

965 MAMARONECK AVENUE

MAMARONECK, NEW YORK

Brownfield Cleanup Program Application

Submitted to:

New York State Department of Environmental Conservation

Division of Environmental Remediation

Site Control Section

625 Broadway, 11th Floor

Albany, NY 12233-7020

Prepared for:

1946 Holding Corp.

43 Robins Road

New Rochelle, NY 10801

Prepared by:



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New York, NY 10001

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(646) 606-2332

August 2019



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

Yes **No** **If yes, provide existing site number:** _____

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

Section I. Requestor Information - See Instructions for Further Guidance		DEC USE ONLY BCP SITE #:
NAME		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL
<p>Is the requestor authorized to conduct business in New York State (NYS)? Yes No</p> <ul style="list-style-type: none"> • If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. Please note: If the requestor is an LLC, the members/owners names need to be provided on a separate attachment. <p>Do all individuals that will be certifying documents meet the requirements detailed below? Yes No</p> <ul style="list-style-type: none"> • Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of DER-10: Technical Guidance for Site Investigation and Remediation and Article 145 of New York State Education Law. Documents that are not properly certified will be not approved under the BCP. 		
Section II. Project Description		
1. What stage is the project starting at?	Investigation	Remediation
<p>NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.</p>		
2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2):	Yes	No
<p>3. Please attach a short description of the overall development project, including:</p> <ul style="list-style-type: none"> • the date that the remedial program is to start; and • the date the Certificate of Completion is anticipated. 		

Section III. Property's Environmental History

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

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

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

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

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

*Please describe: _____

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

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

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

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

Yes No

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

Coal Gas Manufacturing	Manufacturing	Agricultural Co-op	Dry Cleaner
Salvage Yard	Bulk Plant	Pipeline	Service Station
Landfill	Tannery	Electroplating	Unknown

Other: _____

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME

ADDRESS/LOCATION

CITY/TOWN

ZIP CODE

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):

COUNTY

SITE SIZE (ACRES)

LATITUDE (degrees/minutes/seconds)

LONGITUDE (degrees/minutes/seconds)

Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed, please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section No.	Block No.	Lot No.	Acreage

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

2. Is the required property map attached to the application? Yes No
 (application will not be processed without map)

3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? Yes No
 (See [DEC's website](#) for more information)

If yes, identify census tract : _____

Percentage of property in En-zone (check one): 0-49% 50-99% 100%

4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? Yes No

If yes, identify name of properties (and site numbers if available) in related BCP applications: _____

5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? Yes No

6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? Yes No
 If yes, attach relevant supporting documentation.

7. Are there any lands under water? Yes No
 If yes, these lands should be clearly delineated on the site map.

Section IV. Property Information (continued)

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

<u>Easement/Right-of-way Holder</u>	<u>Description</u>
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9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>
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10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**? Yes No

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

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

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

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

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

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

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

Initials of each Requestor: _____

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

Section V. Additional Requestor Information See Instructions for Further Guidance	DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____
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NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE

ADDRESS

CITY/TOWN	ZIP CODE
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PHONE	FAX	E-MAIL
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NAME OF REQUESTOR'S CONSULTANT

ADDRESS

CITY/TOWN	ZIP CODE
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PHONE	FAX	E-MAIL
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NAME OF REQUESTOR'S ATTORNEY

ADDRESS

CITY/TOWN	ZIP CODE
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PHONE	FAX	E-MAIL
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Section VI. Current Property Owner/Operator Information – if not a Requestor

CURRENT OWNER'S NAME	OWNERSHIP START DATE:
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ADDRESS

CITY/TOWN	ZIP CODE
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PHONE	FAX	E-MAIL
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CURRENT OPERATOR'S NAME

ADDRESS

CITY/TOWN	ZIP CODE
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PHONE	FAX	E-MAIL
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PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".

IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.

Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? Yes No
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? Yes No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. Yes No

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. Yes No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. Yes No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? Yes No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? Yes No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? Yes No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? Yes No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? Yes No
11. Are there any unregistered bulk storage tanks on-site which require registration? Yes No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

Previous Owner Current Owner Potential /Future Purchaser Other _____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?

Yes No

Note: a purchase contract does not suffice as proof of access.

Section VIII. Property Eligibility Information - See Instructions for Further Guidance

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

Section IX. Contact List Information

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

- 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 properties adjacent to the property.
- 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 X. Land Use Factors

1. What is the current municipal zoning designation for the site? _____

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

Residential Commercial Industrial

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

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

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

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

If residential, does it qualify as single family housing? Yes No

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

Yes No

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

Yes No

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

Yes No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

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

Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am President (title) of 1946 Holding Corp (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 8/14/19 Signature: Carol Coyne

Print Name: Carol Coyne

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
 - Chief, Site Control Section
 - New York State Department of Environmental Conservation
 - Division of Environmental Remediation
 - 625 Broadway
 - Albany, NY 12233-7020

FOR DEC USE ONLY

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

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

BCP App Rev 10

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	Yes	No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	Yes	No
Please answer questions below and provide documentation necessary to support answers.		
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information.	Yes	No
2. Is the property upside down or underutilized as defined below?	Upside Down?	Yes No
	Underutilized?	Yes No
From ECL 27-1405(31):		
<p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p>		
<p>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)</p>		
<p>375-3.2:</p> <p>(I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or</p> <p>(c) there are no structures.</p> <p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.</p>		

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

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

Project is an Affordable Housing Project - Regulatory Agreement Attached;

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

This is Not an Affordable Housing Project.

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

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

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

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) “Area median income” means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

BCP Application Summary (for DEC use only)

Site Name:	Site Address:		
City:	County:	Zip:	
Tax Block & Lot Section (if applicable):	Block:	Lot:	
Requestor Name:	Requestor Address:		
City:	Zip:	Email:	
Requestor's Representative (for billing purposes)			
Name:	Address:		
City:	Zip:	Email:	
Requestor's Attorney			
Name:	Address:		
City:	Zip:	Email:	
Requestor's Consultant			
Name:	Address:		
City:	Zip:	Email:	
Percentage claimed within an En-Zone:	0%	<50%	50-99% 100%
DER Determination:	Agree	Disagree	
Requestor's Requested Status:	Volunteer	Participant	
DER/OGC Determination:	Agree	Disagree	
Notes:			
For NYC Sites, is the Requestor Seeking Tangible Property Credits:	Yes	No	
Does Requestor Claim Property is Upside Down:	Yes	No	
DER/OGC Determination:	Agree	Disagree	Undetermined
Notes:			
Does Requestor Claim Property is Underutilized:	Yes	No	
DER/OGC Determination:	Agree	Disagree	Undetermined
Notes:			
Does Requestor Claim Affordable Housing Status:	Yes	No	Planned, No Contract
DER/OGC Determination:	Agree	Disagree	Undetermined
Notes:			

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION III

PROPERTY'S ENVIRONMENTAL HISTORY

Please follow instructions on application form.

SECTION IV

PROPERTY INFORMATION

Proposed Site Name

Provide a name for the proposed site. The name could be an owner's name, current or historical operations (i.e. ABC Furniture) or the general location of the property. Consider whether the property is known by DEC by a particular name, and if so, use that name.

Site Address

Provide a street address, city/town, zip code, and each municipality and county in which the site is located. .

Site Size

Provide the approximate acreage of the site.

GIS Information

Provide the latitude and longitude for the approximate center of the property. Show the latitude and longitude in degrees, minutes and seconds.

Tax Parcel Information

Provide the tax parcel address/section/block/lot information and map. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5 minute quad map on which the property appears and clearly indicate the proposed site's location.

1. Tax Map Boundaries

State whether the boundaries of the site correspond to the tax map boundaries. If no, a metes and bounds description of the property must be attached. The site boundary can occupy less than a tax lot or encompass portions of one or more tax lots and may be larger or smaller than the overall redevelopment/reuse project area. A site survey with metes and bounds will be required to establish the site boundaries before the Certificate of Completion can be issued.

2. Map

Provide a property base map(s) of sufficient detail, clarity and accuracy to show the following: i) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways; and ii) proposed brownfield property boundary lines, with adjacent property owners clearly identified.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION IV (continued)

3. En-zone

Is any part of the property in an En-zone? If so, what percentage? For information on En-zones, please see [DEC's website](#).

4. Multiple applications

Generally, only one application can be submitted, and one BCA executed, for a development project. In limited circumstances, the DEC may consider multiple applications/BCAs for a development project where 1) the development project spans more than 25 acres; 2) the approach does not negatively impact the remedial program, including timing, ability to appropriately address areas of concern, and management of off-site concerns; and 3) the approach is not advanced to increase the value of future tax credits (i.e., circumvent the tax credit caps provided under New York State Tax Law Section 21).

10. Property Description Narrative

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

Location

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

Site Features:

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

Current Zoning and Land Use: (Ensure the current zoning is identified.)

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

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

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

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

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION IV (continued)

Property Description Narrative (continued)

Site Geology and Hydrogeology:

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

Environmental Assessment

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, semivolatile organic compounds, metals), identify the group(s) and one or two representative contaminants within the group. When addressing the extent of contamination, identify the areas of concern at the site, contaminated media (i.e., soil, groundwater, etc.), relative concentration levels, and a broad-brush description of contaminated areas/depths.

The reader should be able to know if contamination is widespread or limited and if concentrations are marginally or greatly above Standards, Criteria and Guidance (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.

A typical Environmental Assessment would look like the following:

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

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

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

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

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

SECTION V

ADDITIONAL REQUESTOR INFORMATION

Representative Name, Address, etc.

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

Consultant and Attorney Name, Address, etc.

Provide requested information.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**SECTION VI CURRENT PROPERTY OWNER/OPERATOR INFORMATION
(IF NOT A REQUESTOR)**

Owner Name, Address, etc.

Provide requested information of the current owner of the property. List all 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.

Operator Name, Address, etc.

Provide requested information of the current operator (if different from the requestor or owner).

Provide a list of previous property owners and operators with names, last known addresses, telephone numbers and the Requestor's relationship to each owner and operator as a separate attachment

SECTION VII REQUESTOR ELIGIBILITY INFORMATION

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

SECTION VIII PROPERTY ELIGIBILITY INFORMATION

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.

1. CERCLA / NPL Listing

Has any portion of the property ever been listed on the National Priorities List (NPL) established under CERCLA? If so, provide relevant information.

2. Registry Listing

Has any portion of the property ever been listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites established under ECL 27-1305? If so, please provide the site number and classification. See the Division of Environmental Remediation (DER) [website](#) for a database of sites with classifications.

3. RCRA Listing

Does the property have a Resource Conservation and Recovery Act (RCRA) TSDF Permit in accordance with the ECL 27-0900 *et seq*? If so, please provide the EPA Identification Number, the date the permit was issued, and its expiration date. Note: for purposes of this application, interim status facilities are not deemed to be subject to a RCRA permit.

4. Registry / RCRA sites owned by volunteers

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.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION VIII (continued)

5. Existing Order

Is the property subject to an order for cleanup under Article 12 of the Navigation Law or Article 17 Title 10 of the ECL? If so, please provide information on an attachment. Note: if the property is subject to a stipulation agreement, relevant information should be provided; however, property will not be deemed ineligible solely on the basis of the stipulation agreement.

6. Enforcement Action Pending

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 on an attachment.

SECTION IX CONTACT LIST INFORMATION

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.

SECTION X 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.

1. 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).
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.

SECTION XI SIGNATURE PAGE

The Requestor must sign the application, or designate a representative who can sign. The requestor's consultant or attorney cannot sign the application. If there are multiple parties applying, then each 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.

**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 III, #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**

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 time-frames established by the LOC, the public comment period on the application will be extended to insure that there will be the required comment period.
 - iii. Marketing literature or brochures are prohibited from being included in mailings to the Contact List.

New York State Department of Environmental Conservation
BROWNFIELD CLEANUP PROGRAM

BROWNFIELD CLEANUP PROGRAM APPLICATION
SUPPLEMENTAL AND SUPPORTING INFORMATION

For

965 MAMARONECK AVENUE, VILLAGE OF
MAMARONECK, NY
1946 HOLDING CORP.

SEPTEMBER 2019

Section I. Requestor Information

1946 Holding Corp. is a NYS business entity. A copy of the New York State Department of State's Corporation & Business Entity Database printout is attached in Exhibit A.

The members of 1946 Holding Corp. are as follows:

- Carol Coyne

Section II. Project Description

II.4 - Narrative Description

As part of the project, the property will be remediated and the existing building prepared for future commercial retail use. Additional remedial investigation (RI) will be completed upon entry into the BCP. A Remedial Investigation Work Plan (RIWP), a draft Remedial Investigation Report (RIR) and a draft Remedial Action Work Plan (RAWP) will be completed within approximately twelve months of entry into the program. Following approval of the RAWP, the remedial action (RA) will be implemented, beginning approximately June 1, 2020. The Certificate of Completion is anticipated by December 31, 2020. Below is a more detailed estimated project schedule:

Estimated Project Schedule
(Reasonable BCP dates)

Task / Month	Sept 19 to Oct 19	Nov 19 to Dec 19	Jan 20	Feb 20 to June 20	July 20	Aug 20 to Dec 20
BCP Application and RIWP Review and Completeness						
BCP App and RIWP, Public Comment and Approval						
Implement Remedial Investigation						
Prepare RIR and RAWP, Public Comment and Approval						
Implement Remedial Action						
Prepare FER/SMP, Approval, COC						

Section III. Property's Environmental History

III.1 – Environmental Reports

The environmental reports and/or data deliverables prepared for the Site include the following, which are attached in Exhibit B.

1. Phase I Environmental Site Assessment, 965 Mamaroneck Avenue, Mamaroneck, NY; prepared by J.C. Broderick & Associates, Inc., dated February 2019.
2. Phase II Environmental Site Assessment, 965 Mamaroneck Avenue, Mamaroneck, NY; prepared by J.C. Broderick & Associates, Inc., dated March 2019.
3. Laboratory Report L1926749, 965 Mamaroneck Avenue, Mamaroneck, NY; Samples by Alpha Analytical, June 26, 2019.

III.2 – Sampling Data

The laboratory reports containing sampling data are contained in the investigation reports referenced above.

III.3 – Site Drawings

The site drawings for groundwater and soil vapor are attached as Exhibit C. The data for these drawings are in the reports and laboratory deliverables that are referenced above.

Section IV. Property Information

10. Property Description and Environmental Assessment

Location

The 965 Mamaroneck Site is located in a suburban area, at 965 Mamaroneck Avenue, Mamaroneck, NY.

Site Features

The Site feature includes one building used for a commercial purpose (dry cleaner), with an asphalt paved parking lot occupying the northeast corner of the Site. The building is currently vacant and was formerly used as a dry cleaner.

Current Zoning and Land Use

The Site is currently zoned C1 for general commercial use. The surrounding parcels are used for a combination of commercial and residential uses. The nearest residential area is directly to the east, at 934 Lester Avenue, Mamaroneck, NY 10543.

Past Use of the Site

The subject property was initially developed prior to 1950 and contained the current subject structure. Expansion to the adjoining lot occurred prior to 1974. Prior uses that appear to have led to site contamination include the use of chlorinated solvents.

Site Geology and Hydrogeology

The subject property is located at an average elevation of approximately 27 feet above mean sea level (ft-msl) and slopes gently to the southeast. The overburden is composed predominantly of a shallow fill layer underlain by native sand. Groundwater was encountered at a depth of approximately eight feet below grade (ft-bg). The groundwater flow direction has not been determined at the Site. The Applicant will install and survey monitoring wells to confirm the direction of groundwater flow.

Environmental Assessment

Based on investigations conducted to date at the subject property, the primary contaminants of concern for the site are chlorinated volatile organic compounds (cVOCs). A Phase II investigation and subsequent soil vapor sampling was completed at the site. The Phase II investigation included the advancement of three soil borings, the collection of three soil samples, the installation of six temporary monitoring wells, and the collection of nine groundwater samples (six from the groundwater interface and three from the lower portion of the aquifer). A soil vapor investigation was also completed at the site and consisted on the advancement of three temporary exterior soil vapor implants and the collection of three soil vapor samples.

Soil:

No volatile organic compounds (VOCs) were detected in exceedance of Unrestricted Use Soil Cleanup Objectives (SCOs) in any soil samples. However, the chlorinated solvent tetrachloroethene (PCE) was detected at low concentrations below Unrestricted Use SCOs in all three soil samples.

Groundwater:

Results of the groundwater sampling indicated concentrations of the chlorinated solvent PCE in exceedance of its NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards (AWQS) and Guidance Values (Class GA Standards) in eight of nine samples collected. Trichloroethene (TCE), a breakdown product of PCE, was also detected in exceedance of its Class GA Standard in two of nine samples collected, both of which were collected from the deep groundwater. TCE was detected at a maximum concentration of 13.0 micrograms per liter (ug/l) and PCE was detected at a maximum concentration of 150 ug/l, both above the AWQS of 5 ug/l. In general, the highest concentrations of PCE and TCE were detected in the three samples collected from the deep groundwater.

Soil Vapor:

Elevated levels of the chlorinated solvent PCE were detected in all three soil vapor samples collected, with the highest concentration [93.6 micrograms per meter cubed (ug/m³) in SV-1] occurring in the sample collected from the northeastern corner of the site. A variety of other cVOCs were detected at low concentrations in soil vapor, including carbon tetrachloride, cis-1,2-dichloroethene, vinyl chloride, and chloroform. TCE was not detected in any soil vapor samples collected.

Low levels of petroleum-related VOCs were detected in all three soil vapor samples collected, including benzene, toluene, ethylbenzene, xylenes, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene.

Data Gaps

- Analysis for non-volatile compounds. While not related to impacts associated with the former usage of the site as a dry cleaner, analysis of semi-volatile organic compounds (SVOCs), pesticides, polychlorinated biphenyls (PCBs) and metals will be performed to meet the requirements of the BCP.
- Groundwater flow direction. Additional monitoring wells will be installed during the BCP-required investigation and surveyed to a common datum in order to determine the shallow groundwater flow direction in the area of the Site.

Section VI – Previous Owners and Operators

The current owner of the Site is 1946 Holding Corp. 1946 Holding Corp. took ownership of the Site on March 22, 2001.

Previous Owners			
Name	Last Known Contact Information	Relationship to Applicant	Ownership
Henry F. Tezzi	965 Mamaroneck Avenue, Mamaroneck, NY 10543	Father of the sole member of the Applicant	Unknown – 1968, 1977 – 1993
Henry Tezzi Realty Corp	965 Mamaroneck Avenue, Mamaroneck, NY 10543	Company owned by the father of the sole member of the Applicant	1968 – 1977
Henry J. Tezzi & Carol Ann Coyne	965 Mamaroneck Avenue, Mamaroneck, NY 10543	Brother of and sole member of the Applicant	1993 – 2001

Previous Operators			
Name	Last Known Contact Information	Relationship to Applicant	Operation (known years)
New Apex Cleaners, Inc.	965 Mamaroneck Avenue, Mamaroneck, NY 10543	None	1972 - 1989
Pro-Touch Finishing Equipment	965 Mamaroneck Avenue, Mamaroneck, NY 10543	None	1992
Professional Touch Cleaners	965 Mamaroneck Avenue, Mamaroneck, NY 10543	None	1994 - 1999
Mamaroneck Cleaners / C & K Dry Cleaning Corporation	965 Mamaroneck Avenue, Mamaroneck, NY 10543	Previous Tenant	2001 – April 30, 2018

Section IX – Contact List Information

See contact list in Exhibit E.

Section X – Land Use Factors

X.2 – Summary of Current Business Operations or Uses:

The property is developed with a single-story commercial building that occupies approximately 3,600 square feet of the total Site area. The remainder of the Site consists of an asphalt parking lot and landscaped areas. The Site is currently vacant, but was historically and recently utilized as a dry cleaning facility. Dry cleaning operations ceased on April 30, 2018.

X.3 – Reasonably Anticipated Use Post-Remediation:

The anticipated post-remedial use is commercial retail.

Exhibit A
NYS Department of State Registration

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through July 25, 2019.

Selected Entity Name: 1946 HOLDING CORP.

Selected Entity Status Information

Current Entity Name: 1946 HOLDING CORP.

DOS ID #: 2599505

Initial DOS Filing Date: JANUARY 29, 2001

County: WESTCHESTER

Jurisdiction: NEW YORK

Entity Type: DOMESTIC BUSINESS CORPORATION

Current Entity Status: ACTIVE

Selected Entity Address Information

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

1946 HOLDING CORP.

CAROL ANN COYNE

43 ROBINS RD

NEW ROCHELLE, NEW YORK, 10801

Chief Executive Officer

CAROL ANN COYNE

43 ROBINS RD

NEW ROCHELLE, NEW YORK, 10801

Principal Executive Office

1946 HOLDING CORP.

CAROL ANN COYNE

43 ROBINS RD

NEW ROCHELLE, NEW YORK, 10801

Registered Agent

NONE

This office does not record information regarding the names and addresses of officers, shareholders or directors of nonprofessional corporations except the chief executive officer, if provided, which would be listed above. Professional corporations must include the name(s) and address(es) of the initial officers, directors, and shareholders in the initial certificate of incorporation, however this information is not recorded and only available by [viewing the certificate](#).

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
200	No Par Value	

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
JAN 29, 2001	Actual	1946 HOLDING CORP.

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

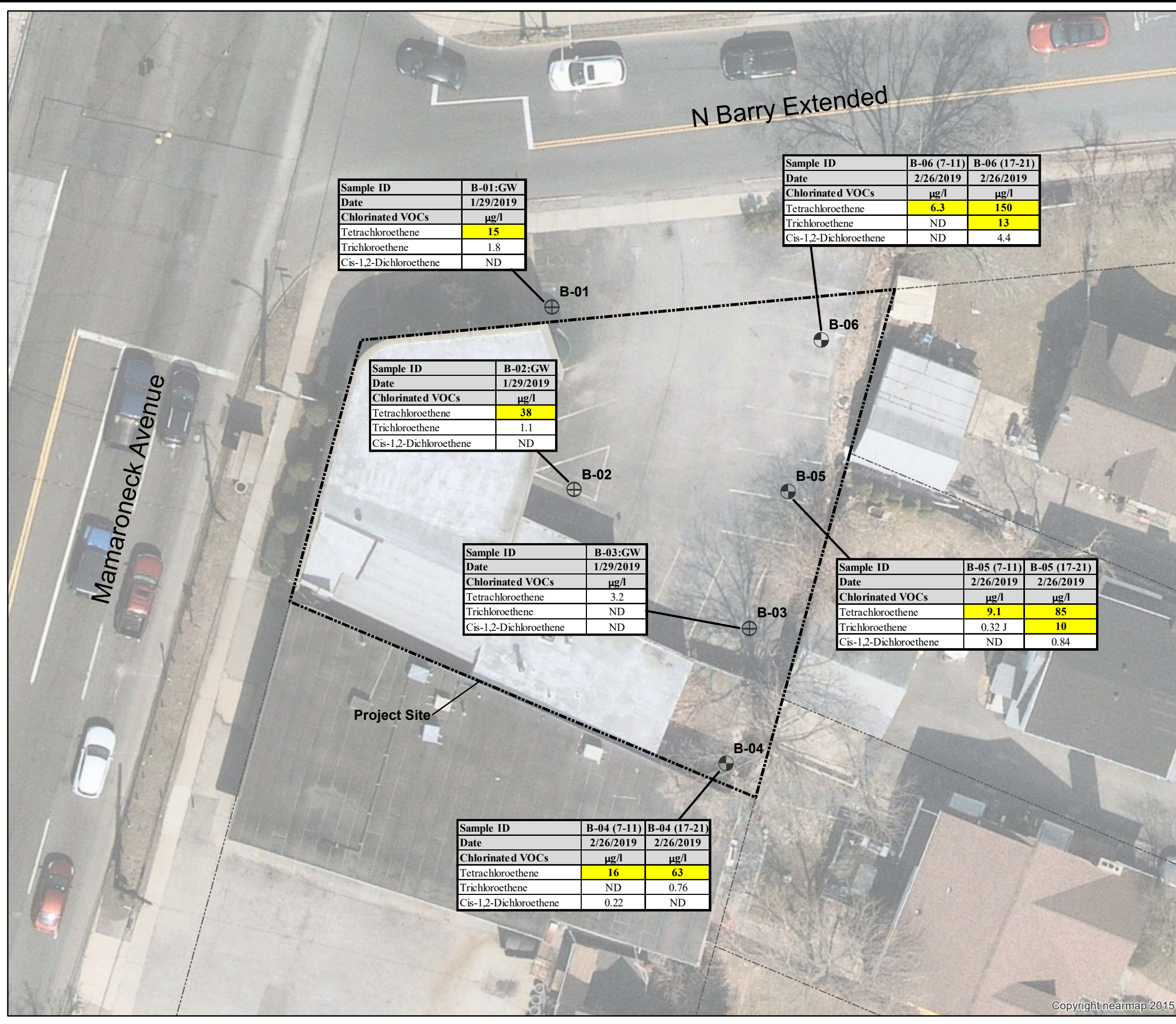
NOTE: New York State does not issue organizational identification numbers.

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Exhibit B
Environmental Reports (on CD)

Exhibit C
Drawings (Sample Summaries)



Sample ID	B-01:GW
Date	1/29/2019
Chlorinated VOCs	µg/l
Tetrachloroethene	15
Trichloroethene	1.8
Cis-1,2-Dichloroethene	ND

Sample ID	B-06 (7-11)	B-06 (17-21)
Date	2/26/2019	2/26/2019
Chlorinated VOCs	µg/l	µg/l
Tetrachloroethene	6.3	150
Trichloroethene	ND	13
Cis-1,2-Dichloroethene	ND	4.4

Sample ID	B-02:GW
Date	1/29/2019
Chlorinated VOCs	µg/l
Tetrachloroethene	38
Trichloroethene	1.1
Cis-1,2-Dichloroethene	ND

Sample ID	B-03:GW
Date	1/29/2019
Chlorinated VOCs	µg/l
Tetrachloroethene	3.2
Trichloroethene	ND
Cis-1,2-Dichloroethene	ND

Sample ID	B-05 (7-11)	B-05 (17-21)
Date	2/26/2019	2/26/2019
Chlorinated VOCs	µg/l	µg/l
Tetrachloroethene	9.1	85
Trichloroethene	0.32 J	10
Cis-1,2-Dichloroethene	ND	0.84

Sample ID	B-04 (7-11)	B-04 (17-21)
Date	2/26/2019	2/26/2019
Chlorinated VOCs	µg/l	µg/l
Tetrachloroethene	16	63
Trichloroethene	ND	0.76
Cis-1,2-Dichloroethene	0.22	ND

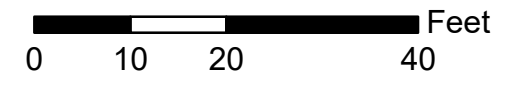


Analyte	NY-AWQS
Chlorinated VOCs	µg/l
Tetrachloroethene	5
Trichloroethene	5
Cis-1,2-Dichloroethene	5

- Notes:**
- 1. Bold and shaded yellow value indicates concentration exceeds NY-AWQS**
 2. NY-AWQS = NYSDEC Division of Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards (AWQS)
 3. J = Estimated value
 4. ND = Not detected
 5. µg/l = micrograms per liter

Legend

- ⊕ Groundwater Interface Sample (by J.C. Broderick, Phase II, 2019)
- ⊙ Interface & Deep Groundwater Sample (by J.C. Broderick, Phase II, 2019)



**965 Mamaroneck Avenue
Mamaroneck, New York**

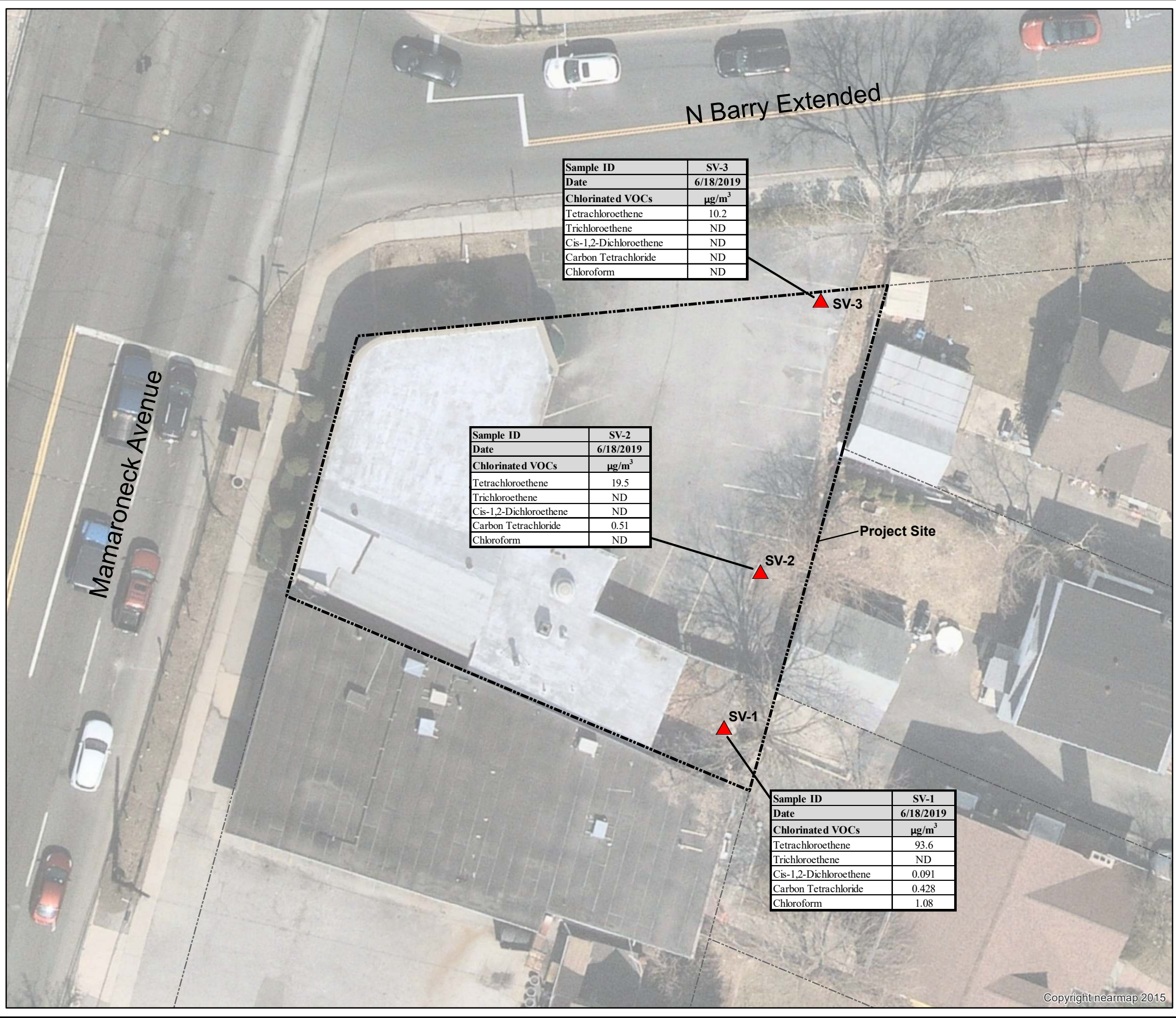
TENEN ENVIRONMENTAL

Tenen Environmental, LLC
121 West 27th Street
Suite 702
New York, NY 10001
O: (646) 606-2332
F: (646) 606-2379

Drawn By	LM	Checked By	AC
Date	July 2019	Scale	As Noted

Previous Groundwater Sampling Results

Figure 5



Sample ID	SV-3
Date	6/18/2019
Chlorinated VOCs	$\mu\text{g}/\text{m}^3$
Tetrachloroethene	10.2
Trichloroethene	ND
Cis-1,2-Dichloroethene	ND
Carbon Tetrachloride	ND
Chloroform	ND

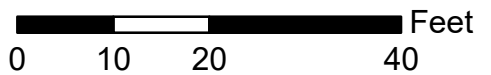
Sample ID	SV-2
Date	6/18/2019
Chlorinated VOCs	$\mu\text{g}/\text{m}^3$
Tetrachloroethene	19.5
Trichloroethene	ND
Cis-1,2-Dichloroethene	ND
Carbon Tetrachloride	0.51
Chloroform	ND

Sample ID	SV-1
Date	6/18/2019
Chlorinated VOCs	$\mu\text{g}/\text{m}^3$
Tetrachloroethene	93.6
Trichloroethene	ND
Cis-1,2-Dichloroethene	0.091
Carbon Tetrachloride	0.428
Chloroform	1.08



Notes:
1. ND = Not detected
2. $\mu\text{g}/\text{m}^3$ = micrograms per cubic meter

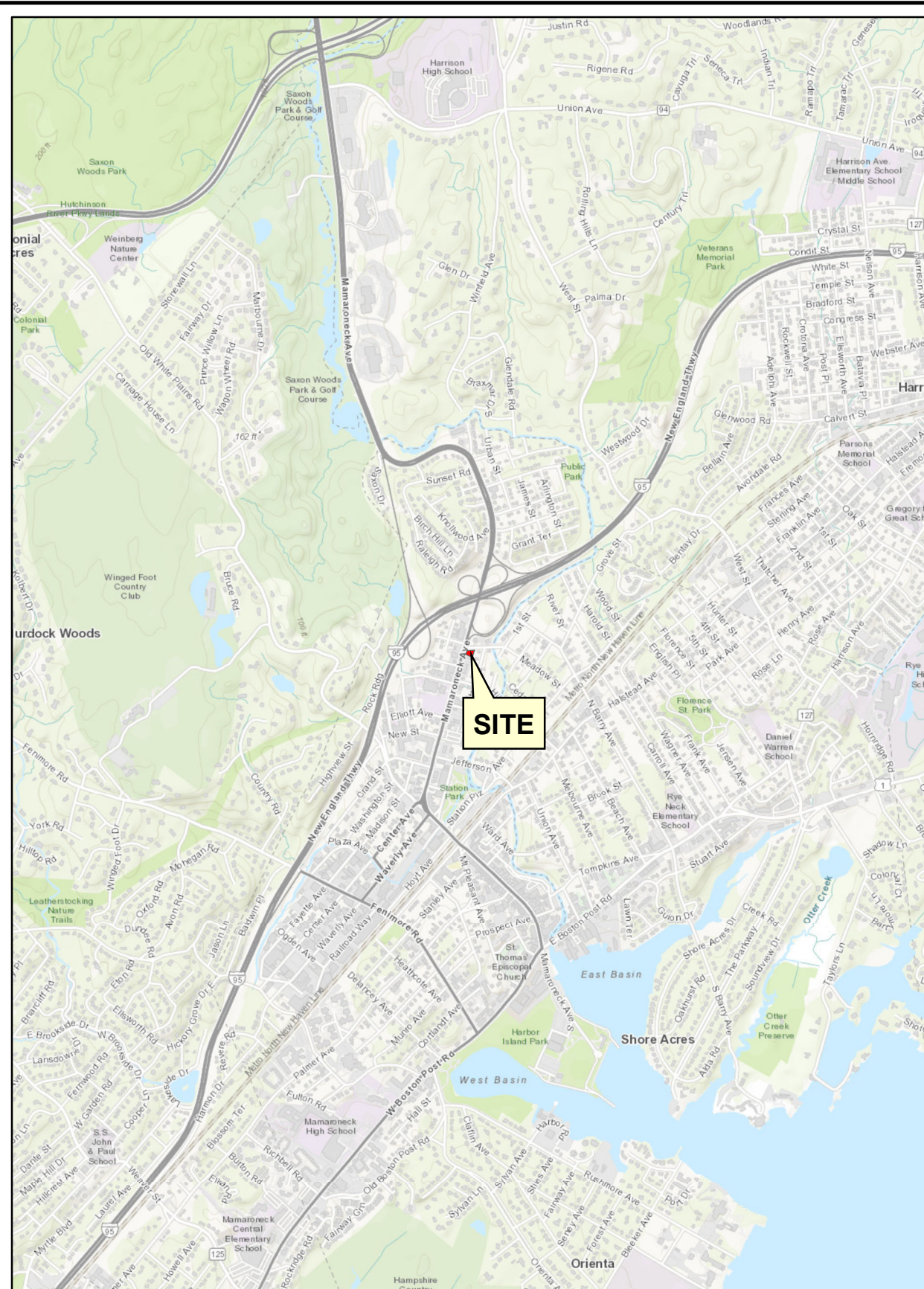
Legend
 Soil Vapor Sample Tenen, June 2019



Copyright nearmap 2015

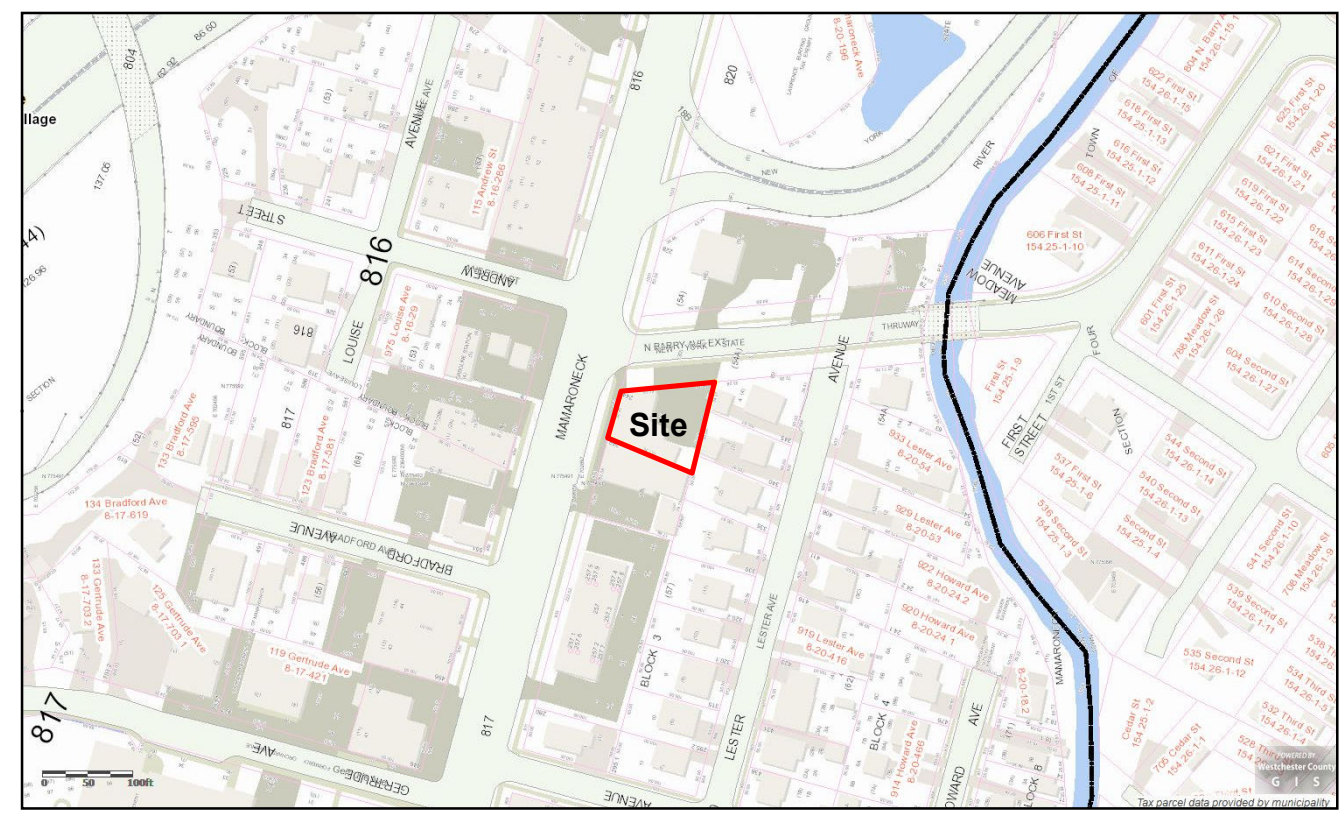
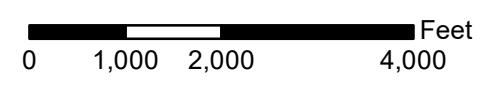
965 Mamaroneck Avenue Mamaroneck, New York	
	Tenen Environmental, LLC 121 West 27th Street Suite 702 New York, NY 10001 O: (646) 606-2332 F: (646) 606-2379
Drawn By LM	Checked By AC
Date July 2019	Scale As Noted
Soil Vapor Sampling Results	
Drawing Title	Figure 6
Drawing No	

Exhibit D
Drawings (Property Information)

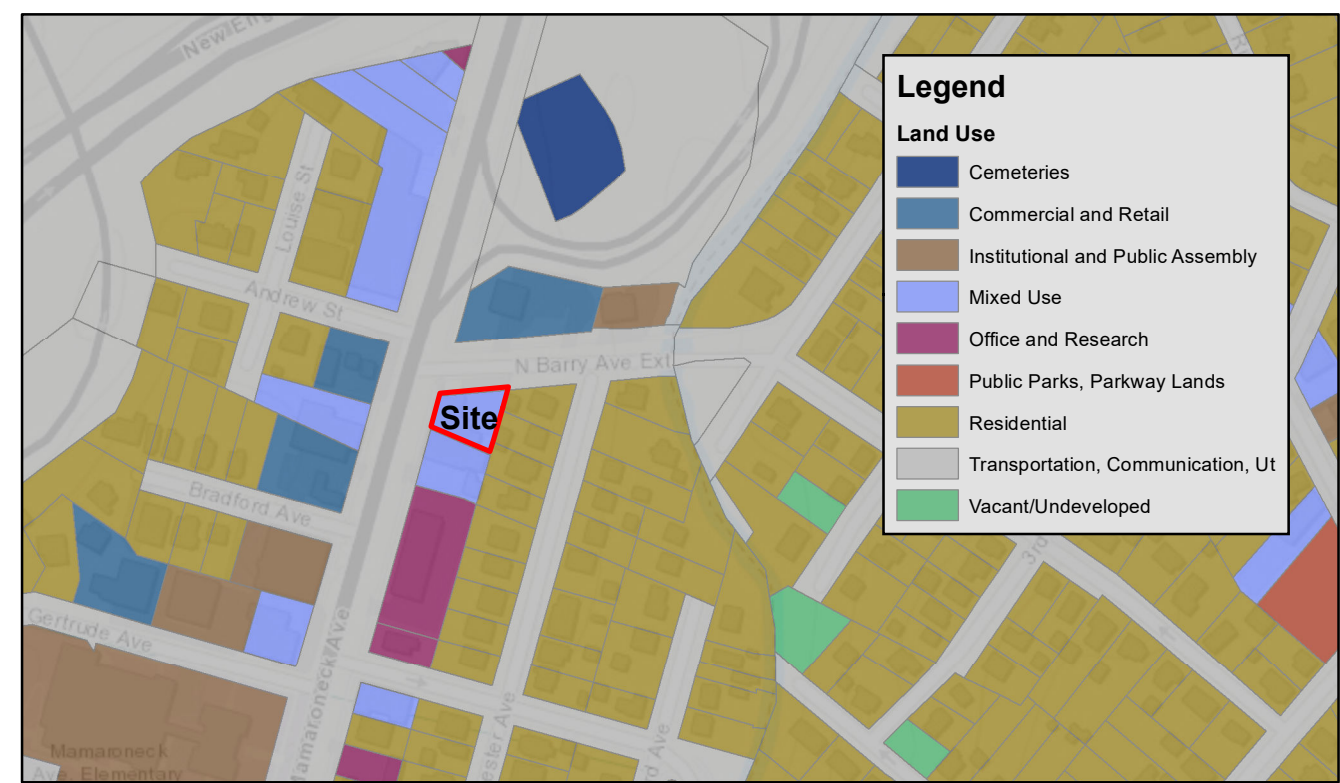


Basemap: ESRI World Topo Map

Site Location

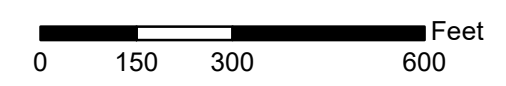


Municipal Tax Parcel Viewer Westchester County Geographic Information Systems

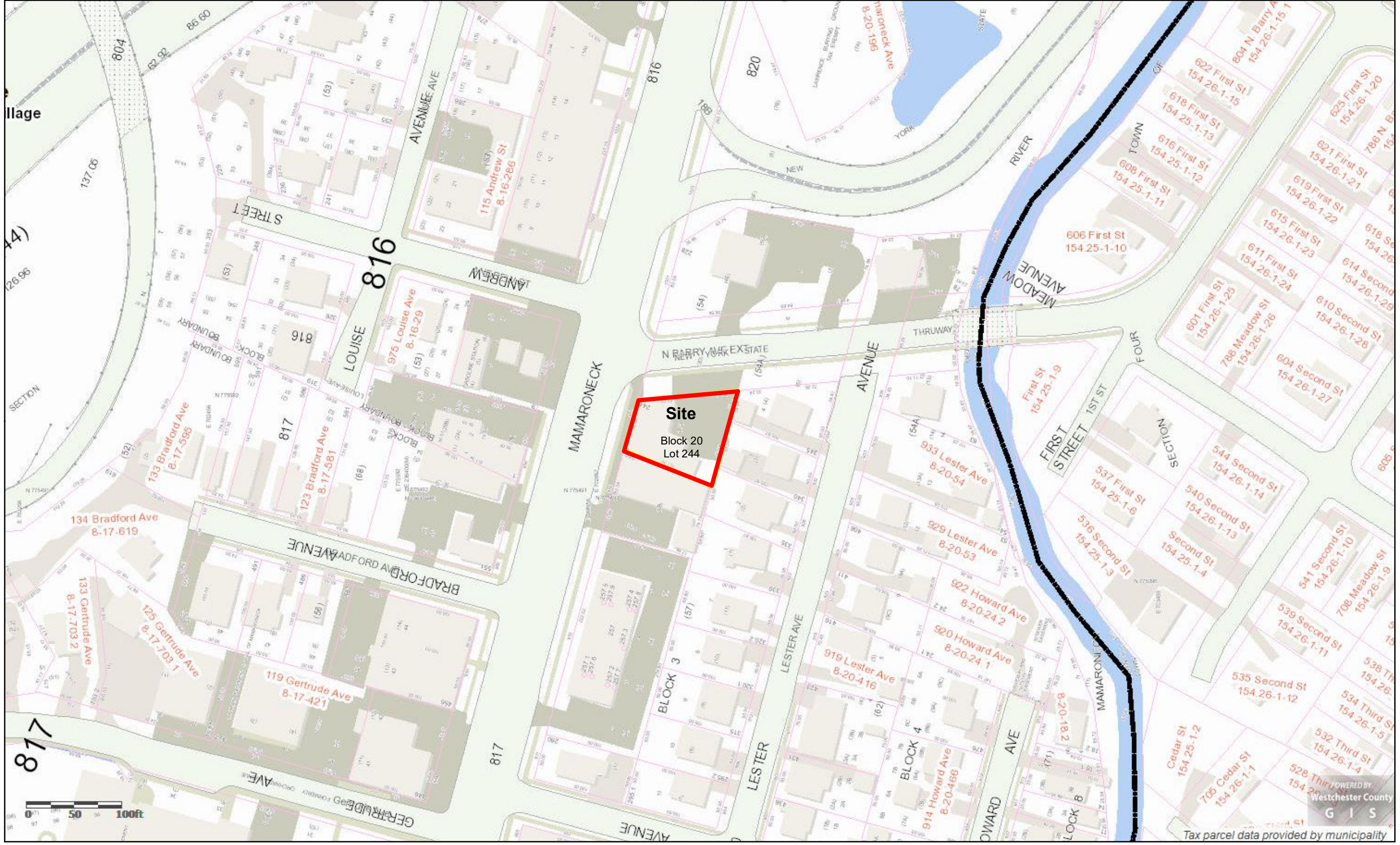


Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community
NYC Department of City Planning, Information Technology Division

Westchester County Dept. of Planning Parcel Based Land Use



<p style="text-align: center;">965 Mamaroneck Avenue Mamaroneck, NY</p>		<p style="text-align: center;">Site</p>	
		<p style="text-align: center;">TENEN ENVIRONMENTAL</p>	
<p style="text-align: center;">Drawing Title</p>		<p style="text-align: center;">LM</p>	<p style="text-align: center;">AC</p>
<p style="text-align: center;">Drawing No</p>		<p style="text-align: center;">Date</p>	<p style="text-align: center;">Scale</p>
<p>Site Location Map</p>		<p>Figure 1</p>	
		<p style="text-align: center;">July 2019</p>	
<p style="text-align: center;">As Noted</p>		<p style="text-align: center;">As Noted</p>	
<p style="text-align: center;">Tenen Environmental, LLC 121 West 27th Street Suite 702 New York, NY 10001 O: (646) 606-2332 F: (646) 606-2379</p>			



Municipal Tax Parcel Viewer
 Westchester County Geographic Information Systems



**965 Mamaroneck Avenue
 Mamaroneck, NY**

Site

TENEN ENVIRONMENTAL

Tenen Environmental, LLC
 121 West 27th Street
 Suite 702
 New York, NY 10001
 O: (646) 606-2332
 F: (646) 606-2379

Drawn By LM

Checked By AP

Date July 2019

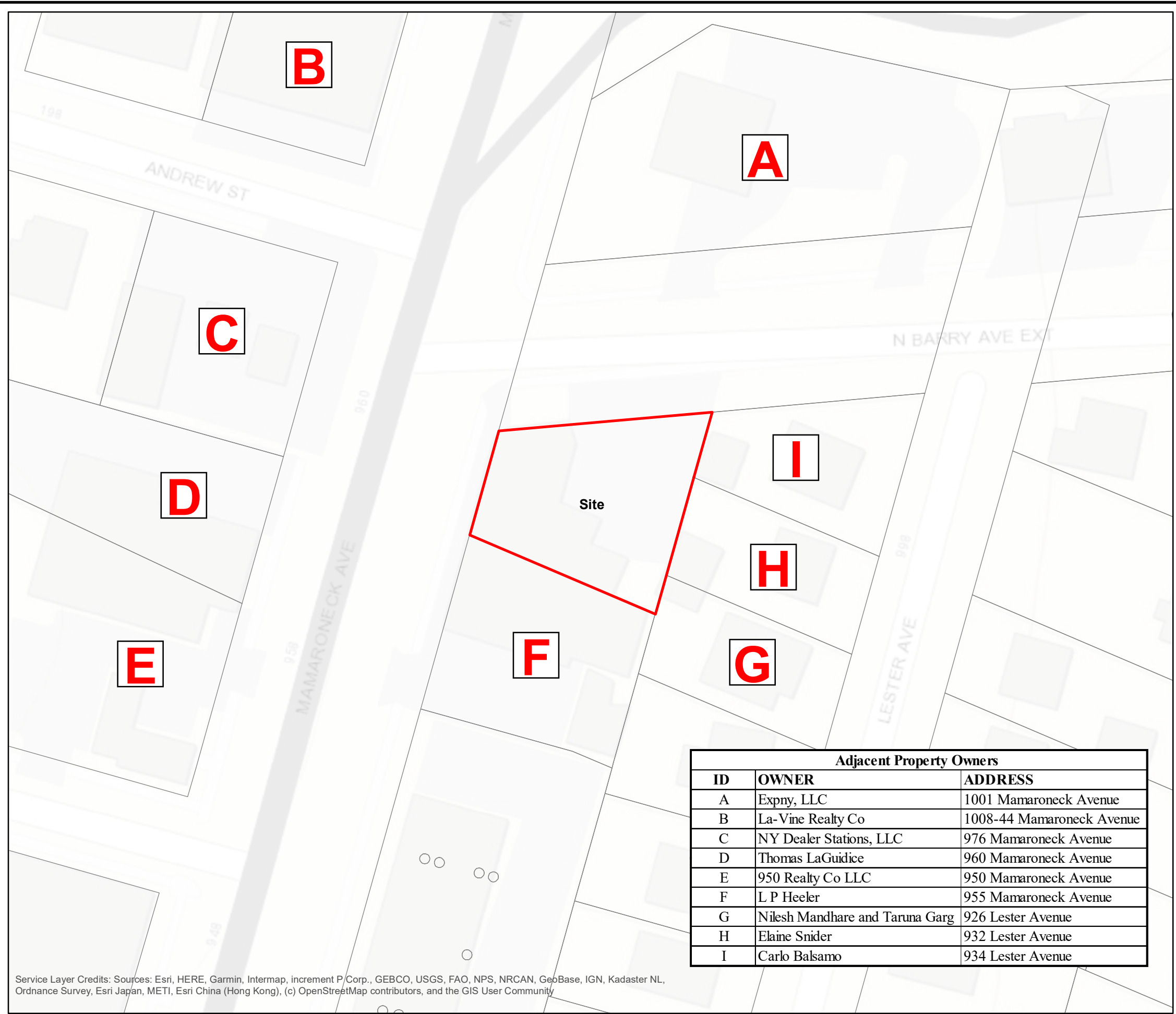
Scale As Noted

Tax Map

Figure 2

Drawing Title

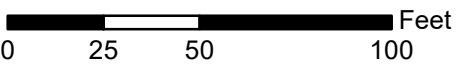
Drawing No



Adjacent Property Owners		
ID	OWNER	ADDRESS
A	Expny, LLC	1001 Mamaroneck Avenue
B	La-Vine Realty Co	1008-44 Mamaroneck Avenue
C	NY Dealer Stations, LLC	976 Mamaroneck Avenue
D	Thomas LaGuidice	960 Mamaroneck Avenue
E	950 Realty Co LLC	950 Mamaroneck Avenue
F	L P Heeler	955 Mamaroneck Avenue
G	Nilesh Mandhare and Taruna Garg	926 Lester Avenue
H	Elaine Snider	932 Lester Avenue
I	Carlo Balsamo	934 Lester Avenue

Legend

- Site
- Adjacent Properties



Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P/Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

**965 Mamaroneck Avenue
Mamaroneck, NY**

Site



Tenen Environmental, LLC
121 West 27th Street
Suite 702
New York, NY 10001
O: (646) 606-2332
F: (646) 606-2379

Drawn By LM

Checked By AC

Date July 2019

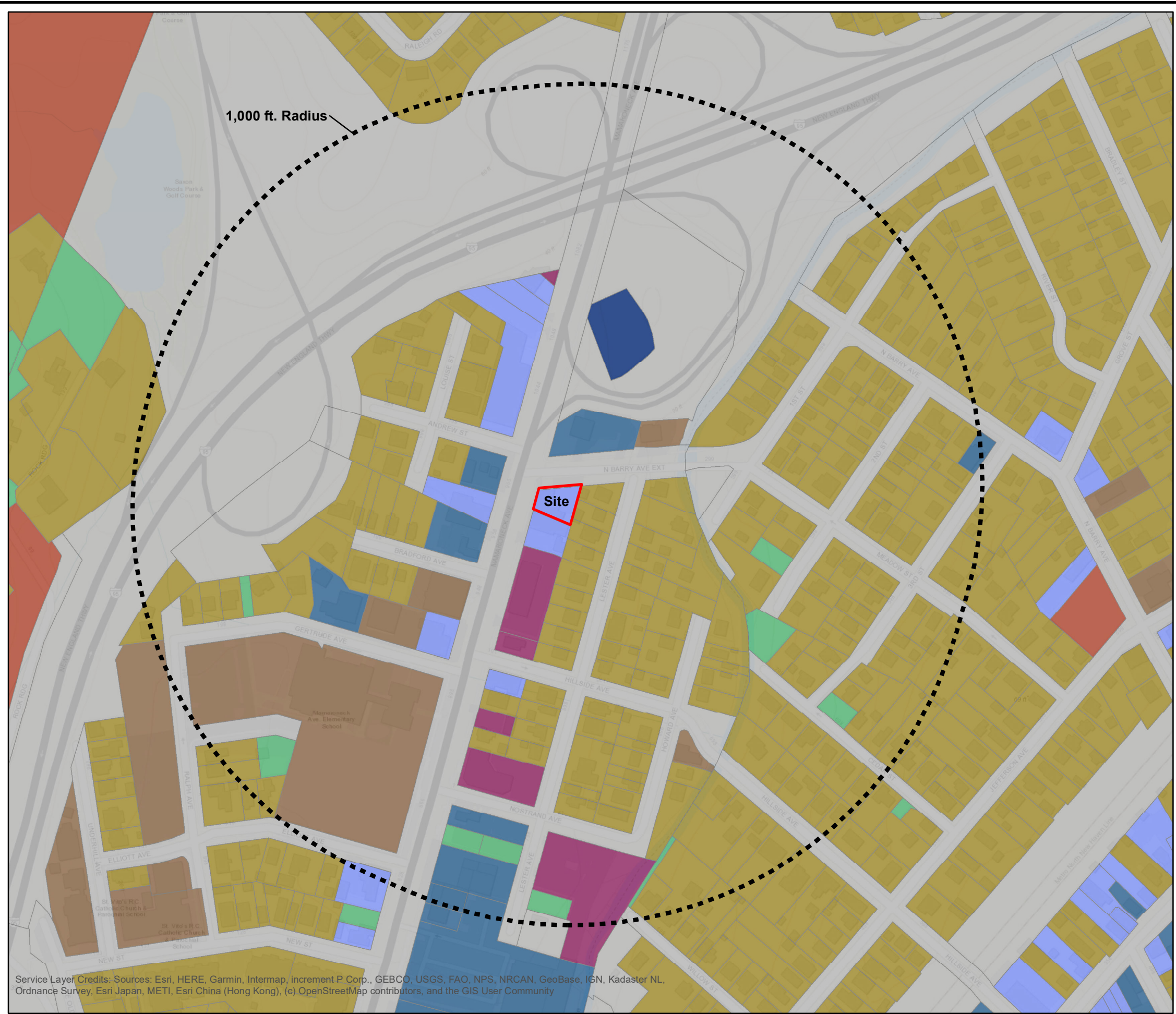
Scale As Noted

Adjacent Property Owners

Figure 3

Drawing Title

Drawing No



1,000 ft. Radius

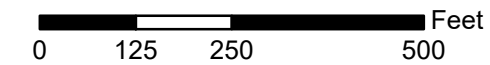
Site



Legend

- Site
- 1,000 Foot Radius
- Land Use**
- Cemeteries
- Commercial and Retail
- Institutional and Public Assembly
- Mixed Use
- Office and Research
- Public Parks, Parkway Lands
- Residential
- Transportation, Communication, Ut
- Vacant/Undeveloped

Source: Parcel Based Land Use in Westchester County, NY, Westchester County Dept. of Planning <https://giswww.westchestergov.com/wcgis/Planning.htm>



Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

965 Mamaroneck Avenue Mamaroneck, NY	
Site	Tenen Environmental, LLC 121 West 27th Street Suite 702 New York, NY 10001 O: (646) 606-2332 F: (646) 606-2379
Drawn By LM	Checked By AC
Date July 2019	Scale As Noted
Land Use Map	
Drawing Title	Figure 4
Drawing No	

Exhibit E
Contact List

Contact List Information

B1. The Chief Executive Officer And Planning Board Chairperson Of Each County, City, Town And Village In Which The Property Is Located.

Mayor Tom Murphy
123 Mamaroneck Avenue
Mamaroneck, NY 10543

Gregory Cutler, Village Planner
Planning Department
169 Mt. Pleasant Avenue,
Mamaroneck, NY 10543

Planning Department
Westchester County
148 Martine Avenue
White Plains, NY 10601

George Latimer, County Executive
Westchester County
148 Martine Avenue
White Plains, NY 10601

Steven Otis
Assembly Member, District 91
222 Grace Church Street
Port Chester, NY 10573

Shelley Mayer
State Senator, District 37
222 Grace Church Street, Suite 300
Port Chester, NY 10573

B2. Residents, Owners And Occupants Of The Property And Properties Adjacent To The Property.

Site Owner
1946 Holding Corp.
43 Robins Road
New Rochelle, NY 10801

955 Mamaroneck Avenue
Commercial building owned by: L P Heeler
Owner Address: 955 Mamaroneck Avenue, Mamaroneck, NY 10543
Occupied by: Harvest Field Market
Occupant Address: 955 Mamaroneck Avenue, Mamaroneck, NY 10543
Occupied by: Sweet Charlie's
Occupant Address: 955 Mamaroneck Avenue, Mamaroneck, NY 10543

1001 Mamaroneck Avenue

Commercial building owned by: Expny, LLC

Owner Address: 1001 Mamaroneck Avenue, Mamaroneck, NY 10543

Occupied by: Valvoline Instant Oil Change

Occupant Address: 1001 Mamaroneck Avenue, Mamaroneck, NY 10543

1008-44 Mamaroneck Avenue

Commercial buildings owned by: La-Vine Realty Co

Owner Address: 1008-44 Mamaroneck Avenue, Mamaroneck, NY 10543

Occupied by: F.W. Wedd Company

Occupant Address: 1020 Mamaroneck Avenue, Mamaroneck, NY 10543

Occupied by: Calico

Occupant Address: 1040 Mamaroneck Avenue, Mamaroneck, NY 10543

976 Mamaroneck Avenue

Commercial building owned by: NY Dealer Stations, LLC

Owner Address: 976 Mamaroneck Avenue, Mamaroneck, NY 10543

Occupied by: Shell

Occupant Address: 974 Mamaroneck Avenue, Mamaroneck, NY 10543

Occupied by: J & G Auto Services

Occupant Address: 974 Mamaroneck Avenue, Mamaroneck, NY 10543

960 Mamaroneck Avenue

Commercial building owned by: Thomas LaGuidice

Owner Address: 960 Mamaroneck Avenue, Mamaroneck, NY 10543

Occupied by: Tomart USA, Inc.

Occupant Address: 960 Mamaroneck Avenue, Mamaroneck, NY 10543

950 Mamaroneck Avenue

Commercial building owned by: 950 Realty Co LLC

Owner Address: 950 Mamaroneck Avenue, Mamaroneck, NY 10543

Occupied by: Domino's Pizza

Occupant Address: 950 Mamaroneck Avenue, Mamaroneck, NY 10543

926 Lester Avenue

Residential building owned/occupied by: Nilesh Mandhare and Taruna Garg or Occupant

932 Lester Avenue

Residential building owned/occupied by: Elaine Snider or Occupant

934 Lester Avenue

Residential building owned/occupied by: Carlo Balsamo or Occupant

B3. Local News Media From Which The Community Typically Obtains Information.

The Journal News

1133 Westchester Avenue, Suite N110

White Plains, NY 10604

The Mamaroneck Review

170 Hamilton Avenue, Suite 203

White Plains, NY 10601

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

New York Post
1211 Avenue of the Americas
New York, NY 10036

B4. The Public Water Supplier Which Services The Area In Which The Property Is Located

Westchester Joint Water Works
1625 Mamaroneck Avenue
Mamaroneck, NY 10543

The Village of Mamaroneck receives its water supply from the Catskill and Delaware watersheds of the New York City water system. There are connections at the Delaware Aqueduct in Yonkers and at Rye Lake where the water is pulled from the New York City system.

B5. Any Person Who Has Requested To Be Placed On The Contact List.

We are unaware of any requests for inclusion on the contact list.

B6. The Administrator Of Any School Or Day Care Facility Located On Or Near The Property.

Two day care facilities are within 1,000 feet of the site:

Little Sweethearts Day Care
926 Lester Avenue
Mamaroneck, NY 10543
Santos E. Morales, Owner
(914) 630-1486

Happy Feet Child Care
615 1st Street
Mamaroneck, NY 10543
Witt Kinuyo Gochaku, Owner
(914) 217-9611

One school is within 1,000 feet of the site:

Mamaroneck Avenue School
850 Mamaroneck Avenue
Mamaroneck, NY 10543
Neill Alleva, Principal
(914) 220-3600

B7. Locations of the Document Repositories

Mamaroneck Public Library (see attached repository confirmation)
Attn: Susan Riley
136 Prospect Avenue
Mamaroneck, NY 10543

**B8. In Cities With A Population of One Million or More, The Local Community Board,
if The Proposed Site is Located Within Such Community Board's Boundaries**

The Village of Mamaroneck has a population of less than one million.



Ashley Platt <aplatt@tenen-env.com>

965 Mamaroneck Avenue Document Repository

Susan Riley <sriley@wlsmail.org>
To: Ashley Platt <aplatt@tenen-env.com>

Mon, Jul 29, 2019 at 10:19 AM

As per our phone conversation today, we will accept these documents and hold them for public view for a period up to 18 months.

Susan Riley

Sent from my iPhone

On Jul 26, 2019, at 3:52 PM, Ashley Platt <aplatt@tenen-env.com> wrote:

Hi Susan,

I left a message on your office phone earlier and just wanted to follow up with an e-mail. We are requesting permission to use the Mamaroneck Public Library as a document repository for a property entering the NYS Brownfield Cleanup Program (BCP). The property is located at [965 Mamaroneck Avenue](#) in Mamaroneck. The BCP application requires the designation of a document repository for reports so they can be reviewed by the public.

We will require space for the reports for approximately 12-18 months. The total shelf space would likely be less than twelve inches. The documents will be reports on 8-1/2" high paper. An electronic copy will also be provided on CD.

Please respond in writing that the Mamaroneck Public Library will act as the document repository, as noted above, or contact me if you need any additional information.

Thank you,
Ashley

Ashley Platt
Tenen Environmental LLC
[121 West 27th Street, Suite 702](#)
New York, NY 10001
aplatt@tenen-env.com
O: 646.606.2332 x110
C: 908.892.1354