
ENVIRONMENTAL NOTICE

THIS ENVIRONMENTAL NOTICE is made the 15th day of June 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, that parcel of real property located at the address of 1 Foundry Street in the City of Owego County of Tioga and State of New York, known and designated on the tax map of the County Clerk of Tioga as tax map parcel numbers: Section 128 Block 2 Lot 07, from John Sweet III of 2065 Carmichael St in the city of Owego, the property being more particularly described in Metes and Bounds description and attached hereto as Appendix "A" to this notice and made a part hereof, and hereinafter referred to as "the Property" and is the subject of a remedial program performed by the Department; 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 "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 375-1.1 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 and listed below, unless in each instance they first obtain a written waiver of such prohibition from the Department or Relevant Agency.

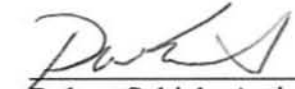
FOURTH, the remedy was designed to be protective for Commercial or Industrial uses. Therefore, any use for purposes other than Commercial or Industrial uses without the express written waiver of such prohibition by the Relevant Agency may result in a significantly increased threat of harm or damage at 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 has executed this instrument the day written below.

By: 
Robert Schick, Acting Director
Division of Environmental Remediation

STATE OF NEW YORK) ss:
COUNTY OF ALBANY)

On the 5th day of JUNE, in the year 2012, 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

Tioga Casting Facilities
Site No.: 754012
Foundry Street
County of Tioga
Tax Map: 128.07-2-7

Appendix A

METES AND BOUNDS DESCRIPTION

ALL THAT PIECE OR PARCEL OF PROPERTY hereinafter designated as parcel No. 70, situate in the village of Owego, County of Tioga, State of New York, and described as follows:

BEGINNING AT a point on the division line between the property of the people of New York on the South and the property of Scott Smith and Son, Inc. on north, at the intersection of said division line with the division line between the People of New York on the east and the property of WEBO Radio, Inc. on the west.

- 1) Thence Southerly 234.58ft. to intersection of division line of Property of the People of New York on north and the property of Tioga Foundry Corporation on the south; thence
- 2) Southerly along division line between property of Tioga Foundry Corporation on East and property of WEBO radio on west a distance of 50.01+feet to intersection of last mentioned division line with the division line with Tioga Foundry Corporation on the north and the property of Owego-Appalachian Central School District on the south; thence
- 3) Easterly along last mentioned division line for 471 feet to intersection of northeasterly boundary acquired by People of the state of New York in a permanent easement; thence
- 4) Northwesterly along easement boundary for 247.00 feet to its intersection with the division line between the property of the people of the state of New York on the west an the property of the Tioga Foundry Corporation on the east; thence
- 5) Northerly along last mentioned division line for 214.12 feet to its intersection with southerly boundary of property acquired by the people of the State of New York in a permanent easement; thence
- 6) Along said southerly and easterly permanent easement boundary for the following distances
 - a. Easterly for 239.84 feet to a point
 - b. Northerly for 30.00 feet to intersection with Tioga Foundry Corporation on the south and the property of Scott Smith and Son, Inc on the north ; thence

7) Westerly along last mentioned division line and the division line between the People of the State of New York on the South and the property of Scott Smith and Son, Inc. on the north for a distance of 471.89 feet to point of beginning.

Being 1.838 acres about.

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Appendix B

