



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Daniel Walsh, Ph.D.
Director

Tel: (212) 788-8841

December 22, 2016

Alexander Durst and Jeff Jerman
Durst Development, L.L.C
One Bryant Park,
New York, NY 10036

Re: Notice of Completion
600 West 58th Street, New York, NY
OER Site Number: 13EHAN376M / VCP Project Number: 14CVCP197K

Dear Mr. Durst:

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 September 16, 2013. NYCDOHMH approved remedial action plan in July 2, 2014. Please find the Notice of Completion attached, the issuance date of which is December 7, 2016. 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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New York, New York 10038

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NOTICE OF COMPLETION

Notice Holder(s): Alexander Durst and Jeff Jerman
Durst Development, L.L.C
One Bryant Park,
New York, NY 10036

Site Information: Site Name: 600 West 58th Street
Site Owner: Alexander Durst and Jeff Jerman
Street Address: 600 West 58th Street, New York, NY
Block 1105, Lot(s) 36
OER Site Number: 13EHAN376M / VCP Project Number: 14CVCP197K

Project Description: The Site redevelopment consisted of the demolition of the prior building, excavation to depths ranging from 16 to 22 feet below land surface (ft bls) on the eastern side of the site, and excavation to approximately 6 ft bls on the western side of the Site. The western side of the site was excavated down to bedrock to accommodate changes in the building design that included a lower slab just above the bedrock surface and a raised ground floor slab. Construction of an 11 story mixed use building with a cellar and ground floor retail and commercial space is ongoing. Residential properties will be on floors 5 through 10 and commercial properties with a community facility will be located on the ground and second floors. The cellar will contain mechanical equipment/utility rooms and storage space. Groundwater beneath the Site is identified at approximately 16 ft bls (equivalent to an elevation of 7 feet above Manhattan datum). Only small amounts of localized groundwater were encountered during excavation of deeper elevator pits and this water was maintained onsite to prevent the need for dewatering during excavation. The current zoning designation is C4-7. In addition, several mixed commercial/residential use buildings exist in the surrounding area. The proposed use is consistent with existing zoning for the property. NYSDEC was briefed on this project in September 16, 2013. NYCDOHMH approved remedial action plan in July 2, 2014.

Date of Voluntary

Cleanup Agreement: January 21, 2014

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:

<input type="checkbox"/>	Unrestricted Use (Track 1)
<input checked="" type="checkbox"/>	Restricted Use (Tracks 4):
<input type="checkbox"/>	Residential
<input checked="" type="checkbox"/>	Restricted Residential
<input type="checkbox"/>	Commercial
<input type="checkbox"/>	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', written in a cursive style.

Shaminder Chawla
Deputy Director
New York City Office of Environmental Remediation

Date of Issuance: December 22, 2016
Site No.: 14CVCP197K