

### ENVIRONMENTAL NOTICE

**THIS ENVIRONMENTAL NOTICE** is made the 29<sup>th</sup> day of APRIL 2008, 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 Alsly Manufacturing, Inc. (130027), located on 270-280 Duffy Avenue in the City of Hicksville (Town of Oyster Bay), County of Nassau, State of New York, which is part of lands conveyed by 270-280 Duffy, LLC to GSM 270-280 LLC, ICA 270-280 LLC, SAF 270-280 LLC, and FED 270-280 LLC by deed dated December 26, 2006 and recorded in the Nassau County Clerk's Office on February 13, 2007 in Book 12231 of Deeds at Page 859 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 a Order on Consent executed by the State 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 Sate 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:


Aly Manufacturing, Inc.  
Site No.: 130027  
270-280 Duffy Avenue  
County of Nassau  
Tax Map: 11-G-148  
11-G-191

**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.

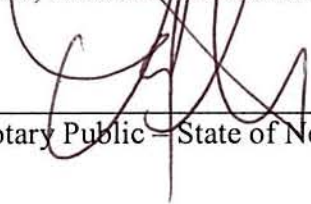
**SIXTH**, it is a violation of 6 NYCRR 375-1.11(b) to use the Property in a manner inconsistent with this environmental notice.

**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  
Remediation

STATE OF NEW YORK    )  
  ) ss:  
COUNTY OF            )

On the 29<sup>th</sup> day of April, in the year 2013, 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.

  
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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

Legal Description

As to Lot 148:

at Hicksville, Town of Oyster Bay, Nassau County, New York, being more particularly bounded and described as follows:

BEGINNING at the southeasterly corner of Tax Lot 191 at a point in the northerly side of Duffy Avenue, said point of beginning being distant 1913.78 feet easterly as measured along the northerly side of Duffy Avenue, from the easterly end of an arc of a curve connecting the easterly side of Charlotte Street with the northerly side of Duffy Avenue, also being 1997.64 feet easterly from the corner (prior to widening) connecting the northerly side of Duffy Avenue with the easterly side of Charlotte Street;

THENCE northerly along Tax Lot 191 north 11 degrees 55 minutes 50 seconds west, 560.56 feet to land of Long Island Railroad;

THENCE easterly along the southerly side of Long Island Railroad, north 83 degrees 23 minutes east 754.87 feet (754.68 feet deed) to the westerly line of Tax Lot 62;

THENCE along said Tax Lot south 5 degrees 12 minutes 50 seconds west, 513.48 feet to the northerly side of Duffy Avenue;

THENCE westerly along the northerly side of Duffy Avenue, south 78 degrees 4 minutes 10 seconds west, 600.26 feet to the point or place of BEGINNING.

As to Lot 191:

ALL that certain piece or parcel or tract of land, situate, lying and being at Hicksville, Town of Oyster Bay, Nassau County, New York, being more particularly bounded and described as follows:

BEGINNING at the southwest corner thereof adjoining Tax Lot 190, at a point in the northerly side of Duffy Avenue, said point of beginning being distant 1715.78 feet easterly as measured along the northerly side of Duffy Avenue, from the easterly end of an arc of a curve connecting the easterly side of Charlotte Street with the northerly side of Duffy Avenue also being 1799.64 feet easterly from the corner (prior to widening) connecting the northerly side of Duffy Avenue with the easterly side of Charlotte Street;

THENCE northerly along Tax Lot 190, north 11 degrees 55 minutes 50 seconds west 578.98 feet to land of Long Island Railroad;

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THENCE easterly along the southerly side of Long Island Railroad north 83 degrees 23 minutes east, 198.85 feet to the westerly line of Tax Lot 148;

THENCE along said Tax Lot south 11 degrees 55 minutes 50 seconds east, 560.56 feet to the northerly side of Duffy Avenue;

THENCE westerly along the northerly side of Duffy Avenue south 78 degrees 4 minutes 10 seconds west, 198 feet to the point or place of BEGINNING.



Scale: As  
Noted

New York State Department of  
Environmental Conservation

(Source: Nassau County, NY)

## ENVIRONMENTAL NOTICE

Alsy Manufacturing, Inc.  
Hicksville, NY

January 2013  
Job No. 60238139

**AECOM**

Figure 1

NYSDEC Site #130027





Scale: As  
Noted

New York State Department of  
Environmental Conservation

(Source: Nassau County, NY)

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**AECOM**

Figure 1

NYSDEC Site #130027