

Brownfield Cleanup Program (BCP) Application

Former Prestone Press 47-50 30th Street (Block 115, Lot 187), Queens, New York 11101

October 11, 2023

Prepared for:

CM LIC Studios 30th Street II LLC 85 Post Crossing A1 Southampton, New York 11968

Prepared by:

Roux Environmental Engineering and Geology, D.P.C. 209 Shafter Street Islandia, New York 11749



Department of BROWNFIELD CLEANUP PROGRAM (BCP) Environmental APPLICATION FORM

SUBMITTAL INSTRUCTIONS:

- 1. Compile the application package in the following manner:
 - a. one file in non-fillable PDF of the application form plus supplemental information, excluding the previous environmental reports and work plans, if applicable;
 - b. one individual file (PDF) of each previous environmental report; and,
 - c. one file (PDF) of each work plan being submitted with the application, if applicable.
- 2. Compress all files (PDFs) into one zipped/compressed folder.
- 3. Submit the application to the Site Control Section either via email or ground mail, as described below. Please select only ONE submittal method do NOT submit both email and ground mail.
 - a. VIA EMAIL:
 - Upload the compressed folder to the NYSDEC File Transfer Service. (http://fts.dec.state.ny.us/fts) or another file-sharing service.
 - Copy the download link into the body of an email with any other pertinent information or cover letter attached to the email.
 - Subject line of the email: "BCP Application NEW *Proposed Site Name*"
 - Email your submission to DERSiteControl@dec.ny.gov do NOT copy Site Control staff.
 - b. VIA GROUND MAIL:
 - Save the application file(s) and cover letter to an external storage device (e.g., thumb drive, flash drive). Do NOT include paper copies of the application or attachments.
 - Mail the external storage device to the following address:

Chief, Site Control Section Division of Environmental Remediation 625 Broadway, 11th Floor Albany, NY 12233-7020

PROPOSED SITE NAME: Former Prestone Press		
Is this an application to amend an existing BCA with a major modification?	Please refer to	the .
application instructions for further guidance related to BCA amendments. If yes, provide existing site number:	Yes	_
Is this a revised submission of an incomplete application? If yes, provide existing site number: C241264	Yes	No



Department of Environmental Conservation BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

BCP App Rev 15 – May 2023

SECTI	ON I: Pro	perty Informat	tion	Appendix A							
PROP	OSED SIT	E NAME FOI	rmer F	Prestone	e Press						
ADDR	ESS/LOC	ATION 47-5	0 30th	Street							
CITY/	rown L C	ng Islan	d City	,			ZIP C	ODE 1	1101		
MUNIC	CIPALITY ((LIST ALL IF M	ORE THA	N ONE) Ci	ty of Ne	w Y	ork				
COUN	TY Que	ens					SITE	SIZE (A	CRES) 1	.3	
LATIT	UDE				LONGITUE	DE					
	0		ę	"		0			6		"
40		44	30		-73		56		18		
Provide tax map information for all tax parcels included within the proposed site boundary below. If a portion of any lot is to be included, 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 acreage column. Figure 2 ATTACH REQUIRED TAX MAPS PER THE APPLICATION INSTRUCTIONS.											
		Parce	l Address			Section	on	Block	Lot	Acre	age
47-5	0 30th 9	Street, Lor	ng Islan	d City, N	Y 11101	Quee	ns	115	187	1.	3
1.	•	oposed site bo ase attach an a		•	•				bounds	Y	N O
2.		uired property	map includ	ded with the a	application?						
	(Application	on will not be p	processed	without a ma	p) F	igures 1 a				•	
3.		perty within a				-zone)	pursu	ant to T	ax Law		
	` , ` ,	(See <u>DEC's w</u> entify census tra		more informa	illori)						
	Percentag	ge of property	in En-zone	(check one)	: 0% 💽 1-	49% (<u>)</u> 50-	.99% 🤇) 100% (
4. Is the project located within a disadvantaged community? See application instructions for additional information.											
5.	Is the pro	ject located wi A)? See applic	thin a NYS	Department	of State (NY			wnfield (Opportuni	ty C	
6.								oject, w	here the		
6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)? If yes, identify names of properties and site numbers, if available, in related BCP applications:											

SECTI	ON I: Property Information (CONTINUED)	Υ	N
	Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?	0	•
8.	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? If yes, attach relevant supporting documentation.	0	•
9.	Are there any lands under water? If yes, these lands should be clearly delineated on the site map.	0	•
	Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: C241264	•	0
	Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? If yes, please provide the DEC site number: 241264 Class: P	•	0
12.	Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information.	\bigcirc	•
	Easement/Right-of-Way Holder Description		
13.	List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information):	0	•
	Type Issuing Agency Description		
	Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format? Appendix A		0
	Questions 15 through 17 below pertain ONLY to proposed sites located within the five co rising New York City.	untie)S
15.	Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 11-13 of this form.	Y	N
16.	Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?	0	•
17.	If you have answered YES to Question 16 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?	0	0
applica	If a tangible property tax credit determination is not being requested at the time of application, to ant may seek this determination at any time before issuance of a Certificate of Completion by using mendment Application, except for sites seeking eligibility under the underutilized category.		ne
Reque	changes to Section I are required prior to application approval, a new page, initialed by eastor, must be submitted with the application revisions. s of each Requestor: ———————————————————————————————————	ich	

SECTION II: Project Description Appendix B		
The project will be starting at: Investigation Remediation		
NOTE: If the project is proposed to start at the remediation stage, at a minimum, a Remedial Invest Report (RIR) must be included, resulting in a 30-day public comment period. If an Alternatives Ana Remedial Action Work Plan (RAWP) are also included (see <u>DER-10, Technical Guidance for Site Investigation and Remediation</u> for further guidance), then a 45-day public comment period is required.	lysis a	
2. If a final RIR is included, does it meet the requirements in ECL Article 27-1415(2)?		
3. Have any draft work plans been submitted with the application (select all that apply)?		
RIWP RAWP ✓ IRM No		
4. Please provide a short description of the overall project development, including the date the remedial program is to begin, and the date by which a Certificate of Completion is expected issued.		
Is this information attached? Yes Appendix B No		
SECTION III: Land Use Factors Appendix C		
What is the property's current municipal zoning designation? M3-2 (manufacturing)		
2. What uses are allowed by the property's current zoning (select all that apply)?		
Residential Commercial Industrial		
Current use (select all that apply):		
Residential Commercial Industrial Recreational Vacant		
4. Please provide a summary of current business operations or uses, with an emphasis on	Υ	N
identifying possible contaminant source areas. If operations or uses have ceased, provide the date by which the site became vacant. Appendix C		\bigcirc
Is this summary included with the application? 5. Reasonably anticipated post-remediation use (check all that apply):		
Residential Commercial 🗸 Industrial 🗸		
If residential, does it qualify as single-family housing?	\bigcirc	\bigcirc
 Please provide a statement detailing the specific proposed post-remediation use. Is this summary attached? 	•	\bigcirc
Is the proposed post-remediation use a renewable energy facility?See application instructions for additional information.	0	•
8. Do current and/or recent development patterns support the proposed use?	•	\bigcirc
9. Is the proposed use consistent with applicable zoning laws/maps? Appendix C Please provide a brief explanation. Include additional documentation if necessary.	•	\bigcirc
10. Is the proposed use consistent with applicable comprehensive community master plans,	<u>•</u>	$\overline{\bigcirc}$
local waterfront revitalization plans, or other adopted land use plans? Appendix C Please provide a brief explanation. Include additional documentation if necessary.		\cup

OFOTION IV. Burner of the Francisco consent all life to an						
SECTION IV: Property's Environmental History Appendix D						
All applications must include an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that contamination of environmental media exists on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the site property and that the site requires remediation. To the extent that existing information/studies/reports are available to the requestor, please attach the following: 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 (<u>ASTM</u> <u>E1903</u>). Please submit a separate electronic copy of each report in Portable Document Format						
(PDF). Please do NOT submit paper copies of ANY supporting documents. 2. SAMPLING DATA: INDICATE (BY SELECTING THE OPTIONS BELOW) KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED AS AN ATTACHMENT, WITH LABORATORY REPORTS REFERENCED AND INCLUDED.						
CONTAMINANT CATEGORY	SOI	L	GROUN	DWATER	SOIL	GAS
Petroleum						
Chlorinated Solvents	\checkmark		,	✓	✓	
Other VOCs	\checkmark		,	✓		
SVOCs	√		,	√		
Metals	√		,	√		
Pesticides						
PCBs			,	√		
PFAS						1
1,4-dioxane						
Other – indicated below						1
*Please describe other known contaminants and the	media a	ffected	d:			
 3. For each impacted medium above, include a site drawing indicating: Sample location Date of sampling event Key contaminants and concentration detected For soil, highlight exceedances of reasonably anticipated use For groundwater, highlight exceedances of 6 NYCRR part 703.5 For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation 						
These drawings are to be representative of all data being relied upon to determine if the site requires remediation under the BCP. Drawings should be no larger than 11"x17" and should only be provided electronically. These drawings should be prepared in accordance with any guidance provided. Figure 5, Figure 6, Figure 7						
Are the required drawings included with this application? YES NO						
 4. Indicate Past Land Uses (check all that apply): ☐ Coal Gas Manufacturing ✓ Manufacturing 	Agricu	ltural	Co On	Dry C	leaner	
Coal Gas Manufacturing	_l Agricu _l Pipelir		00-0p		leaner ce Statio	nn.
Landfill Tannery	_ Fipeiii		na .	Unkno		<i>)</i>
Other: Lumber yard, chemical warehouse, shellac company, refrigerator warehouse, liquor warehouse, printing facility, offices						

SECTION V: Requestor Informatio	n Appendix E				
NAME CM LIC Studios 30th St	treet II LLC				
ADDRESS 85 Post Crossing A	1				
CITY/TOWN Southampton		STATENY	ZIP CODE 11968	3	
PHONE (973) 568-3569	EMAIL john@dbljc	onsulting.com			
				Υ	N
 Is the requestor authorized to conduct business in New York State (NYS)? 				•	0
2. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS DOS to conduct business in NYS, the requestor's name must appear, exactly as given above, in the <u>NYS Department of State's Corporation & Business Entity Database.</u> A print-out of entity information from the database must be submitted with this application to document that the requestor is authorized to conduct business in NYS. Is this attached?				•	0
3. If the requestor is an LLC, a list of the names of the members/owners is required on a separate attachment. Is this attached?					0
4. Individuals that will be certifying BCP documents, as well as their employers, must meet the requirements of Section 1.5 of <u>DER-10: Technical Guidance for Site Investigation and Remediation</u> and Article 145 of New York State Education Law. Do all individuals that will be certifying documents meet these requirements? Documents that are not properly certified will not be approved under the BCP.					0
•	-				

SECT	ION VI: Requestor Eligibility		
	vering "yes" to any of the following questions, please provide appropriate explanation and/or nentation as an attachment.		
		Υ	N
1.	Are any enforcement actions pending against the requestor regarding this site?		
2.	Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?	Ŏ	\odot
3.	Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	0	•
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 or regulation of the State or Federal government?	0	•
5.	Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.	0	•
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?	0	•

SECTION VI: Requestor Eligibility (CONTINUED)				
7. Has the requestor been convicted of a criminal offense (i) involving the handling, storing, treating, disposing or transporting or contaminants; or (ii) that involved 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?				
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 a false statement in connection with any document or application submitted to DEC?				
9. Is the requestor an individual or entity of the type committed an act or failed to act, and such act denial of a BCP application?	or failure to act could be the basis for	0	•	
10. Was the requestor's participation in any remediterminated by DEC or by a court for failure to sorder?		0	•	
11. Are there any unregistered bulk storage tanks of	on-site which require registration?	\bigcirc	•	
12. THE REQUESTOR MUST CERTIFY THAT HE IN ACCORDANCE WITH ECL 27-1405(1) BY (UNTE	ER	
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.	A requestor other than a participant, includi requestor whose liability arises solely as a rownership, operation of or involvement with subsequent to the disposal of hazardous wadischarge of petroleum. NOTE: By selecting this option, a requestor liability arises solely as a result of ownershi operation of or involvement with the site cerhe/she has exercised appropriate care with to the hazardous waste found at the facility reasonable steps to: (i) stop any continuing discharge; (ii) prevent any threatened future and, (iii) prevent or limit human, environment natural resource exposure to any previously hazardous waste. If a requestor whose liability arises solel result of ownership, operation of, or involved the site, submit a statement described.	whose release to y as a bolvem	ite r se that ect king ase; ased	
40.1511	you should be considered a volunteer – specific as to the appropriate care taken	be	-	
13. If the requestor is a volunteer, is a statement do volunteer attached?		iered :	a	
Yes (•) No () N/A				

SECTION VI: Requestor Eligibility (CONTINUED)
14. Requestor relationship to the property (check one; if multiple applicants, check all that apply):
Previous Owner Current Owner Potential/Future Purchaser Other:
If the requestor is not the current owner, proof of site access sufficient to complete remediation must be provided. 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 environmental easement on the site.
Is this proof attached? Appendix E Yes No N/A
Note: A purchase contract or lease agreement does not suffice as proof of site access.

SECTION VII: Requestor Contact Information				
REQUESTOR'S REPRESENTATIVE	CM LIC Studios	30th Street II LLC	John Shannon	
ADDRESS 85 Post Crossing A1				
CITYSouthampton		STATE NY	ZIP CODE 11968	
PHONE (973) 568-3569	EMAIL john@dbl	jconsulting.com		
REQUESTOR'S CONSULTANT (CON	NTACT NAME) Rob	ert Kovacs		
COMPANY Roux Environmental	Engineering and	d Geology, D.P.C.		
ADDRESS 209 Shafter Street				
CITY Islandia		STATE NY	ZIP CODE 11749	
PHONE (631) 232-2600	EMAIL rkovacs@	rouxinc.com		
REQUESTOR'S ATTORNEY (CONTA	ACT NAME) Sami E	3. Groff		
COMPANY Nixon Peabody LLP				
ADDRESS 275 Broadhollow Road, Suite 300				
CITY Melville STATE NY ZIP CODE 11747				
PHONE (516) 832-7543 EMAIL sgroff@nixonpeabody.com				

SECTION VIII: Program Fee		
Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver b demonstration of financial hardship.		on
	Υ	N
Is the requestor applying for a fee waiver based on demonstration of financial hardship?	\bigcirc	•
2. If yes, appropriate documentation to demonstrate financial hardship must be provided with		
the application. See application instructions for additional information.		
Is the appropriate documentation included with this application? N/A N/A	0	0

SECTION IX: Current Property Owner and Operator Information Appendix G					
CURRENT OWNER ARE-NY Reg	jion No. 3 Holdin	g, LLC			
CONTACT NAME Richard Suarez	2				
ADDRESS 430 East 29th Street,	Suite 100				
CITY New York STATE NY ZIP CODE 10016					
PHONE (646) 872-3926	DNE (646) 872-3926 EMAIL rsuarez@are.com				
OWNERSHIP START DATE 7/10/20)19				
CURRENT OPERATOR ARE-NY F	Region No. 3 Hold	ding, LLC			
CONTACT NAME Richard Suarez	<u>-</u>				
ADDRESS 430 East 29th Street					
CITY New York STATE NY ZIP CODE 10016					
PHONE (646) 872-3926 EMAIL rsuarez@are.com					
OPERATION START DATE 7/10/2019					

SE	СТІ	ON X: Property Eligibility Information		
			Υ	Ν
	1.	Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information as an attachment.		•
	2.	Is/was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: Class:	0	•

SECTION X: Property Eligibility Information (continued)			
3.	Is/was the property subject to a permit under ECL Article 27, Title 9, other than an Interim	Υ	N
	Status facility?		
	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 <i>YES</i> , is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? If yes, attach any available information related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filings and corporate dissolution documents.		
5	Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article		
0.	17 Title 10?		
	If yes, please provide the order number:		
6.	Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?	0	•
	If yes, please provide additional information as an attachment.		

SECTION XI: Site Contact List Appendix H

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 mailing addresses of the following:

Appendix H

- The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
- Residents, owners, and occupants of the property and adjacent properties.
- Local news media from which the community typically obtains information.
- The public water supplier which services the area in which the property is located.
- Any person who has requested to be placed on the contact list.
- The administrator of any school or day care facility located on or near the property.
- 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 XII: Statement of Certification and Signatures			
(By requestor who is an individual)			
If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the <u>DER-32, Brownfield Cleanup Program Applications and Agreements</u> ; and (3) that in the event of a conflict between the general terms and conditions of participation and 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 ANTHORIZED PERSON (title) of CM LIC Studios 30th Street II LLC (entity); that I am authorized by that entity to make this application and execute a Brownfield Cleanup Agreement (BCA) and all subsequent documents; that this application was prepared by me or under my supervision and direction. If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the DER-32, Brownfield Cleanup Program Applications and Agreements; and (3) that in the event of a conflict between the general terms and conditions of participation and 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 an aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law. Date: 31 ANGUST 2023 Signature: Print Name: John F. Shanna Tr., Anthorias Perna, CM LIC Studios 3eth (51227 II Lucc			
Print Name: John F. J. Kannen Jr., Mainerille Terrin, Con Distriction			

PLEASE REFER TO THE APPLICATION COVER PAGE AND BCP APPLICATION INSTRUCTIONS FOR DETAILS OF PAPERLESS DIGITAL SUBMISSION REQUIREMENTS.

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. Appendix I

BCP App Rev 15

Please respond to the questions below and provide additional information and/or documentation as required. Please refer to the application instructions.		N
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?		\bigcirc
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?		0
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?	0	•
4. Is the property upside down or underutilized as defined below?		
Upside dow	/n	•
Appendix I Underutilize	d 💽	

From ECL 27-1405(31):

"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.

From 6 NYCRR 375-3.2(I) as of August 12, 2016 (Please note: Eligibility determination for the underutilized category can only be made at the time of application): 375-3.2:

- (I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and
 - (1) the proposed use is at least 75 percent for industrial uses; or
 - (2) at which:
 - (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses:
 - (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and
 - (iii) one or more of the following conditions exists, as certified by the applicant:
 - (a) property tax payments have been in arrears for at least five years immediately prior to the application;
 - (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or
 - (c) there are no structures.

"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

5. 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:

O Proje	ect is an Aπordable Housing Project – regulatory agreement attached
O Proje	ect is planned as Affordable Housing, but agreement is not yet available* Selecting this option will result in a "pending" status. The regulatory agreement will need to
be provide	d to the Department and the Brownfield Cleanup Agreement will need to be amended prior
to issuance	e 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' household's 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 homeowners 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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)			
6. Is the site a planned renewable energy facility site as defined below?			
Yes – planned renewable energy facility site with documentation			
Pending – planned renewable energy facility awaiting documentation *Selecting this option will result in a "pending" status. The appropriate documentation 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.			
No – not a planned renewable energy facility site			
If yes, please provide any documentation available to demonstrate that the property is planned to be developed as a renewable energy facility site.			
From ECL 27-1405(33) as of April 9, 2022:			
"Renewable energy facility site" shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, subtransmission, or distribution system.			
From Public Service Law Article 4 Section 66-p as of April 23, 2021:			
(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.			
7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and plans to meet the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?			
Yes - *Selecting this option will result in a "pending" status, as a BOA conformance determination has not yet been made. Proof of conformance 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.			
No No			
From ECL 75-0111 as of April 9, 2022:			
(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.			

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BROWNFIELD CLEANUP PROGRAM (BCP) INSTRUCTIONS FOR COMPLETING AND SUBMITTING A BCP APPLICATION

The New York State Department of Environmental Conservation (DEC) strongly encourages all applicants to schedule a pre-application meeting with DEC staff to review the benefits, requirements, and procedures for completing a project in the BCP. Contact your <u>Regional Office</u> to schedule a meeting. To add a party to an existing BCP Agreement, use the <u>BCP Agreement Amendment Application</u>.

For further information regarding the determination of a complete application, please refer to the guidance following these instructions, as well as the NYSDEC BCP website.

SUBMITTAL INSTRUCTIONS

- Compile the application package in the following manner:
 - one file in non-fillable portable document format (PDF) of the application form plus supplemental information, excluding the previous environmental reports and work plans, if applicable;
 - one individual file (PDF) of each previous environmental report; and,
 - one file (PDF) of each work plan being submitted with the application, if applicable.
- Compress all files (PDFs) into one zipped/compressed folder
- Submit the application to the Site Control Section either via email or ground mail, as described below.

Please select only ONE submittal method - do NOT submit both via email and via ground mail.

VIA EMAIL:

- Upload the compressed folder to the NYSDEC File Transfer Service (https://fts.dec.state.ny.us/fts/) or another file-sharing service.
- Copy the download link into the body of an email with any other pertinent information or cover letter attached to the email.
- Subject line of the email: "BCP Application NEW *Proposed Site Name*"
- Email your submission to DERSiteControl@dec.nv.gov do NOT copy Site Control staff.

VIA GROUND MAIL:

- Save the application file and cover letter to an external storage device (e.g., thumb drive, flash drive). Do NOT include paper copies of the application or attachments.
- Mail the external storage device to the following address:

Chief, Site Control Section Division of Environmental Remediation 625 Broadway, 11th Floor Albany, NY 12233-7020

SECTION I: Property Information		
PLEASE NOTE	If any changes to SECTION I are required prior to application approval, a new page 2, initialed by each requestor, must be submitted with the revisions.	
Proposed Site Name	Provide a name for the proposed site. The name could be an owner's name, current or historical operations (i.e., ABC Furniture) or the general location of the property. Consider whether the property is known by DEC by a particular name, and if so, use that name.	
Site Address	Provide a street address, city/town, zip code, and each municipality and county in which the site is located.	
Site Size	Provide the approximate acreage of the site.	
GIS Information	Provide the latitude and longitude for the approximate center of the property. Show the latitude and longitude in degrees, minutes and seconds.	
Tax Parcel Information	Provide the tax parcel address/section/block/lot information and map. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5-minute quad map on which the property appears and clearly indicate the proposed site's location.	
Tax Map Boundaries	State whether the boundaries of the site correspond to the tax map boundaries. If no, a metes and bounds description of the property must be attached. The site boundary can occupy less than a tax lot or encompass portions of one or more tax lots and may be larger or smaller than the overall redevelopment/ reuse project area. A site survey with metes and bounds will be required to establish the site boundaries before the Certificate of Completion can be issued.	
Site Map	Provide a property base map(s) of sufficient detail, clarity and accuracy to show the following: (i) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways; and (ii) proposed brownfield property boundary lines, with adjacent property owners clearly identified.	
En-zone	If any part of the site is located within an En-zone, please provide a map showing the location of the site with the En-zone overlay. For information on En-zones, please see DEC's website . Note that new En-zone boundaries are effective January 1, 2023.	
Disadvantaged Communities	If the site is located within a Disadvantaged Community, please provide a map showing the location of the site with the Disadvantaged Community overlay. For additional information on disadvantaged communities, please refer to the Climate Leadership and Community Protection Act website.	

SECTION I: Property Information (continued)		
Brownfield Opportunity Area (BOA)	If the site is located within a NYS Department of State designated Brownfield Opportunity Area, please provide a map showing the location of the site with the BOA overlay. For more information on designated BOAs, please refer to the NYS DOS website. Additional information on BOA conformance determinations can be found at the Office of Planning and Development website. A BOA conformance determination cannot be made until a Decision Document has been issued for the site.	
Multiple Applications	Generally, only one application can be submitted, and one BCA executed, for a development project. In limited circumstances, the DEC may consider multiple applications/BCAs for a development project where (1) the development project spans more than 25 acres; (2) the approach does not negatively impact the remedial program, including timing, ability to appropriately address areas of concern, and management of off-site concerns; and (3) the approach is not advanced to increase the value of future tax credits (i.e., circumvent the tax credit caps provided under New York State Tax Law Section 21).	
Previous BCP Applications	If all or part of the proposed site has been the subject of a previous BCP application (whether accepted, denied or withdrawn), please provide the assigned DEC site number from the previous application as well as any relevant information regarding why the property is not currently in the program.	
Registry Listing and P-site Status	If all or part of the proposed site is now or ever was listed on the Registry of Inactive Hazardous Waste Disposal Sites or is currently the subject of investigation as a Potential Site, please provide the assigned DEC site number.	

SECTION I: Property Information (continued)

Provide a property description in the format provided below. Each section should be no more than one paragraph long.

Location:

Example: "The XYZ Site is located in an {urban, suburban, rural} area." {Add reference points if address is unspecific; e.g., "The site is approximately 3.5 miles east of the intersection of County Route 55 and Industrial Road."}

Site Features:

Example: "The main site features include several large, abandoned buildings surrounded by former parking areas and roadways. About one quarter of the site area is wooded. Little Creek passes through the northwest corner."

<u>Current Zoning and Land Use:</u> (Ensure the current zoning is identified)

Example: "The site is currently inactive and is zoned for commercial use. The surrounding parcels are currently used for a combination of commercial, light industrial, and utility rights-of-way. The nearest residential area is 0.3 miles east on Route 55."

Property Description Narrative

<u>Past Use of the Site:</u> include source(s) of contamination and remedial measures (site characterizations, investigations, Interim Remedial Measures, etc.) completed outside of the current remedial program (e.g., work under a petroleum spill incident).

Example: "Until 1992 the site was used for manufacturing wire and wire products (e.g., conduit, insulators) and warehousing. Prior uses that appear to have led to site contamination include metal plating, machining, disposal in a one-acre landfill north of Building 7, and releases of wastewater into a series of dry wells."

When describing the investigations/actions performed outside of the remedial program, include the major chronological remedial events that lead to the site entering a remedial program. The history should include the first involvement by government to address hazardous waste/petroleum disposal. Do not cite reports. Only include remedial activities which were implemented PRIOR to the BCA. Do not describe sampling information.

Site Geology and Hydrogeology:

As appropriate, provide a very brief summary of the main hydrogeological features of the site including depth to water, groundwater flow direction, etc.

SECTION I: Property Information (continued)

The goal of this section is to describe the nature and extent of contamination at the site. When describing the nature of contamination, identify just the primary contaminants of concern (i.e., those that will likely drive remedial decisions/ actions). If there are many contaminants present within a group of contaminants (i.e., volatile organic compounds, semi-volatile organic compounds, metals), identify the group(s) and one or two representative contaminants within the group. When addressing the extent of contamination, identify the areas of concern at the site, contaminated media (i.e., soil, groundwater, etc.), relative concentration levels, and a broad-brush description of contaminated areas/depths. The reader should be able to know if contamination is widespread or limited and if concentrations are marginally or greatly above Standards, Criteria and Guidance (SCGs) for the primary contaminants. If the extent is described qualitatively (e.g., low, medium, high), representative concentrations should be given and compared with appropriate SCGs. For soil contamination, the concentrations should be compared with the soil cleanup objectives (SCOs) for the intended use of the site.

A typical Environmental Assessment would look like the following:

Environmental Assessment

Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).

Soil - Cadmium is found in shallow soil, mostly near a dry well at the northeast end of the property. TCE is found in deeper soil, predominantly at the north end of the site. Concentrations of cadmium found on site (approximately 5 ppm) slightly exceed the soil cleanup objective (SCO) for unrestricted use (2.5 ppm). Concentrations of TCE found on site (5 ppm to 300 ppm) significantly exceed the soil cleanup objectives for the protection of groundwater (0.47 ppm).

Groundwater - TCE and its associated degradation products are also found in groundwater at the north end of the site, moderately exceeding groundwater standards (typically 5 ppb), with a maximum concentration of 1500 ppb. A moderate amount of TCE from the site has migrated 300 feet down-gradient off-site. The primary contaminant of concern for the off-site area is TCE, which is present at a maximum concentration of 500 ppb, at 10 feet below the groundwater table near Avenue A.

Soil Vapor & Indoor Air - TCE was detected in soil vapor at elevated concentrations and was also detected in indoor air at concentrations up to 1,000 micrograms per cubic meter.

Questions 15-17: New York City Sites

These questions pertain ONLY to sites located within the five counties comprising New York City. If the requestor is seeking a determination that the site is eligible for tangible property tax credits, this section and the Supplemental Questions for Sites Seeking Tangible Property Credits in New York City must be completed.

SECTION II: Project Description

As a separate attachment, provide complete and detailed information about the project, including the purpose of the project, the date the remedial program is to start, and the date the issuance of the Certificate of Completion is anticipated.

SECTION III: Land Use Factors

In addition to eligibility information, site history, and environmental data/reports, the application requires information regarding the current, intended and reasonably anticipated future land use.

This information consists of responses to the "land use" factors to be considered relative to the "Land Use" section of the BCP application. The information will be used to determine the appropriate land use in conjunction with the investigation data provided, in order to establish eligibility for the site based on the definition of a "brownfield site" pursuant to ECL 27-1405(2).

This land use information will be used by DEC, in addition to all other relevant information provided, to determine whether the proposed use is consistent with the currently identified, intended and reasonably anticipated future land use of the site at this stage. Further, this land use finding is subject to information regarding contamination at the site or other information which could result in the need for a change in this determination being borne out during the remedial investigation.

Zoning and Current Use	Provide the current municipal zoning designation and uses permitted by that designation. Provide a summary of the current use of the site, including identifying possible contaminant source areas. If the site is no longer in use, provide the date by which operations ceased.
Anticipated Use	Identify the anticipated post-remediation use of the site and provide a detailed description of the specific anticipated post-remediation use as an attachment.
Renewable Energy Facility Site	Indicate if the post-remediation use of the site is proposed to be a renewable energy facility. A "renewable energy facility site" shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system. Section 66-p of the Public Service Law: "Renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity. Provide any detailed plans or documentation to support this. Appropriate documentation must be provided as follows: for planned renewable energy facilities generating/storing less than twenty-five (25) megawatts, a local land use approval must be provided. For planned renewable energy facilities generating/storing twenty-five (25) megawatts or greater, a permit issued by the Office of Renewable Energy Siting must be provided.
Compliance with Zoning Laws, Recent Development, and Community Master Plans	Provide an explanation to support the responses to each of these items. Attach additional documentation if applicable.

SECTION IV: Property's Environmental History

For all sites, an investigation report is required that is sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data include site drawings and data summary tables requested in Section IV, #3 of the BCP application form. Specific instructions regarding the data summary tables are attached at the end of these instructions.

SECTION V: Requestor Information		
	Provide the name of the person(s)/entity requesting participation in the BCP (if more than one, attach additional sheets with requested information). The requestor is the person or entity seeking DEC review and approval of the remedial program.	
Requestor Name	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 in the <a der-10"="" href="https://www.nys.new.nys.nys.nys.nys.nys.nys.nys.nys.nys.nys</td></tr><tr><th>Address, etc.</th><th>Provide the requestor's mailing address, telephone number and e-mail.</th></tr><tr><th>LLC Information</th><th>If the requestor(s) is/are an LLC, the names of the members/owners must be provided on a separate attachment.</th></tr><tr><th></th><th>All documents, which are prepared in final form for submission to DEC for approval, are to be prepared and certified in accordance with Section 1.5 of DER-10 . Persons preparing and certifying the various work plans and reports identified in Section 1.5 include:	
Document Certification	 New York State licensed professional engineers (P.E.s), as defined at 6 NYCRR 375-1.2(aj) and paragraph 1.3(b)47. Engineering documents must be certified by a P.E. with current license and registration for work that was done by them or those under their direct supervision. The firm by which the P.E. is employed must also be authorized to practice engineering in New York State; qualified environmental professionals as defined at 6 NYCRR 375-1.2(ak) and DER-10 paragraph 1.3(b)49; remedial parties, as defined at 6 NYCRR 375-1.2(ao) and DER-10 paragraph 1.3(b)60; or site owners, which are the owners of the property comprising the site at the time of the certification. 	

SECTION VI: Requestor Eligibility

As a separate attachment, provide complete and detailed information in response to any eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that such information be summarized. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

Volunteer Statement	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.
Proof of Site Access	If a requestor is not the current owner of the entirety of the site, a site access agreement must be provided that demonstrates that the requestor will have access to the property before signing the BCA and throughout the BCP project. Additionally, the access agreement must include language allowing the requestor the ability to place an environmental easement on the site should the requestor not be the owner at the time remediation is complete and a Track 1 cleanup has not been achieved.

SECTION VII: Requestor Contact Information		
Requestor's Representative	Provide information for the requestor's authorized representative. This is the person to whom all correspondence, notices, etc. will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative of Applications determined to be Participants unless another contact name and address is provided with the application.	
Requestor's Consultant and Requestor's Attorney	Provide all requested information.	

SECTION VIII: Program Fee

If the requestor is applying for a fee waiver, sufficient documentation must be provided to demonstrate financial hardship. To demonstrate financial hardship, the applicant must show that with the payment of the program fee, remediation of the brownfield site would not be economically viable. This documentation may be in the form of federal tax returns with applicable schedules, financial statements and balance sheets, proof that that the applicant has waived its right to tax credits, or any other documentation deemed acceptable by the Department.

If the requestor is applying for a fee waiver based on the requestor's status as a not-for-profit entity, please provide documentation of non-profit designation.

SECTION IX: Current Property Owner and Operator Information			
Owner Information	Provide requested information of the current owner of the property. List <u>all</u> parties holding an interest in the property and, if the requestor is not the current owner, describe the requestor's relationship to the current owner. If the property consists of multiple parcels, be sure to include the ownership start date of each.		
Operator Information	Provide requested information of the current operator(s). If multiple operators, attach the requested information for each operator, including the date each operator began utilizing the property.		
Historical Owners and Operators	Provide a list of previous owners and a list of previous operators, including dates of ownership or operation and last-known addresses and phone numbers. Describe the requestor's relationship to each previous owner and operator; if no relationship, indicate "none". When describing the requestor's relationship to current and historical owners and operators, include any relationship between the requestor's corporate members and the previous owners and operators.		

As a separate attachment, provide complete and detailed information in response to the following eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that that information be summarized.			
CERCLA / NPL Listing	Has any portion of the property ever been listed on the National Priorities List (NPL) established under CERCLA? If so, provide relevant information.		
Registry Listing	Has any portion of the property ever been listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites established under ECL 27-1305? If so, please provide the site number and classification. See the Division of Environmental Remediation (DER) website for a database of sites with classifications.		
RCRA Listing	Does the property have a Resource Conservation and Recovery Act (RCRA TSDF Permit in accordance with the ECL 27-0900 et seq? If so, please provide the EPA Identification Number, the date the permit was issued, and expiration date. Note: for purposes of this application, interim status facilities are not deemed to be subject to a RCRA permit.		

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

SECTION X: Property Eligibility Information

Registry/RCRA Sites

Owned by Volunteers

documentation.

SECTION X: Property Eligibility Information (CONTINUED)		
Existing Order	Is the property subject to an order for cleanup under Article 12 of the Navigation Law or Article 17 Title 10 of the ECL? If so, please provide information on an attachment. Note: if the property is subject to a stipulation agreement, relevant information should be provided; however, property will not be deemed ineligible solely on the basis of the stipulation agreement.	
Pending Enforcement Actions	Is the property subject to an enforcement action under Article 27, Titles 7 or 9 of the ECL or subject to any other ongoing state or federal enforcement action related to the contamination which is at or emanating from the property? If so, please provide information as an attachment.	

SECTION XI: Site Contact List

Provide the names and addresses of the parties on the Site Contact List (SCL) and a letter from the repository acknowledging agreement to act as the document repository for the proposed BCP project. For sites located in a city with a population of one million or more, the appropriate community board must be included as an additional document repository, and acknowledgement of their agreement to act as such must also be provided.

SECTION XII: Statement of Certification and Signatures

The requestor must sign the application or designate a representative who is authorized to sign. The requestor's consultant or attorney cannot sign the application. If there are multiple parties applying, then each requestor must sign a signature page. 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 entity's name must appear exactly as given in the NYS Department of State's Corporation & Business Entity Database.

DATA SUMMARY TABLE INSTRUCTIONS

Data summary tables should include the following columns:

Soil Table:

Groundwater Table:

Analytes > AWQS ^e Detections > AWQS ^f	Max. Detection (ppb) ^c	AWQS (ppb) ^g
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Soil Gas Table:

Analytes ^h	Total Detections	Max. Detection (ug/m3) ^c	Typei
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^a Include all contaminants over the applicable soil cleanup objectives (SCOs). Column header should specify which SCOs are being compared to. (i.e., "RRSCOs" for Restricted Residential SCOs)

per cubic meter (ug/m3) for soil gas.

AWQS.

^b Number of detections over applicable SCOs. Specify which SCOs are being compared to in column header.

^c Maximum detection in parts per million (ppm) for soil, parts per billion (ppb) for groundwater, or micrograms

^d List the respective SCO. Specify which SCOs are being compared to in column header.

^e Include all contaminants over Class GA Ambient Water Quality Standards (AWQS).

^f Number of detections over

^g List the respective AWQS.

^h Include all chlorinated volatile organic compound (VOCs) detections.

¹ Specify type: soil vapor, sub-slab or indoor air.

Example Data Summary Tables

Soil Table:

Analytes > RR SCOs	Detections > RR SCOs	Maximum Detection (ppm)	RR SCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	3	11	1	5 – 7
Benzo(a)pyrene	4	15	1	5 – 7
Benzo(b)fluoranthene	5	15	1	5 – 7
Benzo(k)fluoranthene	1	5.3	3.9	5 – 7
Indeno(1,2,3-cd)pyrene	7	8.4	0.5	5 – 7
barium	2	967	400	0.5 - 2.5
cadmium	2	94.1	4.3	6 – 8
lead	3	1,790	400	0.5 - 2.5

Groundwater Table:

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQS (ppb)
Benz(a)anthracene	2	0.2	0.002
Benzo(a)pyrene	2	0.221	ND
Benzo(b)fluoranthene	2	0.179	0.002
Benzo(k)fluoranthene	2	0.189	0.002
Indeno(1,2,3-cd)pyrene	2	0.158	0.002
Tetrachloroethene (PCE)	1	12	5

Soil Gas Table:

Analytes	Total Detections	Max. Detection (μg/m³)	Туре
Carbon tetrachloride	1	0.84	Soil vapor
Methylene chloride	1	2.6 J	Soil vapor
Tetrachloroethene	2	47	Soil vapor
Trichloroethene	1	1.2	Soil vapor
Trichlorofluoromethane	1	21	Soil vapor

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

DETERMINATION OF A COMPLETE APPLICATION

- 1. The first step in the application review and approval process is an evaluation to determine if the application is complete. To help ensure that the application is determined complete, requestors should review the list of common application deficiencies and carefully read these instructions.
- 2. DEC will send a notification to the requestor within 30 calendar days of receiving the application, indicating whether such application is complete or incomplete.
- 3. An application must include the following information relative to the site identified by the application, necessary for making an eligibility determination, or it will be deemed incomplete. (Please note: the application as a whole requires more than the information outlined below to be determined complete). The application must include:
 - a. for all sites, an investigation report sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other healthbased or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data includes site drawings requested in Section IV, #3 of the BCP application form.
 - b. for those sites described below, documentation relative to the volunteer status of all requestors, as well as information on previous owners or operators that may be considered responsible parties and their ability to fund remediation of the site. This documentation is required for:
 - real property listed in the registry of inactive hazardous waste disposal sites as a class 2 site, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP; or
 - ii. real property that was a hazardous waste treatment, storage or disposal facility having interim status pursuant to the Resource Conservation and Recovery Act (RCRA) program, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP.
 - c. for sites located within the five counties comprising New York City, in addition to (a) and if applicable (b) above, if the application is seeking a determination that the site is eligible for tangible property tax credits, sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a). If this 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, using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.
 - d. for sites previously remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law, relevant documentation of this remediation.

DETERMINATION OF A COMPLETE APPLICATION (CONTINUED)

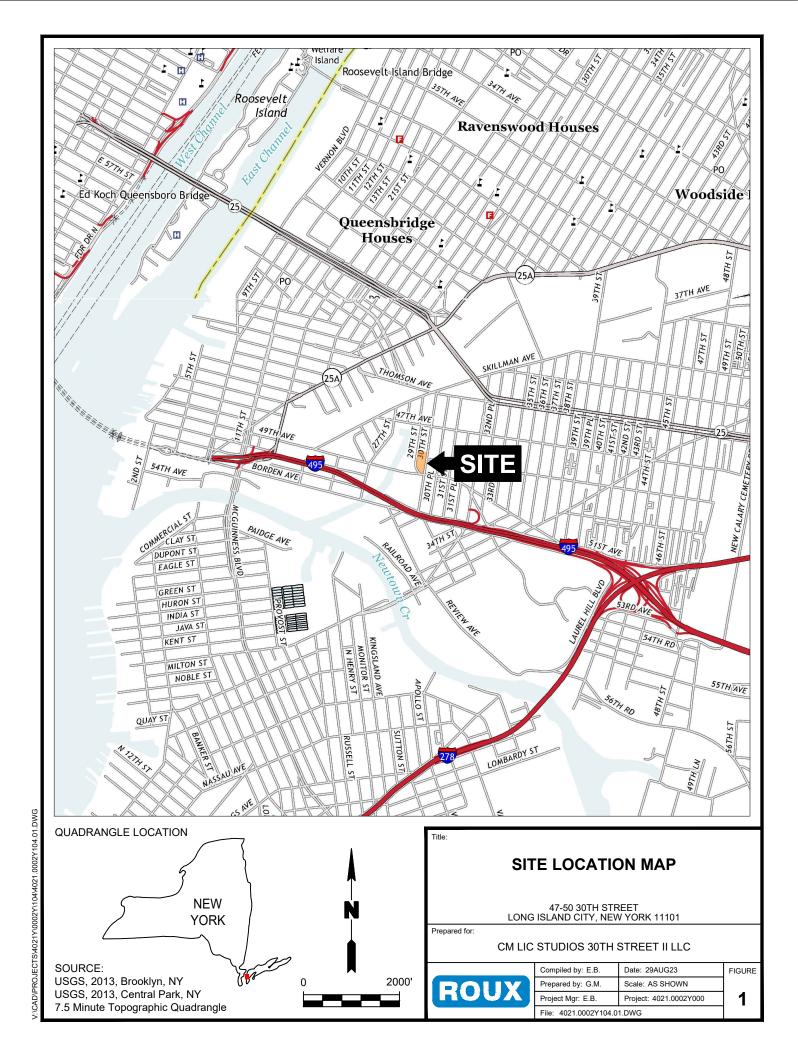
- 4. If the application is found to be incomplete:
 - a. the requestor will be notified via email or phone call regarding minor deficiencies. The requestor must submit information correcting the deficiency to DEC within the 30-day review time frame; or
 - b. the requestor will receive a formal Letter of Incomplete Application (LOI) if an application is substantially deficient, if the information needed to make an eligibility determination identified in #4 above is missing or found to be incomplete, or if a response to a minor deficiency is not received within the 30-day period. The LOI will detail all of the missing information and request submission of the information. If the information is not submitted within 30 days from the date of the LOI, the application will be deemed withdrawn. In this case, the requestor may resubmit the application without prejudice.
- 5. If the application is determined to be complete, DEC will send a Letter of Complete Application (LOC) that includes the dates of the public comment period. The LOC will:
 - a. include an approved public notice to be sent to all parties on the Contact List included with the application;
 - b. provide instructions for publishing the public notice in the newspaper on the date specified in the letter, and instructions for mailing the notice to the Contact List;
 - c. identify the need for a certification of mailing form to be returned to DEC along with proof of publication documentation; and
 - d. specify the deadline for publication of the newspaper notice, which must coincide with, or occur before, the date of publication in the Environmental Notice Bulletin (ENB).
 - DEC will send a notice of the application to the ENB. As the ENB is only published on Wednesdays, DEC must submit the notice by the Wednesday before it is to appear in the ENB.
 - ii. The mailing to parties on the Contact List must be completed no later than the Tuesday prior to ENB publication. If the mailings, newspaper notice and ENB notice are not completed within the timeframes established by the LOC, the public comment period on the application will be extended to ensure that there will be the required comment period.
 - iii. Marketing literature or brochures are prohibited from being included in mailings to the Contact List.

Brownfield Cleanup Program (BCP) Application Former Prestone Press 47-50 30th Street, Queens, New York

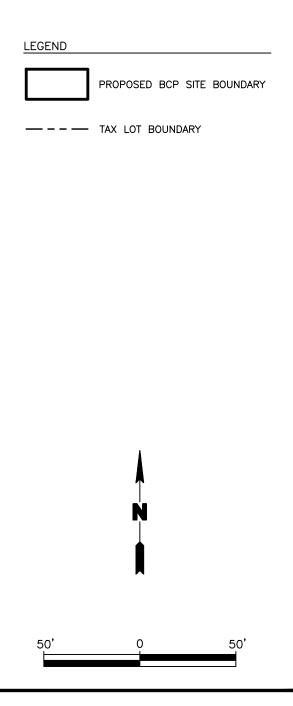
FIGURES

- 1. Site Location Map
- 2. Tax Map
- 3. Existing Conditions
- 4. Surrounding Properties
- 5. Summary of Exceedances in Soil
- 6. Summary of Exceedances in Groundwater

4021.0002Y104/CVRS ROUX



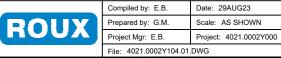






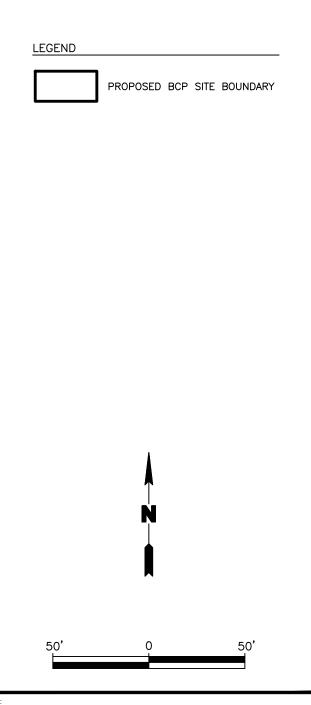
ared for:

CM LIC STUDIOS 30TH STREET II LLC



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2



EXISTING CONDITIONS

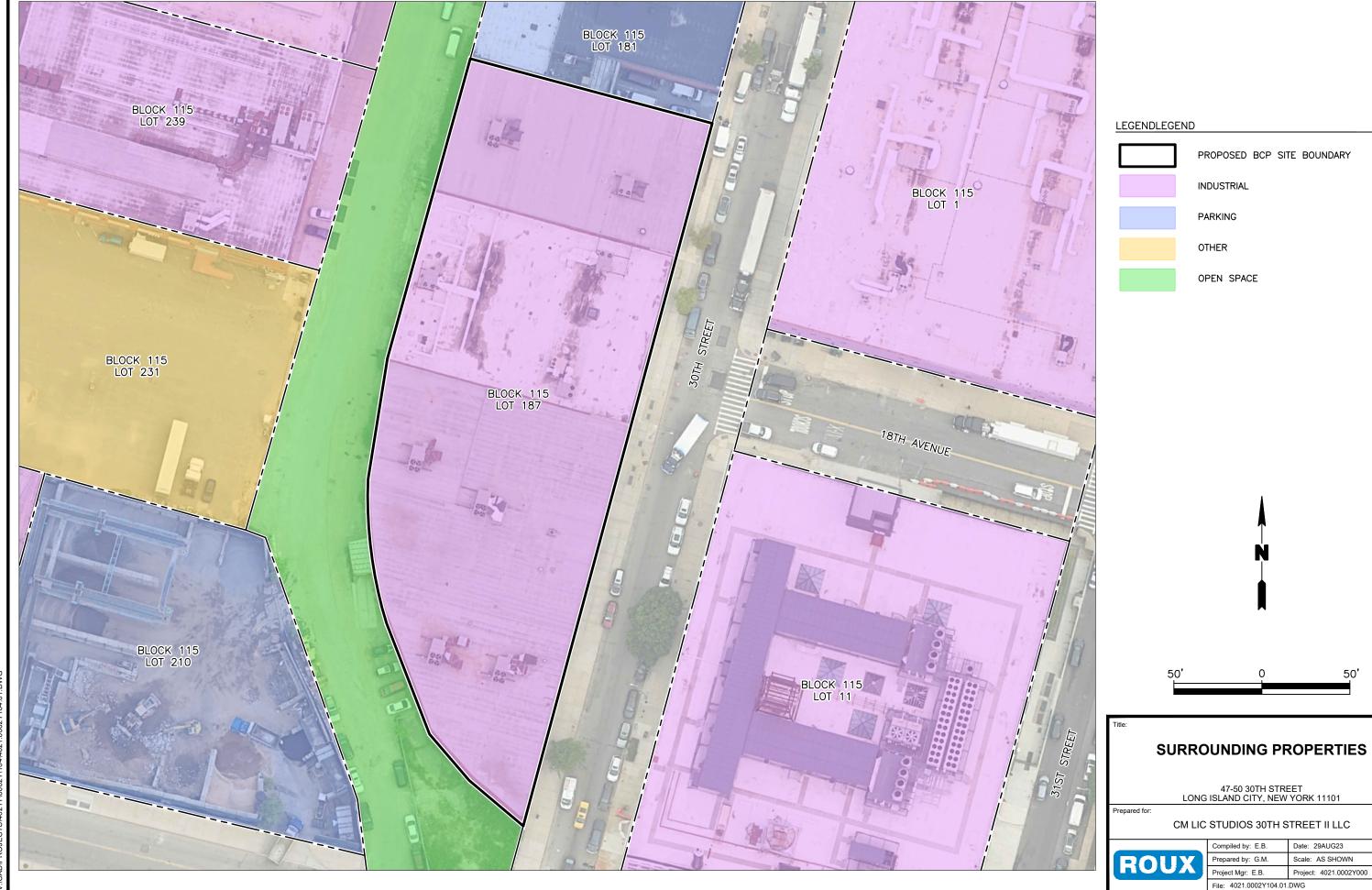
47-50 30TH STREET LONG ISLAND CITY, NEW YORK 11101

Prepared for:

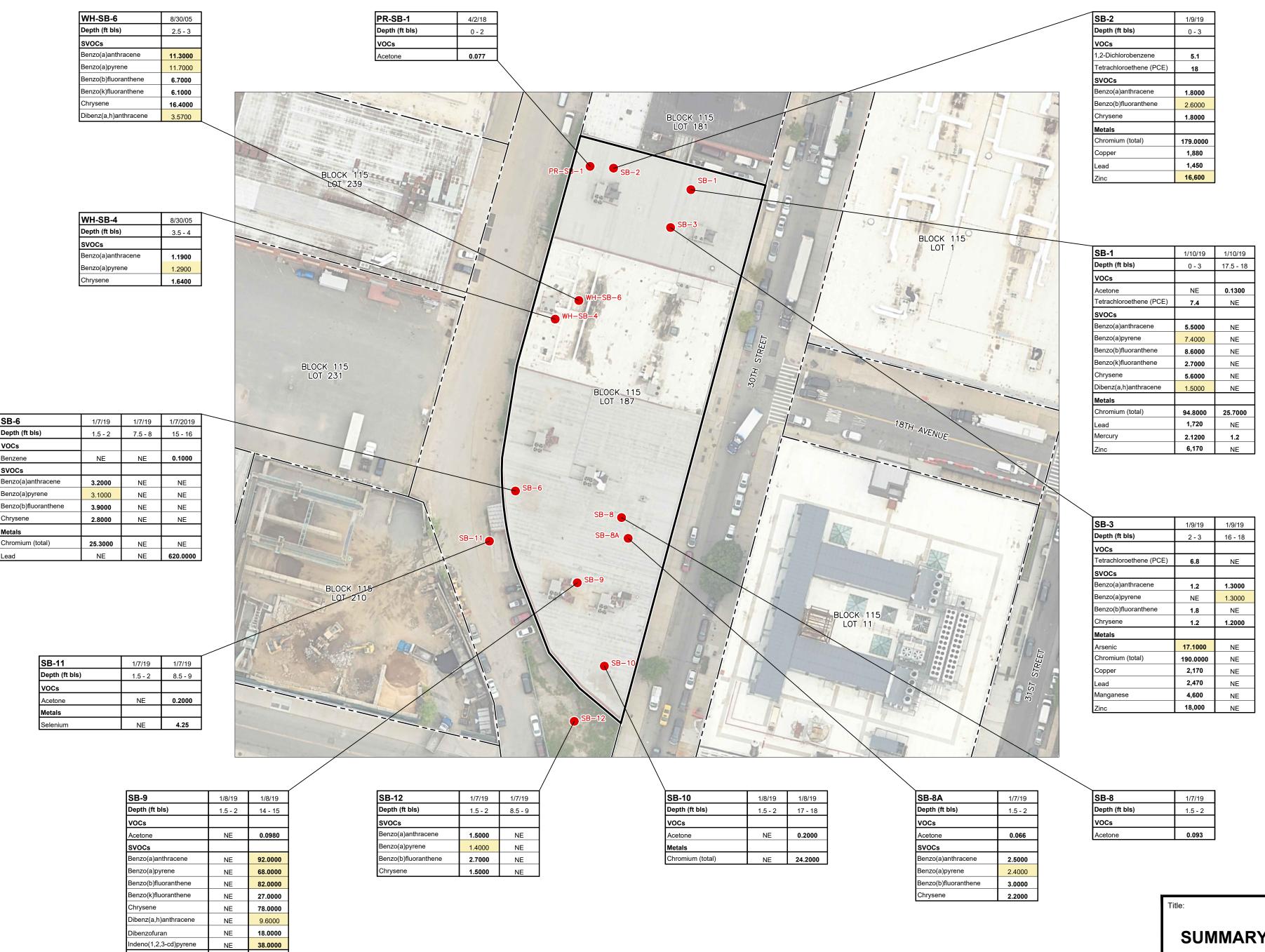
CM LIC STUDIOS 30TH STREET II LLC



AD\PROJECTS\4021Y\0002Y\104\4021.0002Y104.01.DWG



D/PROJECTS\4021Y\0002Y\104\4021.0002Y104.01.D



LEGEND PROPOSED BCP SITE BOUNDARY --- TAX LOT BOUNDARY LOCATION AND DESIGNATION OF SOIL BORING

Parameter	NYSDEC Part 375 Protection of Groundwater Soil Cleanup Objectives	NYSDEC Part 375 Industrial Soil Cleanup Objectives	Units
VOCs			
Acetone	0.0500	1000.0000	mg/kg
1,2-Dichlorobenzene	1.1000	1000.0000	mg/kg
Benzene	0.0600	89.0000	mg/kg
Tetrachloroethylene (PCE)	1.3000	300.0000	mg/kg
SVOCs			
Benzo(a)anthracene	1.0000	11.0000	mg/kg
Benzo(a)pyrene	22.0000	1.1000	mg/kg
Benzo(b)fluoranthene	1.7000	11.0000	mg/kg
Benzo(k)fluoranthene	1.7000	110.0000	mg/kg
Chrysene	1.0000	110.0000	mg/kg
Dibenz(a,h)anthracene	1000.0000	1.1000	mg/kg
Dibenzofuran	210.0000	1000.0000	mg/kg
Indeno(1,2,3-c,d)pyrene	8.2000	11.0000	mg/kg
Metals			
Arsenic	16.0000	16.0000	mg/kg
Chromium (total)	19.0000	6800.0000	mg/kg
Copper	1720.0000	10000.0000	mg/kg
Lead	450.0000	3900.0000	mg/kg
Manganese	2000.0000	10000.0000	mg/kg
Mercury	0.7300	5.7000	mg/kg
Selenium	4.0000	6800.0000	mg/kg
Zinc	2480.0000	10000.0000	mg/kg

mg/kg - MILLIGRAMS PER KILOGRAM

NYSDEC - NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- - NO NYSDEC PART 375 SOIL CLEANUP U OBJECTIVES AVAILABLE

BOLD DATA INDICATES THAT PARAMETER WAS DETECTED ABOVE THE NYSDEC PART 375 PROTECTION OF GROUNDWATER SOIL CLEANUP OBJECTIVES

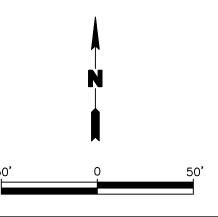
SHADED DATA INDICATES THAT PARAMETER WAS DETECTED ABOVE THE NYSDEC PART 375 INDUSTRIAL SOIL CLEANUP OBJECTIVES

VOCS - VOLATILE ORGANIC COMPOUNDS

SVOCS - SEMIVOLATILE ORGANIC COMPOUNDS

NE - NO EXCEEDANCE

FT BLS - FEET BELOW LAND SURFACE

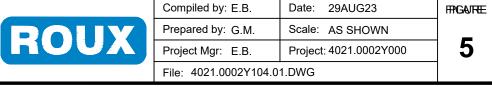


SUMMARY OF EXCEEDANCES IN SOIL

47-50 30TH STREET LONG ISLAND CITY, NEW YORK 11101

Prepared for:

CM LIC STUDIOS 30TH STREET II LLC



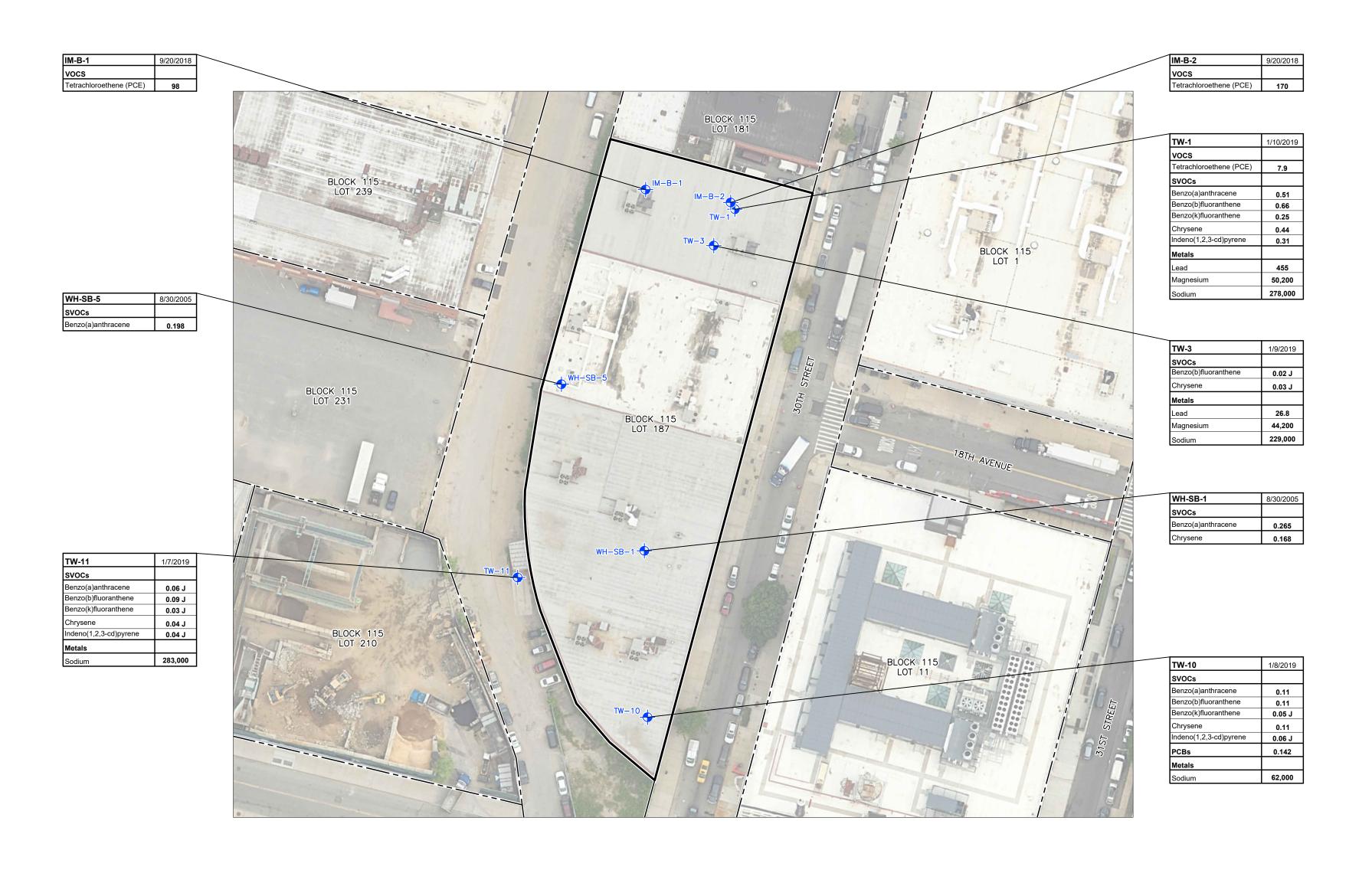
Chromium (total)

29.3000

NE

SB-6

SVOCs



LEGEND

PROPOSED BCP SITE BOUNDARY

— - - — TAX LOT BOUNDARY

TW-1 LOCATION AND DESIGNATION OF GROUNDWATER SAMPLE

Parameter	NYSDEC AWQSGV
VOCs	
Tetrachloroethene	5
SVOCs	
Benzo(a)anthracene	0.002
Benzo(b)fluoranthene	0.002
Benzo(k)fluoranthene	0.002
Chrysene	0.002
Indeno(1,2,3-cd)pyrene	0.002
Metals	
Lead	25
Magnesium	35000
Sodium	20000
PCBs	0.09

CONCENTRATIONS IN µg/L

µg/L - MICROGRAMS PER LITER

NYSDEC - NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

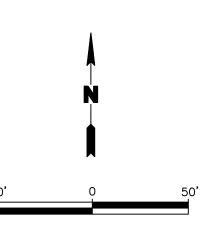
AWQSGVs — AMBIENT WATER—QUALITY STANDARDS AND GUIDANCE VALUES

J — ESTIMATED VALUE

VOCs - VOLATILE ORGANIC COMPOUNDS

SVOCs - SEMIVOLATILE ORGANIC COMPOUNDS

PCBs - POLYCHLORINATED BIPHENYLS



SUMMARY OF EXCEEDANCES IN GROUNDWATER

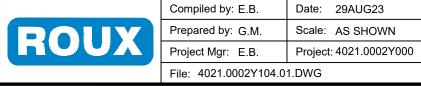
47-50 30TH STREET LONG ISLAND CITY, NEW YORK 11101

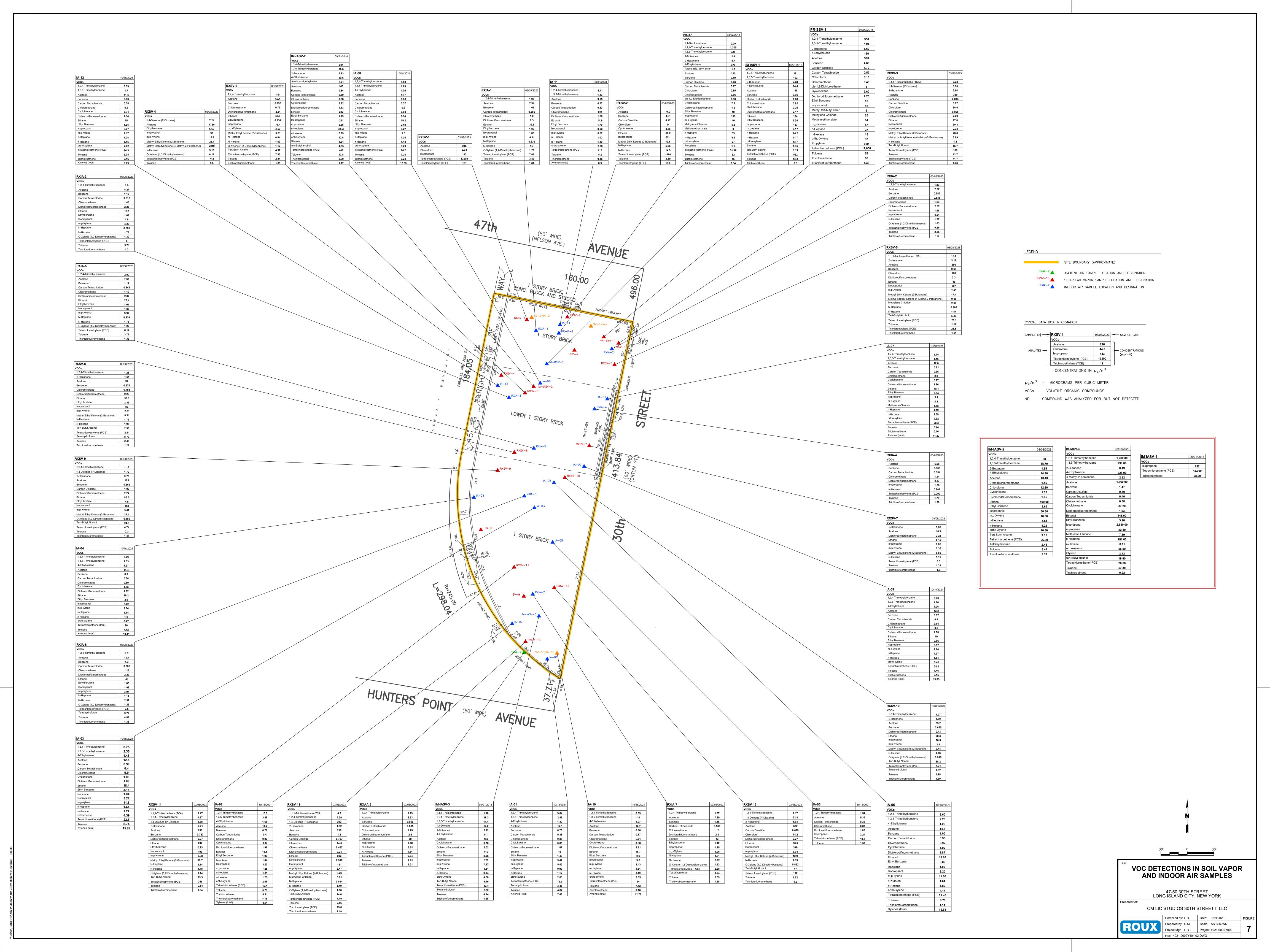
Prepared for:

CM LIC STUDIOS 30TH STREET II LLC

FFFGAJREE

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APPENDICES

- A. Section I Property Information
- B. Section II Property Description
- C. Section III Land Use Factor
- D. Section IV Property's Environmental History
- E. Section V Requestor Information
- F. Section VII Requestor Eligibility Information
- G. Section IX Current Property Owner-Operator Information
- H. Section XI Contact List Information
- I. Underutilized Affidavit

APPENDIX A

Section I Property Information

Appendix A - Property Description Narrative

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section I

Parcel Address	Block No.	Lot No.	Acreage
47-50 30 th Street	115	187	1.3

Location

The Site is located at 47-50 30th Street in Long Island City, New York, as shown on Figure 1. The Site is identified as Tax Block 115, Lot 187 in Queens County.

Adjacent Property Direction	Property Use
North	Vacant property
South	Shipping warehouse
East	Movie studio
West	29th Street

Site Features

The Site includes an approximately 52,500 square-foot single story building, which extends nearly to the boundaries of the lot. The Site is bound by a vacant property to the north, 29th Street to the west, a construction material recycler to the southwest, a movie studio to the east and northeast, a shipping warehouse to the south, and a 3D printing company to the east.

Current Zoning and Land Use

The Site is currently vacant; it is zoned M3-2 for manufacturing/industrial use.

Past Use of the Site

According to available information, the Site was vacant undeveloped land until as early as 1898 and as late as 1915. By 1936, the northern portion of the Site operated as a lumber yard under East River Mill and Lumber Company; the southern portion of the Site was occupied by Acme Shellac Products. In 1947, the original portion of the Site's current building was constructed, and building additions were completed by 1950 and 1970. The 1947 Sanborn fire insurance map depicts the current building as a refrigerator warehouse, and maps from 1950 through 1970 depict the building as a liquor warehouse operated by Standard Wine and Liquor Company. The building was used as an office and warehouse for Philip A. Hunt Chemical Corporation from approximately 1977 until 1983. Milton Paper Company occupied the Site and utilized the building for paper storage and offices from when it acquired the Site in 1985 until Prestone Press commenced printing operations in 2006. Prestone Press ceased operations and ARE-NY REGION NO. 3, LLC (ARE) acquired the property in 2019. The building has been unused since that time.

Site Geology and Hydrogeology

Phase II ESA investigation data indicated that the Site is underlain by approximately 8 to 10 feet of urban fill above native silty sands and organic peaty soils which are characteristic of a formerly intertidal estuarine ecology (Dutch Kills and the East River). Groundwater is present beneath the Site at approximately 10 feet below ground surface (bgs) and approximately 14 to 15 feet below the building floor slab. Groundwater is estimated to flow west toward Dutch Kills, but this has not been confirmed. Historic fill material, typically containing elevated concentrations of PAHs and metals, appears to underly the entire Site. The historic fill

Appendix A - Property Description Narrative

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section I

material is characteristic of urban fill in New York City, particularly in areas of formal tidal estuary ecologies, such as the Dutch Kill and East River, which have been historically filled for industrial and commercial development purposes.

Environmental Assessment

Based upon environmental investigations conducted to date, the primary contaminants of concern for the Site include metals, PAHs, and chlorinated VOCs.

<u>Soil</u> – PAHs (primarily benzo(a)pyrene) have been detected above the industrial SCOs in shallow and deep soils. Specifically, benzo(a)pyrene has been detected at concentrations as high as 68 ppm, which exceeds the industrial SCO of 1.1 ppm. There are also two locations at the northern end of the Site where metals exceeded industrial SCOs in shallow soil. At one location, arsenic was detected at 17.1 ppm (slightly above the industrial SCO of 16 ppm) and zinc was detected at 18,000 ppm (above the industrial SCO of 10,000 ppm). At another location, zinc was detected at 16,600 ppm.

<u>Groundwater</u> – PAHs and metals have been detected above the AWQS across the Site. For example, benzo(a)anthracene was detected at a maximum concentration of 0.51 ppb, compared to the AWQS of 0.02 ppb, and sodium was detected at a maximum concentration of 316,000 ppb compared to the AWQS of 20,000 ppb. At the northern end of the Site, tetrachloroethene (PCE) was detected as high as 170 ppb, which exceeds the AWQS of 5 ppb, and an isolated concentration of total PCBs was detected at a concentration of 0.142 ppb compared to its AWQS of 0.09 ppb (note that this concentration was a field duplicate sample; the concentration in the associated base sample was 0.082 ppb, which does not exceed the AWQS).

<u>Soil Vapor and Indoor Air</u> – VOCs (primarily TCE and PCE) have been detected across the Site at concentrations that exceed the NYSDOH sub-slab soil vapor and indoor air screening values. TCE has been detected at 191 μ g/m³ in sub-slab soil vapor and 15 μ g/m³ in indoor air (compared to screening levels of 6 μ g/m³ and 0.2 μ g/m³, respectively). PCE has been detected at 280,000 μ g/m³ in sub-slab soil vapor and 1,700 μ g/m³ in indoor air (compared to screening levels of 100 μ g/m³ and 3 μ g/m³, respectively). Since these concentrations were detected, cracks in the floor and walls of the building have been sealed.

APPENDIX B

Section II
Property Description

Appendix B - Project Description

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application – Section II, Question 4

The Site proposed for entry into the Brownfield Cleanup Program (BCP) is located at 47-50 30th Street in Long Island City, New York (Site), as shown on Figure 1. The Site is identified as Tax Block 115, Lot 187 in Queens County as shown on Figure 2. The Site is currently vacant but is improved by an approximately 52,500 square-foot single-story building which extends nearly to the boundaries of the lot. The proposed BCP Site is bounded by the following properties, as summarized in the table below:

Adjacent Property Direction	Property Use	
North	Vacant property (previously a dry cleaner)	
South	MTA right-of way (previously used as parking), followed by a shipping warehouse	
East	30 th Street, followed by a movie studio	
West	29th Street	

Owners and land use descriptions for properties in the surrounding area are shown on Figure 4.

Proposed Development Plan

The proposed redevelopment is a movie studio.

Projected Schedule

Timeframe	Description
September 2023	Submit BCP Application/IRM Work Plan
October 2023	30-day Public Comment Period
November/December 2023	Sign Brownfield Cleanup Agreement
December 2023	Submit Citizen Participation Plan (CPP)
December 2023	Approval and Implementation of IRM Work Plan
January/February 2024	Submit Remedial Investigation Work Plan (RIWP)/30-Day Comment Period
April/May 2024	Approval and Implementation of RIWP
June 2024	Submit Remedial Investigation Report (RIR)
August 2024	RIR Approved
October/November 2024	Submit Remedial Action Work Plan (Remedial Action Work Plan)/45-Day Public Comment Period
January 2025	Approval of RAWP
February 2025 to February 2026	Implementation of RAWP
November 2025	Submit Draft Environmental Easement Package
January 2026	Draft SMP
March 2026	Draft FER
May 2026	Anticipated issuance of Certificate of Completion

APPENDIX C

Section III
Land Use Factor

Appendix C - Land Use Factors

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section III

- **1. Current Municipal Zoning Designation** The current municipal zoning designation for the Site is M3-2 (Manufacturing).
- 2. Current Zoning Use Commercial and industrial uses are allowed by the property's current zoning.
- **3. Current Use** The Site is currently vacant.
- **4. Current Business Operations/Uses** The Site is currently vacant. The most recent Site use was as a printing company with printing press, which ceased operations in 2019.
- 5/6/7. Reasonably Anticipated Post-Remediation Use The proposed building will be a movie studio.
- 8. Do current historical and/or recent development patterns support the proposed use?

The contemplated future use as a movie studio is consistent with the current and reasonably anticipated development patterns in the neighborhood.

9. Is the proposed use consistent with applicable zoning laws/maps?

Yes, the proposed industrial use is consistent with the current property zoning of M3-2 for manufacturing. The building is also consistent with the allowable development height for the building.

10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans?

The proposed redevelopment will provide jobs and help the neighborhood continue to flourish as an industrial hub and is consistent with the current and reasonably foreseeable future uses in the neighborhood.

APPENDIX D

Section IV
Property's Environmental History

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IV

The proposed BCP Site – 47-50 30th Street, will herein be referred to as "Site". The following previous environmental investigations have been conducted at the Site and are attached for review in Appendix D and on the enclosed CD:

- Phase I Environmental Site Assessment (ESA), prepared by Whitestone Associates, Inc., (Whitestone), dated August 16, 2005
- Phase II Site Investigation, prepared by Whitestone, dated September 27, 2005
- Tank Closure Report, prepared by PAL Environmental Services, Inc. (PAL), dated April 3, 2018
- Limited Soil Vapor Intrusion & Soil Sampling Summary Report, prepared by Preferred Environmental Services (Preferred), dated April 23, 2018
- Subsurface Investigation Report, prepared by Impact Environmental (Impact), dated October 19, 2018
- Phase I ESA, prepared by Ramboll US Corporation (Ramboll), dated February 2019
- Limited Phase II Investigation Report, prepared by Ramboll, dated February 2019
- Indoor Air Quality Assessment, prepared by Ramboll, dated October 2021
- Limited Soil Vapor Intrusion Investigation Results, prepared by Roux Environmental Engineering and Geology, D.P.C. (Roux), dated March 2023
- Phase I ESA, prepared by Roux, dated July 26, 2023

The proposed Site redevelopment plan includes a movie studio. Therefore, the soil data from the previous investigations was compared to the following New York State Department of Environmental Conservation (NYSDEC) Soil Cleanup Objectives (SCOs): Industrial Use SCOs (ISCOs) and Protection of Groundwater SCOs (PGWSCOs).

A Remedial Investigation (RI) will be performed following entry into the Brownfield Cleanup Program (BCP). A summary of the findings from the Site is provided below.

Phase I ESA, prepared by Whitestone, dated August 16, 2005

Whitestone performed a Phase I ESA at the Site in August 2005. Whitestone noted the following Recognized Environmental Conditions (RECs):

- The Site was used as a chemical warehouse and shellac company in the past. These operations likely included the on-Site storage and/or use of potentially hazardous substances, which may have been discharged to the environment.
- One 3,000-gallon fuel oil underground storage tank (UST) remains abandoned in place under the
 eastern portion of the Site building, no environmental sampling was reported during the UST
 closure and potential releases from this UST may have occurred.
- Two floor drains were observed in a storage room located in the western portion of the Site building
 which may have been used for the former occupants Phillip A. Hunt Chemical Corp for the mixing
 or storage of chemicals. The discharge point of the drains should be located.

Phase II Site Investigation, prepared by Whitestone, dated September 27, 2005

To address the RECs noted in their August 2005 Phase I ESA, Whitestone performed a Phase II investigation in September 2005. A summary of their findings is provided below.

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IV

- Floor Drain Evaluation: A non-toxic dye was used to evaluate the discharge points of the floor drains observed in the western portion of the building. The dyed water was not observed at the monitored potential outfalls, and the discharge point(s) of the floor drains could not be located during this evaluation.
- Soil Sampling Results: Six soil borings were installed, SB-1 and SB-2 in the vicinity of the
 abandoned 3,000-gallon former heating UST, SB-3 and SB-4 were installed in the vicinity of the
 floor drains, and SB-5 and SB-6 were advanced within the former "explosion room" in the western
 portion of the building. No volatile organic compounds (VOCs) were detected at concentrations
 above the laboratory method detection limits (MDLs). Semivolatile organic compounds (SVOCs)
 were detected at concentrations exceeding the NYSDEC ISCOs and PGWSCOs and in one boring
 (SB-6). The results were reported as typical of urban fill.
- Groundwater Sampling Results: Three temporary groundwater monitoring wells were installed in borings SB-1, SB-3, and SB-5; groundwater was measured at approximately 10 feet below ground surface (ft bgs). No VOCs were detected above the NYSDEC Ambient Water Quality Standards (AWQS). Polycyclic Aromatic Hydrocarbons (PAHs) were detected in groundwater samples from SB-1 and SB-3 at concentrations exceeding the NYSDEC AWQS.

The Phase II soil sampling results exceeding ISCOs are summarized in the table below.

Analyte > ISCOs	Detections > ISCOs	Maximum Detection (ppm)	ISCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	1	11.3	11	SB-6
Benzo(a)pyrene	2	11.7	1.1	SB-6
Dibenz[a,h]anthracene	1	3.57	1.1	SB-6

The Phase II soil sampling results exceeding PGWSCOs are summarized in the table below.

Analyte > PGWSCOs	Detections > PGWSCOs	Maximum Detection (ppm)	PGWSCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	2	11.3	1	SB-6
Chrysene	2	16.4	1	SB-6
Benzo(k)fluoranthene	2	6.10	1.7	SB-6

A total of three groundwater samples were collected during the investigation collected from temporary wells installed at soil boring locations. There were three exceedances of the NYSDEC ambient water quality standards and guidance values (AWQSGVs). The Phase II groundwater sampling results are summarized in the table below.

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQSGV (ppb)
Benzo(a)anthracene	2	0.265	0.002

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IV

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQSGV (ppb)
Chrysene	1	0.168	0.002

Tank Closure Report, prepared by PAL, dated April 3, 2018

To further investigate the 3,000-gallon abandoned UST identified in the August 2005 Whitestone Phase I ESA, PAL mobilized to the Site to confirm the proper abandonment of the UST. The following activities were completed:

- PAL removed the cover of the UST and determined that the UST was previously cleaned and filled with sand.
- Two soil borings (SB-1 and SB-2) were advanced in the vicinity of the abandoned 3,000-gallon UST in locations that replicated the borings collected in the vicinity of the UST in Whitestone's 2005 Phase II Site Investigation. Soil samples were collected as the borings were advanced and soil was screened with a photoionization detector (PID) meter to identify the presence of VOC contamination. No petroleum odors nor staining were observed. No elevated PID readings were observed.
- No VOCs were detected at concentrations exceeding the laboratory MDLs. Analytical results for soil samples collected at SB-1 and SB-2 documented SVOC constituents benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, and indo(1,2,3-c,d)pyrene at concentrations exceeding the laboratory MDLs. Select SVOCs were detected at concentrations exceeding the NYSDEC ISCOs and PGWSCOs in both borings.

The soil sampling results are summarized below:

Analyte > ISCOs	Detections > ISCOs	Maximum Detection (ppm)	ISCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	1	21	11	9' – 12'
Benzo(a)pyrene	2	14	1.1	9' – 12'
Benzo(b)fluoranthene	1	18	11	9' – 12'
Dibenz[a,h]anthracene	1	2	1.1	9' – 12'

Analyte > PGWSCOs	Detections > PGWSCOs	Maximum Detection (ppm)	PGWSCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	2	21	1	9' – 12'
Benzo(b)fluoranthene	2	18	1.7	9' – 12'
Benzo(k)fluoranthene	1	7	1.7	9' – 12'
Chrysene	2	17	1	9' – 12'

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IV

<u>Limited Soil Vapor Intrusion & Soil Sampling Summary Report, prepared by Preferred, dated</u> April 23, 2018

Preferred was engaged to perform a limited soil vapor intrusion (SVI) investigation to assess subsurface soil vapor conditions relative to the former drycleaners; situated adjacent and to the north of the Site. The SVI study included:

- The collection of one sub-slab soil vapor sample (SSV-1), one indoor air sample (IA-1), and one proximate soil sample (SB-1 at 1.5 to 2 ft bgs) from the northern portion of the building;
- Completion of a New York State Department of Health (NYSDOH) Indoor Air Sampling Questionnaire and Inventory form; and
- Laboratory analysis of soil vapor, indoor air, and soil sample for VOCs.

The soil vapor and indoor air sampling results are summarized below:

Analyte	Total Detections	Max. Detection (μg/m³)	Туре
1,1-Dichloroethylene	1	0.085	Indoor Air
1,2,4-Trimethylbenzene	2	1,300	Indoor Air
1,3,5-Trimethylbenzene	2	430	Indoor Air
2-Butanone	2	5.6	Soil Vapor
2-Hexanone	1	4.7	Indoor Air
Acetone	2	390	Soil Vapor
Benzene	2	4.6	Soil Vapor
Carbon Disulfide	2	1.7	Soil Vapor
Chloroform	2	8.1	Soil Vapor
Chloromethane	2	0.66	Indoor Air
Cis-1,2-Dichloroethylene	2	5.0	Soil Vapor
Cyclohexane	2	7.2	Indoor Air
Dichlorodifluoromethane	2	2.2	Soil Vapor
Ethyl acetate	1	1.6	Indoor Air
Ethylbenzene	2	15	Soil Vapor
Isopropanol	2	150	Indoor Air
Methyl Methacrylate	2	14	Soil Vapor
Methyl tert-butyl ether (MTBE)	1	5.0	Soil Vapor
Methylene chloride	2	25	Soil Vapor
n-Heptane	2	33	Indoor Air

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IV

Analyte	Total Detections	Max. Detection (μg/m³)	Туре
n-Hexane	2	8.6	Soil Vapor
o-Xylene	2	37	Indoor Air
p/m-Xylene	2	57	Soil Vapor
p-Ethyltoluene	2	370	Indoor Air
Propylene	2	1.6	Indoor Air
Tetrachloroethene (PCE)	2	17,000	Soil Vapor
Toluene	2	82	Indoor Air
Trichloroethylene (TCE)	2	98	Soil Vapor
Trichlorofluoromethane (Freon 11)	2	1.3	Soil Vapor

Subsurface Investigation Report, prepared by Impact, dated October 19, 2018

In October 2018, Impact Environmental performed a Subsurface Investigation at the Site. The investigation report concluded the following:

- Historic fill is present at the Site to a depth of approximately 8 ft bgs and consists of brown to dark brown fine to coarse sand, some gravel, and trace silt, to approximately 15 ft bgs.
- No staining was observed, and field monitoring did not indicate elevated levels of VOCs in the three soil boring installed.
- Groundwater was encountered in three temporary wells (TW-1 through TW-3) at depths ranging from approximately 9.75 to 10.83 ft bgs.
- No VOCs were detected in soil samples collected from borings B1 and B2.
- PCE was detected in the shallow groundwater in temporary wells TW-1 and TW-2 at concentrations above the NYSDEC AWQS. TW-1 and TW-2 were located in the northern part of the Site, near the adjacent off-Site dry cleaner. VOC concentrations in temporary well TW-3 were below the AWQS.
- Indoor air samples analyzed for VOCs detected PCE and TCE in IA-1 and IA-2 above the NYSDOH
 guidelines; the samples were collected in the north and central portions of the Site building. In
 addition to PCE and TCE, additional non-chlorinated VOCs were also detected in indoor air
 samples.
- Elevated PCE concentrations were detected in all three sub-slab soil vapor samples collected (SV-1, SV-2, and SV-3) which were spaced from north to south on the Site. Elevated TCE concentrations were also detected in SV-1 and SV-2, located in the northern and central portion of the Site. The detected PCE and TCE concentrations in SV-1 fall under the "mitigate" recommendation in the NYSDOH decision matrices; SV-2 and SV-3 fall under the "resample/mitigate" decision matrices.
- The dry cleaner to the north may have impacted the Site. Impact recommended to seal walls, joints, and floor seams, such as the cracks observed on the northern end and western interior walls.
- There were no exceedances of either ISCOs or PGWSCOs in any of the soil samples collected.

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IV

The groundwater sampling results are summarized below:

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQSGV (ppb)
Tetrachloroethene (PCE)	2	170	5

The soil vapor and indoor air sampling results are summarized below:

Analyte	Total Detections	Max. Detection (μg/m³)	Туре
1,1,1-Trichloroethane	1	1.16	Soil Vapor
1,2,4-Trimethylbenzene	5	1,260	Indoor Air
1,3,5-Trimethylbenzene	5	299	Indoor Air
1,4-Dioxane	1	14.2	Soil Vapor
2-Butanone	5	8.49	Indoor Air
4-Ethyltoluene	5	228	Indoor Air
Acetone	5	1,760	Indoor Air
Benzene	3	1.47	Indoor Air
Bromodichloromethane	1	1.45	Soil Vapor
Carbon Disulfide	1	0.8	Indoor Air
Carbon tetrachloride	3	0.51	Indoor Air
Chloroform	1	12.6	Soil Vapor
Chloromethane	3	0.82	Indoor Air
Cyclohexane	5	37.2	Indoor Air
Dichlorodifluoromethane	5	2.17	Indoor Air
Ethyl acetate	1	6.41	Indoor Air
Ethyl Alcohol	5	222	Indoor Air
Ethylbenzene	5	3.61	Soil Vapor
Heptane	5	281	Indoor Air
Iso-Propyl Alcohol	6	2,530	Indoor Air
Methylene chloride	1	7.89	Indoor Air
n-Hexane	5	11.7	Indoor Air

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IV

Analyte	Total Detections	Max. Detection (μg/m³)	Туре
o-Xylene	5	56.5	Indoor Air
p/m-Xylene	5	22.1	Indoor Air
Styrene	3	3.73	Indoor Air
Tert-Butyl Alcohol	5	19.8	Indoor Air
Tetrachloroethene (PCE)	6	42,300	Soil Vapor
Tetrahydrofuran	2	2.43	Soil Vapor
Toluene	5	57.3	Indoor Air
Trichloroethene (TCE)	4	98.9	Soil Vapor
Trichlorofluoromethane (Freon 11)	3	1.38	Soil Vapor

Phase I ESA, prepared by Ramboll, dated February 2019

Ramboll performed a Phase I ESA that identified the following RECs in connection with the Site:

• Groundwater Contamination and Soil Vapor Intrusion: Groundwater at the Site is known to contain concentrations of VOCs that exceed the NYSDEC Technical and Operational Guidance Series (TOGS) 2.2.2 Class GA groundwater quality standards. Specifically, PCE has been detected in groundwater at concentrations up to 170 µg/L. The investigative activities conducted to date have not delineated the extent of the PCE or identified the source. Ramboll notes that the adjoining property to the north is a dry-cleaning facility; while this property is not listed on databases indicative of a release, it is possible that dry cleaning chemicals (chlorinated solvents) have migrated to the Site. In addition, based on soil vapor intrusion sampling conducted in 2018, indoor air was found to contain concentrations of PCE up to 1,700 µg/m³.

The Phase I ESA also identified the following findings related to potential contamination at the Site:

- Former Underground Storage Tank (UST): A 3,000-gallon fuel oil UST was abandoned in place prior to 2005. No closure information was provided pertaining to this UST. It is possible that this UST was closed in place prior to the 1990s and prior to the enactment of specific tank closure requirements. However, the area of the abandoned UST was investigated as part of a 2005 Phase II investigation and no significant impacts associated with the former UST were identified.
- <u>Historic Fill:</u> During a 2005 Phase II investigation, soils at the Site were found to contain concentrations of several SVOCs above the ISCOs and PGWSCOs. According to the 2005 Phase II Report, these residual concentrations are representative of historic fill.
- Past Operations of the Site: The Site has been used for various purposes since the early 1900s. Prior operations have included the East River Mill and Lumber Company (1920s or 1930s to 1940s), Acme Shellac Products (1920s or 1930s to 1940s), the Standard Wine and Liquor Company (1940s to 1970s), the Phillips A. Hunt Chemical Corporation (1970s to 1980s), the Milton Paper Company (1980s to 2000s), and the Prestone Press (2000s to present). These former operations may have included the use of petroleum products, and other chemicals. Additionally, these historical operations (i.e., those conducted between Site development in the 1920s or 1930s and the early 1980s) predated the enactment of robust environmental regulations related to the handling, storage, and disposal of hazardous chemicals. In addition to the former UST and historic

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IV

fill present at the Site, the facility contained floor drains with unidentifiable discharge points in the western portion of the Site.

Limited Phase II Investigation Report, prepared by Ramboll, dated February 2019

A limited Phase II Site investigation was conducted by Ramboll in January and February 2019. The investigation included the sampling of soil, groundwaters, soil vapor, indoor air, and ambient air. The findings of this investigation included:

- Soil Analytical Results: The results of soil analyses at the Site are general indicative of urban fill, containing concentrations of PAHs and metals typically associated with historic fill. CVOCs were detected in shallow soils in the northern portion of the Site. Samples SB01, SB02, and SB03, all located in the northern portion of the Site, all were found to contain PCE concentrations above the NYSDEC Unrestricted SCO but below the ISCO.
- Groundwater Analytical Results: PCE was detected in groundwater above the AWQS in TW01, at the northern end of the Site, and above the laboratory MDL but below the AWQS in TW03. PAHs were detected above the AWQS in each groundwater sample collected at the Site. Lead was detected above the AWQS as a dissolved contaminant in TW01, magnesium was detected above the AWQS in TW01 and TW03, and sodium was detected above the AWQS in each groundwater sample. The detection of elevated concentrations of inorganic constituent, such as sodium and magnesium, in groundwater at the Site may be attributable to brackish groundwater conditions in proximity to Dutch Kills and the East River.
 - PCBs were detected above the AWQS in one of the two duplicated samples collected from TW10 at a concentration of 0.142 μ g/L, slightly above the AWQS of 0.09 μ g/L. PCBs were not detected above the laboratory MDL in the second duplicate groundwater sample from TW10.
- Soil Vapor and Indoor Air Analytical Results: Sub-slab soil vapor analyses show CVOCs detected in most of the soil vapor samples collected at the Site, with by far the highest concentrations detected in the northern-most portion of the Site, in the vicinity of the adjacent, off-Site dry cleaner. PCE was also detected in shallow soils and groundwater at the northern portion of the Site and the soil vapor results indicate that PCE concentrations are decreasing towards the southern portion of the Site. Thus, it appears that the source of the PCE is located at the northern end of the Site and PCE migrates in soil vapor beneath the concrete building slab and/or within the utility crawl space that is centrally located in the building.

Indoor air sample results also show concentrations of CVOCs, particularly PCE, at concentrations above the NYSDOH ambient air screening guidelines. Three of the five indoor air samples collected at the Site contained PCE concentrations above the NYSDOH ambient air guideline value, and the other two indoor air samples had PCE concentrations only slightly below the ambient air guideline. This data indicates that there is likely a complete contaminant pathway in the building from groundwater and/or soil to soil vapor, and from soil vapor to indoor air. In addition, utilizing the NYSDOH soil vapor/indoor air decision matrices, for all four of the indoor air samples for which corresponding sub-slab soil vapor data was available, the decision matrices indicate that mitigation is recommended to address those above conditions.

The soil sampling results are summarized below:

Analyte > ISCOs	Detections > ISCOs	Maximum Detection (ppm)	ISCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	1	92	11	14' – 15'
Benzo(a)pyrene	8	68	1.1	14' – 15'

Appendix D – Property's Environmental History
Former Prestone Press
47-50 30th Street, Long Island City, NY 11101
BCP Application - Section IV

Analyte > ISCOs	Detections > ISCOs	Maximum Detection (ppm)	ISCO (ppm)	Depth (ft bgs)
Benzo(b)fluoranthene	1	82	11	14' – 15'
Dibenz[a,h]anthracene	2	9.6	1.1	14' – 15'
Indeno(1,2,3-cd)pyrene	1	38	11	14' – 15'
Arsenic	1	17.1	16	2' – 3'
Zinc	2	18,000	10,000	2' – 2'

Analyte > PGWSCOs	Detections > PGWSCOs	Maximum Detection (ppm)	PGWSCO (ppm)	Depth (ft bgs)
Acetone	8	0.2	0.05	17' – 18' and 8.5' to 9'
Benzene	1	0.1	0.06	15' – 16'
1,2-Dichlorobenzene	1	5.1	1.1	0' – 3'
Tetrachloroethene	3	18	1.3	0' – 3'
Benzo(a)anthracene	8	92	1	14' – 15'
Benzo(a)pyrene	1	68	22	14' – 15'
Benzo(b)fluoranthene	7	82	1.7	14' – 15'
Benzo(k)fluoranthene	2	27	1.7	14' – 15'
Chrysene	8	78	1	14' – 15'
Indeno(1,2,3-cd)pyrene	1	38	8.2	14' – 15'
Arsenic	1	17.1	16	2' - 3'
Lead	4	2,470	450	2' – 3'
Manganese	1	4,600	2,000	2' – 3'
Mercury	2	2.12	0.73	0' – 3'
Selenium	1	4.25	4	8.5' – 9'
Zinc	3	18,000	2,480	2' – 3'

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IV

The groundwater sampling data is summarized below:

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQSGV (ppb)
Tetrachloroethene (PCE)	1	7.9	5
Benzo(a)anthracene	4	0.51	0.002
Benzo(b)fluoranthene	6	0.66	0.002
Benzo(k)fluoranthene	4	0.25	0.002
Chrysene	6	0.44	0.002
Indeno(1,2,3-cd)pyrene	4	0.31	0.002
PCBs (total)	1	0.142	0.09
Lead (total)	2	470.8	25
Magnesium (total)	3	47,800	35,000
Sodium (total)	6	316,000	20,000
Lead (dissolved)	1	454.6	25
Magnesium (dissolved)	3	50,200	35,000
Sodium (dissolved)	6	283,000	20,000

The soil vapor and indoor air sampling results are summarized below:

Analyte	Total Detections	Max. Detection (μg/m³)	Туре
1,2-Dichloroethene (total)	1	11	Soil Vapor
1,2,4-Trimethylbenzene	12	934	Indoor Air
1,3-Butadiene	2	3.65	Soil Vapor
1,3,5-Trimethylbenzene	8	282	Indoor Air
1,4-Dioxane	1	5.77	Soil Vapor
2-Butanone	9	40.4	Soil Vapor
2-Hexanone	1	6.27	Soil Vapor
4-Ethyltoluene	8	242	Indoor Air
4-Methyl-2-pentanone	3	22.3	Soil Vapor
Acetone	12	1,100	Soil Vapor

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IV

Analyte	Total Detections	Max. Detection (μg/m³)	Туре
Benzene	7	110	Soil Vapor
Carbon Disulfide	6	57.6	Soil Vapor
Carbon tetrachloride	6	0.51	Ambient Air
Chloroform	2	57.1	Soil Vapor
Chloromethane	6	1.22	Ambient Air
Cis-1,2-Dichloroethene	1	11	Soil Vapor
Cyclohexane	8	23.5	Soil Vapor
Dichlorodifluoromethane	7	3.35	Ambient Air
Acetic acid, ethyl ester	2	1.97	Indoor Air
Ethanol	8	200	Indoor Air
Ethylbenzene	7	7.95	Soil Vapor
Isopropanol	12	258	Soil Vapor
Methylene chloride	6	82	Soil Vapor
n-Heptane	11	713	Soil Vapor
n-Hexane	10	634	Soil Vapor
ortho-Xylene	8	44.7	Indoor Air
p/m-Xylene	8	28.8	Indoor Air
Styrene	6	4.39	Soil Vapor
Tert-Butyl Alcohol	6	25.9	Soil Vapor
Tetrachloroethene (PCE)	12	280,000	Soil Vapor
Tetrahydrofuran	3	27	Soil Vapor
Toluene	11	27	Soil Vapor
Trichloroethene (TCE)	9	100	Soil Vapor
Trichlorofluoromethane (Freon 11)	4	1.68	Indoor Air
Xylenes (total)	6	73.4	Indoor Air

Indoor Air Quality Assessment, prepared by Ramboll, dated October 2021

On October 18, 2021, Ramboll conducted an indoor air quality assessment. Indoor and outdoor air samples were collected and analyzed for VOCs. The indoor air concentrations of VOCs were below the applicable NYSDOH human health risk-based Air Guideline Values. The PCE concentration in the outdoor ambient

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IV

air reference sample was more than two times higher than its Air Guideline Value and was higher than all detected indoor air concentrations except for two indoor air samples. The elevated PCE concentrations in indoor air may be partly attributable to the dry-cleaning operation located to the north of the Site or to the elevated outdoor concentrations. The indoor and outdoor air sampling results are summarized below:

Analyte	Total Detections	Max. Detection (μg/m³)	Туре
1,2,4-Trimethylbenzene	12	10.8	Indoor Air
1,3,5-Trimethylbenzene	11	2.89	Indoor Air
4-Ethyltoluene	8	1.66	Indoor Air
Acetone	12	14.7	Indoor Air
Benzene	11	1	Indoor Air
Carbon tetrachloride	12	0.403	Indoor Air
Chloromethane	12	0.925	Indoor Air
Cyclohexane	10	1.18	Indoor Air
Dichlorodifluoromethane	12	1.96	Indoor Air
Ethanol	11	19.2	Indoor Air
Ethylbenzene	11	3.14	Indoor Air
Isooctane	2	1.06	Indoor Air
Isopropanol	12	3.47	Indoor Air
Methylene chloride	1	1.88	Indoor Air
n-Heptane	11	1.64	Indoor Air
n-Hexane	11	1.88	Indoor Air
ortho-Xylene	11	4.39	Indoor Air
p/m-Xylene	11	11.6	Indoor Air
Tetrachloroethene (PCE)	12	113	Indoor Air
Tetrahydrofuran	1	3.45	Indoor Air
Toluene	12	8.74	Indoor Air
Trichloroethene (TCE)	7	0.242	Indoor Air
Trichlorofluoromethane (Freon 11)	2	1.15	Indoor Air
Xylenes (total)	11	15.99	Indoor Air

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IV

<u>Limited Soil Vapor Intrusion Investigation Results, prepared by Roux Environmental Engineering</u> and Geology, D.P.C. (Roux), March 2023

Roux performed a limited soil vapor intrusion (SVI) investigation in March 2023 to evaluate the potential for soil vapor intrusion into the existing building. Sub-slab vapor pins were installed underneath the existing concrete slab and sub-slab vapor samples were collected in addition to indoor air and outdoor ambient air samples. The highest concentrations of PCE and TCE were detected at RXSV-1 which was located in the northern portion of the Site. These detections are likely attributable to the former dry cleaner operations on the property directly adjacent to the Site to the north. A formal report was not prepared for this investigation. The soil vapor, indoor air, and outdoor air sampling results are summarized below:

Analyte	Total Detections	Max. Detection (μg/m³)	Туре
1,1,1-Trichloroethane (TCA)	4	18.7	Soil Vapor
1,2,4-Trimethylbenzene	14	2.39	Soil Vapor
1,4-Dioxane (P-Dioxane)	6	292	Sol Vapor
2-Hexanone	9	3.75	Soil Vapor
Acetone	21	1,730	Soil Vapor
Benzene	17	4.31	Soil Vapor
Carbon Disulfide	5	4.42	Soil Vapor
Carbon tetrachloride	8	0.642	Indoor Air
Chloroform	6	108	Soil Vapor
Chloromethane	12	1.45	Indoor Air
Cyclohexane	1	3.86	Soil Vapor
Dichlorodifluoromethane	18	2.43	Soil Vapor
Ethanol	17	234	Soil Vapor
Ethyl Acetate	2	4.5	Soil Vapor
Ethylbenzene	9	6.69	Soil Vapor
Isopropanol	21	349	Soil Vapor
Methyl Ethyl Ketone (2-Butanone)	12	25.7	Soil Vapor
Methyl Isobutyl Ketone (4-Methy-2- Pentanone)	3	2,040	Soil Vapor
Methylene chloride	2	5.91	Soil Vapor
n-Heptane	11	5.98	Soil Vapor
n-Hexane	19	14.5	Soil Vapor

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IV

Analyte	Total Detections	Max. Detection (μg/m³)	Туре
o-Xylene (1,2-Dimethylbenzene)	13	6.17	Soil Vapor
p/m-Xylene	18	4.23	Indoor Air
Tert-Butyl Alcohol	9	47	Soil Vapor
Tetrachloroethene (PCE)	21	13,200	Soil Vapor
Tetrahydrofuran	4	8.73	Soil Vapor
Toluene	20	12.7	Soil Vapor
Trichloroethene (TCE)	5	191	Soil Vapor
Trichlorofluoromethane (Freon 11)	18	1.51	Soil Vapor

Phase I ESA, prepared by Roux, dated July 26, 2023

Roux performed a Phase I ESA of the real property identified as 47-50 30th Street and 48-20 30th Street (Block 115, Lot 287) in the borough of Queens, City and State of New York to define the historical uses of the Site and identify any potential RECs that could warrant further consideration, in accordance with ASTM International Standard Practice E1527-21 (Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process).

A review of historical sources, including historical Certified Sanborn Fire Insurance Maps, historical aerial photographs, historical topographic maps, and a City Directory Abstract, as well as an interview with a Key Site Representative, indicate the Site was vacant undeveloped land until as early as 1898 and as late as 1915. By 1936, the northern portion of the Site operated as a lumber yard under East River Mill and Lumber Company; the southern portion was occupied by Acme Shellac Products. In 1947, the original portion of the Site's current building was constructed, and building additions were completed by 1950 and by 1970. The 1947 Sanborn Map depicts the current building as a refrigerator warehouse, and maps from 1950 through 1970 depict it as a liquor warehouse operated by Standard Wine and Liquor Company. The building was used as an office and warehouse for Philip A. Hunt Chemical Corporation from approximately 1977 until 1983. Milton Paper Company occupied the Site in 1985 until Prestone Press commenced operations in 2006. During the Site reconnaissance conducted by Roux in March 2023, the Site was identified to be vacant with no active industrial or manufacturing operations.

Based on the information gathered during the Phase I ESA process, Roux identified the following RECs in connection with the Site:

Active Site Brownfields Listing (Site #C241264): The Site has been investigated in several phases throughout the last approximately 18 years with environmental inquiries noted to begin in 2005. Investigations to date have identified significant chlorinated volatile organic compounds (CVOCs) in soil vapor and groundwater with minor detections in soil in the northern portion of the Site in the vicinity of a northern adjoining dry-cleaning operation. Investigations to date have identified primarily soil contaminants to consist of metals and semi-volatile organic compounds (SVOCs), which were attributed to historical fill material. Tetrachloroethylene (PCE) was identified in soil at concentrations ranging between 6.8 and 18 parts per million (ppm), which exceed its respective

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IV

Protection of Groundwater standard of 1.3 ppm. Groundwater samples have been identified to have PCE at concentrations of 170 parts per billion (ppb) in the northern end of the Site in the vicinity of the northern adjoining dry cleaner. Groundwater was also identified to be impacted with metals and SVOCs at concentrations exceeding regulatory standards. PCE and trichloroethylene (TCE) were commonly detected in soil vapor samples in the northern portion of the Site with maximum concentrations of $280,000 \, \mu g/m^3$ and $100 \, \mu g/m^3$ identified, respectively. When compared to respective New York State Department of Health (NYSDOH) Matrix Tables, the soil vapor and indoor air data warranted mitigation. As of the date of this report it does not appear that any remediation, such as Interim Remedial Measures (IRMs) have been conducted at the Site and the contamination is still present at the Site and the northern adjoining property.

Historical Northern Adjoining Drycleaning and Brownfields Listing (Site #C241272): The Site is adjoined to the north with a former dry-cleaning operation identified as the Green and White Cleaners at 47-46 30th Street, Long Island City, NY. As per the NYSDEC database, this facility was not environmentally investigated; however, the NYSDEC indicated that the site warranted further investigation based upon environmental results for the Site at the Prestone Press facility. This facility has recently burned down and there is potential that additional releases of PCE occurred during the fire.

Roux has not identified any Historical RECs (HRECs) or Controlled RECs (CRECs) in connection with the Site.

Roux has identified the following Business Environmental Risks (BERs) in connection with the Site:

- Presence of Historic Fill Material: The Site is located in an area that was identified to be in close proximity to the Newtown Creek shoreline and historically marshland based upon historical topographic maps from 1898, 1899 and 1900. New York City has historically sourced non-native fill materials to fill in the low elevation marshland areas to create additional developable land for commercial and industrial use. Additionally, environmental investigations for the Site have identified these fill materials at depths ranging between 8 and 10-feet below grade that consists of SVOCs and metals. Historic fill material should be considered during future soil disposal and redevelopment activities as it may incur additional costs to handle and dispose.
- Abandoned Underground Storage Tank (UST): The Site was identified to have an abandoned 3,000-gallon heating oil UST beneath the southeastern portion of the building near 30th Street. This tank has been investigated several times and it hasn't appeared to have released petroleum contamination as no petroleum related VOCs have been identified in surrounding soils or groundwater. The presence of the tank is not considered an environmental concern; however, there may be additional costs with removing it in the future during redevelopment and subsequent notification of the NYSDEC of any additional work regarding the tank.

APPENDIX E

Section V
Requestor Information

Appendix E – Requestor Information

Former Prestone Press
47-50 30th Street, Long Island City, NY 11101
BCP Application – Section V, Question 2

BCP applicant, CM LIC Studios 30th Street II LLC, is duly authorized to do business in New York State. The contact information for the BCP applicant is:

CM LIC Studios 30th Street II LLC 85 Post Crossing A1 Southhampton, New York 11968 Attention: Mr. John Shannon, Jr. (973) 568-3569 john@dbljconsulting.com

The Department of State entity information for CM LIC Studios 30th Street II LLC is attached, along with the required documentation regarding the LLC entity.

Names of owner:

The beneficial owners will be Petros Kapsalis; JS Surf Development Manager, LLC, which is owned by John F. Shannon, Jr., and G-WB Portfolio Holdings, Inc. (a Delaware corporation).

ROUX -1- 4021.0002Y104/APE

Department of State Division of Corporations

Entity Information

Return to Results

Entity Details

ENTITY NAME: CM LIC STUDIOS 30TH STREET II LLC

ENTITY TYPE: FOREIGN LIMITED LIABILITY COMPANY

FOREIGN LEGAL NAME: CM LIC STUDIOS 30TH STREET II LLC

SECTIONOF LAW: LIMITED LIABILITY COMPANY - 802 LIMITED

Return to Search

DOS ID: 7001559

FICTITIOUS NAME:

ENTITY STATUS: ACTIVE

DURATION DATE/LATEST DATE OF DISSOLUTION:

INACTIVE DATE: OREIGN FORMATION DATE: 03/15/2023 STATEMENT STATUS: CURRENT OUNTY: SUFFOLK NEXT STATEMENT DUE DATE: 08/31/2025 URISDICTION: DELAWARE, UNITED STATES NFP CATEGORY: ENTITY DISPLAY NAME HISTORY FILING HISTORY MERGER HISTORY ASSUMED NAME HISTORY Service of Process on the Secretary of State as Agent The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the	LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW	
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	Entity Primary Location Name and Address	
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	Address:	

Farmcorpflag				
Is The Entity A Farm Corporation: NO				
Stock Information				
Share Value	Number Of Shares	Value Per Share		

47-50 30TH STREET, QUEENS, NEW YORK 11101

CM LIC STUDIOS 30TH STREET II LLC

UNANIMOUS WRITTEN CONSENT TO THE MEMBERS

The undersigned, Authorized Signatory of CM LIC Studios 30th Street II LLC, a Delaware Limited Liability Company (the "Company"), hereby consents to the adoption of the following resolutions without a meeting:

RESOLVED, that the Authorized Signatory of the Company is hereby authorized, empowered, and directed to take all such action on behalf of the Company as they may deem necessary, appropriate, or advisable to enter and participate in the New York State Brownfield Cleanup Program with respect to the property located at 47-50 30th Street, Queens, New York 11101.

RESOLVED, that should consummation of the transaction authorized in the foregoing resolutions require additional or more specific authorization of actions to consummate the transactions completed herein, including, without limitation, the execution and delivery of any and all agreements, instruments, documents or filings, such additional or specific authorizations are hereby deemed to be included herein as the date hereof.

Dated: September 5, 2023

9007 Ausen s

John F. Shannon, Jr. Authorized Signatory

CM LIC Studios 30th Street II LLC 85 Post Crossing, A1 Southampton, New York 11968

August 31, 2023

ARE-NY Region No. 3, LLC c/o Alexandria Real Estate Equities, Inc. 26 North Euclid Avenue Pasadena, California 91101 Attention: Corporate Secretary

Re: 47-50 30th Street, Queens, New York

Dear Sir or Madam:

As you are aware, CM LIC Studios 30th Street II LLC, will be submitting an application to the Brownfield Cleanup Program (BCP) for the property located at 47-50 30th Street, Queens, New York 11101 (Tax Block 115, Lot 287), which is currently owned by your company. As the BCP applicant, we are required to seek access to the property from the current property owner for acceptance into the BCP. In order to file the application, we need written permission from you to access the property throughout the BCP Project to implement the work required by the NYSDEC under the BCP and to place an environmental easement on the property should one be necessary. By execution of this site access agreement letter, you are hereby acknowledging that ARE-NY REGION NO. 3, LLC has granted site access for this purpose and pursuant to the terms of the Purchase and Sale Agreement dated April 21, 2023, as amended.

Sincerely,

CM LIC Studios 30th Street II LLC

By: Sout than & John Shannon

As the site owner, I agree that ARE-NY Region No. 3, LLC has granted access to allow CM LIC Studios 30th Street II LLC, and its contractors, to enter 47-50 30th Street, Queens, New York 11101 (Tax Block 115, Lot 287), which is currently owned by ARE-NY Region No. 3, LLC, to perform the required BCP work and/or place an environmental easement on the property should one be necessary, as described above and in accordance with the terms of the Purchase and Sale Agreement dated April 21, 2023, as amended.

ARE-NY Region No. 3, LLC

Print Name:

Gary Dean
Executive Vice President
Real Estate Legal Affairs

4870-9478-2589 1

APPENDIX F

Section VII
Requestor Eligibility Information

Appendix F - Requestor Eligibility Information

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section VI

The Requestor qualifies as a Volunteer because (i) a Phase I Environmental Site Assessment was completed that satisfied the "all appropriate inquiries" requirements of 40 CFR 312 prior to taking title, (ii) all disposals of hazardous substances occurred prior to the time Requestor plans to take possession of the brownfield site and (iii) the Requestor does not have any affiliation with any responsible party.

Requestor will exercise appropriate care by promptly securing the Site. The Site building will continue to be secure to prevent access by trespassers. Requestor will continue to exercise appropriate care by implementing the requirements of the BCP. As such, the Requestor should be considered a Volunteer as defined in ECL 27-1405(1)(b).

ROUX -1- 4021.0002Y104/APF

APPENDIX G

Section IX
Current Property Owner-Operator Information

Appendix G – Previous Property Owners and Operators

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IX

CM LIC Studios 30th Street II LLC has no relationship to previous owners and operators. The Site currently consists of Block 115, Lot 187.

PREVIOUS OWNERS' INFORMATION* Block 115, Lot 187

Period	Tax Parcel	Owner	Source	Last Known Address	Telephone Number	Relationship to Requestor
Unknown to 9/29/1983	Block 115, Lot 187	Maepag Realty Corp.	Deed	280 Park Avenue, New York, NY 10017	Unknown	None
9/29/1983 to 9/24/1985	Block 115, Lot 187	Diana Properties, Inc.	Deed	47-50 30 th Street, Long Island City, NY 11101	Unknown	None
9/24/1985 to 3/2/2001	Block 115, Lot 187	New York City Industrial Development Agency	Deed	One Centre Street, New York, NY 10007	212-669-3916	None
3/2/2001 to 10/25/2005	Block 115, Lot 187	Milton Paper Company, Inc.	Deed	1460 Route 9 North, Woodbridge, NY 07095	631-231-4800	None
10/25/2005 to 7/10/2019	Block 115, Lot 187	Prestone Realty, LLC	Deed	47-50 30 th Street, Long Island City, NY 11101	347-468-7900	None
7/10/2019 to Present	Block 115, Lot 187	ARE-NY Region No. 3 Holding, LLC	Deed	430 East 29 th Street, Suite 100, New York, NY 10016	626-396-4829	None

^{*} ACRIS includes transactions records from 1983 to present. If no other records are shown, it is assumed that additional property transactions occurred before 1966.

Appendix G – Previous Property Owners and Operators Former Prestone Press

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IX

PREVIOUS OPERATORS' INFORMATION* Block 115, Lot 187

Period	Tax Parcel	Operator	Source	Last Known Address	Telephone Number	Relationship to Requestor
1945	Block 115, Lot 187	Pabst Sales Company	City Directory	10635 Santa Monica Blvd., Suite 350, Los Angeles, CA 90025	Unknown	None
1962	Block 115, Lot 187	Standard Wine & Liquor Co Inc, Residential Listings	City Directory	47-30 30 th Street, Long Island City, NY 11101	Unknown	None
1967-1970	Block 115, Lot 187	Standard Wine & Liquor	City Directory	47-30 30 th Street, Long Island City, NY 11101	Unknown	None
1976	Block 115, Lot 187	Hales & Svce Dept, Hunt Philip A Chemcl Corp	City Directory	210 Sheldon Road, Berea, OH 44017	603-580-5623	None
1983	Block 115, Lot 187	Hunt Philip A Chemcl Corp, PA Hunt Chemical Corp	City Directory	210 Sheldon Road, Berea, OH 44017	603-580-5623	None
1991-1995	Block 115, Lot 187	Milton Paper Co Inc	City Directory	1460 Route 9 North, Woodbridge, NY 07095	631-231-4800	None
2000	Block 115, Lot 187	48 th Av Ints From, Milton Paper Company Incorporated, Milton Ppr Co Inc	City Directory	1460 Route 9 North, Woodbridge, NY 07095	631-231-4800	None
2005	Block 115, Lot 187	Vanguard Paper, Milton Paper Co, Milton Paper Co Inc	City Directory	1460 Route 9 North, Woodbridge, NY 07095	631-231-4800	None
2010	Block 115, Lot 187	Masterpiece Printers Inc, Masterpiece Printers, Prestone Printing Co Inc, Vanguard Music and Entertainment	City Directory	29 Brook Ave, Maywood, NJ 07607	347-468-7900	None

Appendix G – Previous Property Owners and Operators

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application - Section IX

Period	Tax Parcel	Operator	Source	Last Known Address	Telephone Number	Relationship to Requestor
2014	Block 115, Lot 187	Prestone Printing Company	City Directory	29 Brook Ave, Maywood, NJ 07607	347-468-7900	None

^{*} A City Directory Abstract of the property was obtained from EDR. Records reviewed from 1934 to 2020 were sourced from New York Telephone Directory, New York Telephone Company, Cole Information, Hill-Donnelly Information Services, NYNEX Information Resources Company, R.L. Polk & Co., H.C. Morris and the EDR Digital Archive Listings as written from the City Directory Abstract.

Brownfield Cleanup Program (BCP) Application Former Prestone Press 47-50 30th Street, Queens, New York

APPENDIX H

Section XI
Contact List Information

4021.0002Y104/CVRS ROUX

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application – Section XI

i. Local and State Officials

Councilwoman Julie Won 26th Council District 37-04 Queens Boulevard Suite 205 Long Island City, NY 11101 718-383-9076

Senator Michael Gianaris 12th Senatorial District 45-02 Ditmars Boulevard, Suite 1008 Astoria, NY 11105 718-728-0960

Assemblyman Juan Ardila 37th Assembly District 45-10 Skillman Avenue, First Floor Sunnyside, NY 11104 718-784-3194

Hon. Kirsten E. Gillibrand U.S. Senator 780 Third Avenue, Suite 2601 New York, NY 10017 212-688-6262

District Attorney Melinda Katz Queens County District Attorney 125-01 Queens Blvd Kew Gardens, NY 11415 718-286-6000

Hon. Kathy Hochul Governor of New York State NYS State Capital Building State Street and Washington Avenue Albany, NY 12224

Congresswoman Nydia M. Velazquez 7th Congressional District 266 Broadway Brooklyn, NY 11211 718-599-3658

ii. Current Site Owner

Proposed BCP Site Block 115, Lot 187 CM LIC Studios 30th Street II LLC 85 Post Crossing A1 Southampton, NY 11968 Queens Borough President Donovan Richards 120-55 Queens Boulevard Kew Gardens, NY 11424 718-286-3000

NYS Comptroller Thomas DiNapoli 59 Maiden Lane-30th Floor New York, NY 10038 212-383-1600

Hon. Mayor Eric Adams New York City Hall New York, NY 10007 Phone: 212-718-7585

NYC Comptroller Brad Lander 1 Centre Street New York, NY 10007 212-669-3916

Public Advocate Jumaane D. Williams Community Affairs 1 Centre Street, 15th Floor New York, NY 10007 212-669-7200

Hon. Charles E. Schumer U.S. Senator 780 Third Avenue, Suite 2301 New York, NY 10017-2110 212-486-4430

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application – Section XI

iii. Current Owners and Occupants of Adjacent Sites

Block 115, Lot 210 JRJ Equities, LLC 213-19 99th Avenue Queens Village, NY 11429

Block 115, Lot 231 47-60 & 48-02 29th Street LLC 203 Mesarole Avenue Brooklyn, NY 11222

Block 115, Lot 239 47-60 & 48-02 29th Street LLC 203 Mesarole Avenue Brooklyn, NY 11222

Block 115, Lot 249 LIC Non-Recourse LLC 135 West Main Street, Suite M Aspen, CO 81611

iv. Community, Religious, Civic and other Authorities

St. Raphael RC Church 3520 Greenpoint Avenue Long Island City, NY 11101 (718) 729-8957

FDNY Engine 258/Ladder 115 10-40 47th Avenue Queens, NY 11101 (718) 999-2000

FDNY Engine 259/Ladder 128/Battalion 45 33-51 Greenpoint Avenue Long Island City, NY 11101 (212) 639-9675

NYPD 108th Precinct 547 50th Ave. Long Island City, NY 11101 (718) 784-5411

v. Parks and Recreation

NYC Parks and Recreation L/CPL Thomas P. Noonan Jr. Playground 42nd Street & Greenpoint Avenue Woodside, NY 11377 Block 115, Lot 86 MTA - LIRR

Block 115, Lot 181 NYRS Properties Inc. 47-46B 30th Street Long Island City, NY 11101

Block 283, Lot 1 NBA Holdings, LLC 225 Heathcote Road Scarsdale, NY 10583

Block 287, Lot 11 ARE-NY Region No. 2 Holding, LLC 26 North Euclid Avenue Pasadena, CA 91191

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application – Section XI

vi. Day Cares and Schools

International High School at LaGuardia Community College 45-35 Van Dam St. Queens, NY 11101 (718) 392-3433

Queens Technical High School 37-02 47th Avenue Long Island City, NY 11101 (718) 937-3010

Bard High School Early College Queens 30-20 Thomson Ave Queens, NY 11101 (718) 361-3133

Middle College High School at LaGuardia Community College 45-35 Van Dam St. Queens, NY 11101 (718) 392-3330

P4 @ Skillman School 24-30 Skillman Ave Queens, NY 11101 (718) 729-5083

vii. Local Water Supply

New York City Water Supply 9605 Horace Harding Expressway Queens, NY 11368

viii. Local News and Media

LIC Post news@queenspost.com (929) 424-4067

New York Post 1211 Avenue of the Americas New York, NY 10036 (212) 930-8000

New York Daily News 4 New York Plaza New York, NY 10004

Spectrum NY 1 News 75 Ninth Avenue New York, NY 10011 LaGuardia Community College 31-10 Thomson Ave Queens, NY 11101 (718) 482-7200

Early Childhood Learning Center Programs Inc. @ LaGuardia Community College 31-10 Thomson Ave Queens, NY 11101 (718) 482-5295

Rosa Delgado Daycare 47-29 37th St Queens, NY 11101

We R Unique Kids Daycare 4850 37th St Apt 4V Queens, NY 11101 (718) 909-9974

The Learning Experience – Long Island City 27-28 Thomson Ave Queens, NY 11101 (347) 853-8567

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101 BCP Application – Section XI

ix. Any Person, Community Based Organization, BOA Group, or Local Media Who Has Requested to be placed on the contact list

No persons have requested to be on the Site Contact List.

x. Document Repository

Queens Public Library at Sunnyside Library 43-06 Greenpoint Ave Long Island City, NY 11104 (718) 784-3033

Queens Community Board District 2 Chairperson: Morry Galonoy District Manager: Debra Markell Kleinert 43-22 50th Street, Room 2B Woodside, NY 11377 (718) 533-8777 E-Mail: qn02@cb.nyc.gov

Queens Community Board District 2 and the Queens Public Library at Sunnyside Library have agreed to act as document repositories as shown in the attached. See attached documentation acknowledging acceptance as document repositories in Appendix H.

ROUX -4- 4021.0002Y104/APH

From: Schiavone, Joseph
To: Emily Butler

Cc: Robert Kovacs; Nye, Alexandra E; Porter, Joseph R

Subject: Re: Document Repository for 47-50 30th Street

Date: Tuesday, October 10, 2023 2:15:48 PM

Attachments: <u>image001.png</u>

image002.pnq image003.pnq image004.pnq image005.pnq

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Thank you for your email. We will hold the documents for one year as requested.

Joseph Schiavone Community Library Manager Queens Public Library at Sunnyside 43-06 Greenpoint Ave., Long Island City 11104 P. 718-784-3033

From: Emily Butler <ebutler@rouxinc.com>
Sent: Tuesday, October 10, 2023 1:21 PM

To: Schiavone, Joseph < Joseph. Schiavone@queenslibrary.org>

Cc: Robert Kovacs < rkovacs@rouxinc.com>

Subject: Document Repository for 47-50 30th Street

Mr. Schiavone,

Thanks for speaking with me on the phone. To follow up, my name is Emily Butler and I work for an environmental consulting firm, Roux. We are working on a project to redevelop the property located at 37-50 30th Street in Long Island City. We are required to have the nearest library and the community board act as document repositories for any future documents generated for the project as requested by the New York State Department of Environmental Conservation (NYSDEC). This email is to communicate to you that Sunnyside Library will be one of the document repositories for the 37-50 30th Street project. As discussed, the branch typically holds the documents for 1 year and then send the documents to the central library location.

Please confirm receipt and let me know if you have any guestions.

Thank you, Emily

Emily Butler | Project Geologist

209 Shafter Street, Islandia, NY 11749

Main: (631) 232-2600 | Direct: (631) 630-2432 | Mobile: (719) 494-6722

Email: ebutler@rouxinc.com | Website: www.rouxinc.com |



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From: QN02@cb.nyc.gov (CB)

To: <u>Emily Butler</u>

Subject: Re: Document Repository for 47-50 30th Street

Date: Tuesday, August 15, 2023 11:35:36 AM

Attachments: image001.png

image002.png image003.png image004.png image005.png

This message originated outside your organization. Please use caution!

Confirmed.

Thank you Debra Markell Kleinert District Manager, CB 2Q 43-22 50th Street, 2nd Floor Woodside, NY 11377

Tel: (718) 533-8773 Fax: (718) 533-8777 Email: <u>qn02@cb.nyc.gov</u>

CB2 Website: www.nyc.gov/queenscb2
Facebook: https://facebook.com/Queenscb2
Twitter: https://twitter.com/Queenscb2

From: Emily Butler <ebutler@rouxinc.com>
Sent: Tuesday, August 15, 2023 10:58 AM
Tay ON02@als may a rev (CR) (ON02@als may a

To: QN02@cb.nyc.gov (CB) <QN02@cb.nyc.gov>

Subject: [EXTERNAL] Document Repository for 47-50 30th Street

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Hello,

My name is Emily Butler and I work for an environmental consulting firm, Roux. We are working on a project to redevelop the property located at 37-50 30th Street in Long Island City. We required to have the nearest library and the community board act as document repositories for any future documents generated for the project as requested by the New York State Department of Environmental Conservation (NYSDEC). This email is to communicate to you that Queens Community Board 2 will be one of the document repositories for the 37-50 30th Street project. Please confirm receipt and let me know if you have any questions.

Thank you,

Emily Butler | Project Geologist

209 Shafter Street, Islandia, NY 11749

Main: (631) 232-2600 | Direct: (631) 630-2432 | Mobile: (719) 494-6722

Email: ebutler@rouxinc.com | Website: www.rouxinc.com |



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Brownfield Cleanup Program (BCP) Application Former Prestone Press 47-50 30th Street, Queens, New York

APPENDIX I

Underutilized Affidavit

4021.0002Y104/CVRS ROUX

Appendix I – Supplemental Questions for Sites Seeking Tangible Property Credits in New York City

Former Prestone Press 47-50 30th Street, Long Island City, NY 11101

BCP applicant, CM LIC Studios 30th Street II LLC, is seeking Tangible Property Tax Credits on the basis that the Site is underutilized. Attached is an architect's letter certifying that the property is currently "underutilized" as defined by 6 NYCRR 375-3.2(I) with respect to eligibility for Tangible Property Tax Credits. The site is currently located in an M3-2 zoning district according to Zoning Map 9b of the New York City Zoning Resolution. The M3-2 zoning was established pursuant to zoning map amendment application C 950403 ZMQ, approved by the City Planning Commission on September 18, 1995, and made effective on October 25, 1995. The site's applicable M3-2 zoning has therefore been effective for over 26 years.

According to the attached letter from ZGF Architects dated April 25, 2022, the property measures 56,193.38 square feet in lot area and is currently improved with a one-story, vacant building containing 51,539 gross square feet. The M3-2 zoning allows a floor area ratio of 2.0, which allows a maximum of 112,386.76 square feet of zoning floor area. Based on this information, the existing building contains no more than 45.9% of the permissible floor area under the applicable base zoning.

Following demolition of the existing building, the property will be redeveloped with a motion picture and/or television studio and related uses containing 112,386 square feet of zoning floor area, a Use Group 10A manufacturing use according to the New York City Zoning Resolution. The proposed use of the future development is therefore more than 75% for industrial uses.

The above stated information, together with the attached architect's documentation, demonstrates that the site is considered "underutilized" as defined by 6 NYCRR 375-3.2(I). In particular, the site's applicable zoning has been in place for at least three years; the existing building contains less than 50% of the permissible floor area under the applicable base zoning; and the proposed use of the future development is at least 75% for industrial uses.

ROUX -1- 4021.0002Y104/API



PORTLAND SEATTLE LOS ANGELES WASHINGTON DC NEW YORK VANCOUVER BC

PARTNERS

Braulio Bapisia ala
Kathy Shaloo Berg ala, LEED APBD+C
Patrick Cotter Architect aibc, AAA, OAA, SAA, INT'LASSOC. AI
Mark Foster Ala
Toby Hasselgren Ala
Ted Hyman Fala, LEED APBD+C
R. Doss Mabe Fala
Mitra Memari Ala, LEED APBD+C
Solvei Neiger Ala, ACHA
Victoria Nichols Ala, LEED AP
Robert Packard IIII ASSOCIATE AIA
Viadimir Pajkic Ala, LEED AP
Eugene Sandoval Ala
Karl Sonnenberg Ala, ACHA
Allyn Stellmacher Ala, LEED AP

PRINCIPALS

Deb Barbour ASSOC. AIA
Jeff Daiker AIA
Paul-Arthur Heller
Kate Mann AIA, LEED AP
William Robertson AIA
Monica Schaffer
Matthew Thomson

April 25, 2022

John Cunningham Alexandria Real Estate Equities, Inc. 430 East 29th Street, Suite 100 New York, NY 10016

Re: 47-50 30th Street Existing Building Area

Dear John,

Based on our analysis of the provided site survey dated 02/24/2020 completed by Joseph Nicoletti Associates and the provided building survey dated 10/02/2020 completed by Control Point Associates Inc, we have determined that the existing building at 47-50 30th Street includes a total area of 51,539 gross square feet of interior space. This total includes 50,345 gross square feet of space at level 01 and 1,194 gross square feet in a second-floor mezzanine accessible by stair from level 01.

The total property measures 56,193.38 square feet in land area. Pursuant to the NYC Zoning Resolution and the applicable M3-2 zoning district, the site is allowed a maximum floor to area ratio (FAR) of 2.0. Thus, the maximum development allowable as of right under the applicable base zoning is 112,386.76 square feet of "zoning floor area" (56,193.38sf x 2.0 FAR). Based on this analysis and using the gross area of the building, the existing building makes up no more than 45.9% of the allowable development area for the property. Please note that we have not calculated the zoning floor area of the existing building, but per the NYC Zoning Resolution "zoning floor area" does not include floor space used for accessory loading berths, accessory mechanical equipment, and other building elements. Therefore, the actual built "zoning floor area" of the existing building is likely less than 45.9% of the permissible zoning floor area for the property.

As you know, ZGF has been retained to design a new laboratory building at the site. Based on the latest design drawings the new building is expected to contain 112,386 SF of zoning floor area, approximately 96,549 SF of which will be Use Group 17 "Laboratories, research, experimental or testing" use, a manufacturing use per the NYC Zoning Resolution. The building is expected to be entirely as-of-right and would not require any discretionary approvals.

Sincerely,

ZGF Architects LLP

William Robertson Principal

Attachments:

Exhibit A: Architectural Survey – 02/24/2020 – Joseph Nicoletti Associates Professional Land Surveyors, P.C.

Exhibit B: Floor Plan - Existing Conditions - 10/02/2020 - Control Point Associates, Inc. PC

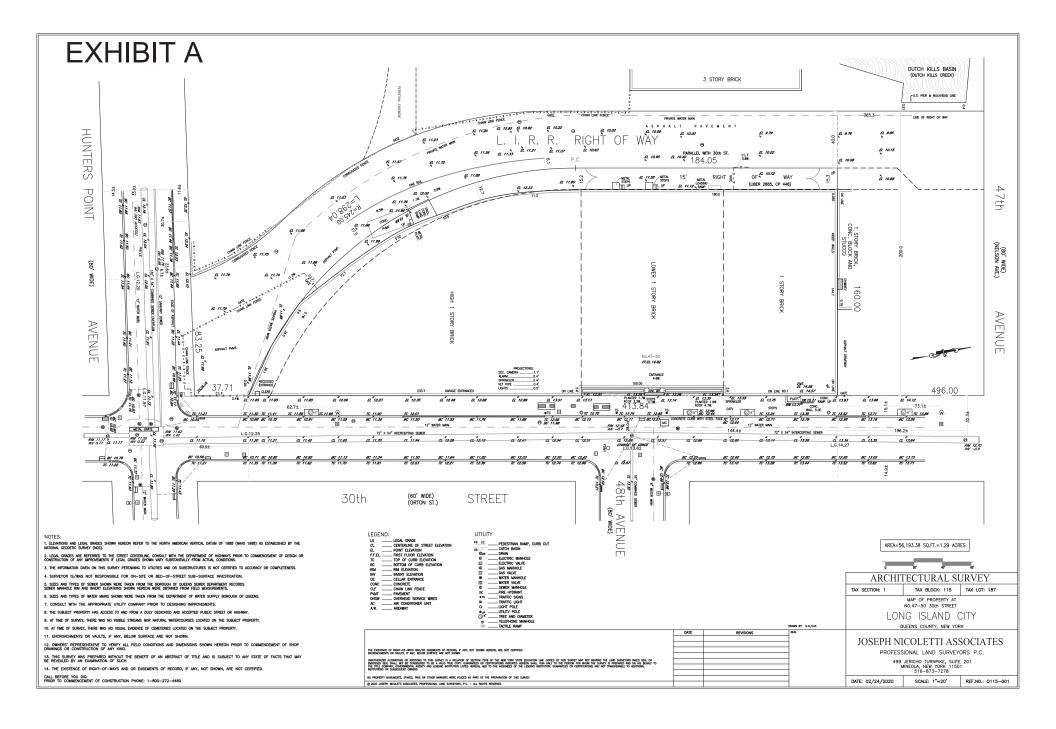


EXHIBIT B

