



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Mark P. McIntyre, Esq.
Director

Tel: (212) 788-8841

November 20, 2020

Mr. Tom Barone
Fulton SCG Development LLC
136-20 38th Avenue
Flushing, NY 11354

Re: Notice of Completion
Two Fulton Square
OER Site Number: 16CVCP042Q

Dear Mr. Barone:

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 November 20, 2020. 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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100 Gold Street – 2nd Floor
New York, New York 10038

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Director

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NOTICE OF COMPLETION

Notice Holder(s): Fulton SCG Development LLC
136-20 38th Avenue
Flushing, NY 11354

Site Information: Site Name: Two Fulton Square
Site Owner:
Site A (formerly Tax Lot 66): Tangram Tower Condominium
Part of Site B (formerly Tax Lot 65): Tangram House South Condominium
Part of Site B (formerly Tax Lot 67): Tangram House West Condominium
Street Address: 133-31 39th Avenue, Queens, NY
Block 4972, Lot 65 (n/k/a Lots 1301–1494), Lot 66 (n/k/a Lots 1201–1250), and
Lot 67 (n/k/a Lots 1601–1604)
OER Site Number: 16CVCP042Q

Project Description: The Site consisted a 142,000 vacant lot. Redevelopment consisted in the construction of four new mixed-use towers and a 3-story retail podium with three levels of sub-cellular parking. Approximately 437,730 tons of soil/fill was excavated and disposed of off-site. The project is split into two sites:

Site A encompasses the stand-alone tower along Prince Street (Lot 66). Restricted Residential cleanup was achieved for Site A and included installation of an engineered composite cover and vapor barrier system as part of development. The remedy for Site A included installation and operation of an active sub-slab depressurization system, which will be inspected and certified under a Site Management Plan.

Site B covers the remainder of the site. Unrestricted Use cleanup was achieved for Site B and included installation of an engineered composite cover system, a vapor barrier system, and three sub-grade levels of a high-volume air exchange parking garage as part of development.

**Date of Voluntary
Cleanup Agreement:** February 5, 2016

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:

Site A (Lot 66):

☐ Unrestricted Use (Track 1)

☒ Restricted Use (Track 2):

☒ Residential

☐ Restricted Residential

☐ Commercial

Site B (Lots 65 and 67):

☒ Unrestricted Use (Track 1)

☐ Restricted Use (Track 2):

☐ Residential

☐ Restricted Residential

☐ Commercial

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 Title 24 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".

Shaminder Chawla
Deputy Director
New York City Office of Environmental Remediation

Date of Issuance: November 20, 2020
Site No.: 16CVCP042Q