

April 4, 2023

Chief Site Control Section  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway, 11<sup>th</sup> Floor  
Albany, New York 12233-7020

Re: Brownfield Cleanup Program Major Amendment Application  
39-04/40-40 Northern Boulevard  
Queens, Block 183, Lots 9 & 12  
DEC Site No. C241265

To Whom it May Concern:

On behalf of GIC Queens LLC (the "Volunteer"), Roux Environmental Engineering and Geology, D.P.C. ("Roux") respectfully submits this Brownfield Cleanup Program ("BCP") application to amend an existing Brownfield Cleanup Agreement ("BCA") with a major modification ("Major Amendment"). This Major Amendment application seeks to expand the Volunteer's BCP Site, 39-04 Northern Boulevard (C241265), by merging it with the Volunteer's other, immediately adjacent BCP Site, 40-40 Northern Boulevard (C241268). This submission is a revision to the Major Amendment application submitted on March 14, 2023 to address New York State Department of Environmental Conservation comments provided in a letter dated March 31, 2023.

The Brownfield Cleanup Agreement ("BCA"), Index No. C241265-09-22, for 39-04 Northern Boulevard was executed on December 9, 2022. 40-40 Northern Boulevard was accepted into the BCP on December 28, 2022, but the Volunteer did not execute the BCA for 40-40 Northern Boulevard yet, given this Major Amendment application to expand the 39-04 Northern Boulevard BCP Site to also encompass 40-40 Northern Boulevard.

Please do not hesitate to reach out if you have any questions or concerns.

Sincerely,

**ROUX ENVIRONMENTAL ENGINEERING AND GEOLOGY, D.P.C.**



Noelle Clarke, P.E.  
Principal Engineer

Attachments



# Brownfield Cleanup Program Application

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39-04/40-40 Northern Boulevard  
Long Island City, New York 11101

April 4, 2023

Prepared for:

**GIC Queens LLC**

18201 Von Karman Avenue, Suite 1170  
Irvine, California 92612

Prepared by:

**Roux Environmental Engineering  
and Geology, D.P.C.**

209 Shafter Street  
Islandia, New York 11749

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



**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: C241265  Yes  No

**Is this a revised submission of an incomplete application?**  
If yes, provide existing site number: C241265  Yes  No

BCP App Rev 14 – January 2023

**SECTION I: Property Information** Appendix A

PROPOSED SITE NAME: 39-04/40-40 Northern Boulevard  
 ADDRESS/LOCATION: 39-04, 40-30 and 40-40 Northern Boulevard  
 CITY/TOWN: Long Island City ZIP CODE 11101  
 MUNICIPALITY (LIST ALL IF MORE THAN ONE): New York City  
 COUNTY: Queens SITE SIZE (ACRES) 3.185  
 LATITUDE: 40 ° 45 ' 7.84 " LONGITUDE: 73 ° 55 ' 24.41 "

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.**

Parcel Address	Section	Block	Lot	Acreage
39-04 Northern Boulevard		183	12	0.89
40-30 and 40-40 Northern Boulevard		183	9	2.295

	Y	N
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site including a metes and bounds description.	<input checked="" type="radio"/>	<input type="radio"/>
2. Is the required property map provided in electronic format with the application? (Application will not be processed without a map) <span style="color: red;">Figures 1 and 2</span>	<input checked="" type="radio"/>	<input type="radio"/>
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See <a href="#">DEC's website</a> for more information) If yes, identify census tract: <u>171.02, Type B</u> Percentage of property in En-zone (check one): 0% <input type="radio"/> 1-49% <input type="radio"/> 50-99% <input type="radio"/> 100% <input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
4. Is the project located within a disadvantaged community? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>
5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>
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: _____	<input type="radio"/>	<input checked="" type="radio"/>
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?	<input type="radio"/>	<input checked="" type="radio"/>
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.	<input type="radio"/>	<input checked="" type="radio"/>



**SECTION I: Property Information (CONTINUED)**

<p>9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.</p>	<p>Y <input type="radio"/></p>	<p>N <input checked="" type="radio"/></p>						
<p>10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: <u>C241265 and C241268</u></p>	<p><input checked="" type="radio"/></p>	<p><input type="radio"/></p>						
<p>11. 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: _____ Class: ____</p>	<p><input type="radio"/></p>	<p><input checked="" type="radio"/></p>						
<p>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.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"><u>Easement/Right-of-Way Holder</u></td> <td style="width: 50%;"><u>Description</u></td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	<u>Easement/Right-of-Way Holder</u>	<u>Description</u>			<p><input type="radio"/></p>	<p><input checked="" type="radio"/></p>		
<u>Easement/Right-of-Way Holder</u>	<u>Description</u>							
<p>13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information):</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 30%;"><u>Type</u></td> <td style="width: 30%;"><u>Issuing Agency</u></td> <td style="width: 40%;"><u>Description</u></td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>				<p><input type="radio"/></p>	<p><input checked="" type="radio"/></p>
<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>						
<p>14. 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? <b>Appendix A</b></p>	<p><input checked="" type="radio"/></p>	<p><input type="radio"/></p>						
<p><b>Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.</b></p>								
<p>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 10-12 of this form.</p>	<p>Y <input checked="" type="radio"/></p>	<p>N <input type="radio"/></p>						
<p>16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?</p>	<p><input type="radio"/></p>	<p><input checked="" type="radio"/></p>						
<p>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?</p>	<p><input type="radio"/></p>	<p><input type="radio"/></p>						
<p><b>NOTE:</b> If a tangible property tax credit determination is not being requested at the time of application, the applicant may seek this determination at any time before issuance of a Certificate of Completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.</p>								
<p><b>If any changes to Section I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions.</b>  <b>Initials of each Requestor:</b>          _____</p>								

SECTION II: Project Description <span style="color: red;">Appendix B</span>	
1. The project will be starting at:	<input checked="" type="radio"/> Investigation <input type="radio"/> Remediation
NOTE: If the project is proposed to start at the remediation stage, at a minimum, a Remedial Investigation Report (RIR) must be included, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Action Work Plan (RAWP) are also included (see <a href="#">DER-10, Technical Guidance for Site Investigation and Remediation</a> for further guidance), then a 45-day public comment period is required.	
2. If a final RIR is included, does it meet the requirements in ECL Article 27-1415(2)?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A
3. Have any draft work plans been submitted with the application (select all that apply)?	<input checked="" type="checkbox"/> RIWP <input type="checkbox"/> RAWP <input type="checkbox"/> IRM <input type="checkbox"/> No
4. Please provide a short description of the overall project development, including the date that the remedial program is to begin, and the date by which a Certificate of Completion is expected to be issued. Is this information attached?	<input checked="" type="radio"/> Yes <input type="radio"/> No <span style="color: red;">Appendix B</span>

SECTION III: Land Use Factors <span style="color: red;">Appendix C</span>		
1. What is the property's current municipal zoning designation?	<u>M1-5 (manufacturing)</u>	
2. What uses are allowed by the property's current zoning (select all that apply)?	Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/>	
3. Current use (select all that apply):	Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Recreational <input type="checkbox"/> Vacant <input checked="" type="checkbox"/>	
4. Please provide a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date by which the site became vacant. <span style="color: red;">Appendix C</span> Is this summary included with the application?	Y	N
5. Reasonably anticipated post-remediation use (check all that apply):  Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/>  If residential, does it qualify as single-family housing? <input checked="" type="radio"/> N/A	<input checked="" type="radio"/>	<input type="radio"/>
6. Please provide a statement detailing the specific proposed post-remediation use. Is this summary attached? <span style="color: red;">Appendix C</span>	<input checked="" type="radio"/>	<input type="radio"/>
7. Is the proposed post-remediation use a renewable energy facility? See application instructions for additional information.	<input type="radio"/>	<input checked="" type="radio"/>
8. Do current and/or recent development patterns support the proposed use?	<input checked="" type="radio"/>	<input type="radio"/>
9. Is the proposed use consistent with applicable zoning laws/maps? <span style="color: red;">Appendix C</span> Please provide a brief explanation and additional documentation if necessary.	<input checked="" type="radio"/>	<input type="radio"/>
10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? <span style="color: red;">Appendix C</span> Please provide a brief explanation and additional documentation if necessary.	<input checked="" type="radio"/>	<input type="radio"/>

**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 (**please submit information requested in this section in electronic format ONLY**):

- 1. Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard ([ASTM E1903](#)). **Please submit a separate electronic copy of each report in Portable Document Format (PDF). 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	SOIL	GROUNDWATER	SOIL GAS
Petroleum	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Chlorinated Solvents	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other VOCs	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SVOCs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Metals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pesticides	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PFAS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,4-dioxane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other – indicated below	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*Please describe other known contaminants and the media affected:

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

Other:

SECTION V: Requestor Information <span style="color: red;">Appendix E</span>		
NAME: GIC Queens LLC		
ADDRESS: 18201 Von Karman Avenue, Suite 1170		
CITY/TOWN: Irvine, CA		ZIP CODE 92612
PHONE: (484) 221-6702	EMAIL: charles.stehlik@goodman.com	
	Y	N
1. Is the requestor authorized to conduct business in New York State (NYS)?	<input checked="" type="radio"/>	<input type="radio"/>
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 <a href="#">NYS Department of State's Corporation &amp; Business Entity Database</a> . A print-out of entity information from the database must be submitted with this application to document that that requestor is authorized to conduct business in NYS. Is this attached? <span style="color: red;">Appendix E</span>	<input checked="" type="radio"/>	<input type="radio"/>
3. If the requestor is an LLC, the names of the members/owners need to be provided on a separate attachment. Is this attached? <span style="color: red;">Appendix E</span> N/A <input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
4. Individuals that will be certifying BCP documents, as well as their employers, must meet the requirements of Section 1.5 of <a href="#">DER-10: Technical Guidance for Site Investigation and Remediation</a> and Article 145 of New York State Education Law. Do all individuals that will be certifying documents meet these requirements? <b>Documents that are not properly certified will not be approved under the BCP.</b>	<input checked="" type="radio"/>	<input type="radio"/>

SECTION VI: Requestor Eligibility <span style="color: red;">Appendix F</span>		
If answering "yes" to any of the following questions, please provide appropriate explanation and/or documentation as an attachment.		
	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
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.	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>
7. Has the requestor been convicted of a criminal offence (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?	<input type="radio"/>	<input checked="" type="radio"/>
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?	<input type="radio"/>	<input checked="" type="radio"/>

SECTION VI: Requestor Eligibility (CONTINUED)			
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application?	<input type="radio"/>	Y	N
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order?	<input type="radio"/>		<input checked="" type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>		<input checked="" type="radio"/>
12. THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405(1) BY CHECKING ONE OF THE BOXES BELOW:			
<b>PARTICIPANT</b> <input type="checkbox"/> 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.	<b>VOLUNTEER</b> <input checked="" type="checkbox"/> A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.  NOTE: By selecting this option, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: (i) stop any continuing discharge; (ii) prevent any threatened future release; and, (iii) prevent or limit human, environmental or natural resource exposure to any previously released hazardous waste.  <b>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.</b> Appendix F		
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached? <b>Appendix F</b>  Yes <input checked="" type="radio"/> No <input type="radio"/> N/A <input type="radio"/>			
14. Requestor relationship to the property (check one; if multiple applicants, check all that apply):  <input type="checkbox"/> Previous Owner <input checked="" type="checkbox"/> Current Owner <input type="checkbox"/> Potential/Future Purchaser <input type="checkbox"/> Other: _____  If the requestor is not the current owner, <b>proof of site access sufficient to complete remediation must be provided.</b> 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? <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A			
<b>Note:</b> A purchase contract or lease agreement does not suffice as proof of site access.			

**SECTION VII: Requestor Contact Information**

REQUESTOR'S REPRESENTATIVE: GIC Queens LLC/Charles Stehlik  
 ADDRESS: 18201 Von Karman Avenue, Suite 1170  
 CITY: Irvine | ZIP CODE: 92612  
 PHONE: (484) 221-6702 | EMAIL: charles.stehlik@goodman.com  
 REQUESTOR'S CONSULTANT (CONTACT NAME): Noelle Clarke  
 COMPANY: Roux Environmental Engineering and Geology, D.P.C.  
 ADDRESS: 209 Shafter Street  
 CITY: Islandia | ZIP CODE: 11749  
 PHONE: (631) 232-2600 | EMAIL: nclarke@rouxinc.com  
 REQUESTOR'S ATTORNEY (CONTACT NAME): Michael Bogin  
 COMPANY: Sive, Pagat, and Riesel, P.C.  
 ADDRESS: 580 Lexington Avenue  
 CITY: New York | ZIP CODE: 10022  
 PHONE: (646) 378-7210 | EMAIL: mbogin@sprlaw.com

**SECTION VIII: Program Fee**

Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor is required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver based on demonstration of financial hardship.

	Y	N
1. Is the requestor applying for a fee waiver based on demonstration of financial hardship?	<input type="radio"/>	<input checked="" type="radio"/>
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	<input checked="" type="radio"/>	<input type="radio"/>

**SECTION IX: Current Property Owner and Operator Information**

CURRENT OWNER: GIC Queens LLC  
 CONTACT NAME: Charles Stehlik  
 ADDRESS: 18201 Von Karman Avenue, Suite 1170  
 CITY: Irvine | ZIP CODE: 92612  
 PHONE: (484) 221-6702 | EMAIL: charles.stehlik@goodman.com  
 OWNERSHIP START DATE: November 16, 2021  
 CURRENT OPERATOR: Lexus of Queens  
 CONTACT NAME: Ken Wartel  
 ADDRESS: 40-30 and 40-40 Northern Boulevard  
 CITY: Long Island City | ZIP CODE: 11101  
 PHONE: (718) 392-7500 | EMAIL: ken.wartel@lexusofqueens.com  
 OPERATION START DATE: Approximately 2007



**SECTION X: Property Eligibility Information**

	Y	N
1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information.	<input type="radio"/>	<input checked="" type="radio"/>
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: _____	<input type="radio"/>	<input checked="" type="radio"/>
3. Is/was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? If yes, please provide: Permit Type: _____ EPA ID Number: _____  Date Permit Issued: _____ Permit Expiration Date: _____	<input type="radio"/>	<input checked="" type="radio"/>
4. If the answer to question 2 or 3 above is YES, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? 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.  <div style="text-align: right;">N/A <input checked="" type="radio"/></div>	<input type="radio"/>	<input type="radio"/>
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide the order number: _____	<input type="radio"/>	<input checked="" type="radio"/>
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information.	<input type="radio"/>	<input checked="" type="radio"/>

**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 *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 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 Asst. Vice-President (title) of GIC Queens 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 aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: 3-10-2023 Signature: 

Print Name: Simon Johnson

**SUBMITTAL INFORMATION**

- Two (2) copies, one unbound paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable Portable Document Format (PDF) on an external storage device (such as thumb drive or CD), must be sent to:

Chief, Site Control Section  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway, 11<sup>th</sup> Floor  
Albany, NY 12233-7020

PLEASE DO NOT SUBMIT SUPPORTING DOCUMENTS WITH THE HARD COPY APPLICATION FORM.  
Please provide a hard copy of ONLY the application form and a table of contents.

**FOR DEC USE ONLY**

BCP SITE T&A CODE: \_\_\_\_\_ LEAD OFFICE: \_\_\_\_\_



**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 14**

Please respond to the questions below and provide additional information and/or documentation as required.	Y	N
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?	<input checked="" type="radio"/>	<input type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input checked="" type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?	<input checked="" type="radio"/>	<input type="radio"/>
4. Is the property upside down or underutilized as defined below?		
Upside down	<input type="radio"/>	<input checked="" type="radio"/>
<b>Appendix I</b> Underutilized	<input checked="" type="radio"/>	<input type="radio"/>

**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:**

Project is an Affordable Housing Project – regulatory agreement attached

Project 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 provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.

This is not an Affordable Housing Project

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

- (a) “Affordable housing project” means, for purposes of this part, title fourteen of article twenty-seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.
- (1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants’ 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, sub-transmission, 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

**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 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 [Regional Office](#) to schedule a meeting. To add a party to an existing BCP Agreement, use the [BCP Agreement Amendment Application](#).

**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

Please submit **one unbound paper copy of ONLY the application form and a table of contents** to the address below:

Chief, Site Control Section  
New York State Department of Environmental Conservation  
625 Broadway, 11<sup>th</sup> Floor  
Albany, NY 12233-7020

Additionally, please submit an electronic (Portable Document Format [PDF]) version of the application as follows, provided on an external storage device (e.g., flash drive, CD, etc.):

- One file containing the application form, table of contents, and supporting documentation, excluding historical environmental reports and draft work plans
- One file for each historical environmental report (not merged with each other or with the application file)
- One file for each draft work plan, if applicable

**PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS.** Please provide a hard copy of **ONLY** the application form and table of contents.

### 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.
<b>Proposed Site Name</b>	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.
<b>Site Address</b>	Provide a street address, city/town, zip code, and each municipality and county in which the site is located.
<b>Site Size</b>	Provide the approximate acreage of the site.
<b>GIS Information</b>	Provide the latitude and longitude for the approximate center of the property. Show the latitude and longitude in degrees, minutes and seconds.

<b>SECTION I: Property Information (continued)</b>	
<b>Tax Parcel Information</b>	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.
<b>Tax Map Boundaries</b>	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.
<b>Site Map</b>	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.
<b>En-zone</b>	Is any part of the property in an En-zone? If so, what percentage? For information on En-zones, please see <a href="#">DEC's website</a> . Note that new En-zone boundaries are effective January 1, 2023.
<b>Disadvantaged Communities</b>	For additional information on disadvantaged communities, please refer to the <a href="#">Climate Leadership and Community Protection Act website</a> .
<b>Brownfield Opportunity Area (BOA)</b>	For more information on designated BOAs, please refer to the <a href="#">NYS DOS website</a> . Additional information on BOA conformance determinations can be found at the <a href="#">Office of Planning and Development website</a> . A BOA conformance determination cannot be made until a Decision Document has been issued for the site.
<b>Multiple Applications</b>	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).
<b>Previous BCP Applications</b>	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.

**SECTION I: Property Information (continued)**

<p><b>Registry Listing and P-site Status</b></p>	<p>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.</p>
<p><b>Property Description Narrative</b></p>	<p>Provide a property description in the format provided below. Each section should be no more than one paragraph long.</p> <p><u>Location:</u></p> <p>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."}</p> <p><u>Site Features:</u></p> <p>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."</p> <p><u>Current Zoning and Land Use:</u> (Ensure the current zoning is identified)</p> <p>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."</p> <p><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).</p> <p>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."</p> <p>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.</p> <p><u>Site Geology and Hydrogeology:</u></p> <p>As appropriate, provide a very brief summary of the main hydrogeological features of the site including depth to water, groundwater flow direction, etc.</p>



**SECTION I: Property Information (continued)**

<p><b>Environmental Assessment</b></p>	<p>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.</p> <p>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 (SGCs) 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.</p> <p><b>A typical Environmental Assessment would look like the following:</b></p> <p>Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).</p> <p><i>Soil</i> - 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).</p> <p><i>Groundwater</i> - 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.</p> <p><i>Soil Vapor &amp; Indoor Air</i> - 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.</p>
<p><b>Questions 15-17: New York City Sites</b></p>	<p>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 <i>Supplemental Questions for Sites Seeking Tangible Property Credits in New York City</i> must be completed.</p>

**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.

<b>Zoning and Current Use</b>	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.
<b>Anticipated Use</b>	Identify the anticipated post-remediation use of the site and provide a detailed description of the specific anticipated post-remediation use as an attachment.
<b>Renewable Energy Facility Site</b>	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
<b>Compliance with Zoning Laws, Recent Development, and Community Master Plans</b>	Provide additional explanation and/or documentation as necessary to support the responses to these items.



**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**

<b>Requestor Name</b>	<p>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.</p> <p>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 href="#">NYS Department of State's Corporation &amp; Business Entity Database</a>. A print-out of entity information from the database must be submitted to DEC with the application, to document that the requestor is authorized to do business in NYS.</p>
<b>Address, etc.</b>	Provide the requestor's mailing address, telephone number and e-mail.
<b>LLC Information</b>	If the requestor(s) is/are an LLC, the names of the members/owners need to be provided on a separate attachment.
<b>Document Certification</b>	<p>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 <a href="#">DER-10</a>. Persons preparing and certifying the various work plans and reports identified in Section 1.5 include:</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• qualified environmental professionals as defined at 6 NYCRR 375-1.2(ak) and DER-10 paragraph 1.3(b)49;</li> <li>• remedial parties, as defined at 6 NYCRR 375-1.2(ao) and DER-10 paragraph 1.3(b)60; or</li> <li>• site owners, which are the owners of the property comprising the site at the time of the certification.</li> </ul>

## 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.

<b>Volunteer Statement</b>	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.
<b>Proof of Site Access</b>	If a requestor is not the current owner of the entirety of the site, a site access agreement <b>must be provided</b> 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

<b>Requestor's Representative</b>	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.
<b>Requestor's Consultant and Requestor's Attorney</b>	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 the applicant has waived its right to tax credits, or any other documentation deemed acceptable by the Department.

## SECTION IX: Current Property Owner and Operator Information

<b>Owner Information</b>	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.
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<b>SECTION IX: Current Property Owner and Operator Information (continued)</b>	
<b>Operator Information</b>	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.
<b>Historical Owners and Operators</b>	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.

<b>SECTION X: Property Eligibility Information</b>	
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.	
<b>CERCLA / NPL Listing</b>	Has any portion of the property ever been listed on the National Priorities List (NPL) established under CERCLA? If so, provide relevant information.
<b>Registry Listing</b>	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) <a href="#">website</a> for a database of sites with classifications.
<b>RCRA Listing</b>	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 its expiration date. Note: for purposes of this application, interim status facilities are not deemed to be subject to a RCRA permit.
<b>Registry/RCRA Sites Owned by Volunteers</b>	If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27- 1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.

**SECTION X: Property Eligibility Information (continued)**

<p><b>Existing Order</b></p>	<p>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.</p>
<p><b>Pending Enforcement Actions</b></p>	<p>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.</p>

**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:

Analytes > SCOs <sup>a</sup>	Detections > SCOs <sup>b</sup>	Max. Detection (ppm) <sup>c</sup>	SCO (ppm) <sup>d</sup>	Depth (ft bgs)
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Groundwater Table:

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

Analytes <sup>h</sup>	Total Detections	Max. Detection (ug/m3) <sup>c</sup>	Type <sup>i</sup>
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<sup>a</sup> 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)

<sup>b</sup> Number of detections over applicable SCOs. Specify which SCOs are being compared to in column header.

<sup>c</sup> Maximum detection in parts per million (ppm) for soil, parts per billion (ppb) for groundwater, or micrograms per cubic meter (ug/m3) for soil gas.

<sup>d</sup> List the respective SCO. Specify which SCOs are being compared to in column header.

<sup>e</sup> Include all contaminants over Class GA Ambient Water Quality Standards (AWQS).

<sup>f</sup> Number of detections over AWQS.

<sup>g</sup> List the respective AWQS.

<sup>h</sup> Include all chlorinated volatile organic compound (VOCs) detections.

<sup>i</sup> 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 ( $\mu\text{g}/\text{m}^3$ )	Type
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 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 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:
    - i. 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.

**NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

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**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).
    - i. 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.

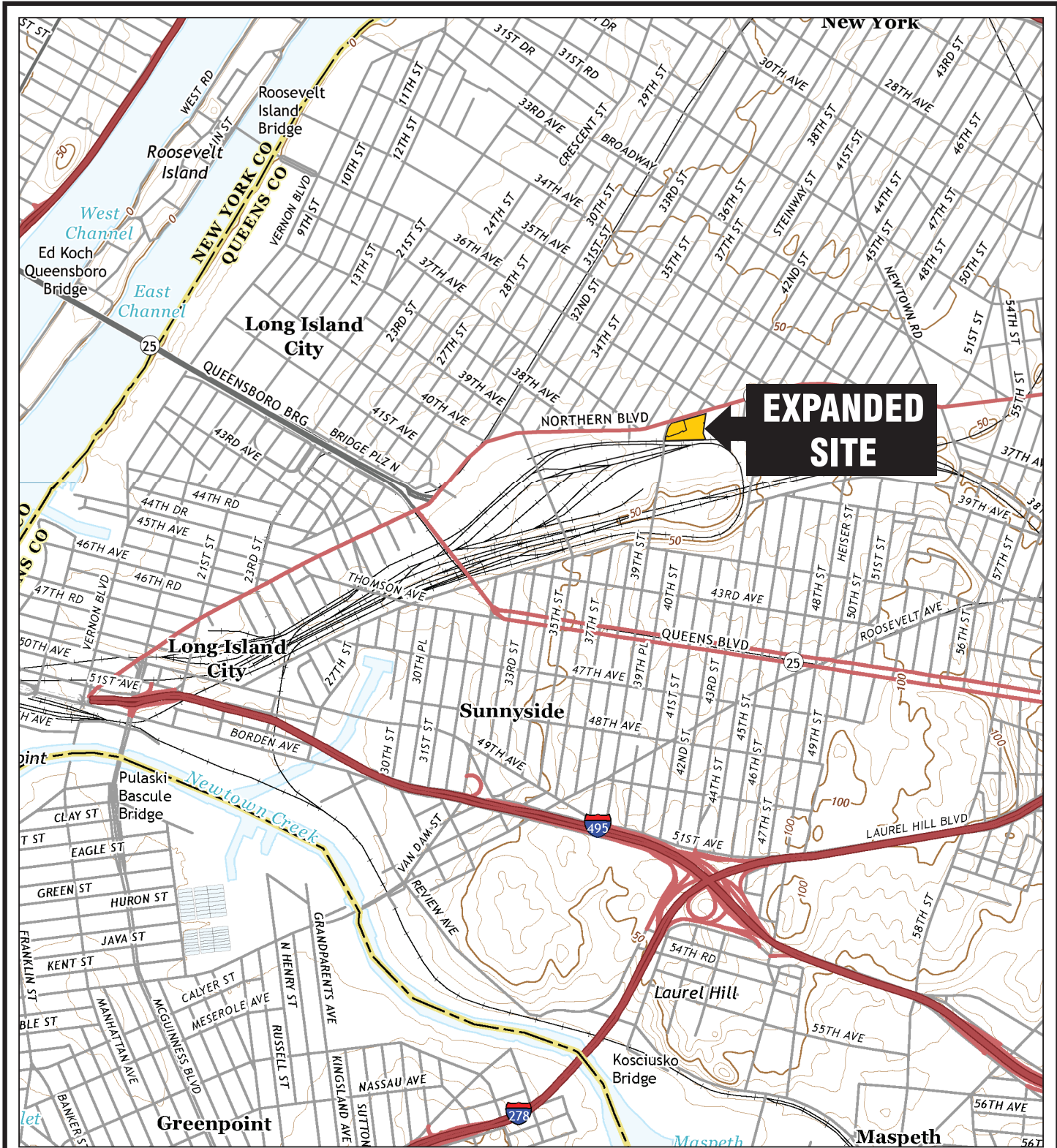


**Brownfield Cleanup Program Application**  
**39-04/40-40 Northern Boulevard, Long Island City, NY 11101**

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**FIGURES**

1. Site Location Map
2. Tax Map
3. Existing Conditions
4. Surrounding Properties
5. Summary of Exceedances in Soil from 2018
6. Summary of Exceedances in Groundwater from 2018
7. Summary of Detections in Soil Vapor from 2018



QUADRANGLE LOCATION



SOURCE:  
USGS; Brooklyn, NY (2019)  
and Central Park, NY, NJ (2019)  
7.5-Minute Topographic Quadrangles



Title:

**SITE LOCATION MAP**

39-04, 40-30 AND 40-40 NORTHERN BOULEVARD  
LONG ISLAND CITY, NEW YORK

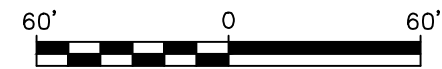
Prepared for:

GIC QUEENS LLC



Compiled by: E.B.	Date: 22FEB23	FIGURE <b>1</b>
Prepared by: G.M.	Scale: AS SHOWN	
Project Mgr: E.B.	Project: 3883.0003Y000	
File: 3883.0003Y100.01.cdr		





LEGEND

- PROPOSED BCP EXPANDED SITE BOUNDARY

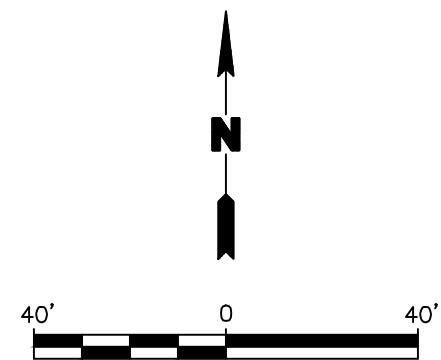
Title:			
<b>TAX MAP</b>			
39-04, 40-30 AND 40-40 NORTHERN BOULEVARD LONG ISLAND CITY, NEW YORK			
Prepared for:			
GIC QUEENS			
<b>ROUX</b>	Compiled by: E.B.	Date: 22FEB23	FIGURE <b>2</b>
	Prepared by: G.M.	Scale: AS SHOWN	
	Project Mgr: E.B.	Project: 3883.0003Y000	
	File: 3883.0003Y100.02.DWG		





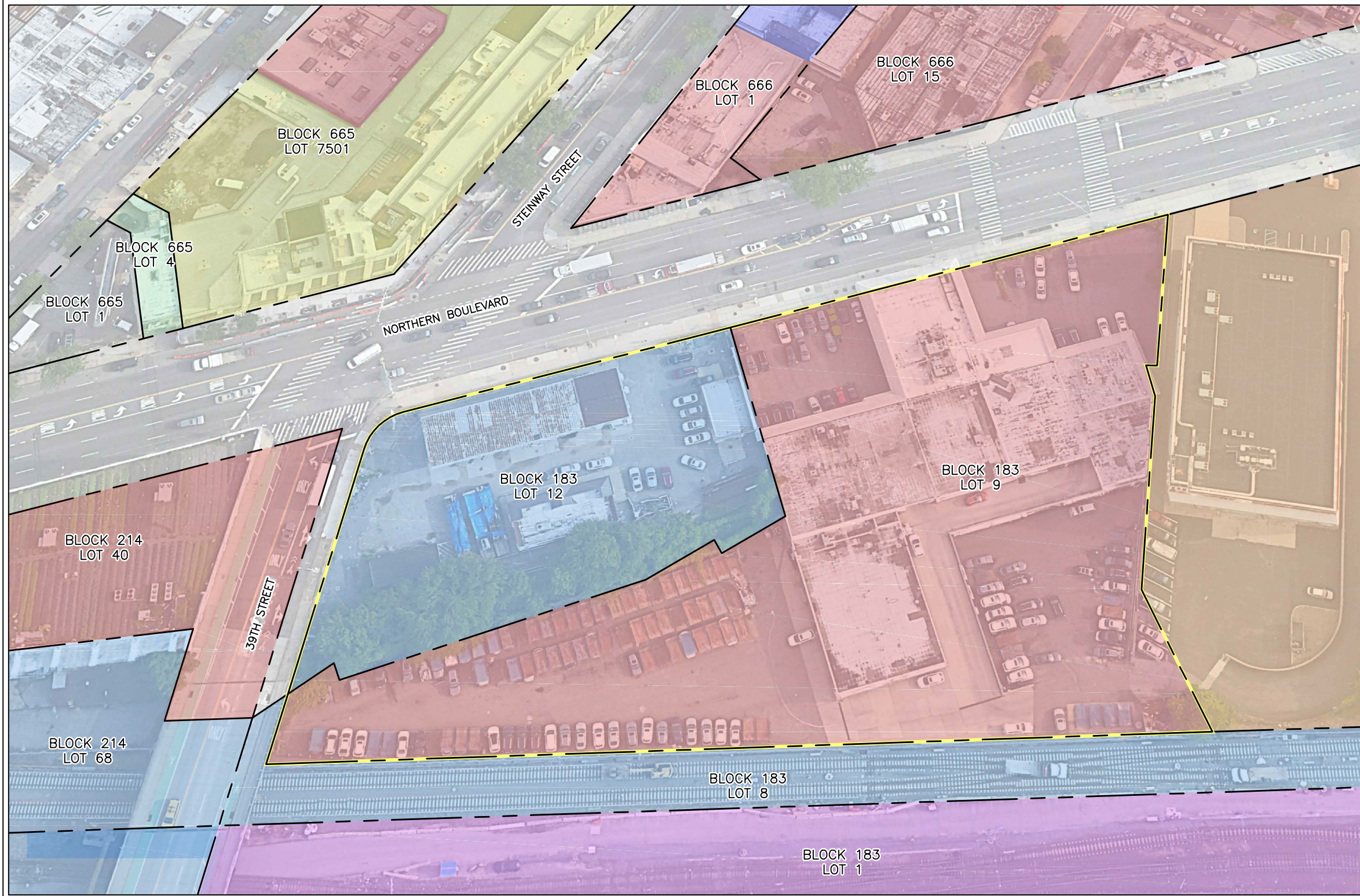
LEGEND

- PROPOSED BCP EXPANDED SITE BOUNDARY
- TAX LOT BOUNDARY



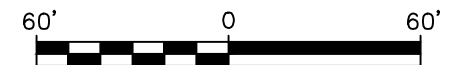
<b>EXISTING CONDITIONS</b>										
39-04, 40-30 AND 40-40 NORTHERN BOULEVARD LONG ISLAND CITY, NEW YORK										
Prepared for: <b>GIC QUEENS</b>										
<b>ROUX</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Compiled by: E.B.</td> <td>Date: 22FEB23</td> </tr> <tr> <td>Prepared by: G.M.</td> <td>Scale: AS SHOWN</td> </tr> <tr> <td>Project Mgr: E.B.</td> <td>Project: 3883.0003Y000</td> </tr> <tr> <td colspan="2">File: 3883.0003Y100.02.DWG</td> </tr> </table>	Compiled by: E.B.	Date: 22FEB23	Prepared by: G.M.	Scale: AS SHOWN	Project Mgr: E.B.	Project: 3883.0003Y000	File: 3883.0003Y100.02.DWG		<b>FIGURE</b>  <b>3</b>
Compiled by: E.B.	Date: 22FEB23									
Prepared by: G.M.	Scale: AS SHOWN									
Project Mgr: E.B.	Project: 3883.0003Y000									
File: 3883.0003Y100.02.DWG										




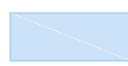

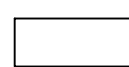
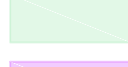
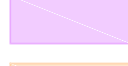
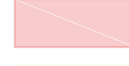

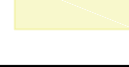


**SOURCE**

LAND USE PROVIDED BY NEW YORK CITY DEPARTMENT OF CITY PLANNING, INFORMATION AND TECHNOLOGY DIVISION



**LEGEND**

	PROPOSED BCP EXPANDED SITE BOUNDARY		TRANSPORTATION AND UTILITY		MULTI-FAMILY WALK-UP BUILDINGS
	MISCELLANEOUS/OTHER		PUBLIC FACILITIES		VACANT LAND
	COMMERCIAL AND OFFICE BUILDINGS		INDUSTRIAL/MANUFACTURING		
	MIXED RESIDENTIAL AND COMMERCIAL BUILDINGS				


Title:

**SURROUNDING PROPERTIES**

39-04, 40-30 AND 40-40 NORTHERN BOULEVARD  
LONG ISLAND CITY, NEW YORK

Prepared for:

GIC QUEENS

	Compiled by: E.B.	Date: 22FEB23	FIGURE <b>4</b>
	Prepared by: G.M.	Scale: AS SHOWN	
	Project Mgr: E.B.	Project: 3883.0003Y000	
	File: 3883.0003Y100.02.DWG		



<b>PL-27</b>	10/31/2018
<b>Depth (ft bls)</b>	4-4.5
<b>SVOCs</b>	
Chrysene	1.01

<b>SB008</b>	9/7/2018
<b>Depth (ft bls)</b>	23-25
<b>VOCs</b>	
1,2,4-Trimethylbenzene	240
Ethylbenzene	96
n-Butylbenzene	26
n-Propylbenzene	12
Xylenes, Total	120

<b>SW-8</b>	10/19/2018
<b>Depth (ft bls)</b>	10
<b>SVOCs</b>	
Benzo(a)anthracene	2.84
Benzo(a)pyrene	2.50
Benzo(b)fluoranthene	3.48
Chrysene	2.93

<b>VL-1</b>	10/25/2018
<b>SVOCs</b>	
Benzo(a)anthracene	3.24
Benzo(a)pyrene	2.74
Benzo(b)fluoranthene	3.04
Benzo(k)fluoranthene	1.87
Chrysene	3.28

<b>VL-3</b>	10/25/2018
<b>SVOCs</b>	
Benzo(a)anthracene	2.87
Benzo(a)pyrene	2.56
Benzo(b)fluoranthene	3.10
Chrysene	2.83

<b>SB007</b>	9/12/2018	9/12/2018
<b>Depth (ft bls)</b>	20-22	20-22 DUP
<b>VOCs</b>		
1,2,4-Trimethylbenzene	94	93
Ethylbenzene	42	39
n-Butylbenzene	13	15
n-Propylbenzene	11	11
Xylenes, Total	130	110

<b>SB019</b>	06/09/2022	06/09/2022
<b>Depth (ft bls)</b>	0 - 2	2 - 4
<b>SVOCs</b>		
Benzo(A)Anthracene	NE	1.3
Benzo(A)Pyrene	NE	1.2
Chrysene	NE	1.2

<b>SB003</b>	9/10/2018	9/10/2018
<b>Depth (ft bls)</b>	8-10	28-30
<b>SVOCs</b>		
Benzo(a)anthracene	20	NE
Benzo(a)pyrene	16	NE
Benzo(b)fluoranthene	20	NE
Benzo(k)fluoranthene	7.7	NE
Chrysene	18	NE
Ideno(1,2,3-cd)pyrene	10	NE
<b>Metals</b>		
Lead	8,300	NE
Mercury	3.02	NE

<b>SB015</b>	06/13/2022	06/13/2022	06/13/2022
<b>Depth (ft bls)</b>	0 - 2	6 - 8	12 - 14
<b>Metals</b>			
Mercury	NE	1.02	NE

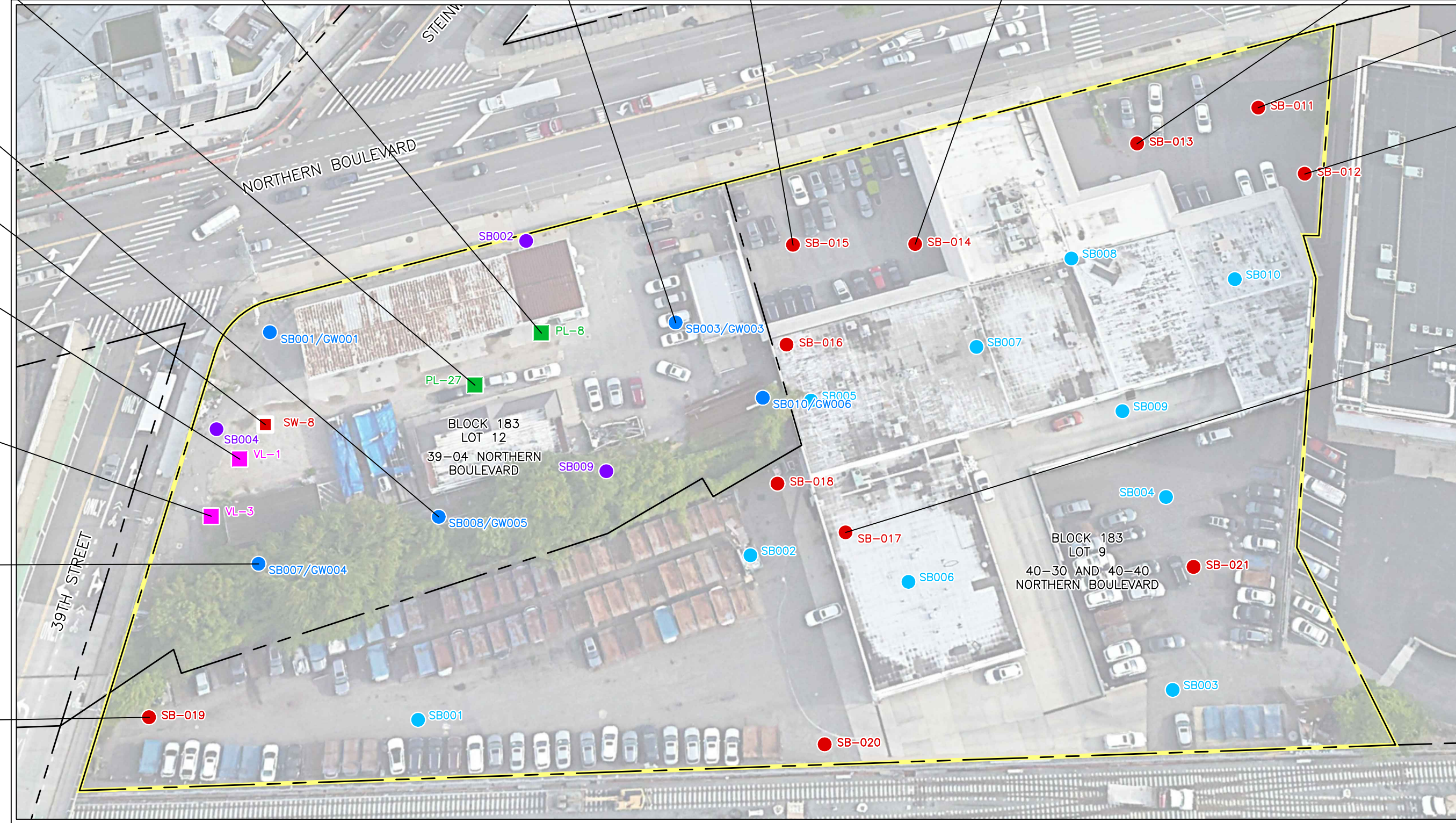
<b>SB014</b>	06/13/2022	06/13/2022	06/13/2022
<b>Depth (ft bls)</b>	0 - 2	10 - 12	14 - 16
<b>SVOCs</b>			
Benzo(A)Anthracene	NE	37	NE
Benzo(A)Pyrene	NE	37	NE
Benzo(B)Fluoranthene	NE	34	NE
Benzo(K)Fluoranthene	NE	11	NE
Chrysene	NE	40	NE
Dibenz(A,H)Anthracene	NE	3.8	NE
Indeno(1,2,3-C,D)Pyrene	NE	17	NE
<b>Metals</b>			
Arsenic	NE	NE	21.5
Barium	NE	1390	NE
Lead	NE	776	NE
Mercury	NE	3.73	NE

<b>SB013</b>	06/10/2022	06/10/2022	06/10/2022
<b>Depth (ft bls)</b>	0 - 2	6 - 8	10 - 12
<b>Metals</b>			
Mercury	NE	1.34	NE

<b>SB011</b>	05/05/2022	05/05/2022
<b>Depth (ft bls)</b>	0 - 2	15 - 17
<b>Metals</b>		
Mercury	0.777	ND

<b>SB012</b>	06/10/2022	06/10/2022	06/10/2022	06/10/2022
<b>Depth (ft bls)</b>	0 - 2	12 - 14	12 - 14 DUP	15 - 17
<b>VOCs</b>				
Acetone	ND	0.066	ND	ND
<b>Metals</b>				
Arsenic	NE	23.3	NE	NE
Lead	NE	609	NE	NE

<b>SB017</b>	06/10/2022	06/10/2022
<b>Depth (ft bls)</b>	0 - 2	2 - 4
<b>VOCs</b>		
Acetone	0.12	ND
Tetrachloroethylene (PCE)	NE	8.2
Trichloroethylene (TCE)	NE	21

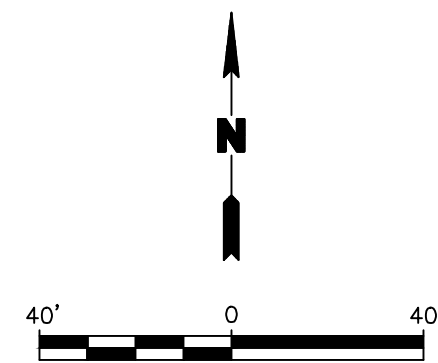


**LEGEND**

- PROPOSED BCP EXPANDED SITE BOUNDARY
- TAX LOT BOUNDARY
- SB001 LOCATION AND DESIGNATION OF PWGC SOIL BORING
- SB-011 LOCATION AND DESIGNATION OF ROUX SOIL BORING
- SB002 SOIL BORING INSTALLED BY PREVIOUS CONSULTANT IN 2018
- SB001/GW001 SOIL BORING AND GROUNDWATER SAMPLE INSTALLED BY PREVIOUS CONSULTANT IN 2018
- PL-27 PRODUCT LINE ENDPOINT SAMPLE COLLECTED BY PREVIOUS CONSULTANT IN 2018
- VL-1 VENT LINE ENDPOINT SAMPLE COLLECTED BY PREVIOUS CONSULTANT IN 2018
- SW-8 SIDEWALL ENDPOINT SAMPLE COLLECTED BY PREVIOUS CONSULTANT IN 2018

Parameter	NYSDEC Part 375 Protection of Groundwater Soil Cleanup Objectives	NYSDEC Part 375 Industrial Soil Cleanup Objectives	Units
<b>VOCs</b>			
Acetone	0.05	1000	mg/kg
Tetrachloroethylene (PCE)	1.3	300	mg/kg
Trichloroethylene (TCE)	0.47	400	mg/kg
<b>SVOCs</b>			
Benzo(A)Anthracene	1	11	mg/kg
Benzo(A)Pyrene	22	1.1	mg/kg
Benzo(B)Fluoranthene	1.7	11	mg/kg
Benzo(K)Fluoranthene	1.7	110	mg/kg
Chrysene	1	110	mg/kg
Dibenz(A,H)Anthracene	1000	1.1	mg/kg
Indeno(1,2,3-C,D)Pyrene	8.2	11	mg/kg
<b>Metals</b>			
Arsenic	16	16	mg/kg
Barium	820	10000	mg/kg
Lead	450	3900	mg/kg
Mercury	0.73	5.7	mg/kg
<b>PCBs</b>			
PCBs	NE	NE	mg/kg
<b>Pesticides</b>			
Pesticides	NE	NE	mg/kg
<b>PFAS</b>			
PFAS	NE	NE	ng/g

mg/kg - MILLIGRAMS PER KILOGRAM  
 ng/g - NANOGRAMS PER GRAM  
 NYSDEC - NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
 -- NO NYSDEC PART 375 SOIL CLEANUP 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  
 J - ESTIMATED VALUE  
 DUP - DUPLICATE SAMPLE  
 VOCs - VOLATILE ORGANIC COMPOUNDS  
 SVOCs - SEMIVOLATILE ORGANIC COMPOUNDS  
 PCBs - POLYCHLORINATED BIPHENYLS  
 PFAS - PER-AND POLYFLUOROALKYL SUBSTANCES  
 NE - NO EXCEEDANCE  
 ND - NO DETECTION  
 FT BLS - FEET BELOW LAND SURFACE



Title:

## SUMMARY OF EXCEEDANCES IN SOIL

39-04, 40-30 AND 40-40 NORTHERN BOULEVARD  
LONG ISLAND CITY, NEW YORK

Prepared for:

**GIC QUEENS**

Compiled by: E.B.	Date: 22FEB23	<b>FIGURE 5</b>
Prepared by: G.M.	Scale: AS SHOWN	
Project Mgr: E.B.	Project: 3883.0003Y000	

File: 3883.0003Y100.02.DWG



GW001		9/13/2018	
<b>VOCS</b>			
Benzene	2		
Isopropylbenzene	31		
n-Butylbenzene	10		
n-Propylbenzene	64		
sec-Butylbenzene	9.6		
Vinyl Chloride	7		
<b>SVOCs</b>			
Benzo(a)anthracene	0.26		
Benzo(a)pyrene	0.2		
Benzo(b)fluoranthene	0.22		
Benzo(k)fluoranthene	0.1		
Chrysene	0.23		
Indeno(1,2,3-cd)pyrene	0.12		
<b>Metals, Total</b>			
Iron	17,700		
Lead	37.82		
Magnesium	44,000		
Manganese	1,676		
Sodium	101,000		
<b>Metals, Dissolved</b>			
Magnesium	40,000		
Manganese	1,265		
Sodium	81,100		
<b>Pesticides</b>			
Aldrin	0.007		

MW-1		9/7/2018	
<b>VOCS</b>			
Vinyl Chloride	30		
<b>SVOCs</b>			
Benzo(b)fluoranthene	0.01		
Benzo(k)fluoranthene	0.01		
<b>Metals, Total</b>			
Iron	3,560		
Magnesium	45,800		
Manganese	679		
Sodium	90,600		
<b>Metals, Dissolved</b>			
Iron	1,100		
Magnesium	43,400		
Manganese	634		
Sodium	85,400		

MW-6		9/7/2018	
<b>VOCS</b>			
p/m-Xylene	1.1 J		
<b>SVOCs</b>			
Benzo(a)anthracene	0.5		
Benzo(a)pyrene	0.5		
Benzo(b)fluoranthene	1.2		
Bis(2-ethylhexyl)phthalate	0.42		
Chrysene	27 J		
Indeno(1,2,3-cd)pyrene	0.37 J		
<b>Metals, Total</b>			
Antimony	10.06		
Chromium	207.8		
Copper	535.5		
Iron	99,500		
Lead	382		
Magnesium	47,500		
Sodium	1,915		
Sulfur	837,000		
<b>Metals, Dissolved</b>			
Iron	868		
Manganese	648		
Sodium	803,000		

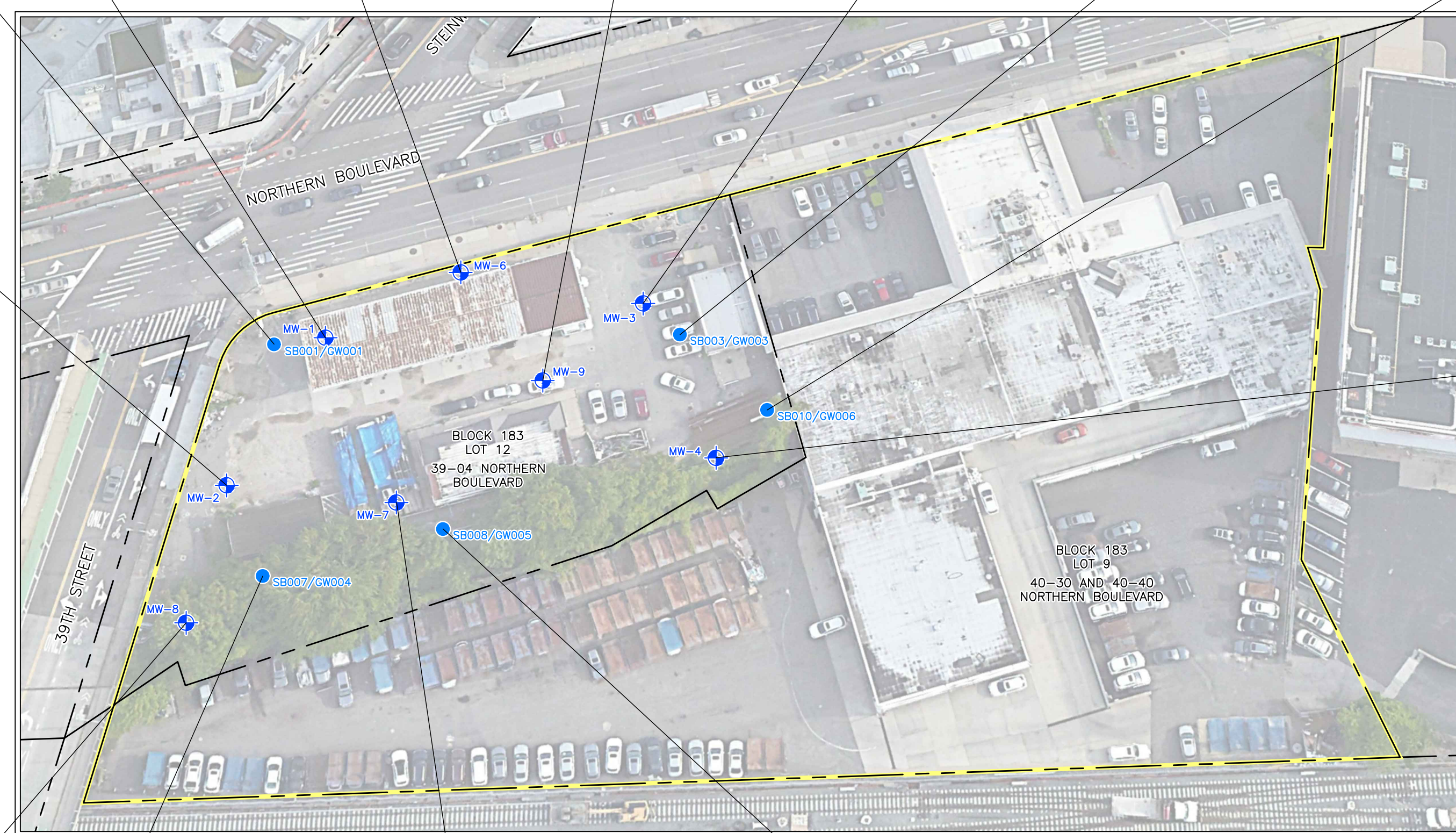
MW-9		9/7/2018	
<b>VOCS</b>			
1,2,4-Trimethylbenzene	290		
1,3,5-Trimethylbenzene	37 J		
Ethylbenzene	1,900		
Isopropylbenzene	200		
n-Butylbenzene	39 J		
n-Propylbenzene	670		
Naphthalene	270		
o-Xylene	520		
p/m-Xylene	1,300		
Toluene	21 J		
<b>SVOCs</b>			
Benzo(a)anthracene	0.22		
Benzo(a)pyrene	0.07 J		
Benzo(b)fluoranthene	0.11		
Benzo(k)fluoranthene	0.06 J		
Chrysene	0.21		
Indeno(1,2,3-cd)pyrene	0.04 J		
Naphthalene	180 E		
<b>Metals, Total</b>			
Iron	763		
Magnesium	47,600		
Manganese	745		
Sodium	171,000		
<b>Metals, Dissolved</b>			
Magnesium	45,100		
Iron	696		
Selenium	14.6		
Sodium	160,000		

MW-3		9/7/2018	
<b>VOCS</b>			
1,2,4-Trimethylbenzene	27		
Isopropylbenzene	9.7		
n-Butylbenzene	23		
n-Propylbenzene	21		
sec-Butylbenzene	1.8 J		
<b>Metals, Total</b>			
Iron	607		
Sodium	244,000		
<b>Metals, Dissolved</b>			
Iron	357		
Magnesium	233,000		
Pesticides			
Dieldrin	0.232		

GW003		9/10/2018	
<b>SVOCs</b>			
Benzo(a)anthracene	0.29		
Benzo(a)pyrene	0.27		
Benzo(b)fluoranthene	0.32		
Benzo(k)fluoranthene	0.13		
Chrysene	0.26		
Indeno(1,2,3-cd)pyrene	0.16		
<b>Metals, Total</b>			
Iron	4,500		
Lead	56.32		
Magnesium	500		
Sodium	62,000		
<b>Metals, Dissolved</b>			
Iron	507		
Magnesium	39,700		
Manganese	426		
Sodium	63,000		

GW006		9/11/2018	
<b>SVOCs</b>			
Benzo(a)anthracene	0.03		
Benzo(a)pyrene	0.03		
Benzo(b)fluoranthene	0.03		
Benzo(k)fluoranthene	0.02		
Chrysene	0.04		
Indeno(1,2,3-cd)pyrene	0.02		
<b>Metals, Total</b>			
Chromium	172.3		
Iron	39,500		
Lead	477.6		
Magnesium	50,300		
Manganese	828		
Selenium	17.5		
Sodium	54,200		
<b>Metals, Dissolved</b>			
Iron	507		
Magnesium	39,700		
Manganese	426		
Sodium	67,600		

MW-2		9/7/2018	
<b>VOCS</b>			
Benzene	1200		
Ethylbenzene	44		
Isopropylbenzene	93		
n-Butylbenzene	23		
n-Propylbenzene	320		
sec-Butylbenzene	9.6		
Toluene	62		
<b>SVOCs</b>			
Benzo(a)anthracene	0.1		
Benzo(a)pyrene	0.13		
Benzo(b)fluoranthene	0.24		
Benzo(k)fluoranthene	0.08		
Chrysene	0.14		
Phenol	19		
<b>Metals, Total</b>			
Iron	42,300		
Magnesium	41,500		
Manganese	2,751		
Sodium	185,000		
<b>Metals, Dissolved</b>			
Antimony	3.46		
Iron	22,300		
Magnesium	40,400		
Manganese	3,728		
Sodium	165,000		



MW-8		9/7/2018	
<b>VOCS</b>			
Benzene	2.4 J		
Ethylbenzene	66		
Isopropylbenzene	240		
n-Butylbenzene	39		
n-Propylbenzene	800		
Naphthalene	500		
p-Isopropyltoluene	7.5 J		
p/m-Xylene	17		
sec-Butylbenzene	31		
Toluene	15		
<b>SVOCs</b>			
Naphthalene	339 E		
<b>Metals, Total</b>			
Iron	2,790		
Lead	27.12		
Magnesium	98,100		
Manganese	2,187		
Sodium	477,000		
<b>Metals, Dissolved</b>			
Iron	942		
Magnesium	90,500		
Manganese	2,042		
Sodium	480,000		

GW004		9/12/2018	
<b>VOCS</b>			
1,2,4-Trimethylbenzene	110		
1,3,5-Trimethylbenzene	15		
Ethylbenzene	1200		
Isopropylbenzene	66		
n-Butylbenzene	39		
n-Propylbenzene	220		
Naphthalene	160		
o-Xylene	160		
p/m-Xylene	590		
sec-Butylbenzene	15		
Toluene	25		
<b>SVOCs</b>			
Benzo(a)anthracene	0.71		
Benzo(a)pyrene	0.69		
Benzo(b)fluoranthene	0.86		
Benzo(k)fluoranthene	0.34		
Chrysene	0.59		
Indeno(1,2,3-cd)pyrene	0.34		
Naphthalene	110		
<b>Metals, Total</b>			
Iron	22,500		
Lead	163.4		
Magnesium	60,200		
Manganese	5,724		
Sodium	101,000		
<b>Metals, Dissolved</b>			
Iron	338		
Magnesium	58,700		
Manganese	4,444		
Sodium	105,000		

MW-7		9/7/2018		DUP 9/7/2018	
<b>VOCS</b>					
1,2,4-Trimethylbenzene	220	260			
1,3,5-Trimethylbenzene	26	32			
Ethylbenzene	230	250			
Isopropylbenzene	66	45			
n-Butylbenzene	40	45			
n-Propylbenzene	66	100			
Naphthalene	40	48			
o-Xylene	32	39			
p/m-Xylene	330	380			
sec-Butylbenzene	10	10			
<b>SVOCs</b>					
Benzo(a)pyrene	0.02 J	ND			
Benzo(b)fluoranthene	0.04 J	ND			
Benzo(k)fluoranthene	0.02 J	ND			
Chrysene	0.02 J	ND			
Indeno(1,2,3-cd)pyrene	0.03 J	ND			
Naphthalene	12	24			
<b>Metals, Total</b>					
Iron	27,400	30,900			
Magnesium	95,200	104,000			
Manganese	15,000	17,210			
Sodium	241,000	230,000			
<b>Metals, Dissolved</b>					
Iron	21,800	22,500			
Magnesium	103,000	87,000			
Manganese	14,750	14,670			
Sodium	238,000	229,000			

GW005		9/7/2018	
<b>VOCS</b>			
1,2,4-Trimethylbenzene	2,400		
1,3,5-Trimethylbenzene	490		
Ethylbenzene	1,900		
Isopropylbenzene	130		
n-Butylbenzene	37		
n-Propylbenzene	490		
Naphthalene	360		
o-Xylene	49		
p/m-Xylene	1,900		
<b>SVOCs</b>			
Benzo(a)anthracene	0.1		
Benzo(a)pyrene	0.08		
Benzo(b)fluoranthene	0.1		
Benzo(k)fluoranthene	0.04		
Chrysene	0.1		
Indeno(1,2,3-cd)pyrene	0.04		
Naphthalene	210		
<b>Metals, Total</b>			
Iron	35,600		
Lead	135.6		
Magnesium	53,600		
Manganese	2,321		
Selenium	10.8		
Sodium	175,000		
<b>Metals, Dissolved</b>			
Iron	20,900		
Lead	65.8		
Magnesium	51,100		
Manganese	2,607		
Sodium	170,000		

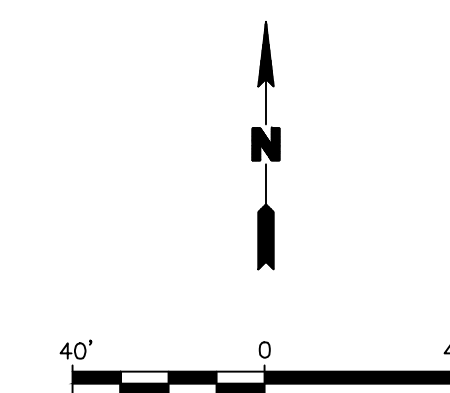
Parameter	NYSDEC AWQSGV
<b>VOCS</b>	
1,2,4-Trimethylbenzene	5
1,3,5-Trimethylbenzene	5
Benzene	1
Ethylbenzene	5
Isopropylbenzene	5
n-Butylbenzene	5
n-Propylbenzene	5
Naphthalene	10
o-Xylene	5
p-Isopropyltoluene	5
p/m-Xylene	5
sec-Butylbenzene	5
Toluene	5
Vinyl Chloride	2
<b>SVOCs</b>	
Benzo(a)anthracene	0.002
Benzo(a)pyrene	0.002
Benzo(b)fluoranthene	0.002
Benzo(k)fluoranthene	0.002
Bis(2-ethylhexyl)phthalate	5
Chrysene	0.002
Indeno(1,2,3-cd)pyrene	0.002
Naphthalene	10
Phenol	1
<b>Metals, Total</b>	
Antimony	3
Chromium	80
Copper	200
Iron	300
Lead	25
Magnesium	35000
Manganese	300
Selenium	10
Sodium	20000
<b>Metals, Dissolved</b>	
Antimony	3
Iron	300
Lead	25
Magnesium	35000
Manganese	300
Selenium	10
Sodium	20000
<b>PCBs</b>	
PCBs	ND
<b>Pesticides</b>	
Aldrin	0
Dieldrin	0.004
PFAS	ND

CONCENTRATIONS IN µg/L

- µg/L - MICROGRAMS PER LITER
- NYSDEC - NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
- AWQSGV - AMBIENT WATER-QUALITY STANDARDS AND GUIDANCE VALUES
- - NOT DETECTED ABOVE NYSDEC AWQSGV
- B - FOUND IN LABORATORY BLANK
- E - EXCEEDS CALIBRATION LIMIT
- D - DILUTION
- J - ESTIMATED VALUE
- DUP - DUPLICATE SAMPLE
- VOCS - VOLATILE ORGANIC COMPOUNDS
- SVOCs - SEMIVOLATILE ORGANIC COMPOUNDS
- PCBs - POLYCHLORINATED BIPHENYLS
- PFAS - PER- AND POLYFLUOROALKYL SUBSTANCES
- NE - NO EXCEEDANCES
- ND - NO DETECTION

LEGEND

- Proposed BCP Expanded Site Boundary
- Tax Lot Boundary
- MW-1 Monitoring Well Sampled by Previous Consultant in 2018
- SB001/GW001 Soil Boring and Groundwater Sample Installed by Previous Consultant in 2018



Title: **SUMMARY OF EXCEEDANCES IN GROUNDWATER**  
39-04, 40-30 AND 40-40 NORTHERN BOULEVARD  
LONG ISLAND CITY, NEW YORK

Prepared for: **GIC QUEENS LLC**

Compiled by: E.B. Date: 22FEB23 FIGURE  
Project Mgr: E.B. Project: 3883.0003Y000  
File: 3883.0003Y100.02.DWG

ROUX

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SV005			IA005		
03/08/2022			03/08/2022		
VOCs			VOCs		
1,1,1-Trichloroethane (TCA)	16.1		1,2,4-Trimethylbenzene		57
1,2,4-Trimethylbenzene	1.22		1,3,5-Trimethylbenzene (Mesitylene)		15
1,4-Dioxane (P-Dioxane)	5.84		2,2,4-Trimethylpentane		59.3
2,2,4-Trimethylpentane	2.28		4-Ethyltoluene		13.5
2-Hexanone	1.11		Acetone		187
Acetone	736		Benzene		16.1
Carbon Disulfide	3.9		Carbon Tetrachloride		0.51
Chloromethane	4.89		Chloroethane		1.32
Cyclohexane	0.434		Cyclohexane		19.5
Dichlorodifluoromethane	3.13		Dichlorodifluoromethane		2.42
Dichlorofluoromethane	2.78		Ethanol		234
Ethanol	326		Ethylbenzene		29.9
Ethyl Acetate	4.76		Isopropanol		124
Ethylbenzene	23.9		m,p-Xylene		112
Isopropanol	158		Methyl Ethyl Ketone (2-Butanone)		1.72
m,p-Xylene	22.8		Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)		4.92
Methyl Ethyl Ketone (2-Butanone)	7.34		N-Heptane		47.1
Methylene Chloride	4.2		N-Hexane		55.7
N-Heptane	2.52		O-Xylene (1,2-Dimethylbenzene)		45.2
N-Hexane	3.74		Styrene		1.81
O-Xylene (1,2-Dimethylbenzene)	11.5		Tetrachloroethylene (PCE)		0.332
Styrene	0.881		Tetrahydrofuran		16.8
Tert-Butyl Alcohol	13.7		Toluene		155
Tetrachloroethylene (PCE)	34.8		Trichloroethane		1.14
Tetrahydrofuran	17		Trichloroethane		1.14
Toluene	53.9				
Trichloroethylene (TCE)	7.52				

IA001		
03/08/2022		
VOCs		
Acetone		5.94
Benzene		0.655
Carbon Tetrachloride		0.497
Chloromethane		1.24
Dichlorodifluoromethane		2.35
Isopropanol		1.45
Tetrahydrofuran		14.9
Toluene		1.99

SV003			03/08/2022		
VOCs			VOCs		
1,3-Butadiene		0.96			
2,2,4-Trimethylpentane		1.98			
Acetone		69.1			
Benzene		1.7			
Carbon Disulfide		1.02			
Chloroform		1.2			
Cyclohexane		2.76			
Dichlorodifluoromethane		2.42			
Ethanol		268			
Ethyl Acetate		5.19			
Ethylbenzene		12.9			
Isopropanol		11.5			
Methylene Chloride		12.3			
m,p-Xylene		4.63			
Methyl Ethyl Ketone (2-Butanone)		3.14			
N-Heptane		7.12			
N-Hexane		5.96			
O-Xylene (1,2-Dimethylbenzene)		3.82			
Tert-Butyl Alcohol		3.44			
Tetrachloroethylene (PCE)		7.76			
Tetrahydrofuran		29.1			
Toluene		69.7			
Trichloroethane		5.05			

IA003			03/08/2022		
VOCs			VOCs		
1,2,4-Trimethylbenzene		12.5			
1,3,5-Trimethylbenzene (Mesitylene)		3.38			
2,2,4-Trimethylpentane		19.9			
Cyclohexane		3.29			
Acetone		88.6			
Benzene		6.77			
Chloromethane		0.499			
Chloroethane		1.26			
Cyclohexane		7.19			
Dichlorodifluoromethane		2.45			
Ethanol		469			
Ethylbenzene		9.47			
Isopropanol		43.3			
m,p-Xylene		35			
N-Heptane		17.3			
N-Hexane		20.5			
O-Xylene (1,2-Dimethylbenzene)		13.5			
Tetrachloroethylene (PCE)		0.312			
Tetrahydrofuran		122			
Toluene		62			
Trichloroethane		1.31			

SV006			03/08/2022		
VOCs			VOCs		
1,1,1-Trichloroethane (TCA)		15.9			
1,2,4-Trimethylbenzene		1.23			
1,3,5-Trimethylbenzene (Mesitylene)		3.63			
1,4-Dioxane (P-Dioxane)		3.01			
2,2,4-Trimethylpentane		1.57			
2-Hexanone		0.988			
Acetone		142			
Benzene		5.3			
Carbon Disulfide		12.7			
Cyclohexane		2.72			
Dichlorodifluoromethane		8.55			
Ethanol		366			
Ethyl Acetate		1.92			
Chloromethane		32.2			
Dichlorodifluoromethane		43			
Ethanol		26.8			
Ethylbenzene		9.97			
Isopropanol		2.66			
m,p-Xylene		2.6			
N-Heptane		3.67			
N-Hexane		14.6			
O-Xylene (1,2-Dimethylbenzene)		1.19			
Styrene		6.15			
Tetrachloroethylene (PCE)		2.75			
Tetrahydrofuran		9			
Toluene		69.7			
Trichloroethane		22.4			

SV007			03/08/2022		
VOCs			VOCs		
1,1,1-Trichloroethane (TCA)		135			
1,2,4-Trimethylbenzene		2.25			
1,3,5-Trimethylbenzene (Mesitylene)		1.27			
1,4-Dioxane (P-Dioxane)		0.706			
2,2,4-Trimethylpentane		3.27			
2-Hexanone		1.75			
Acetone		112			
Carbon Disulfide		3.97			
Cyclohexane		3.58			
Dichlorodifluoromethane		3.27			
Ethanol		284			
Ethyl Acetate		8.72			
Chloromethane		1.28			
Cyclohexane		8.92			
Dichlorodifluoromethane		2.48			
Ethanol		332			
Ethylbenzene		8.69			
Isopropanol		76.2			
m,p-Xylene		31.8			
Methyl Ethyl Ketone (2-Butanone)		2.01			
N-Heptane		17.2			
N-Hexane		20.3			
O-Xylene (1,2-Dimethylbenzene)		12.1			
Styrene		0.237			
Tetrachloroethylene (PCE)		33.9			
Tetrahydrofuran		56.8			
Toluene		2.42			
Trichloroethane		0.611			

SV008			03/08/2022		
VOCs			VOCs		
1,2,4-Trimethylbenzene		1.8			
1,3-Butadiene		3.65			
2,2,4-Trimethylpentane		1.55			
Acetone		149			
Benzene		5.05			
Carbon Disulfide		33.3			
Chloroform		1.14			
Cyclohexane		14.2			
Dichlorodifluoromethane		2.44			
Ethanol		354			
Ethyl Acetate		6.63			
Ethylbenzene		21.2			
Isopropanol		52.5			
m,p-Xylene		24.1			
Methyl Ethyl Ketone (2-Butanone)		6.72			
N-Heptane		2.46			
N-Hexane		3.77			
O-Xylene (1,2-Dimethylbenzene)		11.5			
Styrene		1.16			
Tert-Butyl Alcohol		5.61			
Tetrachloroethylene (PCE)		1.97			
Tetrahydrofuran		21.6			
Toluene		54.3			
Trichloroethylene (TCE)		3.58			
Trichloroethane		1.45			

SV010			03/08/2022		
VOCs			VOCs		
1,1,1-Trichloroethane (TCA)		2.94			
1,2,4-Trimethylbenzene		2.86			
1,3,5-Trimethylbenzene (Mesitylene)		2.94			
1,4-Dioxane (P-Dioxane)		0.911			
2,2,4-Trimethylpentane		0.728			
Acetone		1.58			
Benzene		126			
Carbon Disulfide		2.52			
Chloromethane		2.89			
Cyclohexane		4.78			
Dichlorodifluoromethane		2.56			
Ethanol		328			
Ethyl Acetate		3.02			
Ethylbenzene		25.6			
Isopropanol		17.1			
m,p-Xylene		25.2			
Methyl Ethyl Ketone (2-Butanone)		6.87			
N-Heptane		2.92			
N-Hexane		3.99			
O-Xylene (1,2-Dimethylbenzene)		12.5			
Styrene		1.17			
Tert-Butyl Alcohol		4.15			
Tetrachloroethylene (PCE)		12.7			
Tetrahydrofuran		9.91			
Toluene		55.8			
Trichloroethylene (TCE)		1.14			
Trichloroethane		1.15			

SV001			9/14/18		
VOCs			VOCs		
1,2,4-Trimethylbenzene		23.4			
1,3-Butadiene 1,3 Butadiene		199			
2,2,4-Trimethylpentane		127			
2-Butanone		78.2			
Acetone		147			
Benzene		70			
Carbon Disulfide		19.6			
Chloromethane		33.5			
Cyclohexane		21.9			
Heptane		77			
iso-Propyl Alcohol		39.3			
Methyl tert butyl ether		111			
N-Hexane		282			
O-Xylene		21.5			
p,m-Xylene		50.5			
Tert-Butyl Alcohol		38.2			
Toluene		65.5			

SV004			9/14/18		
VOCs			VOCs		
1,2,4-Trimethylbenzene		29.3			
1,3,5-Trimethylbenzene		9.09			
2,2,4-Trimethylpentane		61.7			
2-Butanone		4.31			
4-Ethyltoluene		6			
Acetone		21.1			
Benzene		66.8			
Carbon Disulfide		10.4			
Chloroform		1.28			
Cyclohexane		36.1			
Dichlorodifluoromethane		2			
Ethyl Alcohol		12.1			
Ethylbenzene		14.2			
Heptane		34.2			
iso-Propyl Alcohol		17.5			
n-Hexane		76.8			
o-Xylene		23.4			
p,m-Xylene		49.1			
tert-Butyl Alcohol		21.9			
Toluene		55.4			
Trichlorofluoromethane		1.3			

SV006			9/14/18		
VOCs			VOCs		
1,2,4-Trimethylbenzene		9.09			
1,3,5-Trimethylbenzene		2.15			
2,2,4-Trimethylpentane		6.19			
2-Butanone		0.865			
4-Ethyltoluene		4.29			
Acetone		1.6			
Benzene		49.8			
Carbon Disulfide		43.6			
Chloroform		3.27			
Cyclohexane		10.7			
Dichlorodifluoromethane		1.86			
Chloroform		6.35			
Chloromethane		0.498			
Cyclohexane		4.75			
Dichlorodifluoromethane		2.24			
Ethyl Alcohol		67.1			
Ethylbenzene		8.99			
Heptane		38.1			
iso-Propyl Alcohol		237			
Methylene Chloride		2.02			
n-Hexane		99			
o-Xylene		8.3			
p,m-Xylene		31			
tert-Butyl Alcohol		106			
Tetrahydrofuran		54.6			
Toluene		2.07			

SV004			03/08/2022			IA004			03/08/2022		
VOCs			VOCs			VOCs			VOCs		
2,2,4-Trimethylpentane		2.25	1,2,4-Trimethylbenzene		2.5						
2-Hexanone		1.07	2,2,4-Trimethylpentane		2.29						
Acetone		29	Acetone		29						
Benzene		16.1	Benzene		1.99						
Carbon Disulfide		1.48	Carbon Tetrachloride		0.465						
Cyclohexane		5.34	Chloromethane		1.26						
Dichlorodifluoromethane		2.74	Cyclohexane		0.774						
Ethanol		275	Dichlorodifluoromethane		2.44						
Ethyl Acetate		5.3	Ethanol		30.1						
Ethylbenzene		28.5	Ethylbenzene		1.46						
Isopropanol		16.1	Isopropanol		5.83						
m,p-Xylene		24.5	m,p-Xylene		5.47						
Methyl Ethyl Ketone (2-Butanone)		2.75	N-Heptane		1.91						
Methylene Chloride		2.13	N-Hexane		1.92						
N-Heptane		2.65	O-Xylene (1,2-Dimethylbenzene)		2.15						
N-Hexane		8.67	Tetrahydrofuran		2.86						
O-Xylene (1,2-Dimethylbenzene)		12.8	Toluene		9.8						
Styrene		0.894	Trichloroethane		1.12						
Tert-Butyl Alcohol		4.40									
Tetrahydrofuran		3.57									
Toluene		64.8									
Trichloroethane		10.8									

SV001			7/18/21			IA001			7/18/21		
VOCs			VOCs			VOCs			VOCs		
1,1,1-Trichloroethane		3.85			ND						
1,2-Trichloro-1,2,2-trifluoroethane (Freon 113)		1.32			0.639						
1,2,4-Trimethylbenzene		29.7			9.35						
1,3,5-Trimethylbenzene		7.53			2.38						
2-Butanone		5.73			1.87						
4-Methyl-2-pentanone		2.11			2.73						
Acetone		35.2			66						
Benzene		3.52			7.05						
Carbon disulfide		3.43			0.519						
Carbon tetrachloride		0.325			0.477						
Chloromethane		ND			1.27						
Cyclohexane		1.3			3.24						
Dichlorodifluoromethane		3.57			1.87						
Ethyl acetate		ND			0.901						
Ethyl Benzene		9.63			11.6						
Isopropanol		6.6			0.857						
Methylene chloride		ND			0.948						



**Brownfield Cleanup Program Application**  
**39-04/40-40 Northern Boulevard, Long Island City, NY 11101**

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**APPENDICES**

- A. Section I Property Information
- B. Section II Project Description
- C. Section III Land Use Factors
- D. Section IV Property's Environmental History
- E. Section V Requestor Information
- F. Section VI Requestor Eligibility Information
- G. Section IX Previous Property Owner-Operator Information
- H. Section XI Site Contact List
- I. Supplemental Questions for Sites Seeking Tangible Property Credits in New York City

**Brownfield Cleanup Program Application**  
**39-04/40-40 Northern Boulevard, Long Island City, NY 11101**

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**APPENDIX A**

Section I  
Property Information

**Appendix A – Property Description Narrative**

39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
BCP Application - Section I

Parcel Address	Block No.	Lot No.	Acreage
40-30 and 40-40 Northern Boulevard	183	9	2.295
39-04 Northern Boulevard	183	12	0.89

**Location**

The proposed Expanded Site currently consists of two (2) Parcels: Block 183, Lots 9 and 12. The Expanded Site is located at 39-04, 40-30 and 40-40 Northern Boulevard in Long Island City, Queens County, New York as shown on Figure 1.

An application for the merger of Lots 9 and 12 was tentatively approved by the New York City Department of Finance, Property Division Tax Map Office on February 10, 2023; the new lot number will be Lot 9 (dropping Lot 12). The tentatively approved RP-602 issued by New York City Department of Finance is attached. The Volunteer will apply to amend the Expanded Site’s Brownfield Cleanup Agreement upon completion of the pending lot merger.

Adjacent Property Direction	Property Use
North	Condominium and commercial properties across Northern Boulevard
South	LIRR railroad tracks and then Amtrak Sunnyside Yard railyard (State Superfund Site # 241006)
East	Public Storage facility
West	Standard Motor Products across 39 <sup>th</sup> Street (State Superfund Site # 241016)

**Site Features**

Block 183, Lot 9 (40-30 and 40-40 Northern Boulevard)

The property is a 2.295-acre irregularly shaped parcel that is currently improved with a two-story, 37,610 square foot commercial building used as a Lexus automobile dealership and service center (Figure 3). The building is constructed on sloped land: the second floor of the building on the northern portion of the property is at street level with Northern Boulevard and the first/basement floor on the southern portion of the property is at grade with the parking area. There are paved parking areas on the northern, southern, eastern and western portions of the property.

Block 183, Lot 12 (39-04 Northern Boulevard)

The property is a 0.89-acre irregularly shaped parcel that is currently vacant; however, structures associated with the former occupant Speedway gasoline station are still present including the former main convenience store, dispenser canopy, detached eastern car wash, and detached western storage building, which were observed on-site by Roux during the October 2021 reconnaissance (Figure 3).

**Current Zoning and Land Use**

The Expanded Site is zoned for commercial/industrial use. The Expanded Site is bounded by Northern Boulevard to the north, 41-02 Northern Boulevard (Public Storage) to the east, Long Island Rail Road (LIRR) tracks and then Amtrak Sunnyside Railyard to the south, and Standard Motor Products across 39<sup>th</sup> Street to the west.

Block 183, Lot 9 (40-30 and 40-40 Northern Boulevard)

The property is currently used as an active Lexus car dealership and service center, covering approximately 6.36 percent of the permissible floor area under the applicable zoning. The building is a split-level style built on sloped terrain. The street level portion of the property along Northern Boulevard contains a front parking lot, vehicle check-in area, upper vehicle storage garage, the sales floor and associated office space. The lower portion of the Lexus dealership is reached via ramps within the dealership or via an access road

**Appendix A – Property Description Narrative**  
39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
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that cuts through the adjoining property to the east. The lower portion of the property contains a large asphalt parking lot with numerous hydraulic lifts, as well as a large service garage containing a car wash, detailing areas, automotive repair areas, parts sales and storage areas, and a small employee gym. The property is secured on all sides by a fence. The remainder of the property is covered with asphalt and is either vacant or used as parking.

**Block 183, Lot 12 (39-04 Northern Boulevard)**

The property is currently vacant and is secured on all sides by a fence.

**Past Use of the Site**

**Block 183, Lot 9 (40-30 and 40-40 Northern Boulevard)**

A review of historical sources indicate the property was used for automobile sales and/or service as far back as at least 1936. The current dealership building was constructed sometime between 1966 and 1970. Prior to this time, there were small buildings at the north end of the property and railroad tracks covered the remainder of the property.

**Block 183, Lot 12 (39-04 Northern Boulevard)**

Based on a review of Historic Sanborn fire insurance maps, aerial photographs, a city directory, and historical topographic maps, the following property history was established. The property was initially developed as a gasoline station with four gasoline tanks sometime between 1915 and 1936. Between 1936 and 1947, three additional structures (a garage and two stores) are added to the property. In 1950, the additional structures (a garage and two stores) and two additional gas tanks are no longer identified on the property. By 1970, a new service station building is present on site and 40 gasoline tanks are noted in the central portion of the property, including gas racks. An additional commercial building on the east side of the property is shown in the late 1970s, and an additional structure is depicted in the north side of the property in the 1980s. Fueling operations at the property ceased in October 2018 and it has since been vacant.

**Site Geology and Hydrogeology**

**Block 183, Lot 9 (40-30 and 40-40 Northern Boulevard)**

The elevation of the property is approximately 25 feet (southern portions) to 40 feet (northern portions) above mean sea level (ft amsl). There is a steep vegetated slope separating the adjacent vacant former gas station at the higher elevation from the lower southwestern portion of the property. On the eastern portion of the property, where the building is located, the grade change from the higher elevations to the north and the lower elevations to the south is facilitated by the lower level of the building. The property is not located in or adjacent to any wetlands and is not located in the 100-year or 500-year flood zones.

P.W. Grosser performed a Phase II ESA at the property and based on their work, soils at the property largely consisted of historic urban fill material from grade to a depth of approximately 3 feet below grade. The soils below the historic fill layer were comprised of brown, medium to coarse sands with gravel to a depth of approximately 7 feet below grade, underlain by light brown coarse sand and gravel with trace fines from approximately 7 to at least 10 feet below grade. A formal groundwater flow direction study has not been conducted; however, based on information from the neighboring property, groundwater flow in the vicinity of the property is presumed to be generally towards the west/southwest in the direction of the East River.

**Block 183, Lot 12 (39-04 Northern Boulevard)**

Based on the Phase II ESA performed by P.W. Grosser in 2018, the property is underlain with a mixture of historic fill consisting of sand, silt, concrete, brick, glass, and large cobbles or boulders to an average depth of 15 to 20 feet below grade throughout the property. Beneath the historic fill, the subsurface is predominantly comprised of fine to medium sands with gravel. Bedrock was not encountered during the Phase II ESA.

Groundwater is approximately 17 to 20 feet below grade and is estimated to flow to the west/southwest toward the East River.

**Appendix A – Property Description Narrative**  
39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
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**Environmental Assessment**

**Block 183, Lot 9 (40-30 and 40-40 Northern Boulevard)**

Based on a review of the available environmental assessment reports and completed investigation reports, the property has a history of automobile sales and/or service as far back as at least 1936 and use as a railyard before then. The property's historical uses have had an adverse impact to soil and soil vapor. The primary contaminants of concern in soils for the property include chlorinated volatile organic compounds (CVOCs), semivolatile organic compounds (SVOCs), including polycyclic aromatic hydrocarbons (PAHs), and metals, including lead and mercury. The primary contaminants of concern in soil vapor for the property include CVOCs and petroleum-related compounds, including BTEX.

P.W. Grosser performed a Phase II ESA at the property; the results for soil and soil vapor sampling are described in the report, dated August 2021 (Appendix D). Roux performed a Soil Vapor Intrusion (SVI) Investigation at the property; the results of which are described in the summary report dated May 11, 2022 (Appendix D). Roux also performed BCP Eligibility Sampling in June 2022. A more detailed summary of the available environmental assessment report data and all previous reports are included in Appendix C. Soil exceedances of the NYSDEC Industrial Soil Cleanup Objectives (ISCOs), and Protection of Groundwater Soil Cleanup Objectives (PGWSCOs) are summarized in Figure 5. All soil vapor detections are summarized in Figure 6.

A summary of the results is provided as follows:

*Soil* – Based on visual and olfactory inspection of the soils, as well as PID screening results, no petroleum impacts were observed in the soils on site. Historic fill material was observed across the property. The historic fill material and underlying soils appear to be impacted with metals and SVOCs.

CVOCs above the PGWSCOs and SVOCs (including PAHs) and metals above the ISCOs are the primary contaminants found in soil at the property. CVOCs, including tetrachloroethylene (PCE) and trichloroethylene (TCE), were detected at SB017 above PGWSCOs. SVOCs, including benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenz(a,h)anthracene, and ideno(1,2,3-cd)pyrene were detected at concentrations above the Industrial Soil Cleanup Objectives (ISCOs) and/or PGWSCOs at varying depths throughout the property. Metals, including lead and mercury, were detected at concentrations above the ISCOs and/or PGWSCOs in multiple soil samples at varying depths.

*Soil Vapor* –The P.W. Grosser 2021 SVI Investigation included the collection of two sub-slab soil vapor samples, and two co-located indoor air samples. Most of the reported detections were of CVOCs, including PCE and TCE, carbon tetrachloride, 1,1,1-Trichloroethane, methylene chloride and petroleum-related compounds, including BTEX. The Roux 2022 SVI Investigation included the collection of nine sub-slab soil vapor samples, nine co-located indoor air samples, one indoor air sample from the office area, and one outdoor ambient air sample. Most of the detections were of CVOCs, including PCE and TCE, and petroleum-related compounds, including BTEX.

**Block 183, Lot 12 (39-04 Northern Boulevard)**

Based on a review of the available environmental assessment reports and completed investigation reports, the property has a history of use as a gasoline filling station with car wash, convenience store, and storage. Additionally, there has been a reportable spill of petroleum products. The property's historical uses have had an adverse impact to soil, groundwater, and soil vapor. The primary contaminants of concern for the property include volatile organic compounds (VOCs) related to petroleum (BTEX), semivolatile organic compounds (SVOCs), including polycyclic aromatic hydrocarbons (PAHs), and metals in soil and groundwater, plus pesticides in groundwater and chlorinated volatile organic compounds (CVOCs) in soil vapor.

P.W. Grosser performed a Phase II ESA at the property; the results for soil, groundwater and soil vapor sampling are described in the report, dated September 2018 (Appendix C). Roux performed the most recent quarterly groundwater monitoring (first quarter 2022) at the property; the results of which are described in the report dated April 21, 2022 (Appendix C). A more detailed summary of the available environmental assessment

## **Appendix A – Property Description Narrative**

39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101

BCP Application - Section I

report data and all previous reports are included in Appendix C. Soil exceedances of the NYSDEC Industrial Soil Cleanup Objectives (ISCOs), and Protection of Groundwater Soil Cleanup Objectives (PGWSCOs) are summarized in Figure 5. Groundwater exceedances of NYSDEC Ambient Water Quality Standards and Guidance Values (AWQSGVs) are summarized in Figure 6, and all soil vapor detections are summarized in Figure 7.

A summary of the results is provided as follows:

*Soil* - Based on visual and olfactory inspection of the soils, as well as PID screening results, impact from a previous petroleum spill remains in the subsurface on site. Petroleum staining and odors were observed to be most evident in the western and south-central portions on the property, at the water table smear-zone and below the water tables at depths ranging from approximately 19 to 24 feet below grade. Petroleum impact was not observed in the soils above the water table smear zone in any of the soil borings.

VOCs related to petroleum (BTEX), SVOCs (including PAHs), and metals are the primary contaminants found in soil at the property. VOCs, including 1,2,4-Trimethylbenzene, ethylbenzene, n-butylbenzene, n-propylbenzene, and xylenes were detected at concentrations above the NYSDEC PGWSCOs. VOCs were detected at these concentrations in deeper soil (20-25 ft bls) in the southwestern portion of the property. SVOCs, including benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenz(a,h)anthracene, and ideno(1,2,3-cd)pyrene were detected at concentrations above the Industrial Soil Cleanup Objectives (ISCOs) and/or PGWSCOs. SVOCs were detected at varying depths throughout the property. Metals, including lead and mercury, were detected at concentrations above the ISCOs and/or PGWSCOs in one soil sample, SB003 (eastern side of property), at a depth 5-10 ft bls.

*Groundwater* – Groundwater flow is estimated to be to the west/southwest. Petroleum-related VOCs, SVOCs, PAHs, metals, and pesticides were detected in groundwater at levels above the NYSDEC ambient water quality standards and guidance values (AWQSGVs). VOCs, SVOCs, and metals were detected at concentrations exceeding AWQSGVs throughout the property. Pesticides were detected in one location, GW001, in the northwestern corner of the property.

*Soil Vapor* - The soil vapor investigation included the collection of five soil vapor samples and two outdoor ambient air samples. Most of the detections were of petroleum-related compounds including BTEX. There were low levels of chlorinated volatile organic compounds (CVOCs) detected in one sample in the northeastern corner of the property.





# APPLICATION FOR APPORTIONMENTS OR MERGERS

**Instructions:** Please complete this application and *submit in person* to: **Department of Finance, Property Division - Tax Map Office, 66 John Street, 2nd floor, New York, NY 10038.** Please read the instructions for further details before completing this form. Print clearly.

## SECTION A: PROPERTY INFORMATION

Borough: Queens Block: 183 Present Lot(s): 9, 12

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Merger       Apportionment      Number of Lots Requested 1

Lot Number: 9

Air       Subterranean  
Lot(s) Usage: (check one)       Residential Building Gross Sq/Ft: \_\_\_\_\_  
 Commercial Building Gross Sq/Ft: \_\_\_\_\_  
 Mix (Residential & Commercial) Building Gross Sq/Ft: \_\_\_\_\_

Property  
1. Owner's Name (as per Deed): \_\_\_\_\_  
LAST NAME FIRST NAME

OR  
Company Name: GIC Queens LLC

Property  
2. Address: 39-10 Northern Blvd Queens NY 11101  
NUMBER AND STREET CITY STATE ZIP CODE

3. Filing Representative (if applicable): Paola Bergonzi

## SECTION B: CERTIFICATION

1. Architect/Engineer/Applicant's Name: Jones Jared c/o Bohler Engineering NY PLLC  
LAST NAME FIRST NAME

2. Address: 225 West 34th Street Su 1118 NY NY 10122  
NUMBER AND STREET CITY STATE ZIP CODE

3. Telephone Number: 646-661-4200 4. Email Address: pbergonzi@bohlereng.com

The applicant hereby certifies that, in making this application for merger/apportionment, she is the owner, or acting under the direction of the owner.

Signature of Architect/ Engineer/Applicant: \_\_\_\_\_ Date: 1 / 23 / 23



**TAX MAP CHANGE WILL NOT BE MADE UNTIL PRESENTATION OF REQUIRED DOCUMENTS (see reverse for the required documents)**  
**DRAW SKETCH TO SCALE 1" = 50', IF POSSIBLE INDICATE NORTH ARROW**

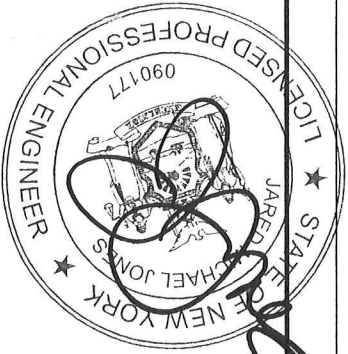
See attached sketch

(Architect or Engineer's seal)

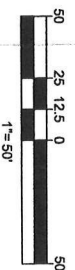
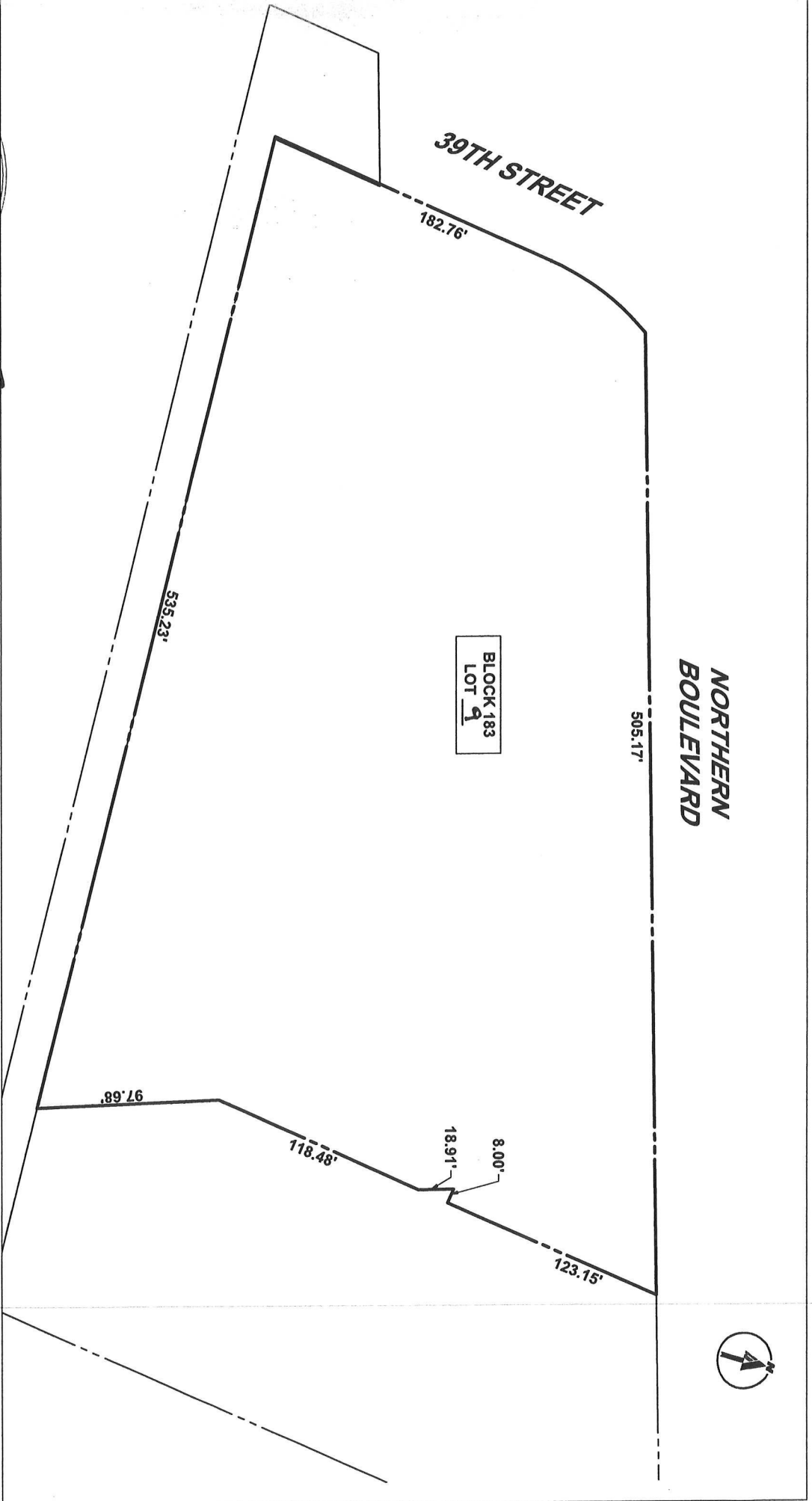
Tentative Lot(s) issued: \_\_\_\_\_  
Customer Service Representative: D. Grosvenor Date: 02/10/23 New Lot(s): - Lot(s) Affected: 9 Lot(s) Dropped: 12

**Please note: Map changes will not be made until presentation of all required documents is reviewed and approved by the Specialist. Lots are tentative until final approval is received from the Tax Map Office.**

Map Updated: \_\_\_\_\_  
Tax Map Specialist: \_\_\_\_\_ Date: \_\_\_/\_\_\_/\_\_\_



**RP602 EXHIBIT**  
**BLOCK 183 LOT 9**  
 QUEENS, NY 11101 | PLAN REV. 1



**Brownfield Cleanup Program Application**  
***39-04/40-40 Northern Boulevard, Long Island City, NY 11101***

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**APPENDIX B**

Section II  
Project Description

**Appendix B – Project Description**

39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
BCP Application – Section II, Question 4

The Expanded Site proposed for entry into the Brownfield Cleanup Program (BCP) is located at 39-04, 40-30 and 40-40 Northern Boulevard in Long Island City, New York (Expanded Site), as shown on Figure 1. The Expanded Site is currently identified as Tax Block 183, Lots 9 and 12 in Queens County as shown on Figure 2; an application to merge these lots into new Lot 9 (dropping Lot 12) has been tentatively approved by the New York City Department of Finance (Appendix A). Lot 9 of the Expanded Site (40-30 and 40-40 Northern Boulevard) is currently a Lexus car dealership and service center with paved parking surrounding the building. Lot 12 of the Expanded Site (39-04 Northern Boulevard) is currently vacant; however, structures associated with the former occupant Speedway gasoline station are still present including the former main convenience store, dispenser canopy, detached car wash, and storage building and several underground storage tanks (USTs) that were abandoned in place. The proposed Expanded Site is bounded by the following properties, as summarized in the table below:

Adjacent Property Direction	Property Use
North	Condominium and commercial properties across Northern Boulevard
South	LIRR railroad tracks and then Amtrak Sunnyside Yard Railyard (State Superfund Site # 241006)
East	Public Storage facility
West	Standard Motor Products office building across 39 <sup>th</sup> Street (State Superfund Site # 241016)

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

Proposed Development Plan

The proposed redevelopment is a multi-story package assembly and distribution warehouse.

Projected Schedule

Timeframe	Description
February-March 2023	30-Day Public Comment Period on Remedial Investigation Work Plan (RIWP) for 39-04 Northern Boulevard
March 2023	Submit BCA Major Amendment Application and Supplemental Remedial Investigation Work Plan (SRIWP)
March/April 2023	Approval and Implementation of RIWP for 39-04 Northern Boulevard
March- May 2023	NYSDEC Review and 30-Day Public Comment Period on BCA Major Amendment Application and SRIWP for 40-40 Northern Boulevard
May 2023	Submit Interim Remedial Measure Work Plan (IRMWP) for 39-04 Northern Boulevard*
June 2023	Sign Revised Brownfield Cleanup Agreement following Approval of BCA Major Amendment Application
June 2023	Submit Citizen Participation Plan (CPP) for Expanded BCP Site
June – August 2023	NYSDEC Review, 30-day Public Comment Period and Approval of IRMWP for 39-04 Northern Boulevard
July/August 2023	Approval and Implementation of SRIWP for 40-40 Northern Boulevard
September 2023	Submit Remedial Investigation Report (RIR) for Expanded BCP Site
October 2023	Approval of RIR for Expanded BCP Site
October 2023	Submit Remedial Action Work Plan (RAWP) for Expanded BCP Site

**Appendix B – Project Description**

39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
BCP Application – Section II, Question 4

Timeframe	Description
November/December 2023	45-Day Public Comment Period on RAWP for Expanded BCP Site
January 2024	Approval of RAWP for Expanded BCP Site
January – November 2024	Implementation of RAWP for Expanded BCP Site
October 2024	Submit Draft Environmental Easement Package for Expanded BCP Site
December 2024	Submit Draft SMP for Expanded BCP Site
February 2025	Submit Draft FER for Expanded BCP Site
April 2025	Anticipated Issuance of Certificate of Completion for Expanded BCP Site

\* Previous investigations have indicated that deep petroleum contamination exists on 39-04 Northern Boulevard that will need to be addressed through remedial action to facilitate the intended future use of the Expanded Site. Specifically, soil sample results from the Phase II Environmental Site Assessment (ESA) conducted in 2018 (further discussed in Appendix D) indicate exceedances of the NYSDEC Protection of Groundwater Soil Cleanup Objectives for petroleum-related compounds at depths of 25 feet below grade. In addition, field observations reported during air sparge well installation in 2013 indicated elevated photoionization detector (PID) readings and petroleum odor at depths of 60 feet below grade. Based on existing data, contamination on 40-40 Northern Boulevard does not appear to be as deep or as significant as on 39-04 Northern Boulevard. Preliminary studies by the environmental engineer, geotechnical engineer and structural engineer have identified that the proposed remediation of the deep contamination on 39-04 Northern Boulevard will have a direct impact on the design of the support of excavation, foundation elements (piles, pile caps, etc.), ground improvements and structural slab of the proposed building. Due to the location of 39-04 Northern Boulevard immediately adjacent to an NYCTA subway tunnel underneath Northern Boulevard and NYCDOT bridge abutment in 39<sup>th</sup> Street, as well as close proximity to the LIRR train tracks, a lengthy permitting process (anticipated to take upwards of 9 months to complete) with these agencies is required before any remedial construction work can begin. Therefore, in order to expedite the remediation and avoid potential permitting delays, the Volunteer proposes to prepare an IRMWP for 39-04 Northern Boulevard after the remedial investigation described in the RIWP for 39-04 Northern Boulevard is complete to present the proposed remedial action for this portion of the Expanded Site in advance of completing the remedial investigation on 40-40 Northern Boulevard. The timing of this proposed IRMWP submission will provide the New York State Department of Environmental Conservation (NYSDEC) and New York State Department of Health (NYSDOH) additional time to review what is likely to be the most complex part of the overall Expanded Site remediation while other elements of the investigation are ongoing.

**Brownfield Cleanup Program Application**  
**39-04/40-40 Northern Boulevard, Long Island City, NY 11101**

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**APPENDIX C**

Section III  
Land Use Factors



## **Appendix C – Land Use Factors**

39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
BCP Application - Section III

- 1. Current Municipal Zoning Designation** – The current municipal zoning designation for the Expanded Site is M1-5 (Manufacturing).
- 2. Current Zoning Use** – Commercial and industrial uses, including warehouse and logistics centers, are allowed by the property's current zoning.
- 3. Current Use –**  
Block 183, Lot 9 (40-30 and 40-40 Northern Boulevard) - The property is currently used as a Lexus car dealership and service facility covering approximately 6.36 percent of the permissible floor area under the applicable zoning. The remainder of the property is vacant.  
Block 183, Lot 12 (39-04 Northern Boulevard) – The property is currently vacant.
- 4. Current Business Operations/Uses –**  
Block 183, Lot 9 (40-30 and 40-40 Northern Boulevard) - The property is used as an active Lexus car dealership and service facility covering approximately 6.36 percent of the permissible floor area under the applicable zoning. The remainder of the property is covered with asphalt and is either vacant or used as parking.  
Block 183, Lot 12 (39-04 Northern Boulevard) – The property is currently vacant.
- 5/6/7. Reasonably Anticipated Post-Remediation Use** – The proposed building will be a multi-story industrial distribution warehouse.
- 8. Do current historical and/or recent development patterns support the proposed use?**  
The contemplated future use as an industrial warehouse 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 use, which would fall within the general services/manufacturing use groups under the New York City Zoning Resolution, is consistent with the current property zoning of M1-5 for Light Manufacturing. The proposed building is also consistent with the applicable bulk, height, and setback requirements of the New York City Zoning Resolution.
- 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 industrial jobs and help the neighborhood continue to flourish as an industrial hub. The proposed industrial use is consistent with the industrial character of the area, and the current and reasonably foreseeable future uses in the neighborhood.

Section IV  
Property's Environmental History

**Appendix D – Property’s Environmental History**  
39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
BCP Application - Section IV

The proposed Expanded Site, 39-04 / 40-40 Northern Boulevard (“Expanded Site”), consists of two (2) Parcels: Block 183, Lots 9 and 12. A Remedial Investigation (RI) will be performed following entry into the BCP. The environmental history for each Parcel is provided below.

**Block 183, Lot 9 (40-30 and 40-40 Northern Boulevard)**

The following previous environmental investigations have been conducted at 40-30 and 40-40 Northern Boulevard and are attached for review in Appendix D and on the enclosed CD:

- **Phase I Environmental Site Assessment Report (ESA)**, prepared by P.W. Grosser Consulting, Inc. (P.W. Grosser), dated May 2021
- **Phase II ESA**, prepared by P.W. Grosser, dated August 2021
- **Phase I ESA**, prepared by Roux Environmental Engineering and Geology, D.P.C. (Roux), dated November 12, 2021
- **Soil Vapor Intrusion (SVI) Investigation Summary Report**, prepared by Roux, dated May 11, 2022
- **Brownfield Cleanup Program (BCP) Eligibility Sampling**, performed by Roux in June 2022

The proposed Expanded Site redevelopment plan includes a multi-story industrial package assembly and distribution warehouse. 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 summary of the findings from the previous environmental investigations conducted at 40-30 and 40-40 Northern Boulevard is provided below.

**Phase I ESA, prepared by P.W. Grosser, dated May 2021**

P.W. Grosser performed a Phase I ESA at 40-40 Northern Boulevard, LIC, Queens, New York, Block 183, Lot 9. The property was used as an active Lexus automobile dealership and service center at the time of the Phase I ESA and included a two-story, 37,610 square foot (ft<sup>2</sup>) commercial building. The remainder of the property consisted of asphalt paved parking and drive lanes. The parking areas contained multiple hydraulic, electrical above-grade car lifts used to increase parking capacity.

P.W. Grosser noted the following Recognized Environmental Conditions (RECs):

- Current and historic use of the basement of the building for auto repair services. Operations were observed to include products such as motor oil, antifreeze, and polishes. Auto repair operations can result in impact to shallow soils from prolonged and frequent use of such products. Previous use of the central and southern portions of the property included a railyard. Railyards are prone to being associated with impacted surface soils due to train usage of petroleum products and brakes composed of heavy metals.
- Current and historic use of subgrade hydraulic lifts in the service area within the basement. Subgrade hydraulic lifts used hydraulic fluid, which is a petroleum product potentially containing polychlorinated biphenyls (PCBs). If a potential leak occurred at one or more of these lifts, such a leak would have likely gone unnoticed and could impact shallow soils.
- Neighboring former gasoline station to the west of the property includes an active petroleum spill (Spill # 95-00846).

Based on the RECs, P.W. Grosser recommended that a Phase II ESA be performed and should include:

- Subsurface investigation focusing on shallow soils in auto repair areas and former railyard locations, and soil and/or groundwater in potential out-of-use hydraulic lift locations.

**Appendix D – Property’s Environmental History**  
 39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
 BCP Application - Section IV

- Soil vapor investigation.

Additional environmental concerns to consider that were noted by P.W. Grosser included:

- Asbestos containing material (ACM) and/or lead-based paint potentially present within structures. Advised that asbestos and/or lead survey be performed (which was completed by the Volunteer in late 2022 and will be appropriately considered in any demolition plans for the building).
- Potential for historic fill to be present beneath the property due to location within the five boroughs of New York City. If excavated, historic fill will require special handling and disposal.

**Phase II ESA, prepared by P.W. Grosser, dated August 2021**

To address the RECs noted in their May 2021 Phase I ESA, P.W. Grosser performed a Phase II ESA, and a summary of their findings is provided below.

Soils at the property largely consisted of historic urban fill material from grade to a depth of approximately 3 feet below grade (ft bgs). The soils below the historic fill layer were comprised of brown, medium to coarse sands with gravel to a depth of approximately 7 ft bgs, underlain by light brown coarse sand and gravel with trace fines from approximately 7 to at least 10 ft bgs. The property elevation is approximately 27 feet above the National Geodetic Vertical Datum (NGVD). Groundwater is approximately 7 ft bgs and was estimated to flow to the west.

P.W. Grosser subcontracted Advanced Geological Services (AGS) to perform a geophysical survey to investigate the locations of suspected out-of-service hydraulic lifts, as well as surveying other accessible areas of the property to investigate for unknown subgrade objects. The findings are briefly summarized below:

- Three areas of out-of-service subgrade hydraulic lifts were identified within the auto repair areas inside the building.
- A subsurface anomaly was identified in the southeast portion of the property. The geophysical signal of the unknown anomaly was not indicative of USTs or other subgrade structures such as drywells. AGS indicated that the identified unknown anomaly could be a piece of metal debris.
- Several electric and storm sewer lines were identified and marked to clear drilling locations.

P.W. Grosser performed a soil quality evaluation and soil vapor intrusion investigation to investigate if historical and/or current operations have impacted the subsurface or if petroleum impact from the adjacent spill site had resulted in a soil vapor intrusion concern.

Soil borings were installed at ten locations in accordance with RECs noted in the P.W. Grosser May 2021 Phase I ESA and geophysical survey anomalies, where feasible. There were no exceedances of ISCOs in any of the soil samples collected in this Phase II ESA. 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)
Acetone	1	0.15	0.05	0 - 2

P.W. Grosser performed a soil vapor intrusion investigation and collected two sub-slab soil vapor samples and two indoor ambient air samples (each co-located with one of the sub-slab soil vapor samples). Several VOCs were detected above their applicable laboratory Method Detection Limits (MDLs). There were detections of petroleum-related compounds including benzene, toluene, ethylbenzene and xylenes (BTEX) as well as chlorinated volatile organic compounds (CVOCs). Trichloroethylene (TCE) and

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perchloroethylene (PCE) concentrations in one soil vapor sample fell within the “Mitigate” range of the matrices included in the New York State Department of Health Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York (October 2006 and Revised May 2017). The Phase II soil vapor sampling results are summarized in the table below.

Analyte	Total Detections	Max. Detection (µg/m <sup>3</sup> )	Type
1,1,1-Trichloroethane (TCA)	2	383	Soil Vapor
1,1,2-Trichloro-1,2,2-trifluoroethane (Freon 113)	2	1.32	Soil Vapor
1,2,4-Trimethylbenzene	4	29.7	Soil Vapor
1,3,5-Trimethylbenzene	4	8.58	Soil Vapor
2-Butanone	4	19.9	Soil Vapor
4-Methyl-2-pentanone	3	3.77	Indoor Air
Acetone	4	353	Soil Vapor
Benzene	4	13.1	Soil Vapor
Carbon Disulfide	3	33.8	Soil Vapor
Carbon tetrachloride	4	1.43	Soil Vapor
Chloromethane	2	1.29	Indoor Air
Cyclohexane	4	60.4	Soil Vapor
Dichlorodifluoromethane	4	5.63	Soil Vapor
Ethyl acetate	1	0.901	Indoor Air
Ethyl Benzene	4	12.5	Indoor Air
Isopropanol	3	6.6	Soil Vapor
Methylene chloride	2	1.25	Indoor Air
n-Heptane	4	15.2	Soil Vapor
n-Hexane	4	28.4	Soil Vapor
o-Xylene	4	14.6	Indoor Air
p- & m- Xylenes	4	44.8	Soil Vapor/Indoor Air
p-Ethyltoluene	4	21.5	Soil Vapor
Styrene	2	5.35	Soil Vapor
Tetrachloroethylene	2	1,080	Soil Vapor
Toluene	4	66.6	Indoor Air
Trichloroethylene	3	912	Soil Vapor

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Analyte	Total Detections	Max. Detection (µg/m <sup>3</sup> )	Type
Trichlorofluoromethane (Freon 11)	3	14.8	Soil Vapor

**Phase I ESA, prepared by Roux, dated November 12, 2021**

Roux performed a Phase I ESA of the real property identified as 40-40 Northern Boulevard (Block 183, Lot 9) in the Borough of Queens, New York to define the historical uses of the property and identify any potential RECs that could warrant further consideration, in accordance with ASTM International Standard Practice E1527-13 (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 property was used for automobile sales and/or service as far back as at least 1936. The current dealership and service building was constructed sometime between 1966 and 1970. Prior to this time, there were small buildings at the north end of the property and railroad tracks covered the remainder of the property.

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

- Vehicle Service Operations (REC-1):  
 The property has conducted automobile and truck service operations for decades. Specific areas of concern include a potential used oil UST, evidence of former underground hydraulic lifts observed in some of the service bays, and the use of solvents and associated vapor intrusion issues.
- Former Filling Station Operations and Open Spill Case at Adjacent Former Gasoline Station (REC 2):  
 The former gasoline station west of the property has been a filling station for decades and has been undergoing investigation and remediation since 1995 when contamination was identified during UST removal activities.
- Former Railroad Tracks (REC-3):  
 A majority of the property was covered with railroad tracks (part of a railyard that extended east of the property) prior to approximately 1970.
- Potential Dry Wells (REC-4):  
 The presence of potential storm water drywells with historic nearby storage and use of various petroleum substances and hazardous materials across the property was considered a REC.

Roux did not identify any Controlled RECs (CRECs) or Historical RECs (HRECs) in connection with the property.

The presence of historic fill material represented a Business Environmental Risk (BER).

**SVI Investigation Summary Report, prepared by Roux, dated May 11, 2022**

Roux conducted an SVI investigation to determine the extents of the impacted soil vapor and indoor air noted during the Phase II ESA. The Scope of Work (SOW) included the following:

- Completion of a site walk and chemical inventory prior to sampling.



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- Installation of nine sub-slab vapor pins (one was installed near slab located outside the showroom) and collection of nine sub-slab soil vapor samples, nine co-located indoor air samples, one indoor air sample from the office area, and one outdoor ambient air sample.

Petroleum-related compounds, including BTEX, and CVOCs, including PCE, TCE, carbon tetrachloride, TCA, methylene chloride, and/or vinyl chloride were detected in sub-slab and indoor air samples. The SVI Investigation sampling results are summarized in the table below.

Analyte	Total Detections	Max. Detection ( $\mu\text{g}/\text{m}^3$ )	Type
1,1,1-Trichloroethane (TCA)	6	135	Soil Vapor
1,2,4-Trimethylbenzene	16	68.3	Indoor Air
1,2-Dichlorobenzene	1	1.27	Soil Vapor
1,3,5-Trimethylbenzene (Mesitylene)	9	17.9	Indoor Air
1,3-Butadiene	6	3.65	Soil Vapor
1,4-Dioxane (P-Dioxane)	1	0.865	Soil Vapor
2,2,4-Trimethylpentane	18	72.4	Indoor Air
2-Hexanone	5	1.75	Soil Vapor
4-Ethyltoluene	9	13.5	Indoor Air
Acetone	20	1,400	Soil Vapor
Benzene	20	20.9	Soil Vapor
Carbon Disulfide	9	33.3	Soil Vapor
Carbon Tetrachloride	11	0.51	Indoor Air
Chloroform	3	1.2	Soil Vapor
Chloromethane	12	1.32	Indoor Air
Cyclohexane	19	25.2	Indoor Air
Dichlorodifluoromethane	20	8.55	Soil Vapor
Ethanol	19	2,340	Soil Vapor
Ethyl Acetate	8	8.72	Soil Vapor
Ethylbenzene	19	58.6	Soil Vapor
Isopropanol	20	715	Indoor Air
m.p-Xylene	19	143	Indoor Air
Methyl Ethyl Ketone (2-Butanone)	15	25.2	Soil Vapor
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	7	7.38	Soil Vapor

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Analyte	Total Detections	Max. Detection (µg/m <sup>3</sup> )	Type
Methylene Chloride	5	4.2	Soil Vapor
n-Heptane	19	61.1	Indoor Air
n-Hexane	19	73.7	Indoor Air
o-Xylene (1,2-Dimethylbenzene)	19	57.3	Indoor Air
Styrene	10	1.92	Soil Vapor
Tert-Butyl Alcohol	9	27.2	Soil Vapor
Tetrachloroethylene (PCE)	17	275	Soil Vapor
Tetrahydrofuran	17	122	Indoor Air
Toluene	20	194	Indoor Air
Trichloroethylene (TCE)	5	128	Soil Vapor
Trichlorofluoromethane	15	22.4	Soil Vapor
Vinyl Chloride	1	0.511	Soil Vapor

**BCP Eligibility Sampling Summary Tables, June 2022**

Roux completed soil sampling in order to collect environmental samples for the purposes of determining BCP Eligibility. The SOW included the following:

- Installation of two shallow soil borings in the western portion of the building adjacent to where elevated chlorinated solvents were detected in soil vapor and no soil samples were collected by P.W. Grosser.
- Installation of four shallow soil borings in the southern part of the lot, targeting the urban fill layer.
- Installation of five deep soil borings in the northern portion of the lot where the grade elevation is higher, and the urban fill layer is expected to be thicker. No samples were previously collected from this area by P.W. Grosser.
- Two soil samples from each of the six shallow soil borings were collected and run for the full suite of parameters listed in NYSDEC Part 375 Table 6.8 (VOCs, SVOCs, metals, pesticides/herbicides, and PCBs) and the emerging contaminants (ECs) 1,4-Dioxane and Per-and Polyfluoroalkyl Substances (PFAS). One soil sample was collected from the 0-2 ft bgs interval and another soil sample was collected from the two-foot interval exhibiting the most evidence of contamination, if any, based on visual or olfactory observations, or photo ionization detector (PID) measurements. If no evidence of contamination was observed, the two-foot interval at the bottom of the observed urban fill layer was collected.
- Up to three soil samples from each of the five deeper soil borings were collected and run on the full suite of parameters listed in NYSDEC Part 375 Table 6.8 (VOCs, SVOCs, metals, pesticides/herbicides, and PCBs) and the ECs 1,4-Dioxane and PFAS. One sample was collected from the 0-2 ft bgs interval, a second soil sample was collected from the deepest two-foot interval of any observed urban fill, and a third soil sample was collected from the two-foot interval exhibiting the highest degree of impacts or directly above groundwater, if impacts are not observed.

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The soil analytical results show exceedances of SVOCs and metals above the ISCOs. Additionally, there are VOCs (including CVOCs), SVOCs, and metals above the PGWSCOs. The BCP Eligibility 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	37	11	10 - 12
Benzo(a)pyrene	2	37	1.1	10 - 12
Benzo(b)fluoranthene	1	34	11	10 - 12
Dibenz(A,H)anthracene	1	3.8	1.1	10 - 12
Indeno(1,2,3-c,d)pyrene	1	17	11	10 - 12
Arsenic	2	23.3	16	12 - 14

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)
Acetone	2	0.12	0.05	0 - 2
Tetrachloroethylene (PCE)	1	8.2	1.3	2 - 4
Trichloroethylene (TCE)	1	21	0.47	2 - 4
Benzo(a)anthracene	2	37	1	10 - 12
Benzo(a)pyrene	1	37	22	10 - 12
Benzo(b)fluoranthene	1	34	1.7	10 - 12
Benzo(k)fluoranthene	1	11	1.7	10 - 12
Chrysene	2	40	1	10 - 12
Indeno(1,2,3-c,d)pyrene	1	17	8.2	10 - 12
Arsenic	2	23.3	16	12 - 14
Barium	1	1,390	820	10 - 12
Lead	2	776	450	10 - 12
Mercury	4	3.73	0.73	10 - 12

**Block 183, Lot 12 (39-04 Northern Boulevard)**

The following previous environmental investigations have been conducted at 39-04 Northern Boulevard and are attached for review in Appendix C and on the enclosed CD:

- **Remedial Action Plan**, prepared by EnviroTrac Ltd. on behalf of Speedway LLC, dated December 2016.

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- **Remedial Action Plan Extension**, prepared by EnviroTrac Ltd. on behalf of Speedway LLC, dated July 6, 2017
- **Speedway LLC Update Report**, prepared by EnviroTrac Ltd. (EnviroTrac), dated March 2018
- **Phase I Environmental Site Assessment Report (ESA)**, prepared by P.W. Grosser Consulting, Inc. (P.W. Grosser), dated August 2018
- **Phase II ESA**, prepared by P.W. Grosser, dated September 2018
- **Tank System Closure Report**, prepared by EnviroTrac, dated November 2018
- **Quarterly Groundwater Monitoring Report, Third Quarter 2021, NYSDEC Spill #95-00846**, prepared by P.W. Grosser, dated September 2021 (note that numerous quarterly reports from previous consultants are included in the Roux Phase I ESA)
- **Phase I ESA**, prepared by Roux Environmental Engineering and Geology, D.P.C. (Roux), dated November 1, 2021
- **Quarterly Groundwater Monitoring Report – Fourth Quarter 2021, NYSDEC Spill # 95-00846**, prepared by Roux, dated January 31, 2022
- **Quarterly Groundwater Monitoring Report – First Quarter 2022, NYSDEC Spill # 95-00846**, prepared by Roux, April 21, 2022
- **UST Abandonment Letter Report, NYSDEC PBS #2-297313, 39-04 Northern Boulevard, Long Island City, NY**, prepared by Roux, Dated, April 27, 2022

The proposed Expanded Site redevelopment plan includes a multi-story industrial distribution warehouse. 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 summary of the findings from the previous environmental investigations conducted at 39-04 Northern Boulevard is provided below.

#### **Remedial Action Plan, prepared by EnviroTrac Ltd., dated December 2016**

EnviroTrac prepared the Remedial Action Plan (RAP) to address NYSDEC Spill #95-00846 in connection with the property. The RAP included the following section summarizing previous remediation work related to petroleum impacts observed during UST removal activities in 1995:

- April 1995 – Impacted soils were encountered during a UST upgrade project. Four (4) 4,000-gallon, two (2) 2,000-gallon, and thirty-eight (38) 550-gallon steel gasoline and one (1) 1,000-gallon steel fuel-oil underground storage tanks (USTs) were removed. During this project, 846 tons of impacted soils were removed off site for disposal. NYSDEC Spill #95-00846 was assigned to the site. The closed UST system was replaced by a new UST system consisting of five (5) 4,000-gallon double-walled fiberglass gasoline USTs and one 600-gallon double-walled fiberglass wastewater UST.
- 1996 – A subsurface investigation was conducted that included installation of monitoring wells (MW-1, MW-2, MW-3, and MW-4).
- June 21, 2000 – Soil vapor extraction (SVE) and air sparge (AS) feasibility testing was performed.
- August 15, 2000 – Two (2) monitoring wells (MW-5 and MW-6) were installed.
- October 17, 18 and 19, 2001 – Sparge point wells (SP-1, SP-2, SP-3, and SP-4) and two (2) vapor point wells (VP-2 and VP-3) were installed.

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- October 31, 2001 – Geological Services Corporation (GSC) Submitted Remedial Action Plan and Specifications for Environmental Installation to the NYSDEC for operation of an AS/SVE Remediation System (as a note, these documents were not provided in response to Roux’s Freedom of Information Act request for NYSDEC files in 2021).
- February 28, 2002 – A Stipulation Agreement was executed and during a 2002 station upgrade, 955 tons of soils were excavated. The station upgrade was witnessed by another consultant and the details of the upgrade are not available to EnviroTrac.
- September 26, 2002 – An onsite AS/SVE system was installed and commenced operation.
- February 10, 2006 – The AS/SVE system was shutdown with permission from the NYSDEC. The system had recovered an estimated 7,489 lbs. of cumulative petroleum hydrocarbons during operation.
- August 4, 2006 – The Supplemental Remedial Action Plan (SRAP) to address residual dissolved liquid phase hydrocarbon impacts in the vicinity of MW-3 was approved by the NYSDEC.
- November 2009 through March 2010 – Short-Term Remediation Events (STREs) were conducted on selected monitoring wells.
- April 5 through April 7, 2010 – Three (3) monitoring wells (MW-7, MW-8, and MW-9) and one (1) air sparge well (AS-1) were installed.
- August 2 through August 20, 2013 – A subsurface investigation, which included the installation of two (2) AS wells (AS-2 and AS-3) and one (1) cluster well (CW-3) was completed. Elevated PID readings and petroleum odor were observed at AS-2 and AS-3 at depths up to 60 feet below grade during installation.

The RAP outlined the following additional remedial activities:

- EnviroTrac conducted an Air Sparge/Soil Vapor Extraction (AS/SVE) pilot test on wells MW-9, CW-3, and AS-3 on September 20, 2016. SVE step tests were performed on wells MW-9 and CW-3.
- Based on the results of site characterization activities, groundwater sampling, AS/SVE pilot testing, and historical data, absorbed and dissolved hydrocarbon impacts are still present at the property in the area of MW-9.
- Pilot test results indicated that AS/SVE would be an effective remedial technology to remove hydrocarbon mass from the subsurface from both the saturated and unsaturated zones.
- EnviroTrac proposed to conduct STREs using AS/SVE technology. The STREs were to be conducted once a month for a period of six months. During each event air sparge would be operated on air sparge well AS-3 and soil vapor extraction would be performed on well MW-9 for a duration of 8 hours.

### **Remedial Action Plan Extension, prepared by EnviroTrac Ltd., dated July 6, 2017**

- STREs as proposed in the EnviroTrac RAP were conducted on December 21, 2016, and January 16, February 22, March 2, May 17, May 30, and June 1, 2017.
- PID readings ranged from 216.8 to 3,192 ppm during the six-month STRE trial period. This data indicated that there were recoverable hydrocarbons in the area of MW-9 and that AS/SVE was a viable technology to recover the hydrocarbons.
- As a result of vapor recovery during the six-month STRE trial period, Speedway and EnviroTrac proposed to complete monthly STREs for twelve months beginning in July 2017 to remediate site soil and groundwater in the area of MW-9. Following this twelve-month period, an evaluation would be completed to determine the need for additional STREs and/or additional remedial actions.

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Based on information summarized in the November 18, 2018 “Speedway LLC Update Report” prepared by EnviroTrac LTD, the final STRE was conducted on October 3.

Petroleum impacts remain after the remedial activities described above were completed based on previous investigations and ongoing groundwater sampling.

**Speedway LLC Update Report, prepared by EnviroTrac, dated March 2018**

According to the March 2018 EnviroTrac report, groundwater flow was calculated to be towards the west-southwest. During this sampling event, six out of the nine monitoring wells onsite had benzene, toluene, ethylbenzene, and xylenes (BTEX) at concentrations ranging between non-detect at MW-1, MW-4, and MW-6 as well as minimal detections at MW- 3 on the north-western, northern, and eastern portions of the property, to 2,500 parts per million (ppm) at MW-9 located in the central portion of the property and within the area where most of the removed Underground Storage Tanks (USTs) were located. Elevated concentrations of the petroleum-related volatile organic compounds (VOCs) BTEX were documented in downgradient monitoring wells to the south and west of the former UST area in the central portion of the property.

**Phase I ESA, prepared by P.W. Grosser, dated August 2018**

P.W. Grosser performed a Phase I ESA at the property located at 39-04 Northern Boulevard, LIC, NY, Block 183, Lot 12. The property was an active gasoline station at the time of the Phase I ESA and included a one-story 2520 square feet (ft<sup>2</sup>) commercial building, a 720 ft<sup>2</sup> storage unit, a standalone car wash, and a pump island with a canopy. The remainder of the property consisted of asphalt paved parking and drive lanes.

P.W. Grosser noted the following Recognized Environmental Conditions (RECs):

- Current and historic use as gasoline station. Use and storage of hazardous materials and/or petroleum products (USTs, drum storage). Multiple documented releases of petroleum products.
- Eight 55-gallon drums labeled “Non-RCRA Regulated” stored outside and not properly in a containment/drum storage area. There was a threat of future release associated with these drums.
- Five USTs were reported to be located on the property, however P.W. Grosser observed seven vent lines typically associated with USTs; the additional lines are reportedly associated with a wastewater storage tank. Neither removal/closure documentation nor tightness testing results for any of these USTs had been provided to P.W. Grosser at time of Phase I ESA. Remaining unmaintained USTs may release hazardous substances or petroleum to the environment.
- Property was listed on the LTANKS site and NYSPILLS sites with open spill number 95-00846. The Spill was opened on April 20, 1995, for release of gasoline into soil. Numerous USTs and contaminated soil were removed, and groundwater monitoring was performed. The most recent groundwater monitoring data available for PWGC to review (January 25, 2018) indicated that four wells still showed concentrations of toluene, ethylbenzene and xylenes and monitoring was ongoing.
- Potential Vapor Encroachment Condition (VEC). The potential for onsite soil vapor intrusion has not been evaluated. Historical and current usage as a gas station and documented on-site petroleum release could result in a vapor concern.

Based on the RECs, P.W. Grosser recommended that a Phase II ESA be performed and should include:

- Geophysical survey to identify potential out of service/unknown USTs at the property.
- Subsurface investigation to evaluate soil and groundwater conditions at the property related to the usage as a gas station, current/historical presence of USTs, documented petroleum releases, and an improper drum storage area.

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- Soil vapor intrusion evaluation related to the open on-site spill #95-00846.

Additional concerns to consider that were noted by P.W. Grosser included:

- ACM/lead-based paint potentially present within structures. Advised that asbestos and/or lead survey be performed.
- Historical information for the surrounding properties revealed adjacent auto repair shops and adjacent industrial use.

**Phase II ESA, prepared by P.W. Grosser, dated September 2018**

To address the RECs noted in their August 2018 Phase I ESA, P.W. Grosser performed a Phase II ESA, and a summary of their findings is provided below.

Soils at the property largely consisted of urban fill material to an average depth of 15 to 20 feet below grade. This material is characterized by the presence of concrete, brick, glass, and large cobbles or boulders. Beneath this layer of fill, the native soils predominantly consisted of fine to medium sands with gravel. The property elevation is approximately 29 feet above the National Geodetic Vertical Datum (NGVD). Groundwater is approximately 17 to 20 feet below grade and was estimated to flow to the west southwest, which is consistent with the flow direction determined previously by EnviroTrac.

P.W. Grosser subcontracted Delta Geophysics, Inc. (Delta) to perform a geophysical survey to investigate the location of five on-site USTs and the potential for more unknown USTs in the central portion of the property, a former fuel-oil UST area in the southern portion of the property and trace the seven identified UST vents. The findings are briefly summarized below:

- Anomaly #1: Located on the northwest corner of the property and approximately measured 18 feet by 7 feet. According to Delta, the anomaly is potentially indicative of four separate USTs in one cluster.
- Anomaly #2: Located to the south of the storage building on the western portion of the property and measured 6 feet by 5 feet. According to delta, the anomaly is potentially indicative of a UST.
- Anomaly #3: Located adjacent to the west side of Anomaly #2 and measured 6 feet by 5 feet. Delta was unable to confirm if this anomaly is indicative of a UST.
- Anomaly #4: Appeared to be a cluster of product lines connecting the active USTs to the pump islands.
- An area of reinforced concrete was identified on the northwest portion of the property indicative of a former gasoline pump island.
- Seven vent pipes identified in the August 2018 Phase I ESA: five vent pipes were determined to be associated with the five active gasoline/diesel USTs onsite. Two vent pipes appeared to be associated with Anomaly #2 and Anomaly #3 locations, which were both located to the south of the storage building.

P.W. Grosser inspected the eight 55-gallon drums identified in the August 2018 Phase I ESA and determined that seven were empty and posed no threat and one appeared to be partially filled with unidentified contents. P.W. Grosser was not able to safely open the drum. The drums appeared to be in good condition and signs of leaking and/or corrosion were not observed.

P.W. Grosser performed a soil, groundwater, and soil vapor quality evaluation to investigate the extent of petroleum spill on-site, and for contamination commonly associated with regions with commercial and industrial use and historic fill.



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Soil borings were installed at eight locations in accordance with RECs noted in the Phase I ESA and geophysical survey anomalies, where allowed. Several proposed locations were deemed off limits due to safety concerns at an active gasoline station. There were concentrations exceeding NYSDEC ISCOs and/or Protection of Groundwater SCOs at three soil boring locations. The exceedances included petroleum-related compounds, polyaromatic hydrocarbons (PAHs), and metals. P.W. Grosser did not detect any evidence of petroleum contamination while drilling above the water table in any soil boring. Where present (primarily in the western and central portion of the property), petroleum impact was noted in the smear zone at the water table and below. 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	20	11	8 - 10
Benzo(a)pyrene	1	16	1.1	8 - 10
Benzo(b)fluoranthene	1	20	11	8 - 10
Lead	1	8,300	3,900	8 - 10

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)
1,2,4-Trimethylbenzene	3	240	3.6	23 - 25
Ethylbenzene	3	96	1	23 - 25
n-Butylbenzene	3	26	12	23 - 25
n-Propylbenzene	3	12	3.9	23 - 25
Xylenes, total	3	130	1.6	20 - 22
Benzo(a)anthracene	1	20	1	8 - 10
Benzo(b)fluoranthene	1	20	1.7	8 - 10
Benzo(k)fluoranthene	1	7.7	1.7	8 - 10
Chrysene	1	18	1	8 - 10
Indeno(1,2,3-cd)pyrene	1	10	8.2	8 - 10
Lead	1	8,300	450	8 - 10
Mercury	1	3.02	0.73	8 - 10

A total of thirteen groundwater samples were collected during the investigation including eight existing monitoring well samples and five samples collected from temporary wells installed at soil boring locations. There were numerous exceedances of the NYSDEC ambient water quality standards and guidance values (AWQSGVs). The exceedances included petroleum-related VOCs and SVOCs, PAHs, pesticides, and metals. The Phase II groundwater sampling results are summarized in the table below.

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<b>Analytes &gt; AWQS</b>	<b>Detections &gt; AWQS</b>	<b>Max. Detection (ppb)</b>	<b>AWQSGV (ppb)</b>
1,2,4-Trimethylbenzene	6	2,900	5
1,3,5-Trimethylbenzene	5	490	5
Benzene	3	1,200	1
Ethylbenzene	7	1,900	5
Isopropylbenzene	9	240	5
n-Butylbenzene	7	39	5
n-Propylbenzene	9	800	5
Napthalene	6	500	10
o-Xylene	5	520	5
p-Isopropyltoluene	1	7.5	5
p/m-Xylene	8	1,900	5
sec-Butylbenzene	6	31	5
Toluene	4	62	5
Vinyl Chloride	2	30	2
Benzo(a)anthracene	8	0.71	0.002
Benzo(a)pyrene	9	0.69	0
Benzo(b)fluoranthene	10	1.2	0.002
Benzo(k)fluoranthene	10	0.42	0.002
Bis(2-ethylhexyl)phthalate	1	27	5
Chrysene	9	1.1	0.002
Indeno(1,2,3-cd)pyrene	9	0.37	0.002
Naphthalene	5	330	10
Phenol	1	19	1
Antimony (total and/or dissolved)	2	10.06 (total)	3
Chromium (total)	2	207.8 (total)	50
Iron (total and/or dissolved)	12	99,500 (total)	300
Lead (total and/or dissolved)	7	477.6 (total)	25
Magnesium (total and/or dissolved)	10	104,000 (total)	35,000
Manganese (total and/or dissolved)	11	17,210 (total)	300

**Appendix D – Property’s Environmental History**  
 39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
 BCP Application - Section IV

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQSGV (ppb)
Selenium (total and/or dissolved)	3	17.6 (total)	10
Sodium (total and/or dissolved)	13	837,000 (total)	20,000
Aldrin	1	0.007	0
Dieldrin	1	0.232	0.004

P.W. Grosser performed a soil vapor investigation and collected five soil vapor samples and two outdoor ambient air samples. Most of the detections were of petroleum-related compounds including BTEX. There were low levels of chlorinated volatile organic compounds (CVOCs) detected in one sample. The Phase II soil vapor sampling results are summarized in the table below.

Analyte	Total Detections	Max. Detection (µg/m <sup>3</sup> )	Type
1,1,1-Trichloroethane (TCA)	1	1.52	Soil Vapor
1,2,4-Trimethylbenzene	5	29.3	Soil Vapor
1,2-Dichloro-1,1,2,2-tetrafluoroethane	1	3.31	Soil Vapor
1,3,5-Trimethylbenzene	4	9.09	Soil Vapor
1,3-Butadiene	3	199	Soil Vapor
1,4-Dioxane	1	0.865	Soil Vapor
2,2,4-Trimethylpentane	4	127	Soil Vapor
2-Butanone	5	78.2	Soil Vapor
2-Hexanone	2	3.6	Soil Vapor
4-Ethyltoluene	4	6	Soil Vapor
4-Methyl-2-pentanone	2	4.22	Soil Vapor
Acetone	5	147	Soil Vapor
Benzene	5	70	Soil Vapor
Carbon Disulfide	5	43.6	Soil Vapor
Chloroform	4	46.9	Soil Vapor
Chloromethane	3	33.5	Soil Vapor
Cyclohexane	5	36.1	Soil Vapor
Dichlorodifluoromethane	4	3.1	Soil Vapor
Ethyl Alcohol	4	57.1	Soil Vapor

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Analyte	Total Detections	Max. Detection (µg/m <sup>3</sup> )	Type
Ethylbenzene	4	14.9	Soil Vapor
Heptane	5	77	Soil Vapor
Iso-Propyl Alcohol	5	237	Soil Vapor
Methyl tert butyl ether	1	111	Soil Vapor
Methylene chloride	1	2.02	Soil Vapor
n-Hexane	5	282	Soil Vapor
o-Xylene	5	23.4	Soil Vapor
p/m-Xylene	5	50.8	Soil Vapor
tert-Butyl Alcohol	5	106	Soil Vapor
Tetrachloroethene	1	1.36	Soil Vapor
Tetrahydrofuran	2	3.6	Soil Vapor
Toluene	5	85.9	Soil Vapor
Trichlorofluoromethane	4	74.2	Soil Vapor

**Tank System Closure Report, prepared by EnviroTrac, dated November 2018**

EnviroTrac performed UST removals at the property. In October and November 2018, five (5) 4,000-gallon gasoline double-walled fiberglass USTs, one (1) previously abandoned 600-gallon wastewater double-walled fiberglass UST, eight (8) dispenser islands, and associated product piping and vent lines were excavated and transported offsite for disposal. The removal of four (4) 550-gallon previously unknown single-walled steel USTs was also completed by Island Pump & Tank Corp. of East Northport, New York.

Confirmatory sidewall soil samples from within the UST excavation were collected and showed no evidence of petroleum impact around the tanks. Subsequently, the concrete slab under the USTs was chipped out and six bottom endpoint samples were collected at an approximate depth of 10-12 ft. These samples produced photoionization detector (PID) readings ranging 0.5 to 110.1ppm. However, VOCs were either not detected or were below their respective NYSDEC Commissioner Policy 51 (CP-51) Soil Cleanup Levels (SCLs). Semivolatle organic compounds (SVOCs) were detected above their respective SCLs in only two samples.

Confirmatory soil samples were collected from the locations of the former dispenser islands and from the former product lines and tank vent lines at depths 4'-4.5' below grade. Elevated PID readings were only noted in one location, but a clean endpoint soil sample was collected at this location. VOCs were either not detected or were below their respective SCLs. SVOCs were detected above their respective SCLs in six samples.

Four (4) previously unknown 550-gallon USTs were discovered. Confirmatory sidewall and bottom soil samples from within the previously unknown 550-gallon UST excavation were collected from the sidewalls at about 7 ft below grade and the bottom at 10 ft below grade. VOCs and SVOCs were either not detected or below their respective SCLs in all samples taken from the unknown 550-gallon UST excavation. In addition, two (2) USTs that each appeared to be approximately 2,000-gallons in size were discovered in close proximity and partially underlying the storage building. The liquids from the two 2,000-gallon USTs

**Appendix D – Property’s Environmental History**  
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 BCP Application - Section IV

were removed, but the USTs were kept in place for removal during re-development. These two 2,000-gallon USTs were permanently abandoned in April 2022 (see below for summary of the closure activities).

The Tank System endpoint soil sampling results with exceedances of ISCOs are summarized in the table below.

Analyte > ISCOs	Detections > ISCOs	Maximum Detection (ppm)	ISCO (ppm)	Depth (ft bgs)
Benzo(a)pyrene	4	6.68	1.1	4-4.5
Dibenz(a,h)anthracene	1	1.17	1.1	4-4.5

The Tank System Closure endpoint soil sampling results with exceedances of PGWSCOs are summarized in the table below.

Analyte > PGWSCOs	Detections > PGWSCOs	Maximum Detection (ppm)	PGWSCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	4	8.09	1	4-4.5
Benzo(b)fluoranthene	4	8.32	1.7	4-4.5
Benzo(k)fluoranthene	2	3.98	1.7	4-4.5
Chrysene	1	1.01	1	4-4.5

**Quarterly Groundwater Monitoring Report, Third Quarter 2021, NYSDEC Spill #95-00846, prepared by P.W. Grosser, dated September 2021**

Quarterly groundwater monitoring has occurred at the property for over a decade. The work was initially performed by EnviroTrac then more recently performed by P.W. Grosser. The most recent report by P.W. Grosser for the third quarter 2021 groundwater monitoring is summarized below.

Only three existing wells are included in the monitoring program. P.W. Grosser sampled wells MW-2, MW-7, and MW-8 and analyzed the samples for VOCs by USEPA method 8260 – NYSDEC CP-51 List. This list contains petroleum-related compounds. Wells MW-2 and MW-8 are downgradient from the former UST locations.

The results indicated the following:

- MBTE was not detected.
- BTEX was detected at a concentration of 813.4 micrograms per liter (µg/L) at MW-2, 73.9 µg/L at MW-7, and 36.97 µg/L at MW-8. Concentrations have decreased since sampling events in 2017 and 2018, but still exceed AWQSGVs.
- Isopropylbenzene, n-Butylbenzene, n-Propylbenzene, sec-Butylbenzene, and Naphthalene were detected at concentrations greater than AWQSGVs at MW-2 and MW-8, with highest concentrations of these compounds being detected at MW-8.
- Naphthalene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, and Isopropylbenzene were detected at a concentration greater than AWQSGVs at MW-7.

**Appendix D – Property’s Environmental History**  
39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
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Based on the data, the highest levels are found directly downgradient from the former UST areas located in the western portion of the property. P.W. Grosser recommended that routine groundwater monitoring of MW-2, MW-7, and MW-8 be reduced from quarterly to semi-annually.

**Phase I ESA, prepared by Roux, dated November 1, 2021**

Roux performed a Phase I ESA of the real property identified as 39-04 Northern Boulevard (Block 183, Lot 12) in the Borough of Queens, New York to define the historical uses of the property and identify any potential RECs that could warrant further consideration, in accordance with ASTM International Standard Practice E1527-13 (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 property was used as a gasoline station as early as at least 1936.

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

- **Former Filling Station Operations and Open Spill Case (REC-1):**  
The property had been a filling station for decades and has been undergoing investigation and remediation since 1995 when contamination was identified during underground storage tank (UST) removal activities. As of September 2021, volatile organic compounds (VOCs) remain above standards in groundwater and quarterly sampling is ongoing.
- **Known and Potential USTs (REC-2):**  
A number of USTs partially underlying the storage building and canopy reportedly have not been removed or investigated. In addition, several USTs were identified on historic Sanborn Fire Insurance maps and there are no records regarding proper removal.
- **Adjacent Auto Sales and Service (REC-3):**  
The adjacent upgradient property to the east of the property has conducted automobile and truck service operations for decades.
- **Potential Dry Wells (REC-4):**  
The presence of potential storm water drywells with historic nearby storage and use of various petroleum substances and hazardous materials across the property is considered a REC.

Roux did not identify any Controlled RECs (CRECs) or Historical RECs (HRECs) in connection with the property.

The presence of historic fill material represents a Business Environmental Risk (BER).

*De minimis* conditions identified at the property includes incidental staining of the ground and concrete floors.

**Quarterly Groundwater Monitoring Report – Fourth Quarter 2021, NYSDEC Spill # 95-00846, prepared by Roux, dated January 31, 2022**

Quarterly groundwater monitoring at the property was conducted by EnviroTrac from June 2013 through August 2018 (22 monitoring events). The property’s ownership changed in November 2018 and P.W. Grosser was retained to continue groundwater monitoring through September 2021 (12 monitoring events). In late 2021, ownership of the property changed again, and Roux was retained in January 2022 to take over groundwater monitoring for the property. This report documents the first monitoring event performed by Roux for the property.

**Appendix D – Property’s Environmental History**  
39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
BCP Application - Section IV

Roux collected groundwater samples from three (3) groundwater monitoring wells, MW-2, MW-7, and MW-8. Groundwater samples were analyzed for the NYSDEC CP-51 list of VOCs via USEPA Method 8260. This list contains petroleum-related compounds. Wells MW-2 and MW-8 are downgradient from the former UST locations.

The results indicated the following:

- The highest degree of residual impact appears to be located downgradient of the former UST locations in the western portion of the property.
- Petroleum VOC concentrations have remained generally consistent since 2017 with seasonal fluctuations that appear to be associated with changes in groundwater elevation.
- These findings are consistent with the findings of previous monitoring events performed at the property.

Based on the past several years of data establishing a stabilization of residual spill impacts with seasonal fluctuations, Roux requested that routine groundwater monitoring (of the same three monitoring wells) be reduced from quarterly to twice per year.

**UST Abandonment Letter Report, NYSDEC PBS #2-297313, 39-04 Northern Boulevard, Long Island City, NY, prepared by Roux, Dated, April 27, 2022**

Roux and its subcontractors abandoned two, 2,000-gallon underground storage tanks (USTs) in accordance with the Notice of Violation (NOV) issued by the NYSDEC on March 14, 2022.

The Scope of Work included:

- Completion of a ground penetrating radar (GPR) survey to confirm the location of the USTs, located partially beneath the existing storage building.
- Excavation to uncover the tops of both USTs.
- Measurement of liquids present in the USTs at the start of abandonment activities (approximately 1,680 gallons of mostly rainwater, mixed with residual gasoline).
- Removal of remaining liquids from USTs. Approximately 1,680 gallons of liquid were removed from the USTs and an additional 260 gallons of fluids were generated during the cleaning, which were disposed of at Dale Transfer Corporation, Babylon, New York.
- Cleaning and inspection of USTs prior to abandonment activities. Other than the small holes in the tops of the USTs (which were sealed during abandonment), the tanks appeared to be intact and undamaged.
- Abandonment of USTs with Tripolymer® 105-TM foam mixture to permanently abandon them in-place.
- Backfilling of soil above the USTs to avoid leaving an open excavation on-site.

Roux’s subcontractor provided an affidavit regarding the closure of the USTs for submittal to the New York City Fire Department (FDNY), and the NYSDEC updated the status of the two USTs to “Closed-In Place” on April 29, 2022.

**Quarterly Groundwater Monitoring Reports – First Quarter 2022 through Fourth Quarter 2022, NYSDEC Spill # 95-00846, prepared by Roux, dated April 21, 2022, July 18, 2022, October 14, 2022, and February 9, 2023**

Roux collected groundwater samples from three (3) groundwater monitoring wells, MW-2, MW-7, and MW-8 on a quarterly basis in 2022 (March 8, June 7, September 7, and December 7, 2022). Groundwater

**Appendix D – Property’s Environmental History**

39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101

BCP Application - Section IV

samples were analyzed for the NYSDEC CP-51 list of VOCs via USEPA Method 8260. This list contains petroleum-related compounds. Wells MW-2 and MW-8 are downgradient from the former UST locations.

The results indicated the following:

- The highest degree of residual impact appears to be located downgradient of the former UST locations in the western portion of the property.
- Petroleum VOC concentrations have remained generally consistent since 2017 with seasonal fluctuations that appear to be associated with changes in groundwater elevation.
- These findings are consistent with the findings of previous monitoring events performed at the property.



**Brownfield Cleanup Program Application**  
**39-04/40-40 Northern Boulevard, Long Island City, NY 11101**

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**APPENDIX E**

Section V  
Requestor Information

**Appendix E – Requestor Information**

39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
BCP Application – Section V, Question 2

BCP applicant, GIC Queens LLC, is duly authorized to do business in New York State. The Department of State entity information for GIC Queens LLC is attached, along with the required documentation regarding the LLC entity.

February 28, 2022 | 3:53 pm

# COVID-19 Vaccines

Children ages 5+ are eligible for the COVID-19 vaccine and children ages 12+ are eligible for a booster. Parents and guardians: make sure your child gets vaccinated and stays up to date with all recommended doses.

VAX FOR KIDS >

## Department of State Division of Corporations

### Entity Information

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#### Entity Details



**ENTITY NAME:** GIC QUEENS LLC

**DOS ID:** 6324358

**FOREIGN LEGAL NAME:** GIC QUEENS LLC

**FICTITIOUS NAME:**

**ENTITY TYPE:** FOREIGN LIMITED LIABILITY COMPANY

**DURATION DATE/LATEST DATE OF DISSOLUTION:**

**SECTION OF LAW:** LIMITED LIABILITY COMPANY - 802 LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW

**ENTITY STATUS:** ACTIVE

**DATE OF INITIAL DOS FILING:** 11/10/2021

**REASON FOR STATUS:**

**EFFECTIVE DATE INITIAL FILING:** 11/10/2021

**INACTIVE DATE:**

**FOREIGN FORMATION DATE:** 11/08/2021

**STATEMENT STATUS:** CURRENT

**COUNTY:** NEW YORK

**NEXT STATEMENT DUE DATE:** 11/30/2023

**JURISDICTION:** DELAWARE, UNITED STATES

**NFP CATEGORY:**

[ENTITY DISPLAY](#)

[NAME HISTORY](#)

[FILING HISTORY](#)

[MERGER HISTORY](#)

[ASSUMED NAME HISTORY](#)

#### Service of Process Name and Address

**Name:** C/O C T CORPORATION SYSTEM

**Address:** 28 LIBERTY STREET, NEW YORK, NY, UNITED STATES, 10005

#### Chief Executive Officer's Name and Address

**Name:**

**Address:**

#### Principal Executive Office Address

**Address:**

#### Registered Agent Name and Address

**Name:**

**Address:**

#### Entity Primary Location Name and Address

**Name:**

**Address:**

Farmcorpflag

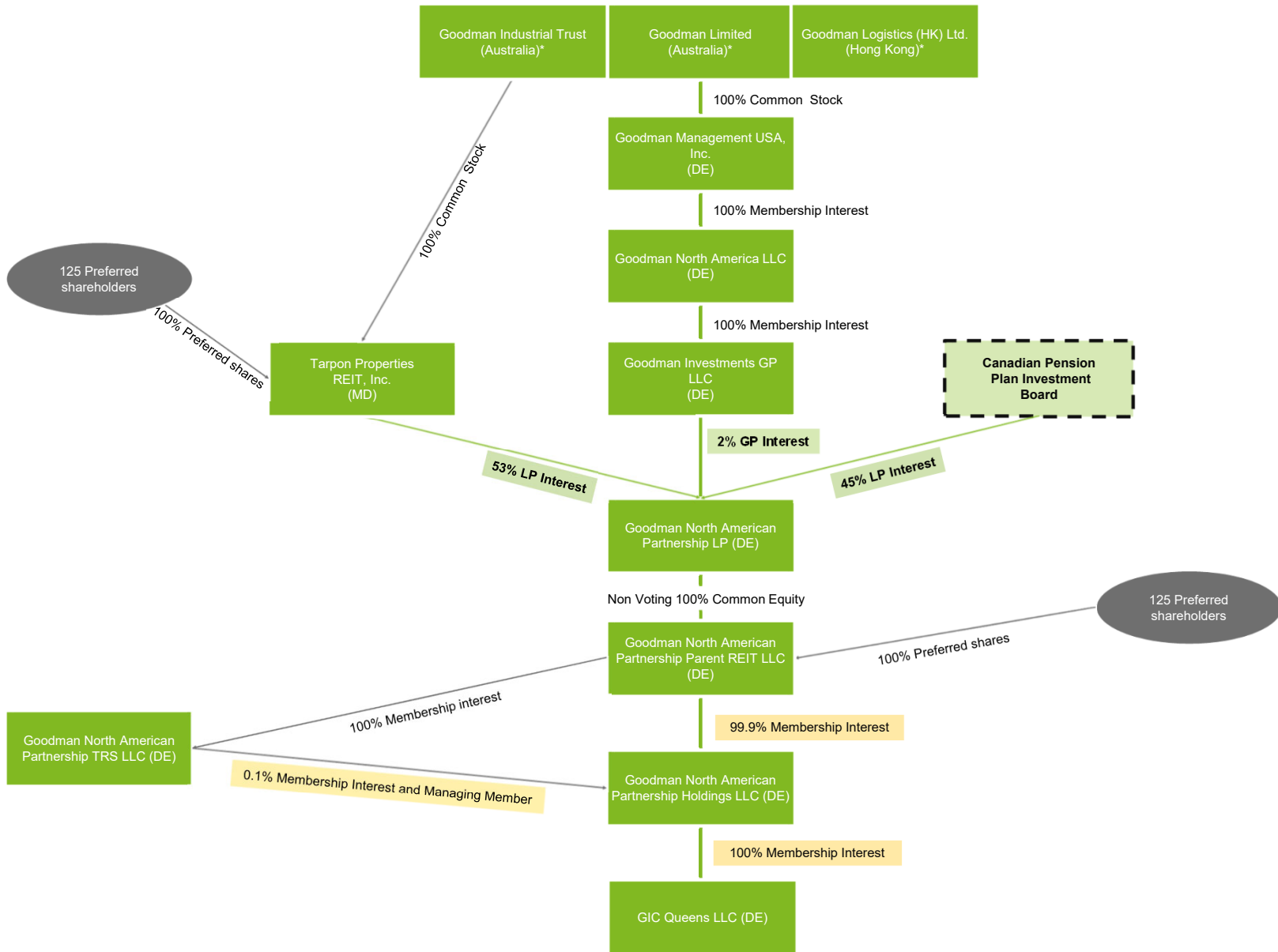
**Is The Entity A Farm Corporation: NO**

Stock Information

Share Value

Number Of Shares

Value Per Share



\*Stapled entities comprising Goodman Group

# LIMITED LIABILITY COMPANY AGREEMENT

OF

## GIC QUEENS LLC

THIS LIMITED LIABILITY COMPANY AGREEMENT (the “**Agreement**”) of GIC Queens LLC (the “**Company**”) dated as of the 9<sup>th</sup> day of November, 2021, by Goodman North American Partnership Holdings LLC, as the sole member of the Company (the “**Member**”).

### RECITAL

The Member has formed the Company as a limited liability company under the laws of the State of Delaware and desires to enter into a written agreement, in accordance with the provisions of the Delaware Limited Liability Company Act and any successor statute, as amended from time to time (the “**Act**”), governing the affairs of the Company and the conduct of its business.

### ARTICLE 1

#### The Limited Liability Company

The Limited Liability Company

**1.1 Formation.** The Member has previously formed the Company as a limited liability company pursuant to the provisions of the Act. A certificate of formation for the Company as described in Section 18-201 of the Act (the “**Certificate of Formation**”) has been filed in the Office of the Secretary of State of the State of Delaware in conformity with the Act. Express authorization was given to Alan Cockburn for the exclusive purpose of executing the Certificate of Formation of the LLC which has been filed in the Office of the Secretary of State of the State of Delaware.

**1.2 Name.** The name of the Company shall be “**GIC Queens LLC**” and its business shall be carried on in such name with such variations and changes as the Member shall determine or deem necessary to comply with requirements of the jurisdictions in which the Company’s operations are conducted.

**1.3 Business Purpose; Powers.** The Company is formed for the purpose of engaging in any lawful business, purpose or activity for which limited liability companies may be formed under the Act. The Company shall possess and may exercise all the powers and privileges granted by the Act or by any other law or by this Agreement, together with any powers incidental thereto, so far as such powers and privileges are necessary or convenient to the conduct, promotion or attainment of the business purposes or activities of the Company.

**1.4 Registered Office and Agent.** The location of the registered office of the Company shall be 1209 Orange Street, Wilmington, Delaware 19801. The Company’s Registered Agent at such address shall be The Corporation Trust Company.

1.5 **Term.** Subject to the provisions of Article 6 below, the Company shall have perpetual existence.

**ARTICLE 2**  
**The Member**

2.1 **The Member.** The name and address of the Member are as follows:

<u>Name</u>	<u>Address</u>
Goodman North American Partnership Holdings LLC	18201 Von Karman Avenue Suite 1170 Irvine, California 92612

2.2 **Actions by the Member; Meetings.** The Member may approve a matter or take any action at a meeting or without a meeting by the written consent of the Member. Meetings of the Member may be called at any time by the Member.

2.3 **Liability of the Member.** All debts, obligations and liabilities of the Company, whether arising in contract, tort or otherwise, shall be solely the debts, obligations and liabilities of the Company, and the Member shall not be obligated personally for any such debt, obligation or liability of the Company solely by reason of being a member.

2.4 **Power to Bind the Company.** The Member (acting in its capacity as such) shall have the authority to bind the Company to any third party with respect to any matter.

2.5 **Admission of Members.** Persons or entities may be admitted as members of the Company only upon the prior written approval of the Member.

**ARTICLE 3**  
**Management by the Member**

3.1 **Management of the Company.** The management of the Company is fully reserved to the Member in its capacity as a member of the Company, and the Company shall not have “managers,” as that term is used in the Act. The powers of the Company shall be exercised by or under the authority of, and the business and affairs of the Company shall be managed under the direction of, the Member, who shall make all decisions and take all actions for the Company. In managing the business and affairs of the Company and exercising its powers, the Member shall act through resolutions adopted in written consents. Decisions or actions taken by the Member in accordance with this Agreement shall constitute decisions or action by the Company and shall be binding on the Company. For the avoidance of doubt, the Company shall be “member managed” within the meaning of and pursuant to the Act.

3.2 **Officers and Related Persons.** The Member shall have the authority to appoint and terminate officers of the Company and retain and terminate employees, agents and consultants of the Company and to delegate such duties to any such officers, employees, agents and consultants as the Member deems appropriate, including the power, acting individually or jointly, to represent and bind the Company in all matters, in accordance with the scope of their respective duties.

**ARTICLE 4**  
**Capital Structure and Contributions**

**4.1 Capital Structure.** The capital structure of the Company shall consist of one class of common interests (the “**Common Interests**”). All Common Interests shall be identical with each other in every respect. The Member shall own all of the Common Interests issued and outstanding.

**4.2 Capital Contributions.** From time to time, the Member may determine that the Company requires capital and may make capital contribution(s) in an amount determined by the Member. A capital account shall be maintained for the Member, to which contributions and profits shall be credited and against which distributions and losses shall be charged.

**ARTICLE 5**  
**Profits, Losses and Distributions**

**5.1 Profits and Losses.** For financial accounting and tax purposes, the Company’s net profits or net losses shall be determined on an annual basis in accordance with the manner determined by the Member.

**5.2 Distributions.** The Member shall determine profits available for distribution and the amount, if any, to be distributed to the Member, and shall authorize and distribute on the Common Interests, the determined amount when, as and if declared by the Member. The distributions of the Company shall be allocated entirely to the Member.

**ARTICLE 6**  
**Events of Dissolution**

The Company shall be dissolved and its affairs wound up upon the occurrence of any of the following events (each, an “**Event of Dissolution**”):

- (a) The Member votes for dissolution; or
- (b) A judicial dissolution of the Company under Section 18-802 of the Act.

No other event, including, without limitation, the death, retirement, resignation, expulsion, bankruptcy or dissolution of the Member, shall cause the dissolution of the Company; provided, however, that in the event of any occurrence resulting in the termination of the continued membership of the last remaining member of the Company, the Company shall be dissolved unless, within 90 days following such event, the personal representative of the last remaining member agrees in writing to continue the Company and to the admission of such personal representative (or any other person or entity designated by such personal representative) as a member of the Company, effective upon the event resulting in the termination of the continued membership of the last remaining member of the Company.



**ARTICLE 7**  
**Transfer of Interests in the Company**

The Member may sell, assign, transfer, convey, gift, exchange, pledge, hypothecate or otherwise dispose of (“**Transfer**”) any or all of its Common Interests to any person or entity.

**ARTICLE 8**  
**Exculpation and Indemnification**

**8.1 Exculpation.** Notwithstanding any other provisions of this Agreement, whether express or implied, or any obligation or duty at law or in equity, none of the Member, nor any officers, directors, stockholders, partners, members, managers, employees, affiliates, representatives or agents of the Member, nor any officer, employee, representative or agent of the Company (individually, a “**Covered Person**” and, collectively, the “**Covered Persons**”) shall be liable to the Company or any other person for any act or omission (in relation to the Company, its property or the conduct of its business or affairs, this Agreement, any related document or any transaction contemplated hereby or thereby) taken or omitted by a Covered Person in good faith in the reasonable belief that such act or omission is in or is not contrary to the best interests of the Company and is within the scope of authority granted to such Covered Person by this Agreement, provided such act or omission does not constitute fraud, willful misconduct or gross negligence.

**8.2 Indemnification.** To the fullest extent permitted by the Act, the Company shall indemnify and hold harmless each Covered Person from and against any and all losses, claims, demands, liabilities, expenses, judgments, fines, settlements and other amounts arising from any and all claims, demands, actions, suits or proceedings, civil, criminal, administrative or investigative (“**Claims**”), in which the Covered Person may be involved, or threatened to be involved, as a party or otherwise, by reason of the fact that he, she or it is a Covered Person or which relates to or arises out of the Company or its property, business or affairs. A Covered Person shall not be entitled to indemnification under this Section 8.2 with respect to (i) any Claim with respect to which such Covered Person has engaged in fraud, willful misconduct or gross negligence or (ii) any Claim initiated by such Covered Person unless such Claim (A) was brought to enforce such Covered Person’s rights to indemnification hereunder or (B) was authorized or consented to by the Member. Expenses incurred in defending any Claim by (y) the Member or any officer, director, stockholder, partner, member, manager, or affiliate of the Member shall be paid by the Company and (z) any other Covered Person may be paid by the Company, but only upon the prior written approval of the Member in its sole and absolute discretion, upon such terms and conditions, if any, as the Member deems appropriate, in each case, in advance of the final disposition of such Claim upon receipt by the Company of an undertaking by or on behalf of such Covered Person to repay such amount if it shall be ultimately determined that such Covered Person is not entitled to be indemnified by the Company as authorized by this Section 8.2.

**8.3 Amendments.** Any repeal or modification of this Article 8 by the Member shall not adversely affect any rights of such Covered Person pursuant to this Article 8, including the right to indemnification and to the advancement of expenses of a Covered Person, existing at the time of such repeal or modification with respect to any acts or omissions occurring prior to such repeal or modification.

**ARTICLE 9**  
**Miscellaneous**

**9.1 Tax Treatment.** Unless otherwise determined by the Member, the Company shall be a disregarded entity for U.S. federal income tax purposes (as well as for any analogous state or local tax purposes), and the Member and the Company shall timely make any and all necessary elections and filings for the Company to be treated as a disregarded entity for U.S. federal income tax purposes (as well as for any analogous state or local tax purposes).

**9.2 Amendments.** Amendments to this Agreement and to the Certificate of Formation shall be effective only if approved in writing by the Member. An amendment shall become effective as of the date specified in the approval of the Member or if none is specified as of the date of such approval.

**9.3 Severability.** If any provision of this Agreement is held to be invalid or unenforceable for any reason, such provision shall be ineffective to the extent of such invalidity or unenforceability; provided, however, that the remaining provisions will continue in full force without being impaired or invalidated in any way unless such invalid or unenforceable provision or clause shall be so significant as to materially affect the expectations of the Member regarding this Agreement. Otherwise, any invalid or unenforceable provision shall be replaced by the Member with a valid provision which most closely approximates the intent and economic effect of the invalid or unenforceable provision.


**9.4 Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Delaware without regard to the principles of conflicts of laws thereof.

**9.5 Limited Liability Company.** The Member intends to form a limited liability company and does not intend to form a partnership under the laws of the State of Delaware or any other laws.

**[SIGNATURE PAGE FOLLOWS]**

IN WITNESS WHEREOF, the undersigned has duly executed this Agreement as of the day first above written.

**GOODMAN NORTH AMERICAN  
PARTNERSHIP HOLDINGS LLC, Member**

By:   
\_\_\_\_\_  
Alan Cockburn  
Vice President

**GIC QUEENS LLC**  
**(a Delaware limited liability company)**

**ACTION BY WRITTEN CONSENT OF**  
**THE SOLE MEMBER**

The undersigned, being the sole member (the “**Member**”) of GIC Queens LLC, a Delaware limited liability company (the “**Company**”), acting in accordance with the provisions of the Delaware Limited Liability Company Act and Section 3.1 of the Limited Liability Company Agreement of the Company (the “**LLC Agreement**”), hereby approves and adopts the following resolutions by written consent, effective as of the date set forth below:

**WHEREAS**, it is deemed by the undersigned to be appropriate and in the interests of the Company to elect officers of the Company, as provided in Section 3.2 of the LLC Agreement; and

**WHEREAS**, in consideration of the foregoing, the Member deems it appropriate and in the best interests of the Company to elect Anthony Rozic as President of the Company and Alan Cockburn as Vice President and Secretary of the Company; each of them to serve in such capacity until his successor is elected and qualified or until his earlier resignation or removal;

**NOW, THEREFORE, BE IT RESOLVED**, that the following persons be, and each of them hereby is, elected to the office set forth opposite his/her name, to serve in such capacity until his/her successor is duly elected and qualified or until his/her earlier resignation or removal:

Anthony Rozic	President
Alan Cockburn	Vice President and Secretary

**RESOLVED FURTHER**, that the foregoing officers of the Company shall have such powers and duties in the management of the Company as may be prescribed by the Member and, to the extent not so provided, as generally pertain to their respective offices, subject to the control of the Member.


**RESOLVED FURTHER**, that the officers of the Company be, and each of them hereby is, authorized, directed and empowered to execute, deliver and/or file, or cause to be executed, delivered and/or filed, on behalf and in the name of the Company, any agreements and/or documents, which such officers may deem necessary or appropriate to carry out fully the intent and purposes of these resolutions, and that the performance of such acts by such officer(s) shall be conclusive evidence of the approval thereof and the authority therefor by and from the Member.

**RESOLVED FURTHER**, that any and all actions heretofore or hereafter taken, and any and all agreements and/or documents executed or delivered by the officers of the Company in furtherance of the matters contemplated by these resolutions are hereby ratified, approved and confirmed as the act and deed of the Company.

**RESOLVED FURTHER**, that this written consent may be executed by facsimile or electronic transmission, and such written consent shall be filed with the minutes of the proceedings of the Member.

**IN WITNESS WHEREOF**, the undersigned has executed this written consent as of the 9<sup>th</sup> day of November, 2021.

**GOODMAN NORTH AMERICAN  
PARTNERSHIP HOLDINGS LLC, Member**

By:   
\_\_\_\_\_  
Alan Cockburn  
Vice President

**Brownfield Cleanup Program Application**  
**39-04/40-40 Northern Boulevard, Long Island City, NY 11101**

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**APPENDIX F**

Section VI  
Requestor Eligibility Information

**Appendix F – Requestor Eligibility Information**

39-04 / 40-40 Northern Boulevard, 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 in November 2021, (ii) all disposals of hazardous substances occurred prior to the time Requestor took possession of the brownfield site, and (iii) the Requestor does not have any affiliation with any responsible party.

**Block 183, Lot 9 (40-30 and 40-40 Northern Boulevard)**

Requestor has exercised appropriate care by conducting follow-up sub-slab and indoor air sampling and installing portable air purifiers as a precautionary measure in areas where sub-slab vapor concentrations were elevated, even though indoor air concentrations of chlorinated volatile organic compounds were low to non-detect. These measures were taken shortly after the Requestor took ownership of the property and with permission from the existing car dealership tenant. In addition, the property is fully fenced to prevent access by trespassers. Requestor will continue to exercise appropriate care by implementing the requirements of the BCP.

**Block 183, Lot 12 (39-04 Northern Boulevard)**

Requestor has exercised appropriate care by promptly re-initiating quarterly groundwater monitoring/reporting related to the open spill number when the Requestor took ownership of the property. In addition, the property is fully fenced to prevent access by trespassers. Lastly, the Requestor permanently abandoned the remaining two 2,000 gallon out of service underground storage tanks and registered them as “closed-in place” in April 2022, as required by the New York State Department of Environmental Conservation (NYSDEC). Requestor will continue to exercise appropriate care by implementing the requirements of the BCP. As such, the Requestors should be considered a Volunteer as defined in ECL 27-1405(1)(b).

**Brownfield Cleanup Program Application**  
***39-04/40-40 Northern Boulevard, Long Island City, NY 11101***

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**APPENDIX G**

Section IX  
Previous Property Owner-Operator Information



**Appendix G – Previous Property Owners and Operators**  
 39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
 BCP Application - Section IX

GIC Queens LLC has no relationship to previous owners and operators. The Expanded Site currently consists of Block 183, Lots 9 and 12.

**PREVIOUS OWNERS' INFORMATION\***  
**Block 183, Lot 9 (40-30 and 40-40 Northern Boulevard)**

Period	Tax Parcel	Owner	Source	Relationship to Requestor	Contact (address or phone number if available)**
Unknown to 4/20/1966*	Block 183, Lot 9	Boulevard Terminal Co.	Deed	None	383 Pearl Street Brooklyn, New York
4/20/1966 to 4/20/1966	Block 183, Lot 9	Richard Zirinsky; Ralph Zirinski; Bernard Greenberg	Deed	None	Rutherford Land Lawrence, New York; 50 Hickory Road Woodmere, New York; 150 Beach 147 <sup>th</sup> Street, Long Island, New York
4/20/1966 to 12/28/1977	Block 183, Lot 9	Ford Leasing Development Co.	Deed	None	The American Road Dearborn Michigan 48121
12/28/1977 to 9/6/2005	Block 183, Lot 9	Universal Ford Inc. (succeeded by name change to Universal Capital Corp.)	Deed	None	40-40 Northern Boulevard Long Island City, New York 11101
9/6/2005 to 11/16/2021	Block 183, Lot 9	40-40 Northern, LLC	Deed	None	7500 West Side Avenue North Bergen, New Jersey 07047
11/16/2021 to Present	Block 183, Lot 9	GIC Queens LLC	Deed	Current Owner	18201 Von Karman Avenue Suite 1170 Irvine, California 92612 484-221-6702

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

\*\* Information obtained from property deeds.

**Appendix G – Previous Property Owners and Operators**  
 39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
 BCP Application - Section IX

**PREVIOUS OPERATORS' INFORMATION\***  
**Block 183, Lot 9 (40-30 and 40-40 Northern Boulevard)**

Period	Tax Parcel	Operator	Source	Relationship to Requestor	Contact (address and phone number if available)**
1970	Block 183, Lot 9	All State Auto Rental Corp., Harold Oshry Autos, Universal Ford Sales & Service, Parts, Used Car Lot	City Directory	None	Harold Oshry – deceased. Michael Oshry – deceased. Phone number associated with the dealership 718-786-1660
1976	Block 183, Lot 9	All State Auto Rental Corp.	City Directory	None	None
1983	Block 183, Lot 9	All State Auto Rental Corp., Harold Oshry Autos, Universal Ford Sales & Service, Parts/Truck Parts, Used Car Lot	City Directory	None	Same as 1970
1991	Block 183, Lot 9	Esquire Insurance Agency, Universal Ford, Universal Ford Inc. Service, Universal Ford Showroom Car Parts, Universal Ford Inc. Used Cars, Universal Truck Center	City Directory	None	A company called Esquire Insurance Agency is listed at 45-01 Northern Boulevard, Long Island City. Phone number (718) 433-4031. It is not possible to confirm if it was the same company in the past. Phone number associated with the dealership 718-786-1660

**Appendix G – Previous Property Owners and Operators**  
 39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
 BCP Application - Section IX

Period	Tax Parcel	Operator	Source	Relationship to Requestor	Contact (address and phone number if available)**
1994	Block 183, Lot 9	Esquire Insurance Agency, Universal Ford, Universal Ford Inc. Service, Universal Ford Showroom Car Parts, Universal Ford Inc. Used Cars, Universal Truck Center, Universal Isuzu	City Directory	None	Same as 1991
1999	Block 183, Lot 9	Esquire Insurance Agency, Universal Ford, Universal Ford Inc. Service, Universal Ford Showroom Car Parts, Universal Ford Inc. Used Cars, Universal Truck Center	City Directory	None	Same as 1991
2000	Block 183, Lot 9	Esquire Insurance Agency, Universal Ford, Universal Kia, Universal Ford Inc. Service, Universal Ford Showroom Car Parts, Universal Ford Inc. Used Cars, Universal Truck Center	City Directory	None	Same as 1991
2004	Block 183, Lot 9	Peter Curca	City Directory	None	Non-Available
2005 to 2007	Block 183, Lot 9	Universal Ford Inc.	City Directory	None	Phone number associated with the dealership 718-786-1660
2007 to present	Block 183, Lot 9	Lexus of Queens	Google Earth/City Directory	None	718-392-7500

\* A City Directory Abstract of the property was obtained from EDR. Records reviewed from 1922 to 2017 were sourced from New York Telephone, New York Telephone Directory, Cole Information Services, and NYNEX Information Resource Company.

\*\* Contact information obtained from Google search.

**Appendix G – Previous Property Owners and Operators**  
 39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
 BCP Application - Section IX

**PREVIOUS OWNERS' INFORMATION\***  
**Block 183, Lot 12 (39-04 Northern Boulevard)**

Period	Tax Parcel	Owner	Source	Relationship to Requestor	Contact (address and phone number if available)**
Unknown to 4/24/2014	Block 183, Lot 12	Hess Corporation	Deed	None	1185 Avenue of Americas New York, NY 10036
4/24/2014 to 9/30/2014	Block 183, Lot 12	Hess Retail Stores LLC	Deed	None	1 Hess Plaza Woodbridge, NJ 070905
9/30/2014 to 11/15/2018	Block 183, Lot 12	Speedway LLC	Deed	None	439 South Main Street, Findlay, OH 45840
11/15/2018 to 11/16/2021	Block 183, Lot 12	GIRT Realty, LLC	Deed	None	7500 Westside Avenue, North Bergen, NJ 07047
11/16/2021 to Present	Block 183, Lot 12	GIC Queens LLC	Deed	Current Owner	18201 Von Karman Avenue, Suite 1170 Irvine, California 92612 484-221-6702

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

\*\* Information obtained from property deeds.

**PREVIOUS OPERATORS' INFORMATION\***  
**Block 183, Lot 12 (39-04 Northern Boulevard)**

Period	Tax Parcel	Operator	Source	Relationship to Requestor	Contact (address and phone number if available)**
1962 to 1970	Block 183, Lot 12	Save Way Stas Inc.	City Directory	None	Not Available
1991	Block 183, Lot 12	Northern Boulevard Car Wash	City Directory	None	Not Available
1994	Block 183, Lot 12	Metro Steel Structures Limited Northern Boulevard Car Wash	City Directory	None	Not Available

**Appendix G – Previous Property Owners and Operators**  
 39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
 BCP Application - Section IX

Period	Tax Parcel	Operator	Source	Relationship to Requestor	Contact (address and phone number if available)**
1999	Block 183, Lot 12	Merit Oil Corp. Metro Steel Structures Limited Northern Boulevard Car Wash	City Directory	None	Merit Oil was Formally Meadville Corporation (Haverford, PA) and acquired by Hess
2000	Block 183, Lot 12	Merit Oil Corp. Northern Boulevard Car Wash	City Directory	None	Same as 1999
2004	Block 183, Lot 12	Emel Ennis	City Directory	None	Not Available
2009	Block 183, Lot 12	Hess Corp.	City Directory	None	1185 Avenue of Americas New York, NY 10036
9/30/2014 to 11/15/2018	Block 183, Lot 12	Speedway LLC	Deed	None	439 South Main Street Findlay, OH 45840 Phone associated with the service station 718-349-1379
2014 and 2017	Block 183, Lot 12	Dunkin Donuts	City Directory	None	Phone associated with Dunkin Donuts location 718-937-7077

\* A City Directory Abstract of the property was obtained from EDR. Records reviewed from 1922 to 2017 were sourced from New York Telephone, New York Telephone Directory, Cole Information Services, and NYNEX Information Resource Company.

\*\* Contact information obtained from Google search.

**Brownfield Cleanup Program Application**  
**39-04/40-40 Northern Boulevard, Long Island City, NY 11101**

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**APPENDIX H**

Section XI  
Site Contact List

**Appendix H - Site Contact List**

39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
BCP Application – Section XI

**i. Local and State Officials**

NYC Councilmember Julie Won  
26th Council District  
37-04 Queens Boulevard Suite 205  
Sunnyside, NY 11104  
718-383-9076

Senator Michael Gianaris  
12th Senatorial District  
31-19 Newtown Avenue, Suite 402  
Astoria, NY 11102  
718-728-0960

Assemblyman Steven Raga  
30th Assembly District  
55-19 69<sup>th</sup> Street  
Maspeth, NY 11378  
718-651-3185

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

Audrey I. Pfeffer  
Queens County Clerk's Office  
8811 Sutphin Blvd. #106  
Jamaica, NY 11435

Mark McIntyre  
Acting Director/General Counsel  
NYC Office of Environmental Remediation  
100 Gold Street – 2<sup>nd</sup> Floor  
New York, NY 10038

Hon. Congressman Jerry Nadler  
12th Congressional District  
US House of Representatives  
201 Varick Street, Suite 669  
New York, NY 10014  
212-367-7350

Queens Borough President  
Hon. Donovan Richards  
120-55 Queens Boulevard  
Kew Gardens, NY 11424  
718-286-3000

Rohit Aggarwala  
Commissioner, NYC Department of  
Environmental Protection  
59-17 Junction Blvd  
Flushing, NY 11373

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  
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

David Gold, Esq.  
Commissioner, NYC Department of Planning  
120 Broadway, 31<sup>st</sup> Floor  
New York, NY 10271  
212-720-3300

**Appendix H - Site Contact List**

39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
BCP Application – Section XI

**ii. Current Site Owner and Operator**

Owner:

Proposed BCP Site

Block 183, Lots 9 and 12

GIC Queens LLC

18201 Von Karman Avenue, Suite 1170

Irvine, CA 92612

Operator:

Block 183, Lot 9

Lexus of Queens

40-30 and 40-40 Northern Boulevard

Long Island City, NY 11101



**Appendix H - Site Contact List**

39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
BCP Application – Section XI

**iii. Current Owners and Occupants of  
Adjacent Sites**

Block 666, Lot 1  
Ciampa Steinway LLC  
136-26 37<sup>th</sup> Avenue  
Flushing, NY 11354

Block 666, Lot 1  
Flushing Bank  
220 RXR Plaza  
Uniondale, NY 11556

Block 666, Lot 1  
Current Occupant  
40-01 Northern Boulevard  
Long Island City, NY 11101

Block 666, Lot 15  
40 North Blvd LLC  
203 Meserole Avenue  
Brooklyn, NY 11222

Block 666, Lot 15  
Current Occupant  
40-15 Northern Boulevard  
Long Island City, NY 11101

Block 665, Lot 34  
Scale Steinway Lender LLC c/o Slate Property  
Group  
38 East 29<sup>th</sup> Street, 9<sup>th</sup> Floor  
New York, NY 10016

Block 214, Lot 40  
RXR SMP Owner LLC  
C/O RXR Realty LLC  
625 RXR Plaza  
Uniondale, NY 11556

Block 214, Lot 40  
New York Community Bank  
102 Duffy Avenue, 3<sup>rd</sup> Floor  
Hicksville, NY 11801

Block 214, Lot 68  
Metropolitan Transportation Authority  
347 Madison Avenue  
New York, NY 10017

Block 214, Lot 68  
Metropolitan Transportation Authority/Current  
Occupant  
39<sup>th</sup> Street  
Long Island City, NY 11101

**Appendix H - Site Contact List**

39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
BCP Application – Section XI

Block 667, Lot 1  
Gina Vulcano  
7 Sintsink Drive West  
Port Washington, NY 11050

Block 667, Lot 1  
Current Occupant  
41-05 Northern Boulevard  
Long Island City, NY 11101

Block 183, Lot 8  
Metropolitan Transportation Authority  
347 Madison Avenue  
New York, NY 10017

Block 183, Lot 8  
Metropolitan Transportation Authority/Current  
Occupant  
40-08 Northern Boulevard  
Long Island City, NY 11101

Block 183, Lot 40  
PS Northeast, LLC  
c/o Public Storage  
701 Western Avenue  
Glendale, CA 91201

Block 183, Lot 40  
Public Storage  
40-02 Northern Boulevard  
Long Island City, NY 11101

**iv. Community, Religious, Civic and  
other Authorities**

New York Presbyterian Church  
43-23 37<sup>th</sup> Ave.  
Long Island City, NY 11101  
(718) 706-0100

Hope Astoria Church  
36-14 35<sup>th</sup> St.  
Queens, NY 11106  
(646) 736-1725

St. George Coptic Orthodox Church  
38-25 31<sup>st</sup> St.  
Queens, NY 11101

FDNY Ladder 116  
37-20 29<sup>th</sup> St.  
Long Island City, NY 11101

NYPD 114th Precinct  
34-16 Astoria Blvd  
Astoria, NY 11103  
(718) 626-9311

## **Appendix H - Site Contact List**

39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
BCP Application – Section XI

Consolidated Edison Corporate Affairs  
Director Richard David  
59-17 Junction Boulevard, 2<sup>nd</sup> Floor  
Flushing, NY 11373

LIC Partnership  
Laura Rothrock, Executive Director  
27-01 Queens Plaza N  
Long Island City, NY 11101

### **v. Parks and Recreation**

NYC Parks and Recreation  
Playground Thirty-Five  
4016 35<sup>th</sup> Ave.  
Queens, NY 11101

NYC Parks and Recreation  
A.R.R.O.W. Field House  
35-30 35<sup>th</sup> St.  
Queens, NY 11101  
(718) 349-0444

### **vi. Day Cares and Schools**

Q580 The Baccalaureate School for Global  
Education  
34-12 36<sup>th</sup> Ave.  
Queens, NY 11106  
(718) 361-5275

Our World Neighborhood Charter School  
Elementary School 1  
36-12 35<sup>th</sup> Ave.  
Queens, NY 11106  
(718) 392-3405

Our World Neighborhood Charter School  
Elementary School 1  
31-20 37<sup>th</sup> Avenue  
Queens, NY 11103  
(718) 274-2902

Upcoming OWN 1 Location  
38-27 30<sup>th</sup> Street  
Long Island City, NY 11101

Maria's Daycare  
3633 32<sup>nd</sup> St.  
Long Island City, NY 11106  
(718) 729-8321

Children Blossom Daycare  
3525 34<sup>th</sup> St.  
Queens, NY 11106  
(347) 642-3591

Babyland Daycare Astoria  
35-10 35<sup>th</sup> St. B21  
Queens, NY 11106  
(718) 310-8532

### **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](mailto:news@queenspost.com)  
(929) 424-4067

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

**Appendix H - Site Contact List**

39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
BCP Application – Section XI

New York Daily News  
270C Duffy Avenue  
Hicksville, NY 11801

Spectrum NY 1 News  
75 Ninth Avenue  
New York, NY 10011

El Diario NY  
15 Metrotech Center  
7<sup>th</sup> Floor  
Brooklyn, NY 11201

Hoy Nueva York  
15 Metrotech Center  
7<sup>th</sup> Floor  
Brooklyn, NY 11201

India Abroad Publications Inc.  
2 Tower Center Blvd., 8th Floor  
East Brunswick, NJ 08816

World Journal (Chinese)  
141-07 20th Ave.  
Whitestone, NY 11357

Queens Gazette  
42-16 34<sup>th</sup> Avenue  
Long Island City, NY 11101

LIC/Astoria Journal  
45-23 47<sup>th</sup> Street  
Woodside, NY 11377

Times-Ledger Newspapers  
Schneps Media  
45-17 Marathon Parkway  
Douglaston, NY 11362

Queens Chronicle  
Atlas Parks  
71-19 80<sup>th</sup> Street, Suite 8-201  
Glendale, NY 11385

**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.

**Appendix H - Site Contact List**

39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101  
BCP Application – Section XI

**x. Document Repository**

Queens Public Library – Long Island City  
37-44 21 Street  
Long Island City, NY 11101  
(718) 752-3700

Queens Community Board District 2  
Chairperson: Danielle Brecker  
District Manager: Debra Markell Kleinert  
Laura Shepard – Environment, Parks and Recreation Chair  
43-22 50<sup>th</sup> Street, Room 2B  
Woodside, NY 11377  
(718) 533-8773  
E-Mail: qn02@cb.nyc.gov

Repository confirmations are attached.

## Noelle Clarke

---

**From:** Smith, Tienya <Tienya.Smith@queenslibrary.org>  
**Sent:** Sunday, August 7, 2022 2:56 PM  
**To:** Noelle Clarke  
**Subject:** Re: Document Repository - Queens Public Library - Long Island City Branch for 40-40 Northern Boulevard Project

**This message originated outside your organization. Please use caution!**

---

Noelle,

I am writing to acknowledge that I received your email and that Queens Public Library at LIC will serve as one of the document repositories for your project.

Tienya Smith

---

**From:** Noelle Clarke <nclarke@rouxinc.com>  
**Sent:** Friday, August 5, 2022 11:38 PM  
**To:** Emily Butler <ebutler@rouxinc.com>; Smith, Tienya <Tienya.Smith@queenslibrary.org>  
**Subject:** RE: Document Repository - Queens Public Library - Long Island City Branch for 40-40 Northern Boulevard Project

Hi,

Just following up on this request. Please email us back so we can include it in the BCP application.

Thanks and have a nice weekend.

Noelle

**Noelle M. Clarke, P.E. – NY | Principal Engineer**

209 Shafter Street, Islandia, New York 11749

Main: 631-232-2600 | Direct: 631-630-2341 | Mobile: 631-807-6523

Email: [nclarke@rouxinc.com](mailto:nclarke@rouxinc.com) | Website: [www.rouxinc.com](http://www.rouxinc.com)



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---

**From:** Emily Butler <ebutler@rouxinc.com>  
**Sent:** Wednesday, August 3, 2022 11:27 AM  
**To:** Tienya.Smith@queenslibrary.org  
**Cc:** Noelle Clarke <nclarke@rouxinc.com>  
**Subject:** Document Repository - Queens Public Library - Long Island City Branch for 40-40 Northern Boulevard Project

Ms. Smith,

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 40-40 Northern Boulevard in Long Island City and are required to have the nearest library and the community board as document repositories for any future documents we generate for this project as requested by the New York State Department of Environmental Conservation (NYSDEC). This email is to request that the Queens Public Library - Long Island City Branch can act as one of the document repositories for the 40-40 Northern Boulevard project.

Please respond with confirmation of receipt, and please contact me with 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](mailto:ebutler@rouxinc.com) | Website: [www.rouxinc.com](http://www.rouxinc.com)



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**From:** [QN02@cb.nyc.gov \(CB\)](mailto:QN02@cb.nyc.gov)  
**To:** [Emily Butler](#)  
**Cc:** [Noelle Clarke](#)  
**Subject:** Re: [EXTERNAL] Document Repository - Queens Community Board 2 for 40-40 Northern Boulevard Project  
**Date:** Wednesday, August 3, 2022 4:59:27 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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**This message originated outside your organization. Please use caution!**

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Thank you.

This was received and yes we are a repository.

Sincerely,  
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: [qn02@cb.nyc.gov](mailto:qn02@cb.nyc.gov)  
CB2 Website: [www.nyc.gov/queenscb2](http://www.nyc.gov/queenscb2)  
Facebook: <https://facebook.com/Queenscb2>  
Twitter: <https://twitter.com/Queenscb2>

---

**From:** Emily Butler <[ebutler@rouxinc.com](mailto:ebutler@rouxinc.com)>  
**Sent:** Wednesday, August 3, 2022 11:28 AM  
**To:** QN02@cb.nyc.gov (CB) <[QN02@cb.nyc.gov](mailto:QN02@cb.nyc.gov)>  
**Cc:** Noelle Clarke <[nclarke@rouxinc.com](mailto:nclarke@rouxinc.com)>  
**Subject:** [EXTERNAL] Document Repository - Queens Community Board 2 for 40-40 Northern Boulevard Project

You don't often get email from [ebutler@rouxinc.com](mailto:ebutler@rouxinc.com). [Learn why this is important](#)

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To whom it may concern:

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 40-40 Northern Boulevard in Long Island City and are required to have the nearest library and the community board as document repositories for any future documents we generate for this project as requested by the New York State Department of



Environmental Conservation (NYSDEC). This email is to request that Queens Community Board 2 can act as one of the document repositories for the 40-40 Northern Boulevard project.

Please respond with confirmation of receipt, and please contact me with 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](mailto:ebutler@rouxinc.com) | Website: [www.rouxinc.com](http://www.rouxinc.com)



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**From:** [QN02@cb.nyc.gov \(CB\)](mailto:QN02@cb.nyc.gov)  
**To:** [Emily Butler](#)  
**Subject:** Re: [EXTERNAL] Document Repository - Queens Community Board 2 for 39-04 Northern Boulevard Project  
**Date:** Thursday, June 16, 2022 12:51:48 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Yes we confirm.

Thanks  
Debbie

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: [qn02@cb.nyc.gov](mailto:qn02@cb.nyc.gov)  
CB2 Website: [www.nyc.gov/queenscb2](http://www.nyc.gov/queenscb2)  
Facebook: <https://facebook.com/Queenscb2>  
Twitter: <https://twitter.com/Queenscb2>

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**From:** Emily Butler <[ebutler@rouxinc.com](mailto:ebutler@rouxinc.com)>  
**Sent:** Thursday, June 16, 2022 10:36 AM  
**To:** QN02@cb.nyc.gov (CB) <[QN02@cb.nyc.gov](mailto:QN02@cb.nyc.gov)>  
**Subject:** [EXTERNAL] Document Repository - Queens Community Board 2 for 39-04 Northern Boulevard Project

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To whom it may concern:

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 39-04 Northern Boulevard in Long Island City and are required to have the nearest library and the community board as document repositories for any future documents we generate for this project as requested by the New York State Department of Environmental Conservation (NYSDEC). This email is to request that Queens Community Board 2 can act as one of the document repositories for the 39-04 Northern Boulevard project.

Please respond with confirmation of receipt, and please contact me with 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](mailto:ebutler@rouxinc.com) | Website: [www.rouxinc.com](http://www.rouxinc.com)



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**From:** [Smith, Tienya](#)  
**To:** [Emily Butler](#)  
**Subject:** Re: Document Repository - Queens Community Board 2 for 39-04 Northern Boulevard Project  
**Date:** Thursday, June 16, 2022 4:51:15 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Emily Butler:

Yes, the library will serve as a document repository. Please send a CD, USB, or print materials.

Tienya

---

**From:** Emily Butler <[ebutler@rouxinc.com](mailto:ebutler@rouxinc.com)>  
**Sent:** Thursday, June 16, 2022 3:17 PM  
**To:** Smith, Tienya <[Tienya.Smith@queenslibrary.org](mailto:Tienya.Smith@queenslibrary.org)>  
**Subject:** Document Repository - Queens Community Board 2 for 39-04 Northern Boulevard Project

Ms. Smith,

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 39-04 Northern Boulevard in Long Island City and are required to have the nearest library and the community board as document repositories for any future documents we generate for this project as requested by the New York State Department of Environmental Conservation (NYSDEC). This email is to request that the Queens Public Library - Long Island City Branch can act as one of the document repositories for the 39-04 Northern Boulevard project.

Please respond with confirmation of receipt, and please contact me with 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](mailto:ebutler@rouxinc.com) | Website: [www.rouxinc.com](http://www.rouxinc.com)





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**Brownfield Cleanup Program Application**  
**39-04/40-40 Northern Boulevard, Long Island City, NY 11101**

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**APPENDIX I**

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

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

39-04 / 40-40 Northern Boulevard, Long Island City, NY 11101

BCP Application – Supplemental Questions for Sites Seeking Tangible Property Credits in New York City

BCP applicant, GIC Queens LLC, is seeking tangible property credits on the basis that the proposed Expanded Site is underutilized and more than 50% of the Expanded Site is located within an En-zone pursuant to Tax Law § 21(b)(6).

A separate affidavit for each lot supporting that the Expanded Site is underutilized is included in this appendix. Note that both these underutilized affidavits were previously submitted to and reviewed by NYSDEC as components of the prior, separate BCP applications for 39-04 Northern Boulevard (C241265) and 40-40 Northern Boulevard (C241268); these underutilized affidavits are being re-submitted to NYSDEC with this Major Amendment application seeking to expand the 39-04 Northern Boulevard BCP Site.

In addition, 100% of the Expanded Site is located within a NYSDEC-designated En-zone (census tract 171.02, Type B).

**AFFIDAVIT OF UNDERUTILIZATION**

STATE OF CALIFORNIA    )  
  ) ss.:  
COUNTY OF ORANGE    )

Alan P. Cockburn \_\_\_\_\_, being duly sworn, deposes and says:

1. I am the authorized representative of GIC Queens LLC, the current owner of certain land consisting of one approximately .90 acre lot, identified as Block 183, Lot 12 on the Tax Map of the Borough of Queens and more commonly referred to as 39-04 Northern Boulevard, Long Island City, New York 11101 (the “Site”).

2. The Site area is approximately 39,305 square feet. The Property is zoned as M1-5 (Manufacturing), with a permitted Floor Area Ratio (“FAR”) of 5.00. It has been so zoned for at least three years prior to the date of this application. Thus, the permissible floor area under applicable zoning for a building or buildings on the Property is 196,525 square feet.

3. The Site is currently developed with three structures, accounting for approximately 3,397 square feet of gross floor area, which were utilized as a gasoline station prior to 2018. Since that time, the structures on the Site have been vacant.

4. Because the structures on the Site have been vacant since 2018, 0% of the permissible floor area for the Site has been used.

5. Even if the site were presently occupied, the currently developed gross floor area of 3,397 square feet represents only 1.7% of the permissible floor area under the applicable base zoning would be in use.

6. Accordingly, for at least the last three years, under the applicable base zoning in effect for that period, less than 50% of the permissible floor area of the Property has been used.





Name: Alan P. Cockburn

Title: Vice President

Sworn and subscribed to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 2022

*see attached*

\_\_\_\_\_

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )

COUNTY OF Orange )

On March 25, 2022 before me, Gina M. Fiscus, Notary Public  
DATE INSERT NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC

personally appeared, Alan P. Cockburn

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Gina M. Fiscus

NOTARY PUBLIC SIGNATURE

(SEAL)



## OPTIONAL INFORMATION

THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAY BE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT.

TITLE OR TYPE OF DOCUMENT Affidavit of Underutilization

DATE OF DOCUMENT N/A NUMBER OF PAGES \_\_\_\_\_

SIGNERS(S) OTHER THAN NAMED ABOVE N/A

SIGNER'S NAME \_\_\_\_\_

SIGNER'S NAME \_\_\_\_\_

RIGHT THUMBPRINT

RIGHT THUMBPRINT

**AFFIDAVIT OF UNDERUTILIZATION**

STATE OF CALIFORNIA    )  
  ) ss.:  
COUNTY OF ORANGE    )

Alan P. Cockburn, being duly sworn, deposes and says:

1. I am the authorized representative of GIC Queens LLC, the current owner of certain land consisting of one approximately 2.3 acre lot, identified as Block 183, Lot 9 on the Tax Map of the Borough of Queens and more commonly referred to as 40-40 Northern Boulevard (also known as 40-30 Northern Boulevard), Long Island City, New York 11101 (the "Site").

2. The Site area is approximately 100,627 square feet. The Property is zoned as M1-5 (Manufacturing), with a permitted Floor Area Ratio ("FAR") of 5.00. It has been so zoned for at least three years prior to the date of this application. Thus, the permissible floor area under applicable zoning for a building or buildings on the Property is 503,135 square feet.

3. The Site is currently developed with one one-story structure, accounting for approximately 32,002 square feet of gross floor area, which has been utilized as a car sales showroom. This represents only 6.36% of the permissible floor area under the applicable base zoning.

4. Accordingly, for at least the last three years, under the applicable base zoning in effect for that period, less than 50% of the permissible floor area of the Property has been used.



Name: Alan P. Cockburn

Title: Vice President

Sworn and subscribed to before me this

~~\_\_\_\_\_ day of \_\_\_\_\_, 2022~~

*see attached*

\_\_\_\_\_

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
COUNTY OF Orange )

On March 25, 2022 before me, Gina M. Fiscus, Notary Public  
DATE INSERT NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC

personally appeared, Alan P. Cockburn

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Gina M. Fiscus (SEAL)  
NOTARY PUBLIC SIGNATURE



## OPTIONAL INFORMATION

THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAY BE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT.

TITLE OR TYPE OF DOCUMENT Affidavit of Underutilization

DATE OF DOCUMENT N/A NUMBER OF PAGES 2

SIGNERS(S) OTHER THAN NAMED ABOVE N/A

SIGNER'S NAME \_\_\_\_\_ SIGNER'S NAME \_\_\_\_\_

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