



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Daniel Walsh, Ph.D.
Director

Tel: (212) 788-8841

January 18, 2017

Andrew Bradfield
500 Waverly property Owner LLC
350 Seventh Avenue, Suite 1604
New York, NY 10001

Re: Notice of Completion
882 Fulton Street, Brooklyn, NY
OER Site Number: 14TMP0226K

Dear Mr. Bradfield

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. NYSDEC was briefed on this project in November 25, 2014. NYCDOHMH approved the remedy in October 27, 2014. Please find the Notice of Completion attached, the issuance date of which is January 18, 2017. 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): Andrew Bradfield
500 Waverly property Owner LLC
350 Seventh Avenue, Suite 1604
New York, NY 10001

Site Information: Site Name: 882 Fulton Street
Site Owner: Orange Management Inc.
Street Address: 882 Fulton Street, Brooklyn, NY
Block 2011, Lot 30
OER Site Number: 14CVCP227K

Project Description: The Site is currently under construction and when completed is anticipated to consist of a new eight-story building, ground floor retail, and one level of cellar that will include vehicle parking. The apartments will consist of mixed affordable and market rate housing. The building development covers the entire footprint of the Site, with the exception of a 16 foot subgrade setback at the northern side of the site. The development included excavation to a depth of approximately 10-feet below grade with the exception of the below grade parking area. The below grade parking area included excavation to a depth of approximately 23-feet below grade. An elevator pit at the western side of the Site required excavation to a depth of approximately 15-feet below grade, and a trench in the parking area required excavation to approximately 26-feet below grade. A total of 13,489.13 tons of soil were excavated. Groundwater was not encountered during excavation activities. According to OER's SPEED application, the current zoning designation is R7A for residential use. The current use is consistent with existing zoning for the Property. NYSDEC was briefed on this project in November 25, 2014. NYCDOHMH approved the remedy in October 27, 2014.

**Date of Voluntary
Cleanup Agreement:** January 12, 2015

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:

<u> x </u>	Unrestricted Use (Track 1)
<u> </u>	Restricted Use (Tracks 2 and 4):
<u> </u>	Residential
<u> </u>	Restricted Residential
<u> </u>	Commercial
<u> </u>	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: January 18, 2017
Site No.: 14CVCP227K