

ENVIRONMENTAL NOTICE

THIS ENVIRONMENTAL NOTICE is made the 25th day of February 2014, 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 indentified as Active Industrial Uniform (Site 152125), located on Montauk Highway in the Village of Lindenhurst, Town of Babylon, County of Suffolk, State of New York, which is part of lands conveyed by Irving Beckerman and Esther Beckerman to Active Industrial Uniform Co., Inc. by deed dated November 12, 1979 and recorded in the Suffolk County Clerk's Office on December 4, 1979 in Book 8739 at Page 98 and 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 1) an Order on Consent, Index No. W1-0533-91-04, between Active Industrial Uniform Co., Inc. and NYSDEC, executed on 9/22/1993; and 2) an Order on Consent, Index No. W1-0533-97-08, between American Linen Supply, Co., the Active Industrial Uniform, Inc. and NYSDEC, executed on 11/12/1997; 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 ("SMP"), 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 SMP and listed below, 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:
Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv). Therefore, any use for purposes other than Commercial and 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.

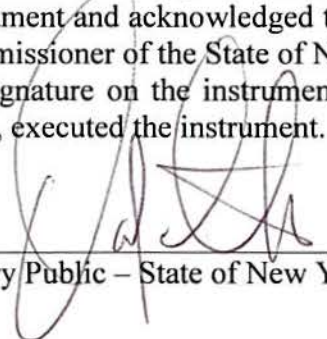
SIXTH, it is a violation of 6 NYCRR 375-1.11(b) to use the Property in a manner inconsistent with this environmental notice.

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 Environmental Remediation

STATE OF NEW YORK)
) ss:
COUNTY OF)

On the 25th day of February, in the year 2014, 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, 2014

Appendix A

Real Property Description

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Lindenhurst, in the Town of Babylon, County of Suffolk and State of New York, being lots 19-24, inclusive, and Lot 246, in Block 18, as shown on the "Amended Map No. 2, or South Bay Estates," and filed in the Office of the Clerk of the County of Suffolk on August 17, 1921, as Map No. 282; and Lots 64-66, inclusive, as shown on "Map of Village Center Park," as filed August 24, 1926 in the Office of the Clerk of the County of Suffolk as Map No. 815; and a portion of the two foot reserve strip as shown on the latter map, which said lots and reserve strip when taken together, are bounded and described as follows:

BEGINNING at a point on the southerly side of Montauk Highway, distant 329.18 feet westerly from the corner formed by the intersection of the southerly side of Montauk Highway with the westerly side of Wellwood Avenue, as widened;

RUNNING thence South 18 degrees 02 minutes East, 134.92 feet to the northerly side of the two (2') foot reserve strip on a Map of Village Center Park;

THENCE South 86 degrees 58 minutes 50 seconds East along said, 30.59 feet;

THENCE South 6 degrees 17 minutes 50 seconds East, 14.98 feet;

THENCE South 83 degrees 42 minutes 10 seconds West, 100.00 feet to the easterly side of Tompkins Lane;

THENCE North 6 degrees 17 minutes 50 seconds west along said easterly side of Tompkins Lane, 29.35 feet to the southerly side of said reserve strip;

THENCE North 86 degrees 58 minutes 50 seconds west along said strip 50.87 feet to the westerly side of Tompkins Lane;

THENCE South 6 degrees 17 minutes 50 seconds East, along the westerly side of Tompkins Lane 37.56 feet;

THENCE South 83 degrees 42 minutes 10 seconds west, 100.00 feet;

THENCE North 16 degrees 17 minutes 50 seconds West, 53.97 feet to the southerly side of said reserved strip;

THENCE South 86 degrees 58 minutes 50 seconds East, along said reserved strip, 73.18 feet;

Active Industrial Uniform

Site No.: 152125

63-65 West Merrick Road (a.k.a. West Montauk Highway)

Village of Lindenhurst, Town of Babylon, County of Suffolk

Tax Map: 22.-1-9.1, 22.-1-9.2, and 22.-1-025

THENCE North 18 degrees 02 minutes West, 83.17 feet to the southerly side of Montauk Highway; and

THENCE North 71 degrees 58 minutes East along the southerly side of Montauk Highway, 140.00 feet to the point or place of BEGINNING.

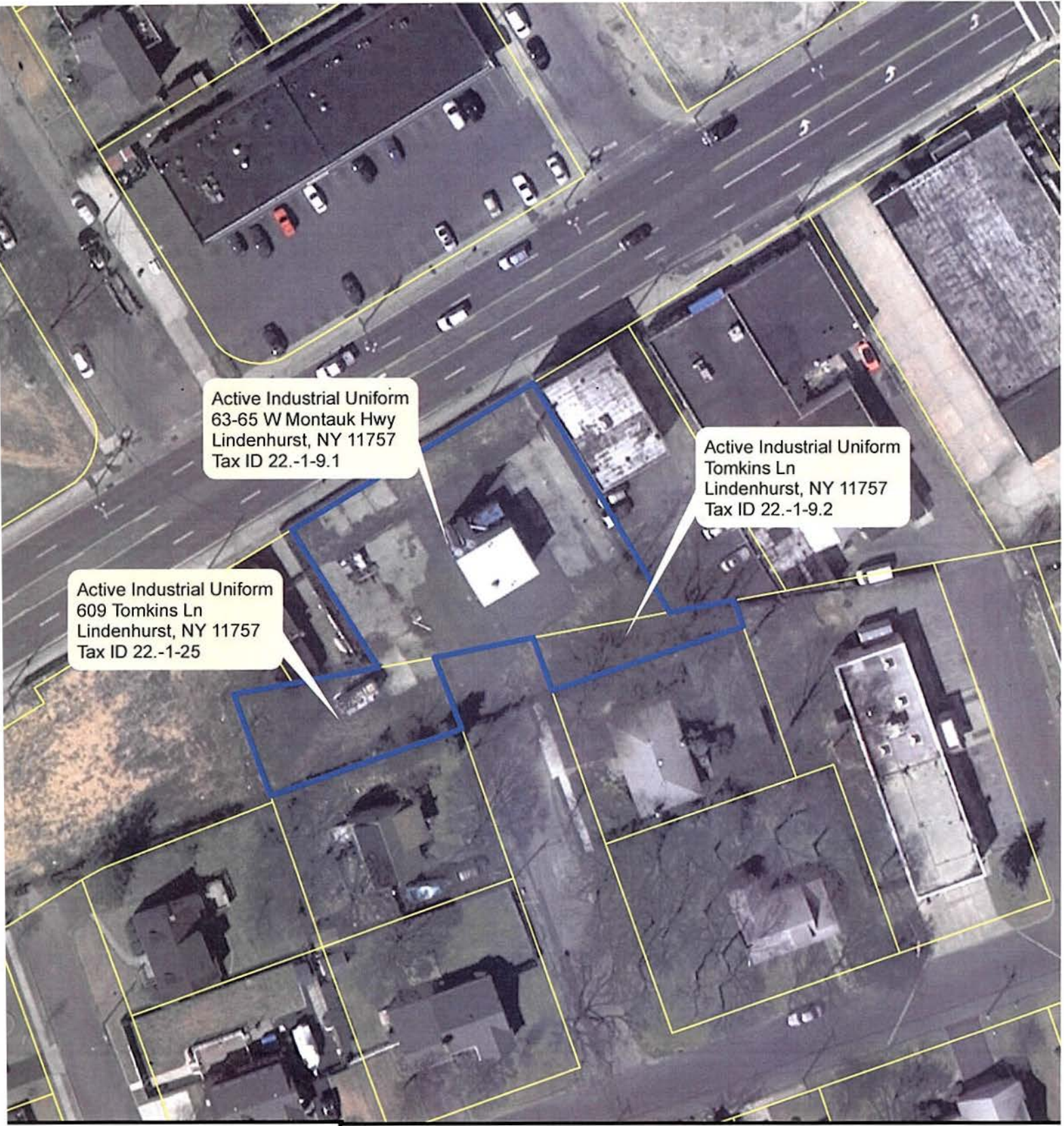


Figure 1
EN Boundary Map

Active Industrial Uniform
Village of Lindenhurst, Suffolk Co.
Site No. 152125

