

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director
625 Broadway, 12th Floor, Albany, New York 12233-7011
P: (518) 402-9706 | F: (518) 402-9020
www.dec.ny.gov

December 29, 2023

Former Shareholders of Eldre Corporation
Harvey B. Erdle
16622 Sweet Bay Drive
Delray Beach, Florida 33445
HARVEYERDLE@GMAIL.COM

Mersen USA SPM Corporation
Jeffrey Hewitt
1500 Jefferson Road
Rochester, New York 14623
JEFF.HEWITT@MERSEN.COM

Re: Certificate of Completion
Eldre Corporation
Town of Henrietta, Monroe County
Site No.: C828182

Dear Mr. Erdle and Mr. Hewitt,

Congratulations on having satisfactorily completed the remedial program at the Eldre Corporation site. Enclosed please find an original, signed Certificate of Completion (COC). The New York State Department of Environmental Conservation (NYSDEC) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the COC to be issued for the above-referenced site.

Please note that you are required to perform the following tasks:

- If you are the site owner, you must record the Notice of Certificate of Completion in the recording office for the county (or counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record the Notice within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the Notice is recorded within the time frame specified. A standard Notice of Certificate of Completion form is attached to this letter.
- Provide electronic copies of the recorded Notice and proof of recording to NYSDEC's project manager. Please return the hard copy of the proof of recording to:

Charlotte Theobald
New York State Department of Environmental Conservation
Division of Environmental Remediation
6274 East Avon-Lima Road
Avon, New York 14414

- Provide the Notice of Certificate of Completion to the Document Repositories within 10 days of issuance of the COC. NYSDEC will develop a fact sheet announcing the issuance of the COC and describing the institutional and engineering controls (IC/ECs), if any, that are required at the site and distribute it to the County Listserv within 10 days.
- Implement NYSDEC-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program; and you must report the results of these activities to NYSDEC in a Periodic Review Report (PRR) which also includes any required IC/EC Certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to NYSDEC in April 2025.

If you have any questions, please do not hesitate to contact Charlotte Theobald, NYSDEC's project manager, at 585-226-5354.

Sincerely,

Andrew Guglielmi

Andrew Guglielmi
Division Director
Division of Environmental Remediation

ec w/ enclosure:

Harvey Erdle harveyerdle@gmail.com
Dana Stanton dstanton@nixonpeabody.com
James Hewitt jeff.hewitt@mersen.com
Scott Reisch scott.reisch@hoganlovells.com
Christine Vooris, christine.vooris@health.ny.gov
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Julia Kenney, Julia.kenney@health.ny.gov
Matt Gokey, matthew.gokey@tax.ny.gov
Paul Takac, paul.takac@tax.ny.gov

ec w/o enclosure:

C. Theobald, D. Pratt, M. Cruden, C. Hale, M. Murphy, K. Lewandowski

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name	Address
Mersen USA SPM Corporation	1500 Jefferson Road, Rochester, NY 14623
Former Shareholders of Eldre Corporation	16622 Sweet Bay Drive, Delray Beach, FL 33445

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 5/24/12	Agreement Execution: 7/10/12
Agreement Index No.: C828182-05-12	
Application Amendment Approval: 6/28/16	Agreement Amendment Execution: 6/28/16
	Agreement Amendment Execution: 5/26/20
	Agreement Amendment Execution: 1/26/21

SITE INFORMATION:

Site No.: C828182 **Site Name:** Eldre Corporation
Site Owner: Mersen USA SPM Corporation
Street Address: 1500 Jefferson Rd and 55 Hofstra Rd.
Municipality: Henrietta **County:** Monroe **DEC Region:** 8
Site Size: 6.823 Acres
Tax Map Identification Number(s): 162.08-1-24, 162.08-1-27.11, 162.08-1-27.12, 162.08-1-27.21
Percentage of site located in an EnZone: 0 - 49 %

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

CERTIFICATE ISSUANCE

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law ("ECL").

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the Final Engineering Report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the applicable remediation requirements set forth in the ECL have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

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):

For a 3.30-acre area- See Exhibits A and B

Allowable Uses under the BCP: Commercial and Industrial
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). SBL 162.08-1-24.

Cleanup Track: Track 4: Restricted use with site-specific soil cleanup objectives.

Tax Credit Provisions: Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 25 %.
Tangible Property Credit Component Rate is 10%. Comprised of 10% Base.

For a 3.553-acre area- See Exhibits A and B

Allowable Uses under the BCP: Industrial
Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv). SBL 162.08-1-27.11, 162.08-1-27.12, 162.08-1-27.21.

Cleanup Track: Track 4: Restricted use with site-specific soil cleanup objectives.

Tax Credit Provisions: Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 22 %.
Tangible Property Credit Component Rate is 10%. Comprised of 10% Base.

Dependent upon the project being developed in a manner consistent with the approved Brownfield Cleanup Program application, additional rate increases may be available if the site is developed as affordable housing (5%), if the Certificate Holder receives a separate Determination of Conformance with the BOA from the Secretary of State (5%), if the site is located in a disadvantaged community and not located in an EnZone (5%), if the site is developed as a renewable energy facility site (5%), or if the site is used primarily for manufacturing activities (5%) not to exceed a maximum 24%.

The Remedial Program includes use restrictions or reliance on the long-term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Monroe County as Instrument # 202312190350.

LIABILITY LIMITATION

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. 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 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

CERTIFICATE TRANSFERABILITY

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 6 NYCRR Part 375-1.9.

CERTIFICATE MODIFICATION/REVOCATION

This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with ECL Section 27-1419 and 6NYCRR Part 375-1.9(e) upon finding any of the following:

- (1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the Brownfield Site Cleanup Agreement;
- (2) the Applicant made a misrepresentation of a material fact tending to demonstrate that it was qualified as a Volunteer;
- (3) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Brownfield Site Cleanup Agreement were reached;
- (4) there is good cause for such modification or revocation;
- (5) either the Applicant or the Applicant's successors or assigns failed to manage the controls or monitoring in full compliance with the terms of the remedial program;
- (6) the terms and conditions of the environmental easement have been intentionally violated or found to be not protective or enforceable.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing is not received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Basil Seggos
Commissioner
New York State Department of Environmental Conservation

By: Andrew Guglielmi Date: 12/29/2023

Andrew O. Guglielmi, Director
Division of Environmental Remediation



Exhibit A

Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

PARCEL IA

ALL THAT TRACT OR PARCEL OF LAND, being part of Lot 4, Second Range of Lots, Township 12, Range 7, situate in the Town of Henrietta, County of Monroe and State of New York, more particularly known and described as follows:

COMMENCING at a point being the intersection of the northerly highway boundary line of Jefferson Road (variable width) and the west line of premises conveyed to James P. Wilmot (Liber 2989 of Deeds, page 31);

thence (A) north 20°-22'-39" east along said west line of Wilmot a distance of 323.74 feet to the point of beginning;

thence (1) continuing north 20°-22'-39" east along said west line a distance of 220.47 feet to a point;

thence (2) north 88°-23'-28" east a distance of 188.03 feet to a point;

thence (3) south 01°-36'-32" east a distance of 184.34 feet to a point;

thence (4) south 88°-20'-54" west a distance of 17.45 feet to a point;

thence (5) south 01°-39'-06" east a distance of 80.00 feet to a point;

thence (6) south 88°-20'-54" west a distance of 66.05 feet to a point;

thence (7) south 01°-39'-06" east a distance of 40.00 feet to a point;

thence (8) south 88°-20'-54" west a distance of 128.62 feet to a point;

thence (9) south 01°-39'-06" east a distance of 7.10 feet to a point;

thence (10) south 88°-20'-54" west a distance of 9.50 feet to a point;

thence (11) north 01°-39'-06" west a distance of 25.00 feet to a point;

thence (12) north 88°-20'-54" east a distance of 9.50 feet to a point;

thence (13) north 01°-39'-06" west a distance of 102.07 feet to a point;

thence (14) south 88°-23'-28" west a distance of 39.97 feet to a point;

thence (15) south 18°-50'-50" west a distance of 21.24 feet to a point;

thence (16) south 88°-20'-54" west a distance of 11.06 feet to the point of beginning.

PARCEL IB

ALL THAT TRACT OR PARCEL OF LAND, being part of Lot 4, Second Range of Lots, Township 12, Range 7, situate in the Town of Henrietta, County of Monroe and State of New York, more particularly known and described as follows:

COMMENCING at a point being the intersection of the northerly highway boundary line of Jefferson Road (variable width) and the west line of premises conveyed to James P. Wilmot (Liber 2989 of Deeds, page 31);

thence (A) north 20°-22'-39" east along said west line of Wilmot a distance of 323.74 feet to a point;

thence (B) north 88°-20'-54" east a distance of 11.06 feet to the point of beginning;

thence (1) north 18°-50'-50" east a distance of 21.24 feet to a point;

thence (2) north 88°-23'-28" east a distance of 39.97 feet to a point;

thence (3) south 01°-39'-06" east a distance of 102.07 feet to a point;

thence (4) south 88°-20'-54" west a distance of 9.50 feet to a point;

thence (5) south 01°-39'-06" east a distance of 0.95 feet to a point;

thence (6) south 88°-20'-54" west a distance of 60.51 feet to a point;

thence (7) north 01°-39'-06" west a distance of 22.70 feet to a point;

thence (8) north 18°-50'-50" east a distance of 64.54 feet to the point of beginning.

PARCEL IC

ALL THAT TRACT OR PARCEL OF LAND, being part of Lot 4, Second Range of Lots, Township 12, Range 7, situate in the Town of Henrietta, County of Monroe and State of New York, more particularly known and described as follows:

COMMENCING at a point being the intersection of the northerly highway boundary line of Jefferson Road (variable width) and the west line of premises conveyed to James P. Wilmot (Liber 2989 of Deeds, page 31);

thence (1) north 20°-22'-39" east along said west line of Wilmot a distance of 323.74 feet to a point;

thence (2) north 88°-20'-54" east a distance of 11.06 feet to a point; thence (3) south 18°-50'-50" west a distance of 64.54 feet to a point; thence (4) south 01°-39'-06" east a distance of 22.70 feet

to a point; thence (5) north 88°-20'-54" east a distance of 60.51 feet to a point;

thence (6) south 01°-39'-06" east a distance of 24.05 feet to a point;

thence (7) north 88°-20'-54" east a distance of 9.50 feet to a point;

thence (8) north $01^{\circ}-39'-06''$ east a distance of 7.10 feet to a point;

thence (9) north $88^{\circ}-20'-54''$ east a distance of 128.62 feet to a point;

thence (10) north $01^{\circ}-39'-06''$ west a distance of 40.00 feet to a point;

thence (11) north $88^{\circ}-20'-54''$ east a distance of 66.05 feet to a point;

thence (12) north $01^{\circ}-39'-06''$ west a distance of 80.00 feet to a point;

thence (13) north $88^{\circ}-20'-54''$ east a distance of 17.45 feet to a point;

thence (14) south $01^{\circ}-36'-32''$ east a distance of 319.66 feet to the northerly highway boundary line of Jefferson Road;

thence (15) south $88^{\circ}-17'-52''$ west along said northerly highway boundary line a distance of 391.78 to the point of beginning.

PARCEL II

ALL THAT TRACT OR PARCEL OF LAND; being part of Lot 4, Second Range of Lots, Township 12, Range 7, situate in the Town of Henrietta, County of Monroe and State of New York, more particularly known and described as follows:

BEGINNING at a point in the southerly highway boundary line of Hofstra Road (50 feet wide) located 589.30 west of the westerly highway boundary line of Winton Road South (100 feet wide);

thence (1) westerly along the southerly highway boundary line of Hofstra Road a distance of 686.60 feet to a point;

thence (2) southwesterly forming an interior angle of $112^{\circ}-33'-42''$ with course (1) a distance of 244.27 feet to a point;

thence (3) easterly forming an interior angle of $67^{\circ}-40'-25''$ with course (2) a distance of 573.07 feet to a point of curve;

thence (4) northerly along a curve to the right having a radius of 75.00 feet, a delta of $69^{\circ}-44'-11''$ a distance of 91.29 feet to a point of tangency;

thence (5) northeasterly on a course bearing of $N 68^{\circ}-07'-41''E$ a distance of 223.11 feet to a point;

thence (6) northwesterly forming an interior angle of $77^{\circ}-36'-47''$ with course (5) a distance of 96.38 feet to the point of beginning.

Also the right of ingress and egress over the following described premises pursuant to that certain Driveway Agreement dated as of December 27, 2011 by and between ELDRE Corporation and 1530 Jefferson Road LLC:

ALL THAT TRACT OR PARCEL OF LAND, being part of Lot 4, Second Range of Lots, Township 12, Range 7, situate in the Town of Henrietta, County of Monroe and State of

New York, more particularly known and described as follows:

COMMENCING at a point being the intersection of the northerly highway boundary line of Jefferson Road (variable width) and the west line of premises conveyed to James P. Wilmot (Liber 2989 of Deeds, page 31);

thence (A) north $88^{\circ} -17' -52''$ east along the northerly highway boundary line of Jefferson Road a distance of 391.78 feet to the point of beginning;

thence (1) north $01^{\circ} -36' -32''$ west a distance of 504.00 feet to a point;

thence (2) north $88^{\circ} -23' -28''$ east a distance of 33.96 feet to a point;

thence (3) south $01^{\circ} -40' -53''$ east a distance of 286.44 feet to an angle point;

thence (4).south $04^{\circ} -16' -39''$ east a distance of 116.60 feet to an angle point;

thence (5) south $07^{\circ} -33' -37''$ east a distance of 32.07 feet to an angle point;

thence (6) south $11^{\circ} -34' -42''$ east a distance of 59.94 feet to an angle point;

thence (7) south $23^{\circ} -15' -18''$ east a distance of 10.83 feet to a point;

thence (8) south $88^{\circ} -17' -52''$ west along the northerly highway boundary line of Jefferson Road a distance of 57.45 feet to the point of beginning.

Being further described as follows:

ALL THAT TRACT OR PARCEL OF LAND, being part of Town Lot 4, Second Range of Lots, Township 12, Range 7, situate in the Town of Henrietta, County of Monroe and State of New York, more particularly known and described as follows:

BEGINNING at a point in the southerly highway boundary line of Hofstra Road (50 feet wide) located 589.30 feet west of the westerly highway boundary line of Winton Road (100 feet wide);

thence (1) south $34^{\circ} -15' -32''$ east along the west line of reputedly The Plaza at Win-Jeff LLC a distance of 96.38 feet to a point;

thence (2) south $68^{\circ} -07' -41''$ west along the north line of reputedly Bowl a Roll, Inc. a distance of 223.11 feet to a point of curve;

thence (3) southwesterly along said north line being a curve to the left having a radius of 75.00 feet, a delta of $69^{\circ} -44' -11''$, a distance of 91.29 feet to a point;

thence (4) south $88^{\circ} -23' -28''$ west along the north line of reputedly 1500 Jefferson Road, LLC aka 1530 Jefferson Road, LLC a distance of 385.04 feet to a point;

thence (5) south $01^{\circ} -36' -32''$ east along the west line of said 1500 Jefferson Road, LLC a distance of 504.00 feet to a point in the northerly highway boundary line of Jefferson Road (variable width);

thence (6) south $88^{\circ} -17' -52''$ west along said northerly highway boundary line a

distance of 391.78 feet to a point;

thence (7) north $20^{\circ}-22'-39''$ east along the east line of reputedly Harris Corporation a distance of 544.21 feet to a point;

thence (8) north $20^{\circ}-43'-03''$ east along said east line a distance of 244.27 feet to a point;

thence (9) north $88^{\circ}-09'-21''$ east along the southerly highway boundary line of Hofstra Road a distance of 686.60 feet to the point of beginning.

Parcel contains 297,228 square feet which equals 6.823 acres as measured to highway boundary lines.

INTENDING to describe Tax Parcels 162.08-1-27.11, 162.08-1-27.12, 162.08-1-27.21 and 162.08-1-24.

ALL as shown on a map prepared by O'Neill-Rodak Land Surveying Associates, P.C. dated May 18, 2016 and known as Project #84-0679-1.

Exhibit B

Site Survey

"GUARANTEES OR CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. GUARANTEES OR CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS."
 COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S INKED SEAL OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID COPY.
 "UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW."

LEGEND

- These standard symbols may be found in the drawing.
- SANITARY MANHOLE
 - CATCH BASIN
 - TRAFFIC MANHOLE
 - ⊕ WATER VALVE
 - ⊕ GAS VALVE
 - ⊕ FIRE HYDRANT
 - ⊕ CLEAN OUT
 - ⊕ MONITOR WELL
 - ⊕ PIPE FOUND
 - ⊕ REBAR FOUND
 - ⊕ PK NAIL FOUND
 - ⊕ R.R. SPK FOUND
 - ⊕ UTILITY POLE
 - ⊕ LIGHT POLE
 - EASEMENT BOUNDARY

HOFSTRA ROAD

(50' WIDE) (PRIVATE)

P.O.B.

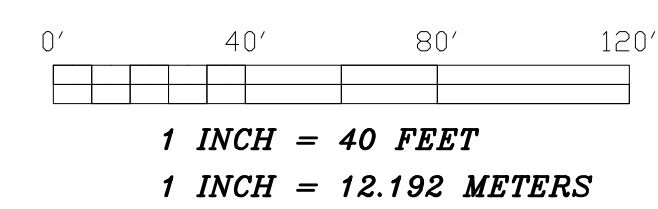
P.O.B. PARCEL II

REPUTED OWNER THE PLAZA AT WIN-JEFF LLC

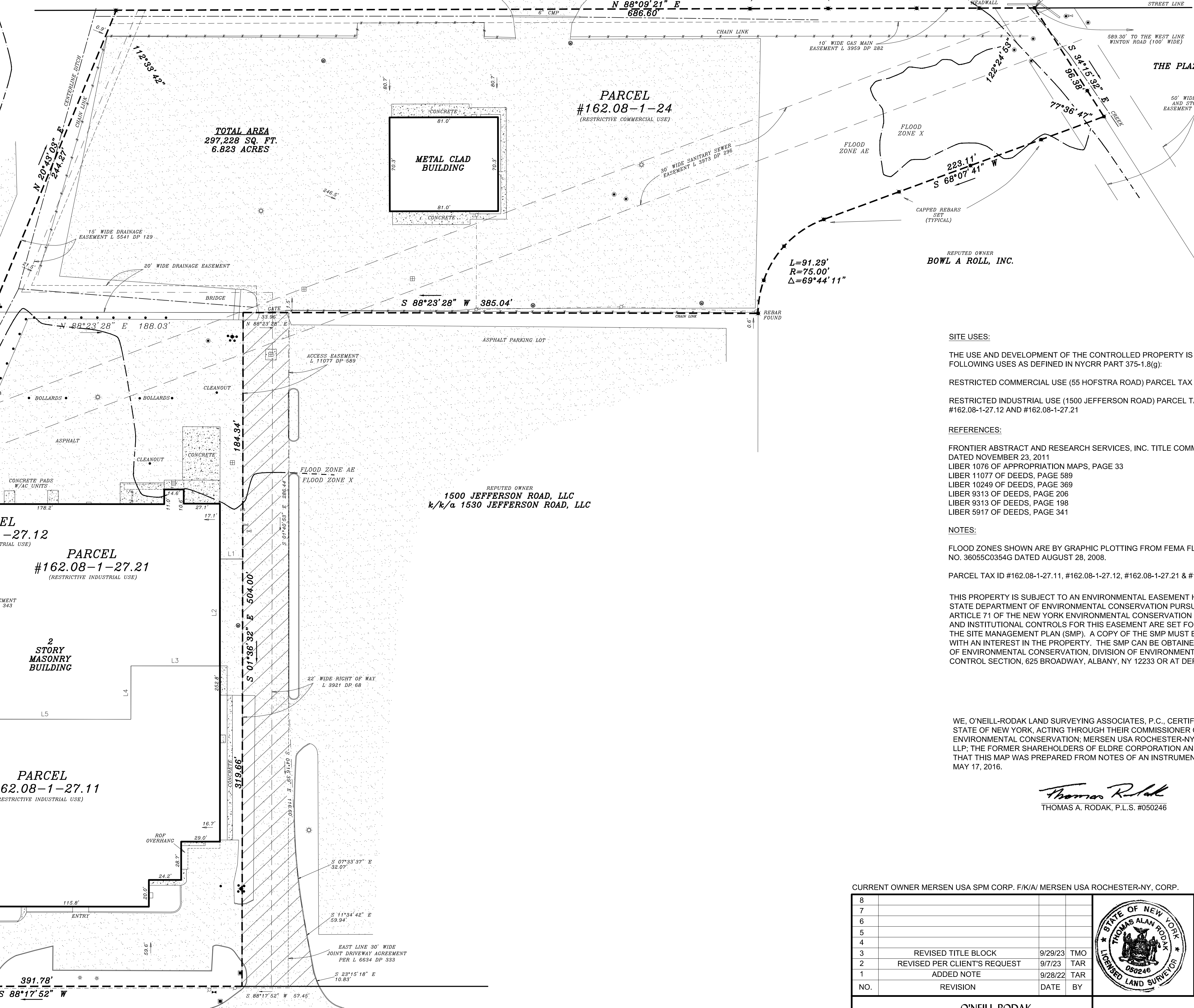
REPUTED OWNER BOWL A ROLL, INC.

REPUTED OWNER 1500 JEFFERSON ROAD, LLC
 k/a 1530 JEFFERSON ROAD, LLC

REPUTED OWNER HARRIS CORPORATION



LINE	BEARING	DISTANCE
L1	S 88°20'54" W	17.45'
L2	S 01°39'06" E	80.00'
L3	S 88°20'54" W	66.05'
L4	S 01°39'06" E	40.00'
L5	S 88°20'54" W	128.62'
L6	S 01°39'06" E	7.10'
L7	S 88°20'54" W	9.50'
L8	N 01°39'06" W	25.00'
L9	N 88°20'54" E	9.50'
L10	N 01°39'06" W	102.07'
L11	S 88°23'28" W	39.97'
L12	S 18°50'50" W	21.24'
L13	S 01°39'06" E	22.70'
L14	N 88°20'54" E	60.51'
L15	N 88°20'54" E	11.06'
L16	N 01°39'06" W	0.95'
L17	S 18°50'50" W	64.54'
L18	S 01°39'06" E	24.05'



SITE USES:
 THE USE AND DEVELOPMENT OF THE CONTROLLED PROPERTY IS LIMITED TO THE FOLLOWING USES AS DEFINED IN NYCRR PART 375-1.8(g):

- RESTRICTED COMMERCIAL USE (55 HOFSTRA ROAD) PARCEL TAX ID #162.08-1-24
- RESTRICTED INDUSTRIAL USE (1500 JEFFERSON ROAD) PARCEL TAX ID #162.08-1-27.11, #162.08-1-27.12 AND #162.08-1-27.21

REFERENCES:
 FRONTIER ABSTRACT AND RESEARCH SERVICES, INC. TITLE COMMITMENT #5016058 DATED NOVEMBER 23, 2011
 LIBER 1076 OF APPROPRIATION MAPS, PAGE 33
 LIBER 11077 OF DEEDS, PAGE 583
 LIBER 10249 OF DEEDS, PAGE 369
 LIBER 9313 OF DEEDS, PAGE 206
 LIBER 9313 OF DEEDS, PAGE 198
 LIBER 5917 OF DEEDS, PAGE 341

NOTES:
 FLOOD ZONES SHOWN ARE BY GRAPHIC PLOTTING FROM FEMA FLOOD ZONE MAP NO. 36055C0354G DATED AUGUST 28, 2008.
 PARCEL TAX ID #162.08-1-27.11, #162.08-1-27.12, #162.08-1-27.21 & #162.08-1-24

THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 71 OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW. THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN MORE DETAIL IN THE SITE MANAGEMENT PLAN (SMP). A COPY OF THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT DERWEB@DEC.NY.GOV.

WE, O'NEILL-RODAK LAND SURVEYING ASSOCIATES, P.C., CERTIFY TO THE PEOPLE OF THE STATE OF NEW YORK, ACTING THROUGH THEIR COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, MERSEN USA ROCHESTER-NY, CORP.; NIXON PEABODY LLP; THE FORMER SHAREHOLDERS OF ELDRER CORPORATION AND HOGAN LOVELLS US LLP THAT THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED MAY 17, 2016.

Thomas Rodak
 THOMAS A. RODAK, P.L.S. #050246

CURRENT OWNER MERSEN USA SPM CORP. F/K/A/ MERSEN USA ROCHESTER-NY, CORP.

8					
7					
6					
5					
4					
3	REVISED TITLE BLOCK	9/29/23	TMO		
2	REVISED PER CLIENT'S REQUEST	9/7/23	TAR		
1	ADDED NOTE	9/28/22	TAR		
NO.	REVISION	DATE	BY		

O'NEILL-RODAK
 LAND SURVEYING ASSOCIATES, P.C.
 LAND SURVEYORS - PLANNERS
 BOUNDARY CONSULTANTS
 FLOOD ZONE DETERMINATIONS
 ALTA/ACSM SURVEYS
 5 SOUTH FITZHUGH STREET
 ROCHESTER, NY
 14614
 PHONE (585) 325-7520 FAX (585) 325-1708
 e-mail onellrodak@frontier.net

MAP OF A SURVEY
 PARCEL SITUATE IN TOWN LOT 4
 SECOND RANGE OF LOTS, TOWNSHIP 12, RANGE 7
 TOWN OF HENRIETTA
 MONROE COUNTY, NEW YORK

SCALE
 1" = 40'
 DATE
 12/14/2011
 REDATED
 05/18/2016
 PROJECT NO.
 84-0679-1
 SHEET
 1 OF 2

NOTICE OF CERTIFICATE OF COMPLETION
Brownfield Cleanup Program
6 NYCRR Part 375-1.9(d)

Eldre Corporation, Site ID No. C828182
1500 Jefferson Road and 55 Hofstra Road, Rochester, New York, 14623
Town of Henrietta, Monroe County, Tax Map Identification Numbers: 162.08-1-27.11, 162.08-1-27.12, 162.08-1-27.21, and 162.08-1-24

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (NYSDEC) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to Former Shareholders of Eldre Corporation and Mersen USA SPM Corporation for a parcel approximately 6.823 acres located at 1500 Jefferson Road and 55 Hofstra Road in Town of Henrietta, Monroe County.

PLEASE TAKE NOTICE, the Certificate was issued upon satisfaction of the Commissioner, following review by NYSDEC of the Final Engineering Report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the site, that the remediation requirements set forth in ECL Article 27, Title 14 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 a 3.30- acre portion of 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):

- Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1)i
- 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 (55 Hofstra Road), as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- Industrial Use (1500 Jefferson Road), as set forth in 6 NYCRR 375-1.8(g)(2)iv.

PLEASE TAKE NOTICE, the remedial program for a 3.553- acre portion of the Site 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):

- Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1)i
- 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 NYSDEC as not inconsistent with the remedy.

PLEASE TAKE NOTICE, 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 Monroe County as Instrument # 202312190350.

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

Eldre Corporation, C828182
1500 Jefferson Road and 55 Hofstra Road, Rochester, New York 14623

property. A copy of the SMP is available upon request by writing to NYSDEC'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 27-1421. 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 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 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 NYSDEC in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

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

PLEASE TAKE NOTICE, the Certificate may entitle the Certificate holder(s) to tax credits in accordance with Tax Law Sections 21, 22 and 23.

PLEASE TAKE NOTICE, the Certificate may only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the site as provided by ECL Section 27-1419.5 and 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, a copy of the Certificate can be reviewed at the NYSDEC's Region 8 Office located at 6274 East Avon-Lima Road, Avon, New York 14414, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C828182>.

WHEREFORE, the undersigned has signed this Notice of Certificate

Mersen USA SPM Corporation

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 20__, before me, the undersigned, personally appeared _____, 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:
Mersen USA SPM Corporation
1500 Jefferson Road
Rochester, New York 145623



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 12/21/2023



SITE DESCRIPTION

SITE NO. C828182

SITE NAME Eldre Corporation

SITE ADDRESS: 1500 Jefferson Rd and 55 Hofstra Rd. ZIP CODE: 14623

CITY/TOWN: Henrietta

COUNTY: Monroe

ALLOWABLE USE: Commercial and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES: YES NO

IC/EC Certification Plan	■	□
Monitoring Plan	■	□
Operation and Maintenance (O&M) Plan	■	□

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 04/29/2025

Description of Institutional Control

Mersen USA SPM Corporation

1500 Jefferson Road

1500 Jefferson Road

Environmental Easement

Block: 1

Lot: 27

Sublot: 11

Section: 162

Subsection: 8

S_B_L Image: 162.08-1-27.11

Ground Water Use Restriction

IC/EC Plan

Land use Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Soil Management Plan

Sublot: 12
Section: 162
Subsection: 8
S_B_L Image: 162.08-1-27.12
Ground Water Use Restriction
IC/EC Plan
Land use Restriction
Monitoring Plan
O&M Plan
Site Management Plan
Soil Management Plan

Sublot: 21
Section: 162
Subsection: 8
S_B_L Image: 162.08-1-27.21
Ground Water Use Restriction
IC/EC Plan
Land use Restriction
Monitoring Plan
O&M Plan
Site Management Plan
Soil Management Plan

55 Hofstra Road
Environmental Easement
Block: 1
Lot: 24
Sublot:
Section: 162
Subsection: 8
S_B_L Image: 162.08-1-24
Ground Water Use Restriction
IC/EC Plan
Land use Restriction
Monitoring Plan
O&M Plan
Site Management Plan
Soil Management Plan

Description of Engineering Control

Mersen USA SPM Corporation

1500 Jefferson Road

1500 Jefferson Road

Environmental Easement

Block: 1

Lot: 27

Sublot: 11

Section: 162

Subsection: 8

S_B_L Image: 162.08-1-27.11

Cover System

Monitoring Wells

Vapor Mitigation

Sublot: 12

Section: 162

Subsection: 8

S_B_L Image: 162.08-1-27.12

Cover System

Monitoring Wells

Vapor Mitigation

Sublot: 21

Section: 162

Subsection: 8

S_B_L Image: 162.08-1-27.21

Cover System

Monitoring Wells

Vapor Mitigation

55 Hofstra Road

Environmental Easement

Block: 1

Lot: 24

Sublot:

Section: 162

Subsection: 8

S_B_L Image: 162.08-1-24

Cover System

Monitoring Wells