



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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

**Daniel Walsh, Ph.D.**  
**Director**

Tel: (212) 788-8841  
Fax: (212) 788-2941

**NOTICE OF COMPLETION**

**Notice Holder(s):** Queensboro Development, LLC  
22-60 46<sup>th</sup> Street  
Astoria, NY 11237  
Attention: Mr. Hercules Argyriou

**Site Information:** Site Name: 23-10 Queensboro Site  
Site Owner: Queensboro Development, LLC  
Street Address: 23-10 41<sup>st</sup> Avenue  
Long Island City, NY, 11101  
Block: 413 Lot(s): 20, 22, 27  
OER Site Number: 12CBCP036Q

**Project Description:** Site development under the NYC Brownfield Cleanup Program (BCP) is converting a former gas station and auto repair facility to a new 17-story, 137,000 square foot mixed use residential and retail building, including affordable middle income units. The ground floor and cellar contain 16,481 square feet of commercial space and the sub-cellar contains storage and mechanical space. The 2<sup>nd</sup> and 3<sup>rd</sup> floors contain 16,347 square feet of parking. The 4<sup>th</sup> through the 17<sup>th</sup> floors will contain residential space.

**Date of Voluntary  
Cleanup Agreement:** October 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, data submitted pursuant to the Voluntary Cleanup Agreement, and other relevant information regarding the Site, that the remediation requirements set forth Section 1407 of Title 43 of the Rules of the City of New York have been achieved in accordance with the time frames, if any, established in the remedial work plan.

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

☐ Unrestricted Use (Track 1)  
☒ Restricted Use (Tracks 4): *[If restricted use, check one of following]*  
☐ 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.

The Notice holder(s) shall be entitled to the liability limitation provided by the Memorandum of Understanding between the New York City Office of Environmental Remediation and the New York City Department of Environmental Protection, dated January 18, 2010, which shields the Site, upon issuance of a Notice of Completion, from enforcement under the Hazardous Substances Emergency Response Law (Title 24, Chapter 6 of the New York City Administrative Code).

The Notice holder(s) are also entitled to the statement of no further interest made by New York State Department of Environmental Conservation in a Memorandum of Agreement between NYS DEC and the New York City Office of Environmental Remediation dated July 10, 2012.

### **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; or
- (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.

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 31<sup>st</sup> day after the Office notice.

Sincerely,



Shaminder Chawla  
Assistant Director,  
New York City Office of Environmental Remediation