Site Name: Glenmere Lake Property
Site No.: E336071
Pine Hill Road, Town of Chester
Orange County
Tax Map ID No.: 16-1-3.12

ENVIRONMENTAL NOTICE

THIS ENVIRONMENTAL NOTICE is made the 30th day of January 2012, 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 located on Pine Hill Road in the Town of Chester, County of Orange, State of New York, which is part of lands conveyed by the County of Orange to the County of Orange by deed dated October 3, 2007 and recorded in the Orange County Clerk's Office on October 3, 2007 in Book 12540 of Deeds at Page 153 and being more particularly described in Appendix "A," attached to this Notice and made a part hereof, and hereinafter referred to as "the Property", is the subject of a State Assistance Contract ("SAC") executed by the County of Orange as part of the Department's Environmental Restoration Program;

WHEREAS, the Department has determined that remediation of the Property is necessary to address contamination disposed at the Property and has issued a Record of Decision ("ROD"), of which a summary of the nature and extent of contamination and description of the components of the remedy necessary to protect public health and the environment for the use of the site, as contemplated by the SAC, is attached to this Notice as Appendix "B" and made a part hereof;

WHEREAS, the County of Orange has elected not to submit a Remedial Work Plan to implement the ROD; and

WHEREAS, the Department has determined that this Environmental Notice is an acceptable form of institutional control, pursuant to the SAC, to ensure protection of public health and the environment for the current use of the site.

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 "C" 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, or development of the site for the contemplated use, 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).

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THIRD, any use for purposes other than the use as of the start of the term of the SAC (vacant) without the express written waiver of such prohibition by the Relevant Agency may result in a significantly increased threat of harm or damage at the site.

FOURTH, 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.

FIFTH, 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.
Acting Director
Division of Environmental Remediation

STATE OF NEW YORK)
) ss:
COUNTY OF ALBANY)

On the 1st day of January in the year 2012, before me, the undersigned, personally appeared Robert W. Schick, P.E., 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 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

July 3, 2007

Description for

16-1-3.12
Town of Chester

All that certain piece or parcel of land lying and being in the Town of Chester, County of Orange, State of New York and beginning at the intersection with the northwesterly side of Glenmere Lake and the southerly side of Glenmere Extension and running thence along the southerly side of Glenmere extension in a northeasterly direction approximately 545 feet more or less to its intersection with the southwesterly side of Pine Hill Road; thence in a southeasterly direction along the southerly side of Pine Hill Road 910 feet more or less to the intersection with lands N/F County of Orange (16-1-3.32); thence along the westerly line of County of Orange in a southwesterly direction 995 feet more or less to a point; thence through the herein described parcel in a northerly direction 110 feet more or less to the shore of Glenmere Lake; thence along said Glenmere Lake as it meanders and turns 2458 feet more or less to the place and point of beginning.

Containing 9.9 Acres of land more or less

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APPENDIX B

Summary of Nature and Extent of Contamination

The primary contaminants of concern include lead, arsenic and petroleum. Metals, primarily lead and arsenic, are present in surface soil, primarily in the western portion of the site in the vicinity of the building remnants. Concentrations of lead detected at the site in surface soil range from 0.6 parts per million (ppm) to 9,560 ppm. The soil cleanup objective for lead for the protection of ecological resources is 63 ppm. Arsenic impacts were less widespread than lead, and concentrations in surface soil ranged from 1.3 ppm to 115 ppm. The soil cleanup objective for arsenic for the protection of ecological resources is 13 ppm. The concentrations of lead and other metals in soil generally decrease quickly with depth. Arsenic contamination has been identified in the subsurface adjacent to the remnants of Building 6 and UST-6.

Lead and other metals have been detected in Glenmere Lake sediments in a small embayment to the southeast of the remnants of Buildings 1-7 above sediment criteria. Lead was detected above sediment criteria in every sample collected from this area at levels ranging from 63.9 ppm to 859 ppm, compared to sediment criteria for lead of 31 ppm (lower effect level) and 110 ppm (severe effect level). Ten of the twelve samples from this area exceeded the severe effect level sediment criterion for lead. Other metals were also detected in this area above sediment criteria, but lead was the most widespread.

Petroleum impacts were detected in two isolated locations: one in the eastern portion of the site in the vicinity of an underground storage tank adjacent to the pump house building (UST-8); another in the vicinity of an underground storage tank (UST-3) adjacent to the building remnants in the western portion of the site. The petroleum-contaminated soil near UST-3 was excavated and disposed of off-site as part of an interim remedial measure (IRM). UST-8 was removed along with other storage tanks during the IRM. Groundwater sampling results did not show any impact to groundwater.

The site and adjacent portions of Glenmere Lake provide important habitat for a wide range of wildlife. Wildlife, or evidence of wildlife (e.g., carcasses, feces, footprints), observed at the site include deer, bear, beaver, fox, mice, vultures, turkey, turtles, salamanders, several frog species and snakes. Wildlife observed adjacent to the site includes bald eagles, osprey and swans.

Glenmere Lake and the surrounding area, including the site, is important habitat for the northern cricket frog (NCF), which is an endangered species in the State of New York. In spring 2008 a drift fence survey was conducted to determine if the NCFs were using the on-site buildings or building remnants as overwintering hibernacula. A hibernaculum is a shelter for a hibernating animal. The drift fence study concluded the buildings and building remnants were not being

used for hibernation; however, NCF were identified in the eastern portion of the site, which was determined to be important NCF habitat.

Summary of the Selected Remedy

1. Implementation of a remedial design program to provide the details necessary for the construction, maintenance and monitoring of the remedial program. Green remediation principals and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows:

- Considering the environmental impacts of remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gas and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals; and
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development.

2. Demolition and off-site disposal of the remnants of Buildings 1 through 7, which represent a source of lead contamination, and removal and off-site disposal of solid waste present at the site. The remnants of Buildings 1 through 7 also contain asbestos, so the demolition must be performed in the manner required by applicable laws and regulations.

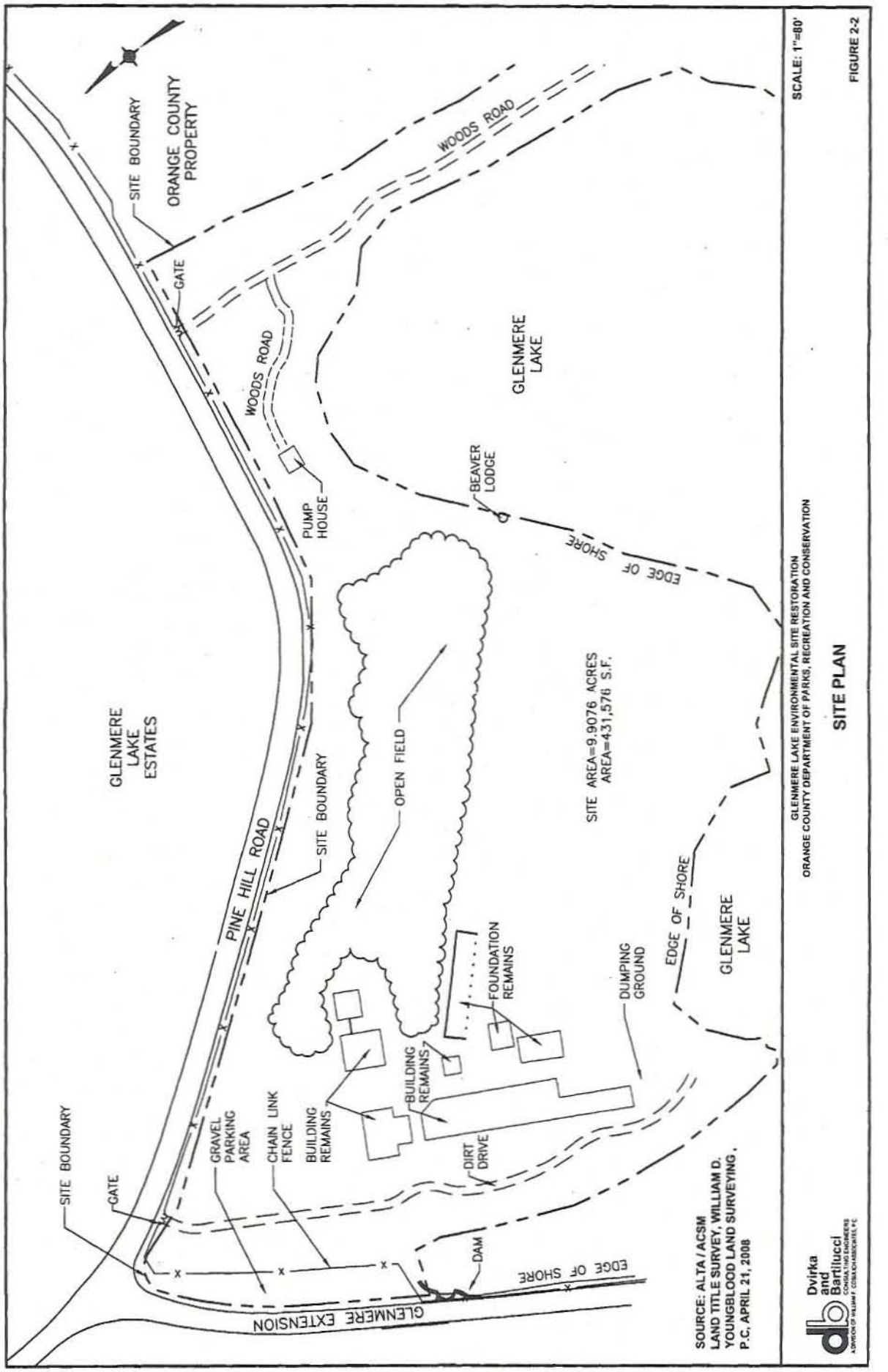
3. Excavation and off-site disposal of soils located in the western portion of the site as depicted on Figure 5 which exceed the unrestricted soil cleanup objectives for the primary contaminants of concern, which are lead and arsenic. By using these indicator compounds, other contaminants detected at the site will also be addressed. It is estimated that approximately 2,000 cubic yards of soil will be excavated. Confirmatory soil samples will be collected. Clean fill and topsoil which meets the requirements of 6 NYCRR 375-6.7(d) will then be brought in to replace the excavated soil and restore the site to its original contours. Disturbed areas will be re-vegetated with appropriate native species. An effort will be made to avoid removing large trees (diameter greater than or equal to 6 inches). Where removal cannot be avoided, trees will be replaced in accordance with Department requirements.

4. Removal (excavation or dredging) and off-site disposal of contaminated sediments from the small embayment to the southeast of the remnants of Buildings 1 through 7, in the vicinity of sediment samples SED-4 and SED-5. The exact area to be removed will be determined during the remedial design and is not expected to extend significantly more than 40 feet off-shore.

Excavated sediments will be replaced with an appropriate substrate and the area restored to pre-excavation contours. Disturbed areas will be re-vegetated with locally native nursery stock and/or by stockpiling and re-planting rhizomes. All remediation and restoration activities will comply with the substantive technical requirements of 6 NYCRR Parts 608 and 663.

5. Due to the presence of the endangered northern cricket frog, remedial activities will be consistent with 6 NYCRR Part 182 and applicable guidance, including Guidelines for Reviewing Projects for Potential Impacts to the Northern Cricket Frog, June 2009. Efforts will be made to reduce potential impacts to northern cricket frogs and their habitat during construction, and to maximize the value of cricket frog habitat during restoration. Details of specific habitat actions will be determined during remedial design. All restored areas will be inspected for a period of at least one year following the Department's determination of substantial completion of the site remediation by the contractor. During this time the restored areas will be inspected for erosion, settlement and growth of plantings and grass. Areas will be repaired and restored as directed by the Department. Details of the inspection program will be developed in the remedial design.

APPENDIX C


SITE BOUNDARY
ORANGE COUNTY PROPERTY
WOODS ROAD
GATE
WOODS ROAD
GLENMERE LAKE
PUMP HOUSE
BEAVER LODGE
EDGE OF SHORE
GLENMERE LAKE ESTATES
SITE BOUNDARY
PINE HILL ROAD
OPEN FIELD
SITE AREA=9.9076 ACRES
AREA=431,576 S.F.
FOUNDATION REMAINS
DUMPING GROUND
EDGE OF SHORE
GLENMERE LAKE
BUILDING REMAINS
BUILDING REMAINS
GRAVEL PARKING AREA
CHAIN LINK FENCE
DIRT DRIVE
SITE BOUNDARY
GATE
DAM
EDGE OF SHORE
GLENMERE EXTENSION
SOURCE: ALTA / ACSM
LAND TITLE SURVEY, WILLIAM D.
YOUNGBLOOD LAND SURVEYING,
P.C. APRIL 21, 2008
Dvirka and Bartilucci CONSULTING ENGINEERS
GLENMERE LAKE ENVIRONMENTAL SITE RESTORATION
ORANGE COUNTY DEPARTMENT OF PARKS, RECREATION AND CONSERVATION
SITE PLAN
SCALE: 1"=80'
FIGURE 2-2
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