



Office of Environmental Remediation

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

Shaminder Chawla

Acting Director

Tel: (212) 788-8841

March 10, 2025

Mr. Benny Beniaker
TLG Fulton LLC
1481 47th Street
Brooklyn, NY 11219

Re: Notice of Completion
2440 Fulton Street, Brooklyn, NY
OER Site Number: 21CVCP036K

Dear Benny Beniaker:

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 March 10, 2025. Congratulations!

To apply for a Brownfield Incentive Grant (BIG) cleanup grant, submit a grant application within 6 months of the NOC issuance date. More information is available on OER's website at <https://www.nyc.gov/site/oer/grants/big-grants.page>

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

Sincerely,

Shaminder Chawla
Acting Director



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Notice of Completion

Notice Holder(s): TLG Fulton LLC

Site Information: Site Name: 2440 Fulton Street
Site Owner: TLG Fulton LLC
Street Address: 2440 Fulton Street, Brooklyn, NY
Block 1554, Lot 16
OER Site Number: 21CVCP036K

Project Description: The redevelopment of the Site consists of a new 6-story commercial office building with a partial cellar level and an outdoor parking area. The building footprint encompasses approximately 80% of the tax parcel (~62,000 square feet). The outdoor parking area spans approximately 20% of the tax parcel (15,500 square feet) at grade in the western portion of the Site. The cellar occupies approximately 50% of the building (39,500.35 square feet) and is utilized for parking and utility rooms. The first floor and second floors are utilized as commercial retail spaces. The third through sixth floors are utilized as multi-tenant office spaces with amenities. During the construction, the eastern portion of the Site was excavated to a depth of 16.5 to 21.5 bgs for the cellar and 18 to 27 feet bgs for foundation elements and the elevator pit. The western portion of the site was excavated 2 to 4 feet for the building slab, 16 feet bgs for foundation elements, and 15 feet bgs for detention tanks in the parking lot. A total of 30,720 tons soil/fill material were removed during the remedial action.

**Date of Voluntary
Cleanup Agreement:** July 22, 2021

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:

Unrestricted Use
 Restricted Use:
 Residential
 Restricted Residential (Track 2)
 Commercial
 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 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,



Shaminder Chawla
Acting Director
New York City Office of Environmental Remediation

Date of Issuance: March 10, 2025