

ENVIRONMENTAL NOTICE

THIS ENVIRONMENTAL NOTICE is made the 10th day of June 2011, 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, that parcel of real property located on 318 Urban Street in the City of Buffalo, County of Erie, State of New York which is part of lands conveyed by Erie County IDA to Pyramid Steel Corporation by deed dated January 13, 1998 and recorded in the Erie County Clerk's Office on January 14, 1998 in Book 10926 of Deeds at Page 3533, and being more particularly described as Erie County Tax Map Number 101.46-3-1, hereinafter referred to as "the Property"; and

WHEREAS, the property is an inactive hazardous waste disposal site known as the 318 Urban Street Site (the "Site") which is listed in the Registry of Inactive Hazardous Waste Disposal Sites in New York State as Site Number 915151 and was remediated by General Electric Company; 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 part of lands subject to this Environmental Notice is as shown on a map attached to this Notice as Appendix "A" 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") and as shown on Appendix "A", 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.). The SMP is available from the Department. A violation of this provision is a violation of 6 NYCRR 375-1.1 1(b)(2).

THIRD, no person shall disturb, remove, or otherwise interfere with the installation, use, operation, and maintenance of Engineering Controls required for the Remedy, including but not limited to those Engineering Controls described in the SMP 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 Industrial use. Therefore, any use for purposes other than Industrial use 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.

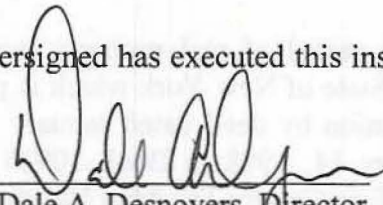
FIFTH, the no person shall use the groundwater underlying the Property without treatment rendering it safe for drinking water or industrial purposes, as appropriate, unless the user first

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.

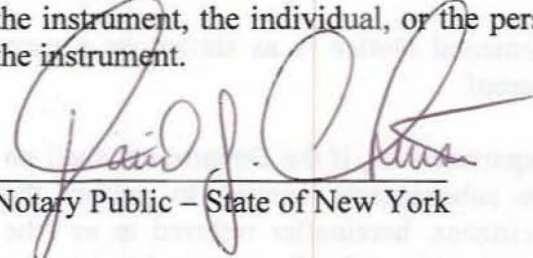
IN WITNESS WHEREOF, the undersigned has executed this instrument the day written below.

By:


Dale A. Desnoyers, Director
Division of Remediation

STATE OF NEW YORK) ss:
COUNTY OF ALBANY)

On the 10th day of June, in the year 2011, before me, the undersigned, personally appeared Dale Desnoyers, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the 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

