



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

December 22, 2014

Joseph Montano
Extell 4110 LLC
805 Third Avenue, 7th floor
New York, NY 10022

Re: Notice of Completion
551 Tenth Avenue, Manhattan, NY
OER Site Number: 13CVCP104M

Dear Mr. Montano:

The New York City Office of Environmental Remediation (OER) is pleased to inform you that the Remedial Action Report for the above site is hereby approved, allowing the Notice of Completion (NOC) to be issued for the site. Enclosed please find the original Notice of Completion, the issuance date of which is December 22, 2014. 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): Joseph Montano
Extell 4110 LLC
805 Third Avenue, 7th floor
New York, NY 10022

Site Information: Site Name: 551 Tenth Avenue
Site Owner: Extell 4110 LLC
Street Address: 551 Tenth Avenue, Manhattan, NY
Block: 1069 Lot: 29 & 34
OER Site Number: 13CVCP104M

Site Description: Site development under the New York City Voluntary Cleanup Program converted a 17,528-square foot former parking lot into 52-story mixed use building.

**Date of Voluntary
Cleanup Agreement:** April 19, 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:

- ☒ Unrestricted Use (Track 1)
- ☐ Restricted Use (Tracks 2 and 4):
 - ☐ Residential
 - ☐ Restricted Residential
 - ☐ Commercial
 - ☐ Industrial

Liability Limitation

Upon issuance of this Notice of Completion, and subject to the terms and conditions herein, the Notice holder(s) shall be entitled to the liability limitation provided in Title 24 of the administrative code of the City of New York. The liability limitation extends to the land, extending to the Notice holder's successors or assigns through acquisition of the land, extending to the Notice holder's successors or assigns through acquisition of the Site and to a person who develops or otherwise occupies the Site, subject to the extent set forth in Section 906 of Title 24 of the administrative code of the City of New York or 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 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 intend to take any 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 completion 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 for the City of New York in accordance with Section 43-1408(f) of the Rules of the City of New York upon

- (1) either the Applicant or the Applicant's successors or assigns have complied with the terms and conditions of the City Voluntary Cleanup Agreement;
- (2) either the Applicant or the Applicant's successors or assigns made a determination of a material fact tending to demonstrate that the cleanup levels of the City 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 to cure any deficiency or to seek a hearing. If the deficiency isn't cured or a request for a hearing is not received within such 30-day period, the Notice shall be deemed modified or revoked on the 31st day after the Office notice.

Sincerely,



Shaminder Chawla
Deputy Director
New York City Office of Environmental Remediation