

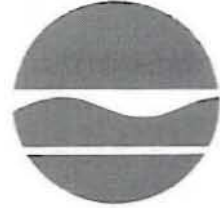
New York State Department of Environmental Conservation

Division of Environmental Remediation

625 Broadway, 12th Floor, Albany, New York 12233-7011

Phone: (518) 402-9706 • FAX: (518) 402-9020

Website: www.dec.state.ny.us



Joe Martens
Commissioner

APR 08 2011

Mehadrin Dairy Corporation
Sam Farkas
30 Morgan Ave.
Brooklyn, NY 11237

BBM LLC
30 Morgan Avenue
Brooklyn, NY 11237

LFW Dairy Corp.
30 Morgan Avenue
Brooklyn, NY 11237

Re: 353 McKibbin Street Site
Site No.: C224102
Tax Map ID No.: 3083-16, 3083-30
Property County: Kings
Amendment #1

Dear Applicant:

This letter is forwarded to your attention in response to the letter dated April 1, 2011, submitted by Sive, Paget & Riesel P.C., to amend the Brownfield Cleanup Agreement ("BCA" or "Agreement") signed on April 20, 2005. The letter requested that the above referenced BCA be amended to correct the name of one of the Applicants, to wit LFW Dairy Corp., which was erroneously included on the BCA as LFW Dairy Corporation, LLC.

In reviewing the BCA, the Department notes the following:

LFW Dairy Corporation should be LFW Dairy Corp.
Mehadrin Dairy Corporation should be Mehadrin Dairy Corporation
BBM, LLC should be BBM LLC.

Each of the above changes are intended to correct errors in the transcription from the BCP application to the BCA. The above named changes are hereby granted and incorporated into and are enforceable pursuant to the subject Agreement, effective immediately upon receipt of this letter. This Amendment is made in accordance with and subject to all of the BCA and all applicable guidance, regulations and state laws applicable thereto. All other substantive and procedural terms of the Agreement will remain unchanged and in full force and effect regarding the parties to the Agreement.



Please have authorized representatives counter sign this letter to acknowledge acceptance of this amendment, and send a copy back to the Department at:

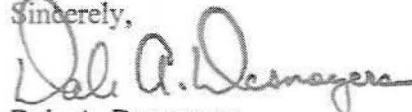
New York State Department of Environmental Conservation
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625 Broadway, 12th Floor
Albany, New York 12233-7011

Please keep a copy of the countersigned letter as proof of the BCA Amendment.

Nothing contained herein constitutes a waiver by the Department or the State of New York of any rights held in accordance with the Agreement or any applicable state and/or federal law or a release for any party from any obligations held under the Agreement or those same laws.

Please contact me if you have any questions in this regard. Thank you for your assistance in this matter.

Sincerely,

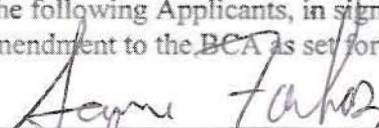


Dale A. Desnoyers

Director

Division of Environmental Remediation

The following Applicants, in signing this letter, do hereby acknowledge and accept the amendment to the BCA as set forth above.


Mehadrin Dairy Corporation

4-12-11
Date


BBM LLC.

4-12-11
Date


LFW Dairy Corp.

4-12-11
Date

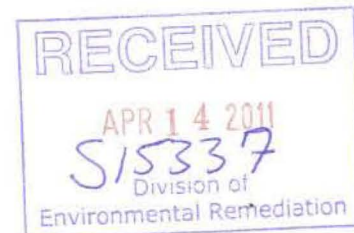
cc: Ben Conlon
Robert Schick
Robert Cozzy
Jane O'Connell
Mandy Yau
Laura Zeppetelli
Elissa Armater
Kelly Lewandowski
Jennifer Coghlan (jcoghlan@sprlaw.com)

JENNIFER COGHLAN
DIRECT DIAL: (646) 378-7215
JCOGHLAN@SPRLAW.COM

April 13, 2011

Via FedEx

Dale Desnoyers
Director, Division of Environmental
Remediation
New York State Department of
Environmental Conservation
625 Broadway, 12th Floor
Albany, New York 12233



Re: 353 McKibbin Street Site
BCP Site No. C224102

Dear Dale:

Enclosed please find a copy of the Brownfield Cleanup Agreement amendment letter for the above-reference site, which has been executed on behalf of the applicants.

Please call with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Coghlan".

Jennifer Coghlan

Encls.

Cc: Benjamin Conlon, Esq. (via email)

2907/Desnoyers 4.13.11