



OFFICE OF ENVIRONMENTAL REMEDIATION

100 Gold Street – 2nd Floor
New York, New York 10038

Mark P. McIntyre, Esq.
Director

Tel: (212) 788-8841

October 28, 2019

Re: Notice of Completion
41-15 23rd Street, Queens, NY
Queens Block 413, Lot 16
OER Site Number: 14CVCP175Q / 14EHAZ129Q

Dear Isaac Schwartz:

The New York City Office of Environmental Remediation (OER) is pleased to inform you that the Remedial Action Report for the above-referenced site is hereby approved, allowing the Notice of Completion (NOC) to be issued for the site. Please find the Notice of Completion attached, the issuance date of which is October 28, 2019. Congratulations!

If you have any questions regarding any of these items, please contact me at 212-442-3007.

Sincerely,

Shaminder Chawla
Deputy Director



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NOTICE OF COMPLETION

Notice Holder(s): Isaac Schwartz
YBG Construction of NY, LLC
134 Broadway Suite #610,
Brooklyn NY 11249

Site Information: Site Name: 41-15 23rd Street
Site Owner: YBG Construction of NY, LLC
Street Address: 41-15 23rd Street, Queens, NY
Block 413, Lots 16, 19 - Former
OER Site Number: 14CVCP175Q

Project Description: A new 11-story residential apartment building with a full cellar level and a rear courtyard with a retaining wall has been constructed at the Site. The new building's cellar covers the first 55 ft 7 inches of the Lot, approximately 55% coverage, and consists of the a 587 ft2 gym, four residential storage rooms, refuse room, 540 ft2 bicycle storage room, fire pump room, electric meter room, gas meter room, telecommunications room, plumbing room, and laundry room. The first floor consists of the residential lobby, and five residential apartments. Floors two through eleven consist of residential apartments.

The first 80 feet of the Site was excavated to a depth of approximately 8 feet below grade for construction of the new building's cellar, 5 feet below grade for the rear courtyard, and additional excavation to 13 feet for the elevator pit. After the top 2 feet of soil was removed from the rear of the lot, sloped excavation was performed along the rear property line to install the retaining wall. A total of 417.37 tons of soil/fill material was excavated for off-site disposal.

OER briefed New York State Department of Environmental Conservation (NYSDEC) in November 2013 and NYC DOHMH in December 2013 on contamination and proposed site remediation.

**Date of Voluntary
Cleanup Agreement:** November 16, 2013

Notice Issuance

This Notice of Completion, hereinafter referred to as the "Notice," is issued pursuant to Chapter 9 of Title 24 of the Administrative Code of the City of New York.

This Notice has been issued upon satisfaction of the Director, following review by the Office of the Remedial Action Report and data submitted pursuant to the Voluntary Cleanup Agreement, as well as any other relevant information regarding the Site, that the remediation requirements set forth at Section 1407 of Title 43 of the Rules of the City of New York have been achieved in accordance with the Remedial Action Work Plan.

The remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses:

<input checked="" type="checkbox"/>	Unrestricted Use
<input type="checkbox"/>	Restricted Use:
<input type="checkbox"/>	Residential
<input type="checkbox"/>	Restricted Residential
<input type="checkbox"/>	Commercial
<input type="checkbox"/>	Industrial

Liability Limitation

Upon issuance of this Notice of Completion, and subject to the terms and conditions set forth herein, the Notice holder(s) shall be entitled to the liability limitation provided in Section 906 of Title 24 of the administrative code of the City of New York. The liability limitation shall run with the land, extending to the Notice holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in Section 906 of Title 24 of the administrative code of the City of New York, and any other applicable provision of law.

In accordance with a Memorandum of Agreement between the New York State Department of Environmental Conservation and the New York City Mayor's Office of Environmental Remediation dated July 10, 2012, New York State Department of Environmental Conservation agrees that this site is of no further interest, and it does not plan or anticipate taking administrative or judicial action with regard to the property.

Notice of Transferability

This Notice may be transferred to the Notice holder's successors or assigns upon transfer or sale of the Site as provided by section 906(c) of the administrative code of the City of New York.

Notice Modification/Revocation

This Notice of Completion may be modified or revoked by the Director following notice in accordance with Section 43-1408(f) of the Rules of the City of New York upon a finding that:

- (1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the City Voluntary Cleanup Agreement;
- (2) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Voluntary Site Cleanup Agreement were reached; or
- (3) there is good cause for such modification or revocation.

The Notice holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency isn't cured or a request for a hearing

received within such 30-day period, the Notice shall be deemed modified or vacated on the 31st day after the Office notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Shaminder Chawla". The signature is fluid and cursive, with the first name "Shaminder" and last name "Chawla" clearly distinguishable.

Shaminder Chawla
Deputy Director
New York City Office of Environmental Remediation

Date of Issuance: October 28, 2019
Site No.: 14CVCP175Q