



**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

June 19, 2013

Alex Adjmi  
2146 Nostrand Ave LLC  
1412 Broadway 3<sup>rd</sup> Fl  
New York, NY 10018

Re: **Notice of Completion**  
2166 Nostrand Avenue  
Brooklyn, New York  
OER Site Number: 11CBCP015K

Dear Mr. Adjmi:

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 one original Notice of Completion, the issuance date of which is June 19, 2013.

With the issuance of this Notice, please note that the Rules of the City of New York (RCNY) require the following:

- As required by RCNY § 43-1408(d), the enrollee shall record this Notice in the recording office for the Borough where the Site is located within 60 days of the date of issuance, and submit proof of such recording to Office of Environmental Remediation within 30 days after recording, or within 30 days after the enrollee's receipt of such proof of filing from the recording office, whichever is later;
- You must provide a notice of the NOC and a fact sheet (attached) describing the institutional and engineering controls (IC/EC) that are required at the site to the City Brownfield Site Contact list within 10 days of issuance of the NOC; and
- You must implement the OER-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to OER in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The first PRR including the certification of the IC/ECs is due to OER by July 31, 2014.

If you have any questions regarding any of these items, please contact William Wong at 212-341-0659

Sincerely,

Daniel Walsh  
Director



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**NOTICE OF COMPLETION**

**Notice Holder(s):** Alex Adjmi  
2166 Nostrand Ave LLC  
1412 Broadway 3<sup>rd</sup> Fl  
New York, NY 10018

**Site Information:** Site Name: 2166 Nostrand Ave  
Site Owner: Alex Adjmi, 2146 Nostrand Ave LLC  
Street Address: 2166 Nostrand Avenue Brooklyn, New York  
Block: 7557 Lots: 124  
OER Site Number: 11CBP015K

**Site Description:** Site development converted a 12,234-square foot vacant lot (previously used as a residence, a place of business for a trucking company, and a commercial establishment,) into a three-story commercial building occupying approximately 10,066 square feet of the lot, with the remainder to be used as parking. The development occupies the entire site.

**Date of Brownfield**

**Cleanup Agreement:** September 9<sup>th</sup>, 2011

**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 Brownfield 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 (Track 4): *[If restricted use, check one of following]*
  - Residential
  - Restricted Residential
  - 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.

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

Sincerely,



Dr. Daniel C. Walsh, Ph.D.  
Director, New York City Office of Environmental Remediation