

**NOTICE OF CERTIFICATE OF COMPLETION**

**Environmental Restoration Program  
Pursuant to 6 NYCRR Part 375-1.9(d)**

**FILED  
CHAUTAUQUA COUNTY CLERK**

**2012 MAY 25 AM 9:33**

Former Roblin Steel Site (Dunkirk), Site ID No. B00173  
320 South Roberts Road, Dunkirk, New York, 14048  
City of Dunkirk, Chautauqua County  
Tax Map Identification Numbers 79.12-4-29 and 79.12-4-30

**PLEASE TAKE NOTICE**, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to 6 NYCRR Part 375 to Chautauqua County for a parcel approximately 11.83 acres in size located at 320 South Roberts Road in the City of Dunkirk, Chautauqua County.

**PLEASE TAKE NOTICE**, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the State Assistance Contract, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 56, Title 5 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

**PLEASE TAKE NOTICE**, the remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- ☐ Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- ☐ Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- ☒ Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- ☒ Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by the Department as not inconsistent with the remedy.

**PLEASE TAKE NOTICE**, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Chautauqua County as County recording identifier number DE2012001205.

**PLEASE TAKE NOTICE**, the Environmental Easement requires that the approved site management plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

**PLEASE TAKE NOTICE**, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 56-0509. The liability limitation shall run with the land, extending to the Certificate 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 ECL Section 56-0509. The liability limitation shall be subject to all rights reserved to the State by ECL Section 56-0509 and any other applicable provision of law.

**PLEASE TAKE NOTICE**, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

Former Roblin Steel Site (Dunkirk), Site # B00173320 South Roberts Road, Dunkirk, New York, 14048

**PLEASE TAKE NOTICE**, the Certificate may be only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

**PLEASE TAKE NOTICE**, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

**PLEASE TAKE NOTICE**, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

**PLEASE TAKE NOTICE**, a copy of the Certificate can be reviewed at the NYSDEC's Region 9 located at 270 Michigan Avenue, Buffalo, New York by contacting the Regional Environmental Remediation Engineer.

**WHEREFORE**, the undersigned has signed this Notice of Certificate

Chautauqua County

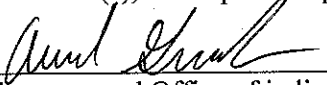
By: 

Title: County Executive

Date: 5/25/12

STATE OF NEW YORK ) SS:  
COUNTY OF )

On the 25<sup>th</sup> day of May, in the year 2012, before me, the undersigned, personally appeared Gregory J. Edwards, 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/they~~ executed the same in his/~~her/their~~ capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument, the individual(~~s~~), or the person upon behalf of which the individual(~~s~~) acted, executed the instrument.

  
Signature and Office of individual  
taking acknowledgment

**Please record and return to:**  
Chautauqua County  
3 North Erie Street  
Mayville, New York 14757

AMANDA L. GUNDLACH  
NOTARY PUBLIC STATE OF NEW YORK  
NO. 01606258470

12/03/09

QUALIFIED IN CHAUTAUQUA COUNTY  
MY COMMISSION EXPIRES 3/26/2016



CHAUTAUQUA COUNTY – STATE OF NEW YORK  
SANDRA K. SOPAK COUNTY CLERK  
1 North Erie St, PO Box 170, Mayville, New York 14757

COUNTY CLERK'S RECORDING PAGE

\*\*\*THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH\*\*\*



Recording:

Cover Page	0.00
Recording Fee	0.00
Cultural Ed	0.00
Records Management - Coun	0.00
Records Management - Stat	0.00

RECEIPT NO. : 201206056132

Total: 0.00  
\*\*\*\* NOTICE: THIS IS NOT A BILL \*\*\*\*

Clerk: KAS  
Instr #: DE2012003043  
Rec Date: 05/25/2012 09:33:00 AM  
Doc Grp: D  
Descrip: CERTIF-DEEDS  
Num Pgs: 3  
Rec'd Frm: CHAUTAUQUA COUNTY LAW DEPT

Party1: CHAUTAUQUA COUNTY OF  
Party2: NEW YORK STATE DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION  
Town: CITY OF DUNKIRK

RECEIVED  
JUN 04 2012  
LAW DEPARTMENT

Record and Return To:

CHAUTAUQUA COUNTY  
LAW DEPT

WARNING\*\*\*

I hereby certify that the within and foregoing was recorded in the Chautauqua County Clerk's Office, State of New York.

This sheet constitutes the Clerks endorsement required by Section 316 of the Real Property Law of the State of New York.

Sandra K. Sopak  
Chautauqua County Clerk

