



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Daniel Walsh, Ph.D.

Director

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NOTICE OF COMPLETION

September 4, 2015

Notice Holder(s): HighMark Independent, LLC
6900 S 900 E, Suite 100
Midvale, Utah 84047
Attention: Glenn Hileman

Site Information: Site Name: Basis School
Site Owner: Red Hook Property Group LLC
Street Address: 556 Columbia Street, Brooklyn, NY 11231
Block: 601, Lot 17
OER Site Number: 14CVCP193K

Site Description: Parking areas and landscaping around the perimeter cover the lot at the current grade. A school was constructed over the grade-level parking lot. The school is 80,000 square feet and consists of five floors with no ground-level occupied spaces, with the exception of a small area (1,000 sq ft) used for site security. Excavation depths during construction ranged from approximately 0 to 5 feet below grade. The current zoning designation is M-1-1, which is a Special Mixed Use District. The proposed use is consistent with existing zoning for the property, but required a special use permit from the NYC Board of Standards and Appeals. A total of 4,784.22 tons of non-hazardous soil/fill was excavated and removed from the property. A total of 289.88 tons of hazardous soil/fill was excavated and removed from the property.

**Date of Voluntary
Cleanup Agreement:** December 2, 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:

- 4 Restricted Use (Tracks 2 and 4):
 - X 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.

In accordance with a Memorandum of Agreement between the New York State Department of Environmental Conservation (NYSDEC) and the New York City Mayor’s Office of Environmental Remediation dated July 10, 2012, NYSDEC 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,



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

Cc:
Dan Walsh
Shana Holberton
Mark McIntyre

Date of Issuance: September 4, 2015
Site No.: 14CVCP193K
OER PM: Shana Holberton