-20/IA-20.

The Subsurface (Phase II) Investigation Report concluded that there was solvent-related contamination in soil, groundwater, and soil vapor, and petroleum-related contamination in soil vapor at the Site. These detections appear to be related to historic uses at the Site.

### 3. Soil, Soil Vapor, and Indoor Air Sampling Plans

Soil concentrations above the UUSCOs and/or RRSCO, and soil vapor and indoor air detections are shown on *Figure 6* and *Figure 7*, respectively, provided in *Attachment C*. Although there were no exceedances of the AWQSGVs in groundwater, detections of VOCs in comparison to the AWQSGVs are shown on *Figure 8* in *Attachment C*. These detections indicate that groundwater is impacted by the subject VOCs and that further investigation is necessary to delineate the impacts to groundwater.

## Section IV- Property Information

### Tax Map Information

The current tax map information for all three tax lots comprising the Site are included below:

**TABLE 3**  
**TAX MAP INFORMATION**

| Parcel Address                                     | Section No. | Block No. | Lot No. | Acreage |
|--|-------------|-----------|---------|---------|
| 95-25 149 <sup>th</sup> Street<br>Queens, NY 11435 | 4           | 10002     | 1       | 0.92    |
| 95-08 150 <sup>th</sup> Street<br>Queens, NY 11435 | 4           | 10002     | 10      | 0.09    |
| 95-12 150 <sup>th</sup> Street<br>Queens, NY 11435 | 4           | 10002     | 13      | 0.16    |

### 2. Tax Map

A tax map of the Site and adjacent properties is provided as *Figure 3*. The Site is currently identified by the City of New York as Queens Block 10002, Lots 1, 10, and 13.

### 10. Property Description and Environmental Assessment

**Location** – The Site is located at 95-25 149<sup>th</sup> Street (Lot 1), 95-08 150<sup>th</sup> Street (Lot 10), and 95-12 150<sup>th</sup> Street (Lot 13) in the Jamaica section of Queens, New York. The Site is located in an industrial/commercial-zoned area. The Site is abutted to the north by commercial/industrial buildings, warehouses, and residential apartment buildings along 95<sup>th</sup> Avenue; to the east by Mohan’s Precast USA, Inc. (precast concrete manufacturer), Taste of Heaven Ministries (religions organization), and industrial buildings and warehouses; to the south by industrial/commercial buildings and residential properties along 97<sup>th</sup> Avenue; and to the west by industrial/commercial buildings along 149<sup>th</sup> Street.

**Site Features** – The Site consists of 11 one- to two-story buildings on an approximately 1.17-acre parcel. Lot 1 contains nine structures built in approximately 1929, some of which are interconnected. Lot 10 contains a one-story brick building built in approximately 1950. Lot 13 contains a vacant two-story building constructed in approximately 1910. Several partial basements and crawl spaces are located throughout the buildings comprising Lot 1. An exterior, concrete-paved courtyard is located in the southern portion of the Site on Lot 1. A 7,500-gallon aboveground oil storage tank is present in a building south-adjacent to the courtyard.

**Current Zoning and Land Use** – The Site is currently zoned as M1-4 (manufacturing). The majority of the buildings on Lot 1 are unoccupied and only utilized by the current Site owner for office space, storage of

construction materials, and warehousing. The southern portion of Lot 1 is occasionally utilized for professional films and television sets. Lot 10 contains a one-story brick building and includes a garage, shop, storage, and an office utilized by a contractor. Lot 13 contains a vacant two-story building that was recently utilized for cold seafood storage purposes. The surrounding area is predominately industrial and commercial with some residential buildings. A Surrounding Land Use Map and Zoning Map are provided as *Figure 4* and *Figure 5*, respectively.

Past Use of the Site – Available records indicated that Lot 1 was occupied by Jas. Macbeth Cap and Fuse Factory (manufacturer of patent blasting machinery) and private residences between approximately 1891 and 1901. The fuse factory included various uses such as a tarring house and coal and tinning houses. Lot 1 was later occupied by General Acoustic Company in 1911 and Dictagraph Products Corporation between approximately 1925 and 1951. Abbot Wire Products were identified on Lot 1 between 1963 and 2006. Other uses on Lot 1 included a metal plating shop and refuse burning.

Lots 10 and 13 were also occupied by Jas. Macbeth Cap and Fuse Factory from 1891 through 1901, and General Acoustic Company in 1911. By 1925, Lot 10 was utilized as a battery service facility and tin shop and Lot 13 was occupied by a garage and oil burner manufacturer. In 1951, Lots 10 and 13 were occupied by a paper box manufacturer until approximately 1963 when a sink top manufacturer was identified on both lots through approximately 2006. According to the 2019 Phase I ESA, the Site buildings have also been used for metal plating operations since the late 1950s. PCE was reportedly used for vaporizing operations related to metals, predominantly on Lot 10.

Site Geology and Hydrology – Based on the U.S. Geological Survey (Jamaica Quadrangle), the Site lies at an elevation between 35 and 40 feet above mean sea level. Surface topography at the Site is generally level with a gentle slope towards the south-southeast. Jamaica Bay is located approximately 4 miles south of the Site. According to the USGS map titled *Water Table Altitude in Kings and Queens Counties, New York*, the general direction of groundwater flow below the Site is anticipated to be in a south to southwesterly direction. Groundwater, as measured within the temporary monitoring wells, was encountered between approximately 16 and 20 feet below grade during AKRF's November 2020 Phase II ESA.

The stratigraphy beneath the Site consists of historic fill material (comprising sand, gravel, and silt, with varying amounts of brick) in the upper 5 feet below surface grade, underlain by sand and silt with fine gravel, down to the maximum boring terminus of 25 feet below grade. Bedrock was not encountered during the Phase II ESA.

Environmental Assessment – Based on available data collected to date, the primary contaminants of concern for the Site are chlorinated VOCs and metals.

#### *Soil Quality Conditions*

Twelve soil samples were collected during AKRF's November 2020 Phase II ESA. The soil samples were analyzed for VOCs by EPA Method 8260, SVOCs-BN by EPA Method 8270, PCBs by EPA Method 8082, and TAL Metals. At each of the 10 borings, a shallow soil sample was collected from a 2-foot interval within the upper 5 feet below grade. A second deeper sample was collected from the 2-foot interval immediately above the water table at borings SB-10 (17-19 feet) and SB-18 (16-18 feet). Soil sample analytical results were compared to the NYSDEC Part 375 UUSCOs and RRSCOs.

- PCE was detected in one soil sample (SB-18\_3-5\_20200827) at a concentration of 14 mg/kg, above the UUSCO of 1.3 mg/kg, but below the RRSCO of 19 mg/kg. No other VOCs were detected above the UUSCOs and/or RRSCOs. PCE was detected in six other soil samples at concentrations below the UUSCOs.
- SVOCs were detected at concentrations up to 1.3 mg/kg, below the UUSCOs and RRSCOs. Detections primarily consisted of polycyclic aromatic hydrocarbons (PAHs), a class of SVOCs found in some petroleum products, coal ash, and in other combustion products commonly found in urban fill.

- PCBs were not detected at concentrations above the laboratory reporting limits.
- Copper (maximum concentration of 1,200 mg/kg), lead (maximum concentration of 392 mg/kg), mercury (maximum concentration of 2.5 mg/kg), and zinc (maximum concentration of 121 mg/kg) were detected at concentrations above their respective UUSCOs. Copper was additionally detected above the RRSCO of 270 mg/kg in sample SB-14\_2-4\_20200828 at a concentration of 1,200 mg/kg. Mercury was detected above the RRSCO of 0.81 mg/kg in samples SB-10\_17-19\_20200827 and SB-11\_3-5\_20200828 at respective concentrations of 1.7 mg/kg and 2.5 mg/kg.
- Soil samples were not analyzed for pesticides.

Exceedances of the UUSCOs and RRSCOs in the soil samples are summarized on *Figure 6* provided in *Attachment C*. Exceedances (of the UUSCOs and RRSCOs) were not detected at boring locations and sampling intervals where no data is shown.

#### *Groundwater Quality Conditions*

Five groundwater samples were collected from five temporary 1-inch diameter monitoring wells (TW-09, TW-10, TW-13, TW-16, and TW-18) during the November 2020 Phase II ESA. The temporary wells were installed to approximately 15 to 25 feet below grade and constructed with 10 feet of slotted well screen straddling the water table. The annular space around each monitoring well was backfilled with clean silica sand to grade. The water table within the wells was encountered between approximately 16 and 20 feet below grade. Groundwater samples were collected using low-flow techniques and analyzed for VOCs and SVOCs-BNs by EPA Methods 8270 and 8260, respectively. Groundwater sample analytical results were compared to the NYSDEC Class GA AWQSGVs.

- No VOCs were detected at concentrations above the NYSDEC AWQSGVs. PCE was detected in all samples at concentrations ranging from 1.3 to 4.6 µg/L, below the AWQSGV of 5 µg/L
- SVOCs were not detected above the laboratory detection limits.

Although there are no exceedances of the AWQSGVs in groundwater, detected concentrations of VOCs are shown on *Figure 8* provided in *Attachment C*.

#### *Soil Vapor and Indoor Air Quality Conditions*

Between August 26 and 27, 2020, five temporary soil vapor points (SV-09, SV-10, SV-13, SV-16, and SV-18) were installed at the Site, to enable the collection of soil vapor samples. All soil vapor points were installed between 4 and 5 feet below grade with the exception of SV-16, which was installed approximately 1 to 2 feet beneath the basement slab of the northwestern building on Lot 1. In October 2020, AKRF conducted a soil vapor intrusion (SVI) study due to the elevated levels of CVOCs detected in soil vapor in August 2020. As part of the supplemental sampling event in October 2020, seven indoor air (IA-09, IA-10, IA-13, IA-16, IA-18, IA-19, and IA-20) one ambient (outdoor) air, and two sub-slab soil vapor samples (SV-19 and SV-20) were collected. All soil vapor, indoor, and ambient air samples were analyzed for VOCs by EPA Method TO-15.

Petroleum-related VOCs, including 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 2,2,4-trimethylpentane, 2-butanone, 2-hexanone, 4-ethyltoluene, benzene, butane, cyclohexane, ethylbenzene, isopropylbenzene, m,p-xylenes, MEK, n-butylbenzene, n-heptane, n-hexane, n-propylbenzene, o-xylene, and toluene, were detected at concentrations up to 1,600 µg/m<sup>3</sup>.

Chlorinated solvent-related VOCs, including PCE, TCE, 1,1,1-TCA, carbon disulfide, carbon tetrachloride, chlorodifluoromethane, chloromethane, cis-1,2-dichloroethylene, methylene chloride, and trichlorofluoromethane, were detected at concentrations up to 54,300 µg/m<sup>3</sup>.

Concentrations of VOCs detected in the soil vapor samples were compared to the NYSDOH May 2017 Soil Vapor/Indoor Air Matrix Values. The results are summarized below in Table 4:

**TABLE 4**  
**SOIL VAPOR AND INDOOR AIR RESULTS**

| Sample ID   | Matrix Value*     | SV-09<br>(soil vapor) | IA-09<br>(indoor air) | SV-10<br>(soil vapor) | IA-10<br>(indoor air) | SV-13<br>(soil vapor) | IA-13<br>(indoor air) |
|---|-------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Units   | µg/m <sup>3</sup> | µg/m <sup>3</sup>     | µg/m <sup>3</sup>     | µg/m <sup>3</sup>     | µg/m <sup>3</sup>     | µg/m <sup>3</sup>     | µg/m <sup>3</sup>     |
| 1,1,1-Trichloroethane   | 1,000             | ND                    | 0.998                 | 1.1                   | 0.256                 | ND                    | 0.12                  |
| Carbon Tetrachloride  | 60                | 0.18 J                | 0.447                 | 6.8                   | 0.484                 | ND                    | 0.472                 |
| Cis-1,2-Dichloroethylene  | 60                | 2.5                   | ND                    | ND                    | ND                    | ND                    | ND                    |
| Methylene Chloride  | 1,000             | ND                    | 16.2                  | 0.95 J                | 23.8                  | ND                    | 23.3                  |
| Tetrachloroethene (PCE)   | 1,000             | 1,500 D               | 3.94                  | 2,100 D               | 4.9                   | 2,200                 | 6.33                  |
| Trichloroethene (TCE)   | 60                | 49                    | ND                    | 24                    | ND                    | 33                    | 0.129                 |
| Sample ID   | Matrix Value*     | SV-16<br>(soil vapor) | IA-16<br>(indoor air) | SV-18<br>(soil vapor) | IA-18<br>(indoor air) |                       |                       |
| Units   | µg/m <sup>3</sup> | µg/m <sup>3</sup>     | µg/m <sup>3</sup>     | µg/m <sup>3</sup>     | µg/m <sup>3</sup>     |                       |                       |
| 1,1,1-Trichloroethane   | 1,000             | 2                     | ND                    | 3.7 J                 | ND                    |                       |                       |
| Carbon Tetrachloride  | 60                | 1.3                   | 0.465                 | 4                     | 0.434                 |                       |                       |
| Cis-1,2-Dichloroethylene  | 60                | ND                    | ND                    | ND                    | ND                    |                       |                       |
| Methylene Chloride  | 1,000             | ND                    | 21.4                  | ND                    | 80.9                  |                       |                       |
| Tetrachloroethene (PCE)   | 1,000             | 1,200 D               | 7.26                  | 14,000 D              | 123                   |                       |                       |
| Trichloroethene (TCE)   | 60                | 55                    | 0.21                  | 270                   | 0.29                  |                       |                       |
| Sample ID   | Matrix Value*     | SV-19<br>(soil vapor) | IA-19<br>(indoor air) | SV-20<br>(soil vapor) | IA-20<br>(indoor air) |                       |                       |
| Units   | µg/m <sup>3</sup> | µg/m <sup>3</sup>     | µg/m <sup>3</sup>     | µg/m <sup>3</sup>     | µg/m <sup>3</sup>     |                       |                       |
| 1,1,1-Trichloroethane   | 1,000             | ND                    | 0.115                 | ND                    | ND                    |                       |                       |
| Carbon Tetrachloride  | 60                | 48.8                  | 0.459                 | ND                    | 0.434                 |                       |                       |
| Cis-1,2-Dichloroethylene  | 60                | ND                    | ND                    | ND                    | ND                    |                       |                       |
| Methylene Chloride  | 1,000             | ND                    | 24.6                  | ND                    | 129                   |                       |                       |
| Tetrachloroethene (PCE)   | 1,000             | 4,200                 | 7.73                  | 54,300                | 9.9                   |                       |                       |
| Trichloroethene (TCE)   | 60                | 113                   | 0.15                  | 507                   | ND                    |                       |                       |
| <b>Notes:</b>   |                   |                       |                       |                       |                       |                       |                       |
| * The matrix value presented is the soil vapor concentration at which mitigation is required, regardless of the indoor air concentration. |                   |                       |                       |                       |                       |                       |                       |
| ND = Not Detected   |                   |                       |                       |                       |                       |                       |                       |
| D = The concentration is from a diluted analysis.   |                   |                       |                       |                       |                       |                       |                       |
| J = The concentration reported is an estimated value.   |                   |                       |                       |                       |                       |                       |                       |

A comparison of the co-located soil vapor and indoor air sample results to the values in the NYSDOH Soil Vapor/Indoor Air Matrix B indicate that mitigation is required for PCE at all locations. A comparison of the co-located soil vapor and indoor air sample results to the values in the NYSDOH Soil Vapor/Indoor Air Matrix A indicate that mitigation is required for TCE at sampling locations SV-18/IA-18, SV-19/IA-19, and SV-20/IA-20.

The source of the on-site soil vapor conditions is attributable to the Site's historic manufacturing and industrial use. The findings of the soil vapor sampling demonstrate that mitigation is the recommended approach for addressing potential human exposure to chlorinated VOCs.

Soil vapor and indoor air sample results are shown on *Figures 7* in *Attachment C*.



## PART B

### Section VI. – Current Property Owner/Operator Information

#### Current Owners:

Block 10002/Lot 1:

*Current Owner's Name:* Abbott Wire Products Inc. Successor by Merger  
*Ownership Start Date:* May 30, 1974  
*Address:* 95-25 149<sup>th</sup> Street, Queens, NY 11435  
*Contact:* Jeff Grossman  
*Phone:* (718) 291-0800  
*Fax:* Not Available  
*E-mail:* [jcgro@aol.com](mailto:jcgro@aol.com)

Block 10002/Lots 10 and 13:

- *Current Owner's Name:* Abbott Industries Inc.  
*Ownership Start Date:* January 22, 1976  
*Address:* 95-25 149<sup>th</sup> Street, Queens, NY 11435  
*Contact:* Jeff Grossman  
*Phone:* (718) 291-0800  
*Fax:* Not Available  
*E-mail:* [jcgro@aol.com](mailto:jcgro@aol.com)

#### Current Operators:

Lot 1:

- *Current Operator's Name:* Abbott Industries Inc.  
*Address:* 95-25 149<sup>th</sup> Street, Queens, NY 11435  
*Contact:* Jeff Grossman  
*Phone:* (718) 291-0800  
*Fax:* Not Available  
*E-mail:* [jcgro@aol.com](mailto:jcgro@aol.com)

Lot 10:

- *Current Operator's Name:* Inniss Construction  
*Address:* 95-08 150<sup>th</sup> Street, Queens, NY 11435  
*Contact:* Anderson Inniss  
*Phone:* (718) 291-8103  
*Fax:* Not Available  
*E-mail:* [andy@innisco.com](mailto:andy@innisco.com)

Lot 13: Vacant, currently unoccupied

**TABLE 5  
PREVIOUS PROPERTY OWNERS**

| <b>Property Owners</b>                             | <b>Years of Ownership</b> | <b>Status of Entity (Alive, Deceased, Active, Dissolved)</b> | <b>Current/Last Known Address/Phone Number (if available)</b>               | <b>Relationship to Requestor(s)</b> |
|--|---------------------------|--|---|-------------------------------------|
| <b>Lot 1</b>                                       |                           |  |   |                                     |
| Abbott Wire Products Inc. Successor by Merger      | 1974-Present              | Active   | 95-25 149 <sup>th</sup> Street<br>Queens, NY 11435<br>Phone: (718) 291-0800 | None                                |
| 149 <sup>th</sup> Street Operating Corp.           | Prior to 1974             | Unknown  | Unknown   | None                                |
| <b>Lots 10 and 13</b>                              |                           |  |   |                                     |
| Abbott Wire Products, Inc. / Abbot Industries Inc. | 1976-Present              | Active   | 95-25 149 <sup>th</sup> Street<br>Queens, NY 11435<br>Phone: (718) 291-0800 | None                                |
| Relnor Realty Corp.                                | Prior to 1976             | Unknown  | 22 Bonnyview Drive<br>Livingston, NJ<br>Phone: unavailable                  | None                                |

**Table 6  
Previous Property Operators**

| <b>Property Operators</b>                            | <b>Years of Operation</b> | <b>Status of Entity (Alive, Deceased, Active, Dissolved)</b> | <b>Current/Last Known Address/Phone Number (if available)</b>   | <b>Relationship to Requestor(s)</b> |
|--|---------------------------|--|---|-------------------------------------|
| <b>Lot 1</b>   |                           |  |   |                                     |
| Abbott Wire Products, Inc. / Abbott Industries, Inc. | 1963-2006                 | Active   | 95-25 149 <sup>th</sup> Street<br>Attn: Leonard Grossman<br>Queens, NY 11435<br>Phone: (718) 291-0800 | None                                |
| Unknown  | 1952-1962                 | Unknown  | Unknown   | None                                |
| Private residences, Dictagraph Products Corporation  | 1925-1951                 | Unknown  | Unknown   | None                                |
| Unknown  | 1912-1924                 | Unknown  | Unknown   | None                                |
| Private residences, General Acoustic Co.             | 1911                      | Unknown  | Unknown   | None                                |
| Unknown  | 1902-1910                 | Unknown  | Unknown   | None                                |
| Private residences, JAS Macbeth Cap & Fuse Factory   | 1891-1901                 | Unknown  | Unknown   | None                                |
| Unknown  | Prior to 1891             | Unknown  | Unknown   | None                                |
| <b>Lots 10 and 13</b>                                |                           |  |   |                                     |
| General Acoustic Co.                                 | 1911                      | Unknown  | Unknown   | None                                |
| Unknown  | 1902-1910                 | Unknown  | Unknown   | None                                |
| JAS Macbeth Cap & Fuse Factory                       | 1897-1901                 | Unknown  | Unknown   | None                                |

## Section VII. – Requestor Eligibility Information

### Volunteer Status

The Applicant qualifies as a Volunteer because prior to making this application and prior to taking ownership of the Site, the Applicant (i) performed a Phase I ESA that complies with the EPA All-Appropriate Inquiries Rule (40 CFR 312), (ii) all disposals/releases of hazardous substances occurred prior to the time the Applicant performed All-Appropriate Inquiry concerning the Site and (iii) the Applicant does not have any affiliation with any of the potentially responsible parties with respect to the environmental impacts associated with the Site.

The Applicant has exercised appropriate care by investigating the Recognized Environmental Conditions identified in the Phase I ESA and conducted a subsurface Phase II ESA. The Applicant will continue to exercise appropriate care by implementing all necessary investigation and remediation under the BCP remedial program, including implementation of an IRM to address soil vapor intrusion (SVI) at the Site.

A letter indicating proof of Site access is included in *Attachment E*.

## Section VIII. – Property Eligibility Information

### *Registry Listings*

#### *a. Resource Conservation and Recovery Act (RCRA)*

- Abbot Industries Inc., located at 95-25 149<sup>th</sup> Street, was listed as a Very Small Quantity Generator (VSQG) under EPA ID NYD002031870, and historical Conditionally Exempt Small Quantity Generator (CESQG), Large Quantity Generator (LQG), and Small Quantity Generator (SQG). Waste streams included spent halogenated solvents used in degreasing (including PCE and TCE). One Generators-General violation was issued in September 1991 and achieved compliance in December 1991.

#### *b. Petroleum Bulk Storage (PBS)*

- Block 10002, Lot 1 is listed under NYSDEC PBS ID 2-249963 with one in-service 7,500-gallon No. 6 fuel oil aboveground storage tank (AST). The tank was installed in January 1965; however, it is rarely used and the current Site owner installed overhead gas-powered units to heat the Site buildings.

#### *c. E-Designation*

- The Site (Block 10002, Lots 1, 10, and 13) contain an E-Designation (E-175) for hazardous materials testing protocol as part of the Downtown Jamaica Redevelopment rezoning (CEQR No. 05DCP081Q).

## Section IX. – Contact List Information

### *1. Local, State, and Federal Officials*

|   |   |
|---|---|
| Hon. Bill de Blasio<br>Mayor of New York City<br>City of New York<br>1 Centre Street<br>New York, NY 10007                                  | Hon. Scott M. Stringer<br>New York City Comptroller<br>Office of the Comptroller, City of NY<br>1 Centre Street, Room 517<br>New York, NY 10007 |
| Jumaane Williams<br>Office of the Public Advocate<br>Public Advocate<br>1 Centre Street, 15 <sup>th</sup> Floor North<br>New York, NY 10007 | Donovan Richards<br>Queens Borough President<br>120-55 Queens Boulevard<br>Kew Gardens, NY 11424  |

|  |   |
|--|---|
| Vivian E. Cook<br>State Assembly District 32<br>142-15 Rockaway Boulevard<br>Queens, NY 11436  | Adrienne E. Adams<br>City Council District 28<br>165-90 Baisley Boulevard<br>Queens, NY 11434                                   |
| Commissioner<br>NYC Department of City Planning<br>120 Broadway, 31 <sup>st</sup> Floor<br>New York, NY 10271  | NYC Department of City Planning<br>Queens Borough Office<br>120-55 Queens Boulevard, Room 201<br>Kew Gardens, NY 11424          |
| Hon. Charles Schumer<br>U.S. Senate<br>780 Third Avenue, Suite 2301<br>New York, NY 10017  | Hon. Kirsten Gillibrand<br>U.S. Senate<br>780 Third Avenue, Suite 2601<br>New York, NY 10017                                    |
| Hon. Gregory W. Meeks<br>U.S. House of Representatives<br>153-01 Jamaica Avenue, 2 <sup>nd</sup> Floor<br>Queens, NY 11432   | Hon. Governor Andrew M. Cuomo<br>NYS State Capitol Building<br>Albany, New York 12224   |
| Mark McIntyre, Director<br>Mayor's Office of Environmental Remediation<br>100 Gold Street, 2 <sup>nd</sup> Floor<br>New York, NY 10038                                   | Mark Chambers, Director<br>Mayor's Office of Sustainability<br>253 Broadway, 14 <sup>th</sup> Floor<br>New York, New York 10007 |
| Pinar Balci, Assistant Commissioner<br>Bureau of Environmental Planning and Analysis<br>NYCDEP<br>59-17 Junction Boulevard, 11 <sup>th</sup> Floor<br>Flushing, NY 11373 | Audrey I. Pfeffer<br>Queens County Clerk<br>88-11 Sutphin Boulevard, Room 106<br>Queens, NY 11435                               |
| Vincent Sapienza<br>Commissioner, NYC Dept. of Environmental<br>Protection<br>59-17 Junction Boulevard<br>Flushing, NY 11373   | James Sanders Jr.<br>New York State Senator, 10 <sup>th</sup> District<br>142-01 Rockaway Boulevard<br>South Ozone Park, 11436  |
| Renee Hill, Chairperson<br>Queens Community Board 12<br>90-28 161 <sup>st</sup> Street<br>Queens, NY 11432   | Yvonne Reddick, District Manager<br>Queens Community Board 12<br>90-28 161 <sup>st</sup> Street<br>Queens, NY 11432             |

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

The Site, Block 10002, Lot 1 is currently owned by Abbott Wire Products Inc. Successor by Merger. Lots 10 and 13 are currently owned Abbott Industries Inc. A list of adjacent properties and owners is provided below:

| <b>Block/Lot</b> | <b>Owner</b>  | <b>Occupant</b>   |
|------------------|---|---|
| 10000/24         | 95-12 150 <sup>th</sup> St. LLC<br>112 Phyllis Court<br>Elmont, NY 11003<br>Phone unavailable | Taste of Paradise Inc.<br>94-12 150 <sup>th</sup> Street<br>Phone unavailable<br><br>Queens Industrial Electric<br>94-12 150 <sup>th</sup> Street<br>Queens, NY 11435<br>(718) 526-7198 |

| <b>Block/Lot</b> | <b>Owner</b>   | <b>Occupant</b>  |
|------------------|--|--|
| 10000/31         | TDM Realty Partners LLC<br>318 Boerum Street<br>Brooklyn, NY 11206<br>Phone unavailable                          | Gerardo Mastronardi<br>149-01 95 <sup>th</sup> Avenue<br>Queens, NY 11435<br>Phone unavailable<br><br>Queens Ready Mix5<br>149-01 95 <sup>th</sup> Avenue<br>Queens, NY 11435<br>(718) 526-4919<br><br>GMS Batching Inc.<br>149-01 95 <sup>th</sup> Avenue<br>Queens, NY 11435<br>(718) 658-6580 |
| 10001/1          | 149 <sup>th</sup> St. Operating Corp.<br>95-25 149 <sup>th</sup> Street<br>Queens, NY 11435<br>Phone unavailable | Dale Electronics Corp.<br>148-04 95 <sup>th</sup> Ave<br>Queens, NY 11435<br>(855) 431-3594<br><br>Fine Express Inc.<br>148-02 95 <sup>th</sup> Ave<br>Queens, NY 11435<br>(718) 705-7250  |
| 10001/19         | Rampersaud-Sinanan, Indra<br>95-34 149 <sup>th</sup> Street<br>Queens, NY 11435<br>Phone unavailable             | Jamie B. Mahabir, Taveesha T. Sinanan, Indra Rampersaud<br>Sinanan<br>95-34 149 <sup>th</sup> Street<br>Queens, NY 11435<br>Phone unavailable  |
| 10002/5          | Mastronardi, Gerardo<br>149-01 95 <sup>th</sup> Avenue<br>Queens, NY 11435<br>Phone unavailable                  | Mastronardi, Gerardo<br>149-01 95 <sup>th</sup> Avenue<br>Queens, NY 11435<br>Phone unavailable  |
| 10002/15         | Amba Management Corp.<br>87-18 Santiago Street<br>Hollis, NY 11423<br>Phone unavailable                          | Inniss Afferleen Simpson<br>95-20 150 <sup>th</sup> Street<br>Queens, NY 11435<br>(718) 740-9115   |
| 10002/17         | Metro Atlantic Management LLC<br>148-23 94 <sup>th</sup> Avenue<br>Queens, NY 11435<br>Phone unavailable         | Tri State Blocks<br>95-24 150 <sup>th</sup> Street<br>Queens, NY 11435<br>(855) 400-9779<br><br>Sigo Manufacturing Co.<br>95-24 150 <sup>th</sup> Street<br>Queens, NY 11435<br>(718) 297-7300   |
| 10002/20         | Clyde Mohan<br>189-07 90 <sup>th</sup> Avenue<br>Hollis, NY 11423<br>Phone unavailable                           | Mohan's Precast USA<br>95-28 150 <sup>th</sup> Street<br>Queens, NY 11435<br>(718) 739-9199  |
| 10002/21         | Clinton Graham<br>95-02 Sutphin Boulevard<br>Queens, NY 11435<br>Phone unavailable                               | Multiple occupants (apartment building)<br>95-30 150 <sup>th</sup> Street<br>Queens, NY 11435<br>Phone unavailable   |

| <b>Block/Lot</b> | <b>Owner</b>  | <b>Occupant</b>  |
|------------------|---|--|
| 10002/22         | John Carr<br>95-25 150 <sup>th</sup> Street<br>Queens, NY 11435<br>Phone unavailable                                | Multiple occupants (apartment building)<br>95-32 150 <sup>th</sup> Street<br>Queens, NY 11435<br>Phone unavailable |
| 10002/122        | Clinton Graham<br>95-02 Sutphin Boulevard<br>Queens, NY 11435<br>Phone unavailable                                  | Multiple occupants (apartment building)<br>95-34 150 <sup>th</sup> Street<br>Queens, NY 11435<br>Phone unavailable |
| 10002/23         | Clinton Graham<br>95-02 Sutphin Boulevard<br>Queens, NY 11435<br>Phone unavailable                                  | Multiple occupants (apartment building)<br>95-36 150 <sup>th</sup> Street<br>Queens, NY 11435<br>Phone unavailable |
| 10002/24         | Clinton Graham<br>95-02 Sutphin Boulevard<br>Queens, NY 11435<br>Phone unavailable                                  | Multiple occupants (apartment building)<br>95-38 150 <sup>th</sup> Street<br>Queens, NY 11435<br>Phone unavailable |
| 10002/25         | Janie Carr<br>95-40 150 <sup>th</sup> Street<br>Queens, NY 11435<br>Phone unavailable                               | Multiple occupants (apartment building)<br>95-40 150 <sup>th</sup> Street<br>Queens, NY 11435<br>Phone unavailable |
| 10033/10         | Clinton Graham<br>95-02 Sutphin Boulevard<br>Queens, NY 11435<br>Phone unavailable                                  | Multiple occupants (apartment building)<br>148-24 97 <sup>th</sup> Avenue<br>Queens, NY 11435<br>Phone unavailable |
| 10033/12         | John Diaz<br>122-14 Sutphin Boulevard<br>Queens, NY 11434<br>Phone unavailable                                      | Multiple occupants (apartment building)<br>149-02 97 <sup>th</sup> Avenue<br>Queens, NY 11435<br>Phone unavailable |
| 10033/13         | G. Mastronardi & Sons<br>Construction Corp.<br>149-01 95 <sup>th</sup> Avenue<br>Queens, NY 11435<br>(718) 526-4919 | Vacant   |
| 10033/14         | G. Mastronardi & Sons<br>Construction Corp.<br>149-01 95 <sup>th</sup> Avenue<br>Queens, NY 11435<br>(718) 526-4919 | Vacant   |
| 10033/16         | Abbott Wire Products, Inc.<br>95-25 149 <sup>th</sup> Street<br>Queens, NY 11435<br>Phone: (718) 291-0800           | Abbott Industries Inc.<br>97-02 150 <sup>th</sup> Street<br>Queens, NY 11435<br>(718) 206-4518                     |
| 10095/58         | Beaver Road Management LLC<br>148-25 94 <sup>th</sup> Avenue<br>Queens, NY 11435<br>Phone unavailable               | Omega Scaffolding<br>95-09 150 <sup>th</sup> Street<br>Queens, NY 11435<br>(718) 523-8700                          |
| 10107/79         | 179-28 110 <sup>th</sup> Avenue LLC<br>112 Phyllis Court<br>Elmont, NY 11003<br>Phone unavailable                   | Vacant   |
| 10107/81         | Beaver Road Management LLC<br>148-25 94 <sup>th</sup> Avenue<br>Queens, NY 11435<br>Phone unavailable               | Vacant   |

3. Local News Media

|   |  |
|---|--|
| New York Post<br>1211 Avenue of the Americas<br>New York, New York 10036      | New York Daily News<br>4 New York Plaza<br>New York, New York 10004                  |
| Spectrum New York 1 News<br>75 Ninth Avenue<br>New York, NY 10011             | Queens Chronicle<br>71-19 80 <sup>th</sup> Street, Suite 8-201<br>Glendale, NY 11385 |
| Queens Gazette<br>42-16 34 <sup>th</sup> Avenue<br>Long Island City, NY 11101 | Queens Daily Eagle<br>8900 Sutphin Boulevard, LL2<br>Queens, NY 11435                |
| Queens Times<br>108-59 49 <sup>th</sup> Avenue<br>Corona Heights, NY 11368    |  |

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, 13<sup>th</sup> Floor  
Flushing, New York 11373

Vincent Sapienza  
Commissioner, NYCDEP  
59-17 Junction Boulevard  
Flushing, NY 11373

5. Additional Contacts

None

6. Nearby Schools and Daycare Centers

Schools:

Queens High School for the Sciences  
Ana De Jesus, Principal  
94-50 159<sup>th</sup> Street  
Queens, NY 11451  
(718) 657-3181  
Distance: 1,360 feet northeast of the Site

Queens Village Day School  
Administrator: unknown  
90-16 Sutphin Boulevard  
Queens, NY 11435  
(718) 291-4246  
Distance: 1,700 feet northwest of the Site

Daycare Centers:

Imagine Early Learning Centers @ Jamaica Kids  
Holly Saltzman, President  
155-10 Jamaica Avenue  
Queens, NY 11432  
(718) 557-5520  
Distance: 1,320 feet northeast of the Site

Sparkling Gems Early Learning Daycare  
Administrator: unknown  
146-23 106<sup>th</sup> Avenue  
Queens, NY 11435  
(718) 300-3457  
Distance: 1,470 feet southwest of the Site

Little Angels Day Care Center  
Administrator: unknown  
155-01 107<sup>th</sup> Avenue  
Queens, NY 11433  
(718) 298-6098  
Distance: 1,560 feet southeast of the Site

#### *7. Document Repositories*

Queens Community Board District 12  
Yvonne Reddick, District Manager  
Renne Hill, Chairperson  
90-28 161<sup>st</sup> Street  
Queens, New York 11432  
(718) 658-3308

Due to the outbreak of COVID-19, the local public library branch is only open for limited to-go service at this time. As such, an acknowledgement from the library could not be obtained. An acknowledgement from Queens Community Board 12 is included in *Attachment F*.

#### *8. Local Community Board*

Queens Community Board District 12  
Yvonne Reddick, District Manager  
Renne Hill, Chairperson  
90-28 161<sup>st</sup> Street  
Queens, New York 11432  
(718) 658-3308

### **Section X. – Land Use Factors**

#### *1. Zoning*

The current zoning designation of the Site is M1-4 (manufacturing). As part of the proposed redevelopment, the Site would be rezoned. The proposed use of the Site is mixed-use commercial, industrial, and residential uses including affordable housing. A Zoning Map is presented as *Figure 5*.

#### *2. Current Site Use*

Currently, the Site contains 11 one- to two-story buildings. The western portion of the Site (Lot 1) contains nine structures, which are mostly unoccupied and only utilized by the current Site owner for office space and storage of construction materials and warehousing. The southern portion of Lot 1 is occasionally utilized for professional films and television sets. Lot 10 contains a one-story slab-on-grade building utilized as a contractor's garage, shop, and office. Lot 13 contains a vacant slab-on-grade two-story building.



### *3. Anticipated Use Post-Remediation*

Although the proposed redevelopment plans have not been finalized, it is anticipated that the post-remediation use will include commercial, industrial, and both market-rate and affordable residential. The Applicant intends to acquire title to the Site while redevelopment plans and regulatory approvals are advanced under ULURP. As part of the redevelopment project, the existing buildings will be demolished to make way for the new development.

### *4. Recent Development Patterns*

The surrounding area is predominantly utilized for industrial and commercial purposes with increasing conversion to multi-family residential buildings. Rezoning and redevelopment of the Site supports the goals and objectives of the Jamaica Plan (see response to Question 6).

### *6. Applicable Community Plans*

The Jamaica Plan was established by the Department of City Planning in 2007 to develop a comprehensive planning and rezoning strategy to address the housing and economic needs of Jamaica, Queens. The main goals of the Plan are: to respect and enhance Jamaica's unique character; provide a mix of residential, commercial, and community uses; protect residential areas outside of the downtown area; encourage affordable housing; and create a new gateway at the JFK AirTrain station. The proposed project would result in development that supports adopted public policies and would be consistent with the goals of the Jamaica Plan.

**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 February 17, 2021.

---

Selected Entity Name: 95-08 150TH ST LLC

Selected Entity Status Information

**Current Entity Name:** 95-08 150TH ST LLC

**DOS ID #:** 5913514

**Initial DOS Filing Date:** JANUARY 08, 2021

**County:** ALBANY

**Jurisdiction:** NEW YORK

**Entity Type:** DOMESTIC 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)**

95-08 150TH ST LLC

347 5TH AVENUE, SUITE 1600

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 08, 2021 | Actual    | 95-08 150TH ST 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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# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through February 17, 2021.

Selected Entity Name: 95-12 150TH ST 11435 LLC

Selected Entity Status Information

**Current Entity Name:** 95-12 150TH ST 11435 LLC

**DOS ID #:** 5927977

**Initial DOS Filing Date:** JANUARY 27, 2021

**County:** ALBANY

**Jurisdiction:** NEW YORK

**Entity Type:** DOMESTIC 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)**

THE LIMITED LIABILITY COMPANY

347 5TH AVENUE, SUITE 1600

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 27, 2021 | Actual    | 95-12 150TH ST 11435 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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# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through March 18, 2021.

---

Selected Entity Name: RADIX 95-25 149TH ST LLC

Selected Entity Status Information

**Current Entity Name:** RADIX 95-25 149TH ST LLC

**DOS ID #:** 5945944

**Initial DOS Filing Date:** FEBRUARY 22, 2021

**County:** ALBANY

**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)**

RADIX 95-25 149TH ST LLC  
347 FIFTH AVENUE,  
16TH FLOOR  
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**

| <b>Filing Date</b> | <b>Name Type</b> | <b>Entity Name</b>       |
|--------------------|------------------|--------------------------|
| FEB 22, 2021       | Actual           | RADIX 95-25 149TH ST 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.

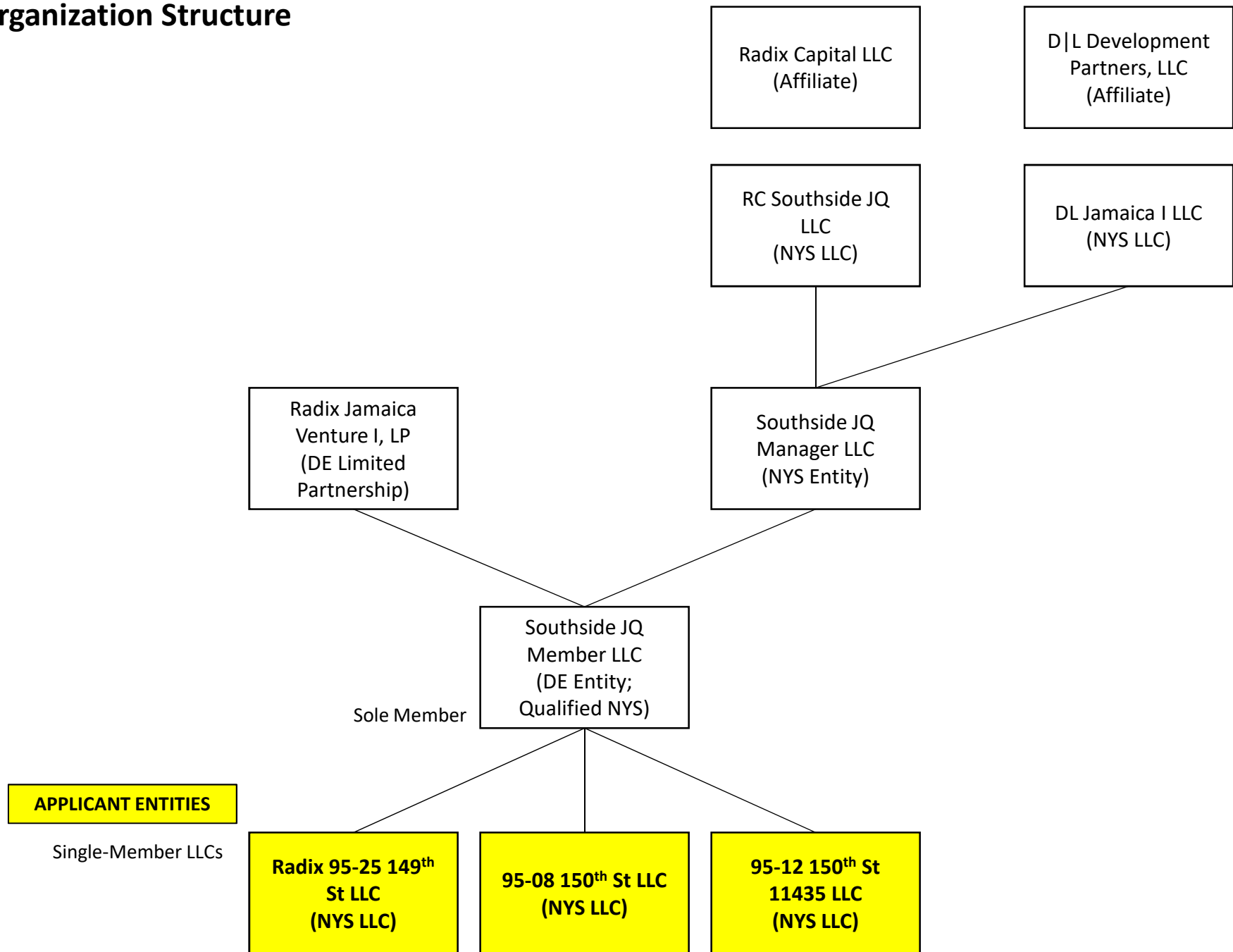
[Search Results](#) | [New Search](#)

[Services/Programs](#) | [Privacy Policy](#) | [Accessibility Policy](#) | [Disclaimer](#) | [Return to DOS](#)  
[Homepage](#) | [Contact Us](#)



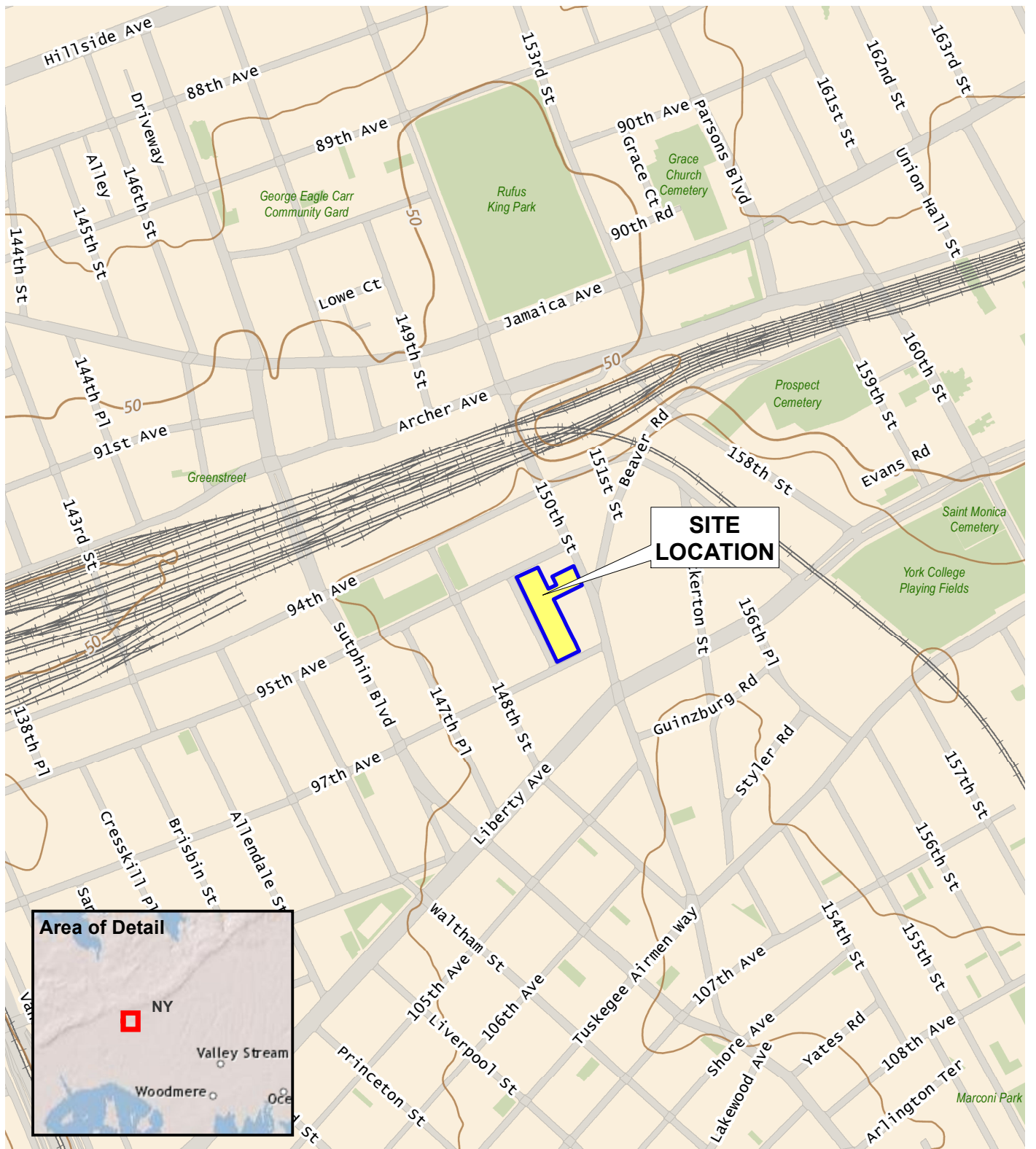
**ATTACHMENT B**  
**BCP Applicant-Member Org Chart**

# BCP Applicant-Member Organization Structure



**ATTACHMENT C**

**Figures**



Service Layer Credits: USGS The National Map: 3d Elevation Program 2020



© 2020 AKRF. W:\Projects\200278 - EMPIRE 149TH AND 150TH JAMAICA\GIS and Graphics\SAR\BCP\200278 Fig. 1 Site Loc. map.mxd 12/15/2020 1:27:30 PM mveilleux



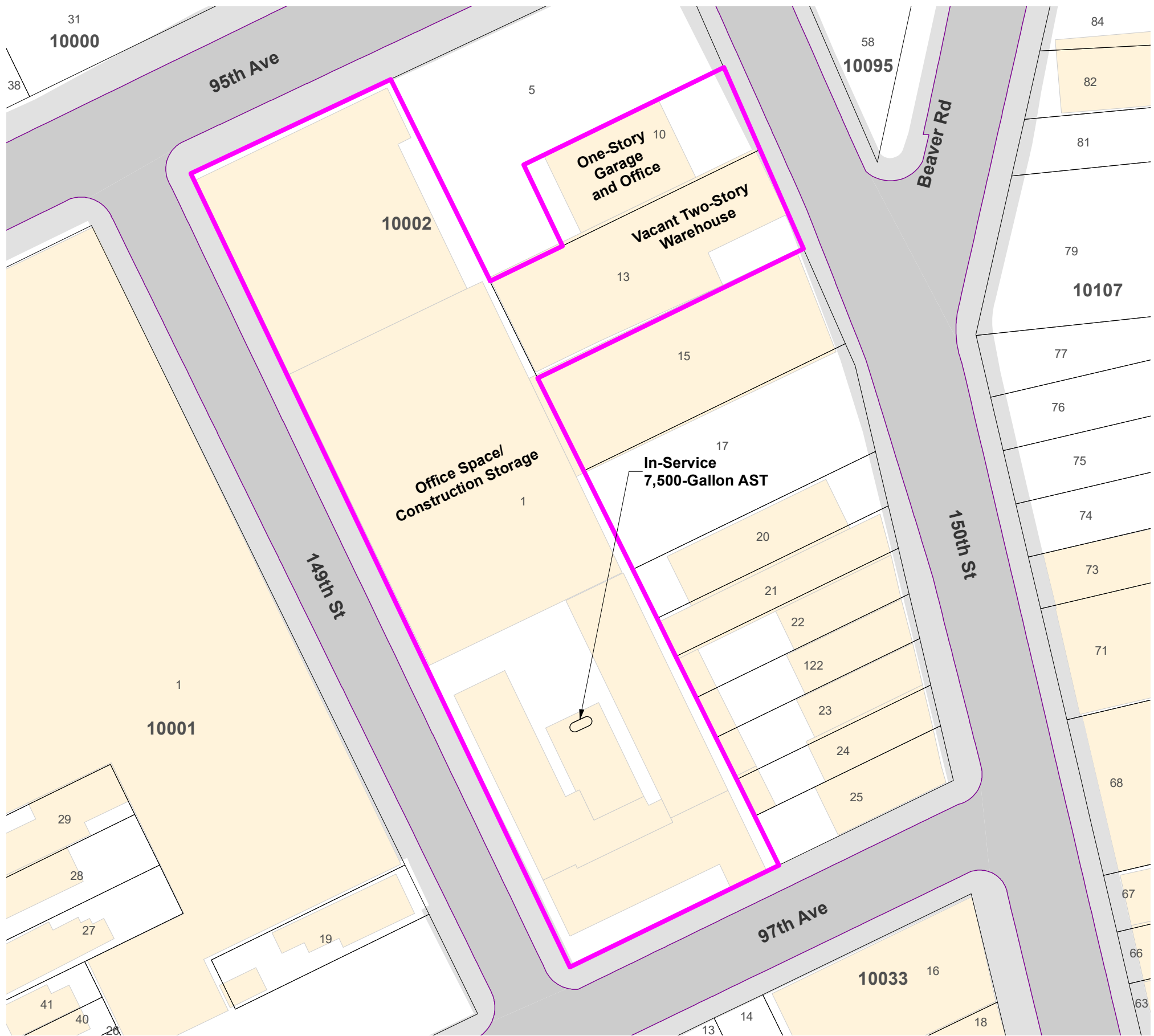
440 Park Avenue South, New York, NY 10016

**Jamaica Works**  
**95-25 149<sup>th</sup> Street**  
 Queens, New York





**SITE LOCATION**

|             |                   |
|-------------|-------------------|
| DATE        | <b>12/15/2020</b> |
| PROJECT NO. | <b>200278</b>     |
| FIGURE      | <b>1</b>          |

© 2020 AKRF W:\Projects\200278 - EMPIRE 149TH AND 150TH JAMAICA\GIS and Graphics\SAR\BCP\200278 Fig 2 Site Plan.mxd 12/18/2020 10:59:21 AM mvelieux



**LEGEND**

-  PROJECT SITE BOUNDARY
-  LOT BOUNDARY AND TAX LOT NUMBER
- 10002** BLOCK NUMBER
-  BUILDING
-  ABOVEGROUND STORAGE TANK (AST)



SCALE IN FEET



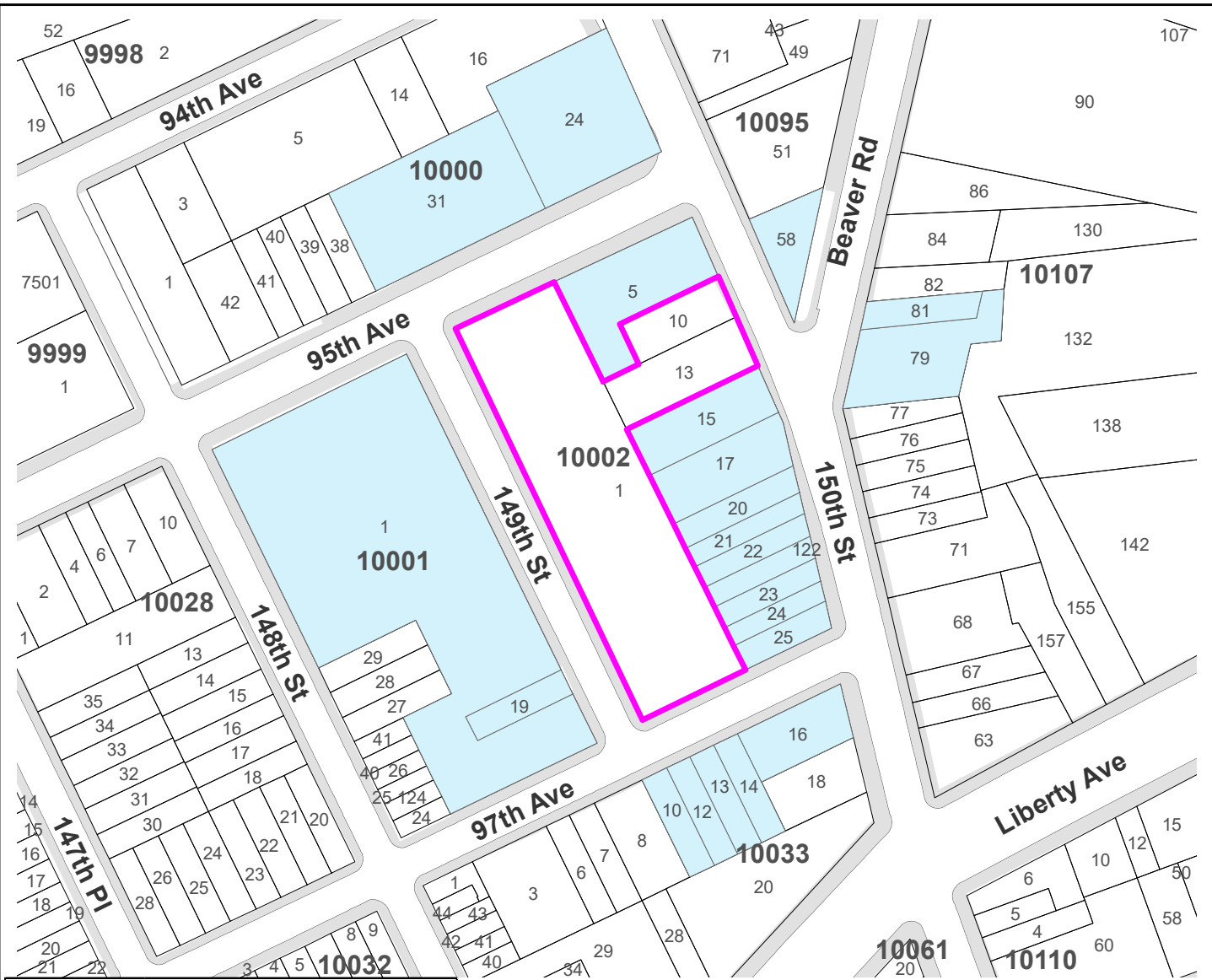
Map Source:  
NYCDP (NYC Dept. of City Planning) GIS database

**Jamaica Works**  
**95-25 149<sup>th</sup> Street**  
Queens, New York

**SITE PLAN**

|             |                   |
|-------------|-------------------|
| DATE        | <b>12/18/2020</b> |
| PROJECT NO. | <b>200278</b>     |
| FIGURE      | <b>2</b>          |

©2020 AKRF. W:\Projects\200278 - EMPIRE 149TH AND 150TH JAMAICA\GIS and Graphics\SAR\BCEP\200278 Fig 3 Tax Map.mxd 12/16/2020 9:30:26 AM mvilleux

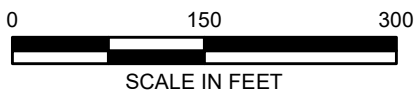


Map Source:  
NYCDPC (NYC Dept. of City Planning) GIS database



**LEGEND**

- PROJECT SITE BOUNDARY
- ADJACENT PROPERTY
- LOT BOUNDARY AND TAX LOT NUMBER
- 10002** BLOCK NUMBER



| Adjacent Property Owners |     |  |
|--------------------------|-----|--|
| Block                    | Lot | Owner Name                               |
| 10000                    | 24  | 95-12 150th St. LLC                      |
| 10000                    | 31  | TDM Realty Partners LLC                  |
| 10001                    | 1   | 149th St. Operating Corp.                |
| 10001                    | 19  | Indra Rampersaud-Sinanan                 |
| 10002                    | 5   | Gerardo Mastronardi                      |
| 10002                    | 15  | Amba Management Corp.                    |
| 10002                    | 17  | Metro Atlantic Management LLC            |
| 10002                    | 20  | Clyde Mohan                              |
| 10002                    | 21  | Clinton Graham                           |
| 10002                    | 22  | John Carr                                |
| 10002                    | 122 | Clinton Graham                           |
| 10002                    | 23  | Clinton Graham                           |
| 10002                    | 24  | Clinton Graham                           |
| 10002                    | 25  | Janie Carr                               |
| 10033                    | 10  | Clinton Graham                           |
| 10033                    | 12  | John Diaz                                |
| 10033                    | 13  | G. Mastronardi & Sons Construction Corp. |
| 10033                    | 14  | G. Mastronardi & Sons Construction Corp. |
| 10033                    | 16  | Abbott Wire Products, Inc.               |
| 10095                    | 58  | Beaver Road Management LLC               |
| 10107                    | 79  | 179-28 110th Avenue LLC                  |
| 10107                    | 81  | Beaver Road Management LLC               |

**AKRF**

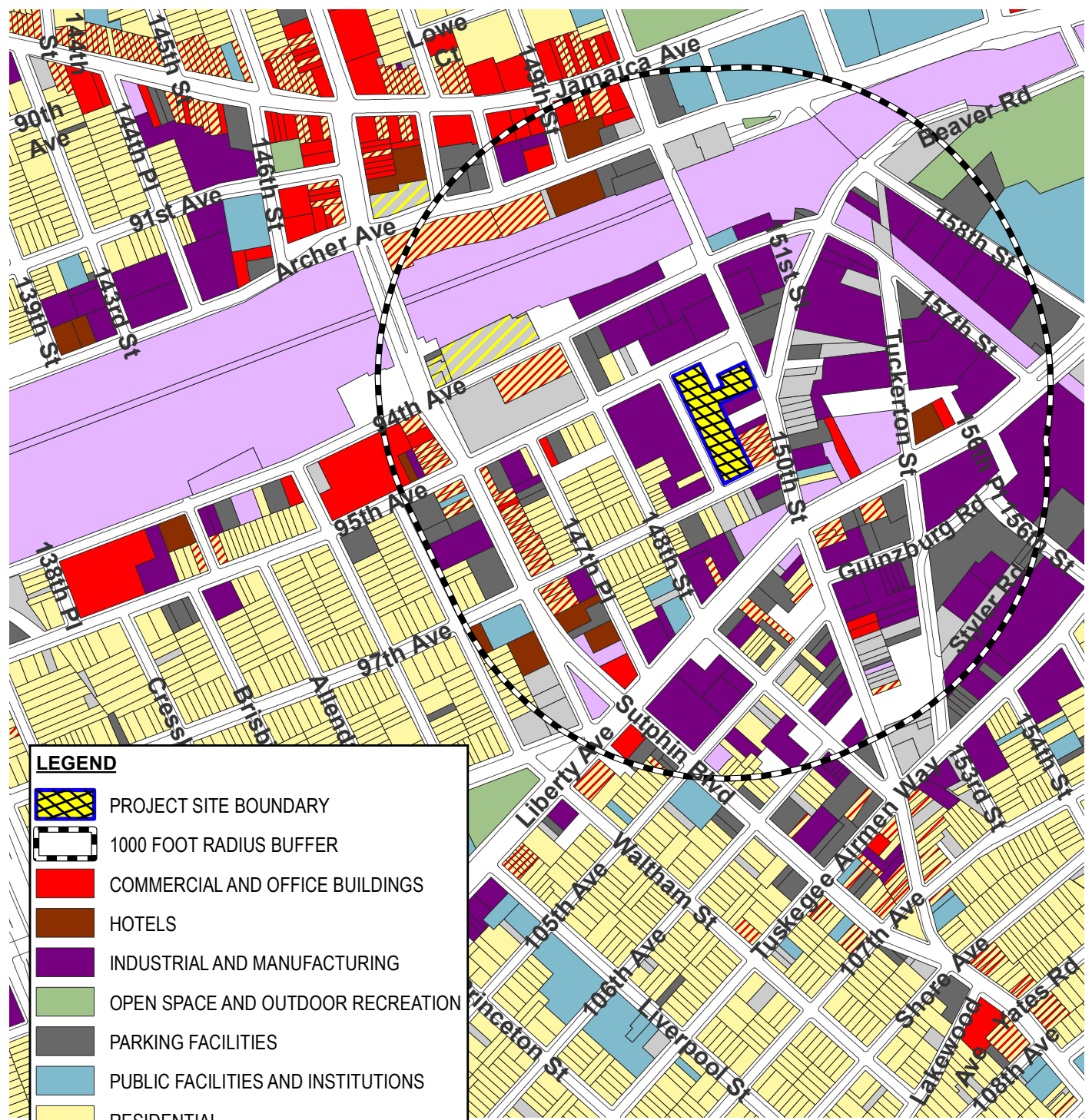
440 Park Avenue South, New York, NY 10016

**Jamaica Works**  
**95-25 149<sup>th</sup> Street**  
 Queens, New York















**TAX MAP**

|                              |
|------------------------------|
| DATE<br><b>12/16/2020</b>    |
| PROJECT NO.<br><b>200278</b> |
| FIGURE<br><b>3</b>           |

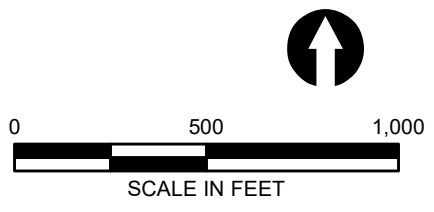
© 2020 AKRF. W:\Projects\200278 - EMPIRE 149TH AND 150TH JAMAICA\GIS and Graphics\SAR\BCP\200278 Fig. 4 Surrounding Land Use map.mxd 12/16/2020 2:22:18 PM mveilleux



**LEGEND**

-  PROJECT SITE BOUNDARY
-  1000 FOOT RADIUS BUFFER
-  COMMERCIAL AND OFFICE BUILDINGS
-  HOTELS
-  INDUSTRIAL AND MANUFACTURING
-  OPEN SPACE AND OUTDOOR RECREATION
-  PARKING FACILITIES
-  PUBLIC FACILITIES AND INSTITUTIONS
-  RESIDENTIAL
-  RESIDENTIAL WITH COMMERCIAL BELOW
-  TRANSPORTATION AND UTILITY
-  VACANT LAND
-  VACANT BUILDING
-  UNDER CONSTRUCTION

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



440 Park Avenue South, New York, NY 10016

**Jamaica Works**  
**95-25 149<sup>th</sup> Street**  
 Queens, New York

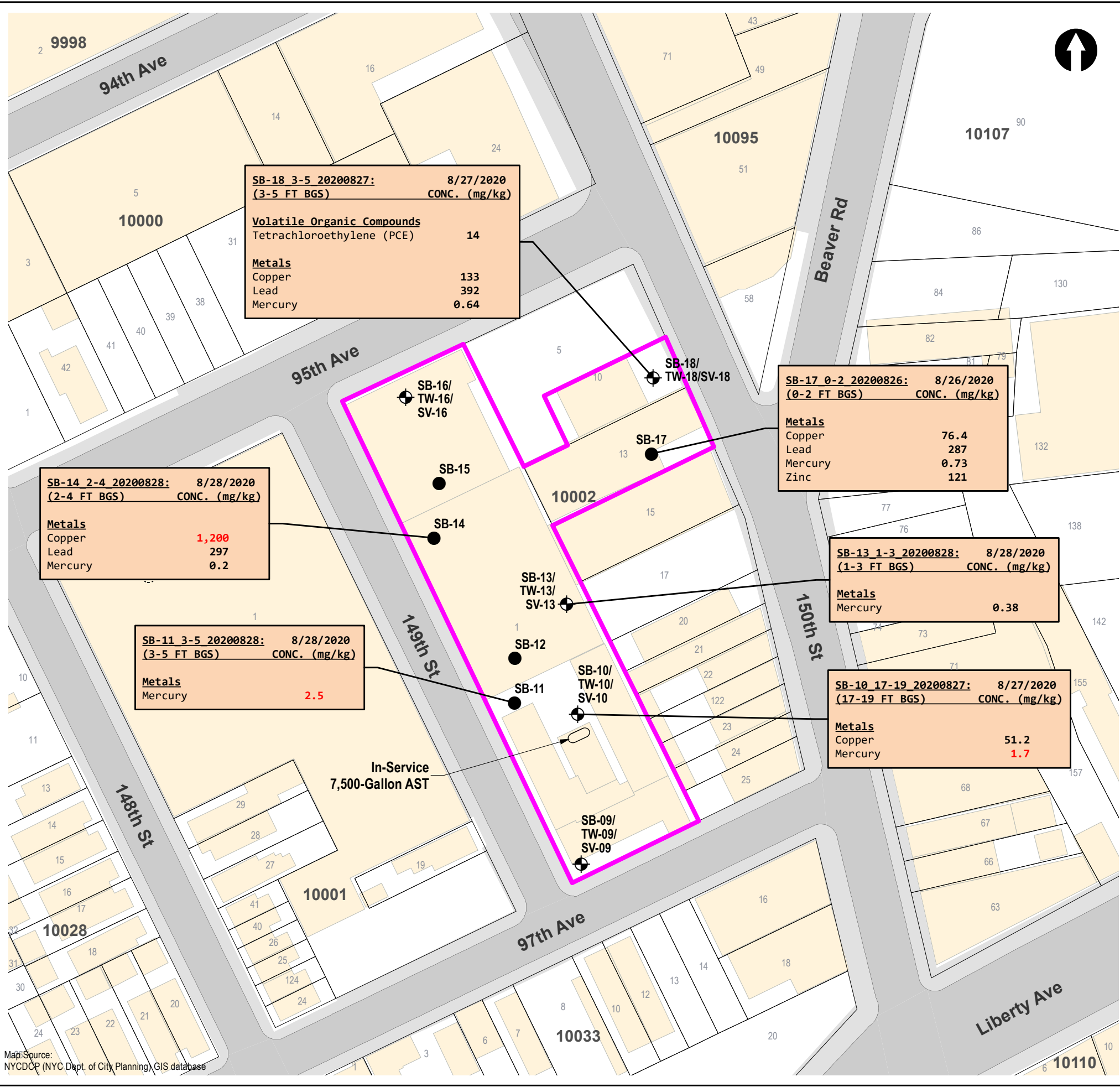
**SURROUNDING LAND USE**

|             |            |
|-------------|------------|
| DATE        | 12/16/2020 |
| PROJECT NO. | 200278     |
| FIGURE      | 4          |





© 2020 AKRF W:\Projects\200278 - EMPIRE 149TH AND 150TH JAMAICA\GIS and Graphics\SAR\BCP\200278 Fig 6 Soil Exceedances.mxd 12/29/2020 11:27:07 AM mvelieux



**LEGEND**

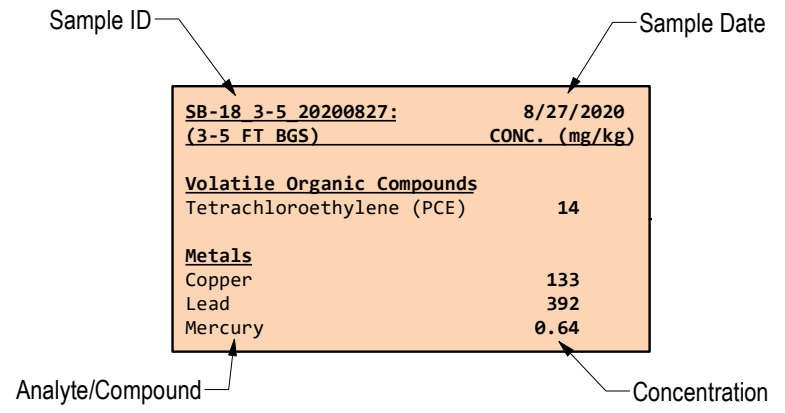
- PROJECT SITE BOUNDARY
- 1 LOT BOUNDARY AND TAX LOT NUMBER
- 10002** BLOCK NUMBER
- BUILDING
- ABOVEGROUND STORAGE TANK (AST)
- SOIL BORING/TEMPORARY WELL/SOIL VAPOR POINT
- SOIL BORING

**SOIL**

**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).

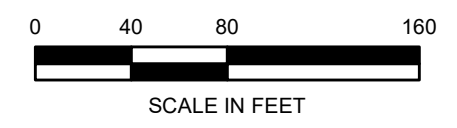
**Exceedances of NYSDEC Unrestricted Use Soil Cleanup Objectives (UUSCOs) are presented in bold font.**  
**Exceedances of NYSDEC Restricted Residential Soil Cleanup Objectives (RRSCOs) are presented in red.**

mg/kg: milligrams per kilogram = parts per million (ppm)



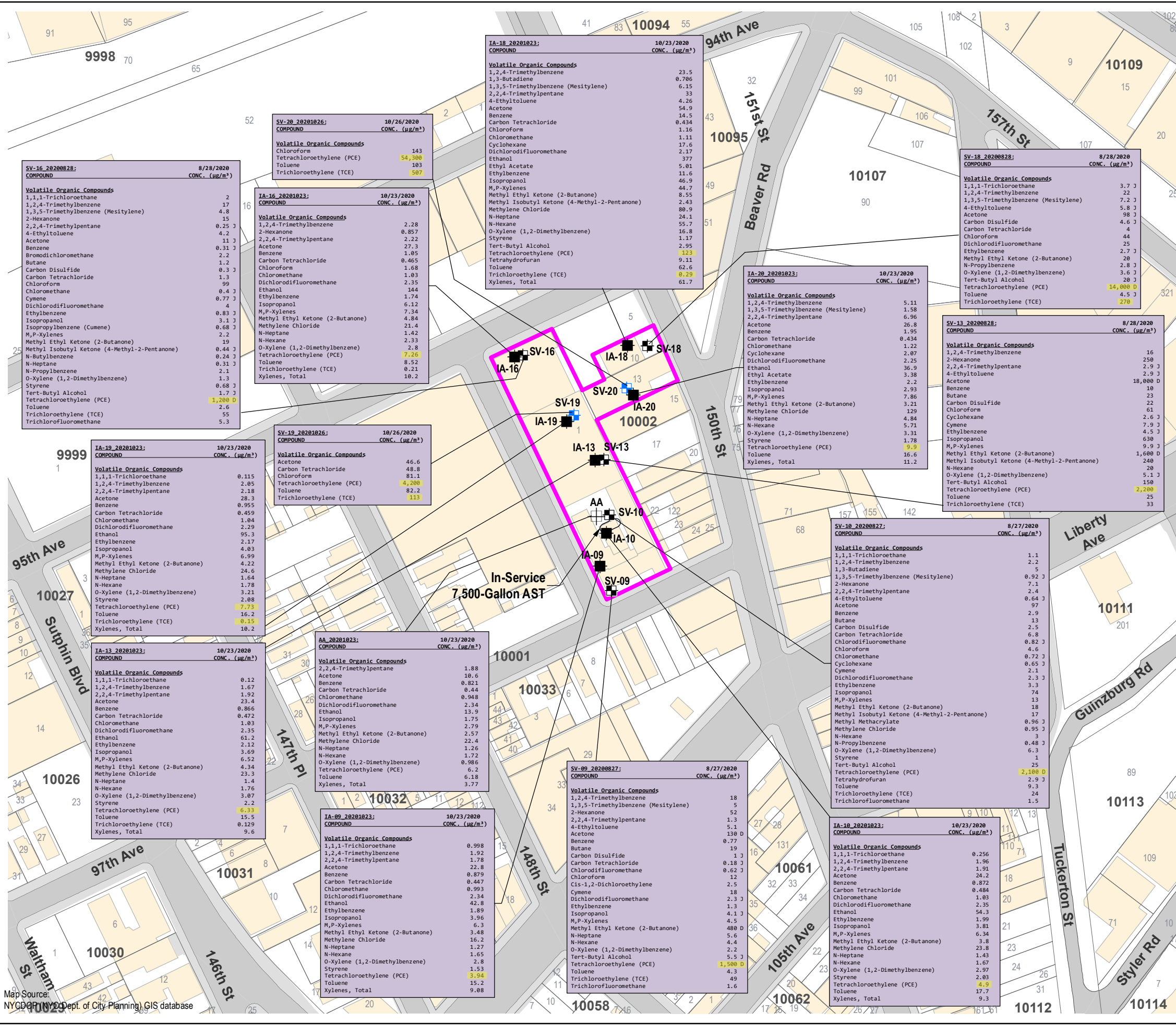
|                                   |  |                      |
|-----------------------------------|--|----------------------|
| <b>SB-18 3-5 20200827:</b>        |  | 8/27/2020            |
| <b>(3-5 FT BGS)</b>               |  | <b>CONC. (mg/kg)</b> |
| <b>Volatile Organic Compounds</b> |  |                      |
| Tetrachloroethylene (PCE)         |  | 14                   |
| <b>Metals</b>                     |  |                      |
| Copper                            |  | 133                  |
| Lead                              |  | 392                  |
| Mercury                           |  | 0.64                 |

|                                   | <b>PART 375 UNRESTRICTED</b> | <b>PART 375 RESTRICTED</b> |
|-----------------------------------|------------------------------|----------------------------|
|                                   | <b>mg / kg</b>               | <b>RESIDENTIAL mg / kg</b> |
| <b>Volatile Organic Compounds</b> |                              |                            |
| Tetrachloroethylene (PCE)         | 1.3                          | 19                         |
| <b>Metals</b>                     |                              |                            |
| Copper                            | 50                           | 270                        |
| Lead                              | 63                           | 400                        |
| Mercury                           | 0.18                         | 0.81                       |
| Zinc                              | 109                          | 10,000                     |



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

© 2020 AKRF W:\Projects\200278 - EMPIRE 149TH AND 150TH JAMAICAS and Graphics\SAR\IRM workplan\200278 Fig 4 Soil Vapor and Indoor Air Detections.mxd 12/23/2020 4:17:08 PM isaluis



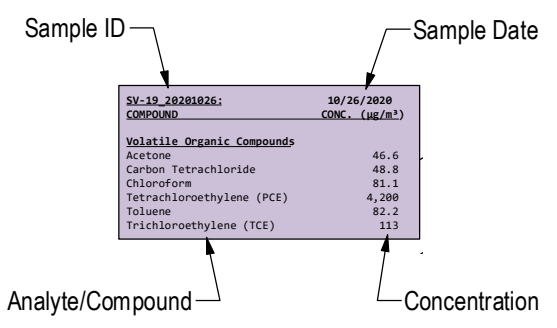
**LEGEND**

- PROJECT SITE BOUNDARY
- LOT BOUNDARY AND TAX LOT NUMBER
- 10002** BLOCK NUMBER
- BUILDING
- ABOVEGROUND STORAGE TANK (AST)
- SOIL VAPOR POINT
- SUPPLEMENTAL SOIL VAPOR POINT
- INDOOR AIR SAMPLE LOCATION
- AMBIENT AIR SAMPLE LOCATION

µg/m<sup>3</sup> - micrograms per cubic meter

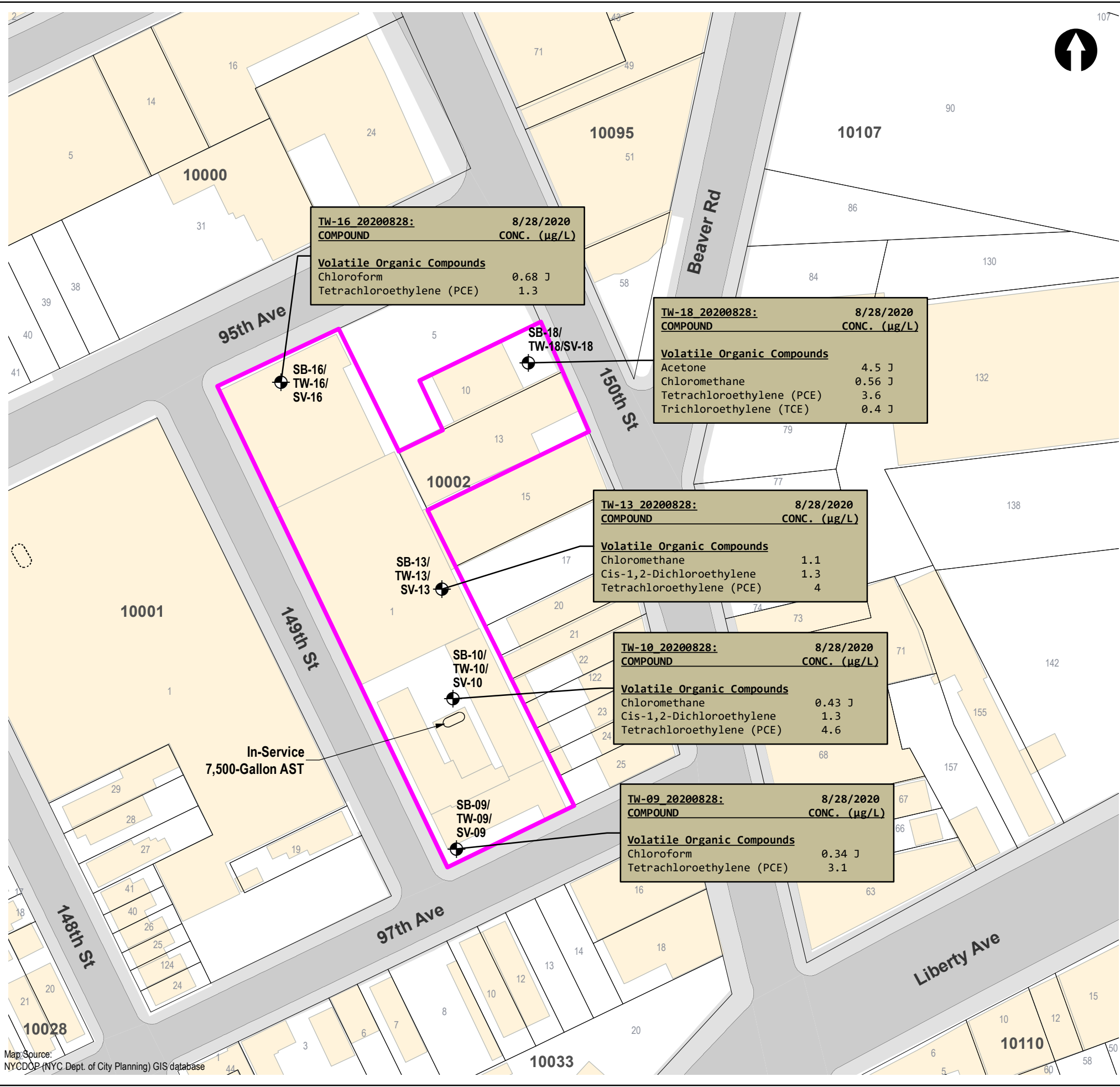
D: Analyte concentration obtained from dilution.  
J: The concentration given is an estimated value.

VOC detections above the New York State Department of Health (NYSDOH) May 2017 Matrix Values requiring mitigation are highlighted in yellow.



Map Source: NYCDOH/ NY Dept. of City Planning, GIS database

© 2021 AKRF W:\Projects\200278 - EMPIRE 149TH AND 150TH JAMAICA\GIS and Graphics\SAR\BCP\200278 Fig 8 - VOC Detections in Groundwater.mxd 3/24/2021 1:27:02 PM iszalus



**LEGEND**

- PROJECT SITE BOUNDARY
- LOT BOUNDARY AND TAX LOT NUMBER
- 10002** BLOCK NUMBER
- BUILDING
- ABOVEGROUND STORAGE TANK (AST)
- SOIL BORING/TEMPORARY WELL/SOIL VAPOR POINT

**GROUNDWATER**

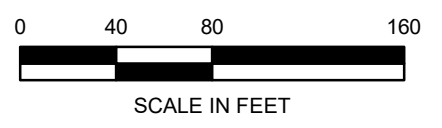
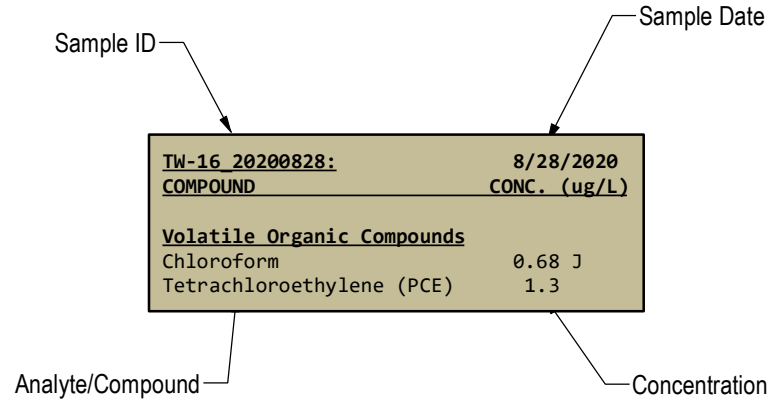
**NYSDEC TOGS Class GA Ambient Water Quality Standard and Guidance Values (AWQSGVs):**  
 New York State Department of Environmental Conservation (NYSDEC)  
 Technical and Operational Guidance Series (TOGS) (1.1.1):

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

J: The concentration given is an estimated value.

VOC Concentrations detected above the laboratory reporting limit are shown.

|                                    | NYSDEC<br>AWQSGVs<br>µg/l |
|------------------------------------|---------------------------|
| <b>Volatiles Organic Compounds</b> |                           |
| Acetone                            | 50                        |
| Chloroform                         | 7                         |
| Chloromethane                      | 5                         |
| Cis-1,2-Dichloroethylene           | 5                         |
| Tetrachloroethylene (PCE)          | 5                         |
| Trichloroethylene (TCE)            | 5                         |



|             |           |
|-------------|-----------|
| DATE        | 3/24/2021 |
| PROJECT NO. | 200278    |
| FIGURE      | 8         |

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

**ATTACHMENT D**

**Previous Reports (provided under separate attachment)**

**ATTACHMENT E**  
**Access Agreement**

ABBOTT INDUSTRIES INC  
95-25 149<sup>th</sup> Street  
Jamaica, New York 11435

February 18, 2021

New York State Department of Environmental Conservation  
Environmental Remediation  
625 Broadway  
Albany, NY 12233-7012

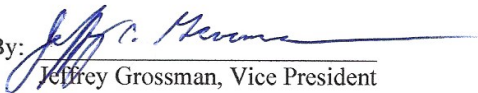
Re: Brownfield Cleanup Program Grant of Access

To whom it may concern:

This letter confirms that Radix 95-25 149<sup>th</sup> St LLC, 95-08 150<sup>th</sup> St LLC and 95-12 150<sup>th</sup> St 11435 LLC each has been granted access to the real property known as Tax Block 10002, Lots 1, 10 & 13, with associated street addresses of 95-25 149<sup>th</sup> Street, 95-08 150<sup>th</sup> Street and 95-12 150<sup>th</sup> Street, Jamaica, New York, to implement any investigation or remedial work, inclusive of placement of an environmental easement on the property, as required by the New York State Department of Environmental Conservation (NYSDEC) pursuant to the Brownfield Cleanup Program (BCP).

Sincerely yours,

Abbott Industries Inc.

By:   
Jeffrey Grossman, Vice President

**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](http://www.akrf.com)

December 9, 2020

Ms. Yvonne Reddick  
District Manager  
Queens Community Board 12  
90-28 161<sup>st</sup> Street  
Jamaica, NY 11435  
Email: [qn12@cb.nyc.gov](mailto:qn12@cb.nyc.gov)

Re: Document Repository for 95-25 149<sup>th</sup> Street, Queens, NY 11435

Dear Ms. Reddick,

AKRF, Inc. is submitting a New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Application on behalf of Radix 95-25 149<sup>th</sup> St. LLC for the project site located at 95-25 149<sup>th</sup> Street, Queens, NY 11435. As required by NYSDEC, Queens Community Board 12 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 [abosco@akrf.com](mailto:abosco@akrf.com). Please call me at (646) 388-9576 with any questions. Thank you.

Sincerely,  
AKRF, Inc.

Adrianna Bosco  
Technical Director

ACKNOWLEDGED AND ACCEPTED:

|      |       |           |
|------|-------|-----------|
|      |       |           |
| Name | Title | Signature |