

ENVIRONMENTAL NOTICE

THIS ENVIRONMENTAL NOTICE is made the 7th day of June 2016, by the New York State Department of Environmental Conservation (Department), having an office for the transaction of business at 625 Broadway, Albany, New York 12233.

WHEREAS, a parcel of real property identified as Liberty Industrial Finishing Products (Site 152108), located at 500 Suffolk Avenue in the Town of Islip, County of Suffolk, State of New York, which is part of lands conveyed by Jack Clark to Liberty Industrial Finishing Corp. by deed dated July 8, 1976 and recorded in the Suffolk County Clerk's Office on August 17, 1976 in Book 8088 of Deeds at Page 218, and part of lands conveyed by Mario Palmieri and Juliana Palmieri to Liberty Industrial Finishing Corp. by deed dated May 11, 1995 and recorded in the Suffolk County Clerk's Office on July 27, 1995 in Book 11734 of Deeds at Page 926, being more particularly described in Appendix "A", attached to this noticed and made a part hereof, and hereinafter referred to as "the Property" is the subject of a remedial program executed by the Department as part of the Department's State Superfund Program; and

WHEREAS, the Department approved a cleanup to address contamination disposed at the Property and such cleanup was conditioned upon certain limitations.

NOW, THEREFORE, the Department provides notice that:

FIRST, the Property subject to this Environmental Notice is as shown on a map attached to this Notice as Appendix "B" and made a part hereof.

SECOND, unless prior written approval by the Department or, if the Department shall no longer exist, any New York State agency or agencies subsequently created to protect the environment of the State and the health of the State's citizens, hereinafter referred to as "the Relevant Agency", is first obtained, where contamination remains at the Property subject to the provisions of the Site Management Plan), there shall be no disturbance or excavation of the Property which threatens the integrity of the engineering controls or which results or may result in a significantly increased threat of harm or damage at any site as a result of exposure to soils. A violation of this provision is a violation of 6 NYCRR 375-1.11(b)(2).

THIRD, no person shall disturb, remove, or otherwise interfere with the installation, use, operations, and maintenance of engineering controls required for the Remedy, including but not limited to those engineering controls described in the Site Management Plan, unless in each instance they first obtain a written waiver of such prohibition from the Department or Relevant Agency.

FOURTH, the remedy was designed to be protective for the following uses:
Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv) . Therefore, any use for purposes other than Industrial without the express written waiver of such prohibition by the Relevant Agency may result in a significantly increased threat of harm or damage at any site.

FIFTH, no person shall use the groundwater underlying the Property without treatment rendering it safe for drinking water or industrial purposes, as appropriate, unless the user first obtains permission to do so from the Department or Relevant Agency. Use of the groundwater without appropriate treatment may result in a significantly increased threat of harm or damage at any site.

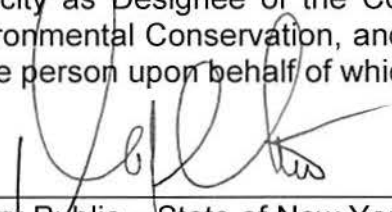
SIXTH, it is a violation of 6 NYCRR 375-1.11(b) to use the Property in a manner inconsistent with this environmental notice.

IN WITNESS WHEREOF, the undersigned, acting by and through the Department of Environmental Conservation as Designee of the Commissioner, has executed this instrument the day written below.

By: 
Robert W. Schick, P.E, Director
Division of Remediation

STATE OF NEW YORK)
) ss:
COUNTY OF)

On the 7th day of JUNE, in the year 2016, before me, the undersigned, personally appeared Robert Schick, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his signature on the instrument, the individual, or the person upon behalf of which individual acted, executed the instrument.



Notary Public – State of New York

David J. Chiusano
Notary Public, State of New York
No. 01CH5032146
Qualified in Schenectady County
Commission Expires August 22, 2018

Appendix A

METES and BOUNDS Description

From the intersection formed at the westerly side of Grant Avenue and the southerly side of Suffolk Avenue heading south 73 degrees 41 minutes east – 249.80 feet to a place or point of beginning;

Thence north 73 degrees 41 minutes east 308.87 feet;

Thence south 16 degrees 19 minutes east 110.45 feet;

Thence north 73 degrees 41 minutes east 140.98 feet;

Thence south 16 degrees 19 minutes east 153.39 feet;

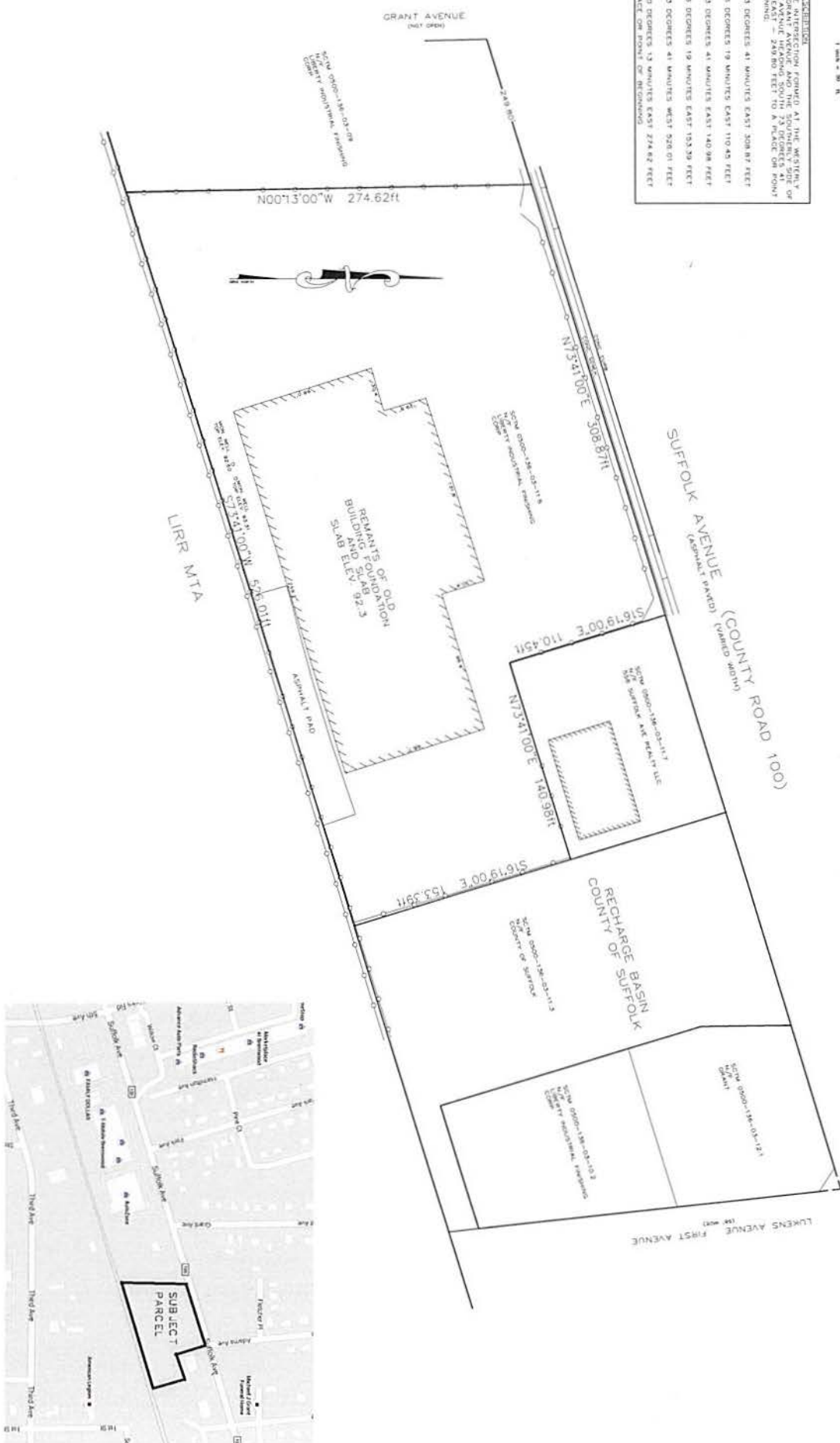
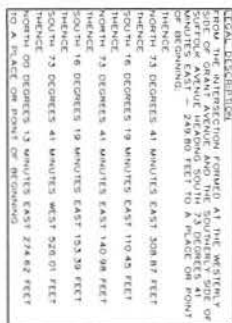
Thence south 73 degrees 41 minutes west 526.01 feet;

Thence north 00 degrees 13 minutes east 274.62 feet;

To a place or point of beginning.

Liberty Industrial Finishing Products
Site No. 152108
500 Suffolk Avenue
Suffolk County, NY
Tax Map: 136.00-03.00-011.006

Appendix B

[illegible]