

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 31, 2024

Kristin Jones
Newell Operating Company
3 Glenlake Parkway
Atlanta, Georgia, 30328

Kyle Brent
B360 Holdings LLC
9952 Mountain Road
Middleport, NY, 14105

Re: Certificate of Completion
Former Bernzomatic Facility
Towns of Ridgeway and Shelby,
Orleans County
C837018

Dear Kristen Jones and Kyle Brent:

Congratulations on having satisfactorily completed the remedial program at the Former Bernzomatic Facility 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:

Joshuah Klier, Region 8
New York State Department of Environmental Conservation
Division of Environmental Remediation
6274 East Avon Lima Road
Avon, NY 14414

- Provide the Certificate of Completion fact sheet to the Document Repositories within 10 days of issuance of the COC. NYSDEC will develop the 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 2026.

If you have any questions, please do not hesitate to contact Joshuah Klier, NYSDEC's project manager, at (585) 226-5357.

Sincerely,

Andrew Guglielmi

Andrew Guglielmi
Division Director
Division of Environmental Remediation

Enclosure

ec w/ enclosure:

James Kaczor – URS, an AECOM Company, James.Kaczor@aecom.com
Adam Zebrowski – LaBella Associates, D.P.C., AZebrowski@LaBellaPC.com
Jeffery Stravino – Hodgson Russ, LLP., JStravin@hodgsonruss.com
Thomas Walsh – Barclay Damon, LLP., TWalsh@barclaydamon.com
Christine Vooris – NYSDOH, Christine.Vooris@health.ny.gov
Angela Martin – NYSDOH PM, Angela.Martin@health.ny.gov
Justin Deming – NYSDOH RC, justin.deming@health.ny.gov
Matt Gokey – matthew.gokey@tax.ny.gov
Paul Takac – paul.takac@tax.ny.gov

ec w/o enc.:

Joshuah Klier, David Pratt, Michael Cruden, Lisa Schwartz, Dudley Loew, Kelly
Lewandowski - NYSDEC

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

Newell Operating Company

B360 Holdings LLC

Address

3 Glenlake Parkway, Atlanta, GA 30328

9484 Mountain Road, Middleport, NY 14105

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 4/18/16 **Agreement Execution:** 6/3/16

Agreement Index No.: C837018-04-16

Application Amendment Approval: 8/6/19

Agreement Amendment Execution: 8/6/19

Application Amendment Approval: 12/30/24

Agreement Amendment Execution: 12/30/24

SITE INFORMATION:

Site No.: C837018 **Site Name:** Former Bernzomatic Facility

Site Owner: B360 Holdings LLC

Street Address: 1 Bernzomatic Drive

Municipality: Medina **County:** Orleans

DEC Region: 8

Site Size: 15.006 Acres

Tax Map Identification Number(s): 80.10-1-20.211 (portion of), 80.10-2-1.211 (portion of)

Percentage of site located in an EnZone: 50 - 99 %

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):

Allowable Uses under the BCP: Commercial and Industrial

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 is 15%. Comprised of 10% Base, 5% EnZone.

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 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 Orleans County as Instrument No. 2024-126195.

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 6NYCRR 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.

Sean Mahar
Interim Commissioner
New York State Department of Environmental Conservation

By: Andrew Guglielmi Date: 12/31/2024

Andrew O. Guglielmi, Director
Division of Environmental Remediation

Exhibit A

Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

ENVIRONMENTAL EASEMENT AREA DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Village of Medina, Towns of Ridgeway and Shelby, County of Orleans, State of New York, and being part of Lot 33, Township 15, Range 3 and Lot 40, Township 14, Range 3 of the Holland Land Company Survey (so-called), bounded and described as follows:

BEGINNING AT A POINT at the intersection of the west line of Bernzomatic Drive (Formerly Olney Street) (50.0 feet wide) with the south line of lands of the New York Central & Hudson River Railroad Company now the County of Orleans IDA;

RUNNING THENCE: Southerly, at an interior angle of 79°-33'-33" with the last described line and along the west line of Bernzomatic Drive, a distance of 798.02 feet to a point;

RUNNING THENCE: Southwesterly, at an interior angle of 101°-42'-41" with the last described line, a distance of 789.88 feet to the east line of lands conveyed to Michael Cosgrove by deed recorded in the Orleans County Clerk's Office in Liber 119 of Deeds at Page 119;

RUNNING THENCE: Northerly, at an interior angle of 78°-14'-02" with the last described line and along the east line of said Cosgrove lands, a distance of 306.02 feet to the south line of Lot 33, Township 15, Range 3, being also the north line of Lot 40, Township 14, Range 3;

RUNNING THENCE: Westerly, at an interior angle of 272°-13'-42" with the last described line, and along the south line of said Lot 33 and the north line of Lot 40, a distance of 55.10 feet to a point;

RUNNING THENCE: Northerly, at an interior angle of 89°-01'-59" with the last described line, a distance of 469.92 feet to a point;

RUNNING THENCE: Northeasterly, at an interior angle of 127°-39'-13" with the last described line a distance of 62.34 feet to a point on the south line of the said New York Central and Hudson River Railroad Company lands;

RUNNING THENCE: Easterly, at an interior angle of 151°-34'-51" with the last described line and along the south line of said New York Central and Hudson River Railroad Company lands, a distance of 802.87 feet to the POINT OR PLACE OF BEGINNING, containing 15.006 Acres, be the same more or less.

SUBJECT TO easements, rights-of-way and restrictions of record,

BEING AND INTENDED TO BE a portion of land conveyed to B360 Holdings LLC by deed recorded in the Orleans County Clerk's Office in Liber 858 of Deeds at Page 7561.

LIBER-858, PAGE-7561

Parcel A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Medina, Town of Shelby, County of Orleans and State of New York, being part of Lot 40, Township 14, Range 3 of the Holland Land Company's Survey and being Lots 5, 6, 7, 12 through 22 and other lands as shown on a map of survey of Oak Orchard Acres as filed in the Orleans County Clerk's Office in Liber 6 of Maps at page 58, together bounded and described as follows:

BEGINNING at the intersection of the west line of Olney Street with the Town line between the Town of Ridgeway on the north and the Town of Shelby on the south; thence southerly along the west line of Olney Street, a distance of 469.80 feet to a point at its intersection with the southerly line of Lot 17 of the above mentioned Map of Survey of Oak Orchard Acres, said line being also the north line of land conveyed to Harrison Nichols by deed recorded in Liber 138 of Deeds at page 147; thence westerly along the southerly line and also along the southerly line of Lot 16 and

15 of said map and the north line of said Nichols' land making an interior angle of $91^{\circ} 29' 00''$, a distance of 264.00 feet to its intersection with the easterly line of lot 12 of said map of survey also being the west line of Nichols' land: thence southerly along the easterly line, also being the west line of Nichols' land making an interior angle of $268^{\circ} 31' 00''$, a distance of 93 .00 feet to the southerly line of Lot 12; thence westerly along the southerly line making an interior angle of $91^{\circ} 29' 00''$, a distance of 230.10 feet to its intersection with the easterly boundary of Caroline Avenue as shown on said map of survey; thence northerly along said boundary making an exterior angle of $268^{\circ} 27' 30''$, a distance of 100.00 feet to its intersection with the northerly line of Lot 12; thence westerly crossing Caroline Avenue, making an interior angle of $270^{\circ} 32' 30''$, a distance of 50.00 feet to a point at the intersection of the northerly line of Lot 5 and the westerly boundary of Caroline Avenue as shown on said map of survey; thence southerly along the boundary making an interior angle of $268^{\circ} 27' 30''$, a distance of 100.00 feet to its intersection with the southerly line of Lot 5; thence westerly along the southerly line making an interior angle of $91^{\circ} 32' 30''$, a distance of 230.00 feet to its intersection with the westerly line of Lot 5, being also the east line of land conveyed to Michael Cosgrove by deed recorded in Liber 119 of Deeds at page 119; thence northerly along the westerly line and also along the westerly line of Lots 6 and 7, Sylvan Place, playground and park and along the east line of Cosgrove's lands, making an interior angle of $88^{\circ} 27' 30''$, a distance of 552.10 feet to its intersection with the before mentioned town line between the Town of Ridgeway on the north and the Town of Shelby on the south; thence easterly along the town line making an interior angle of $92^{\circ} 20' 07''$, a distance of 773.89 feet to the point of beginning.

LIBER-858, PAGE-7561

Parcel B

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Medina, Town of Ridgeway, County of Orleans and State of New York, being part of the east part of Lot 33, Township 15, Range 3 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the intersection of the west line of Olney Street with the south line of lands of New York Central & Hudson River Railroad Company now Penn Central Transportation Company; thence southerly along the west line of Olney Street, a distance of 624.05 feet to the south line of Lot 33; thence westerly along the last mentioned line 837.64 feet to a point; thence northerly along a course forming an interior angle of $88^{\circ} 17' 47''$ with said south line of Lot 33, a distance of 468.47 feet; thence northeasterly making an interior angle of $129^{\circ} 33' 49''$, a distance of 63.87 feet to a point on the before mentioned southerly right of way line of the existing Penn Central Transportation Company; thence easterly along the right of way line, making an interior angle of $150^{\circ} 26' 11''$ a distance of 804.98 feet to the point of beginning.

Exhibit B

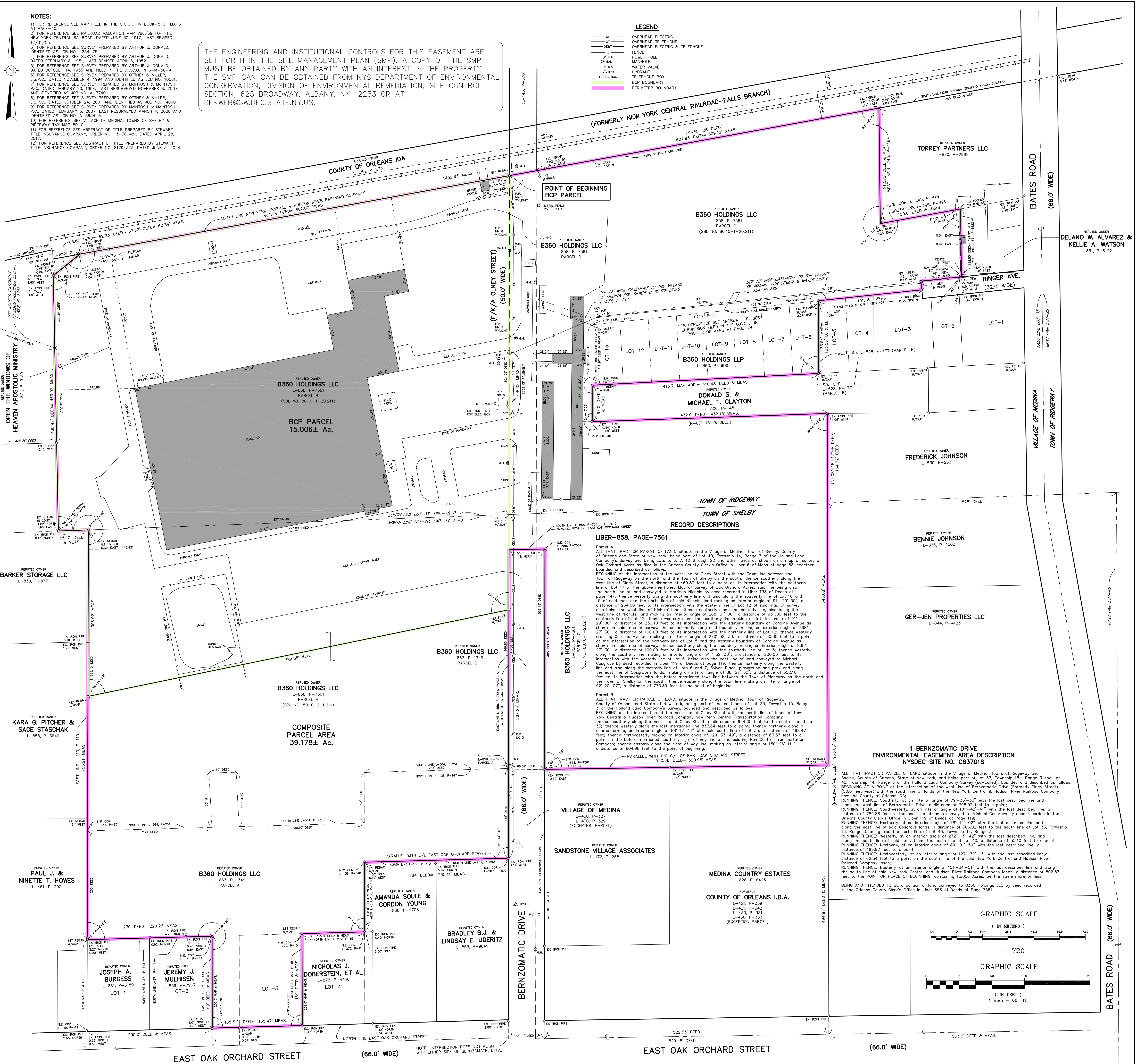
Site Survey

- NOTES:**
- FOR REFERENCE SEE MAP FILED IN THE O.C.C.O. IN BOOK-5 OF MAPS AT PAGE-40.
 - FOR REFERENCE SEE RAILROAD VALUATION MAP V86/39 FOR THE NEW YORK CENTRAL RAILROAD, DATED JUNE 30, 1917, LAST REVISED 12/31/55.
 - FOR REFERENCE SEE SURVEY PREPARED BY ARTHUR J. DONALD, IDENTIFIED AS JOB NO. 4254-75.
 - FOR REFERENCE SEE SURVEY PREPARED BY ARTHUR J. DONALD, DATED FEBRUARY 8, 1951, LAST REVISED APRIL 6, 1952.
 - FOR REFERENCE SEE SURVEY PREPARED BY ARTHUR J. DONALD, DATED OCTOBER 14, 1955 AND FILED IN THE O.C.C.O. IN 6-M-58-A.
 - FOR REFERENCE SEE SURVEY PREPARED BY OTTNEY & MILLER, L.P.C., DATED NOVEMBER 4, 1994 AND IDENTIFIED AS JOB NO. 10581.
 - FOR REFERENCE SEE SURVEY PREPARED BY MONTOSH & McINTOSH, P.C., DATED JANUARY 20, 1994, LAST RESURVEYED NOVEMBER 9, 2007 AND IDENTIFIED AS JOB NO. A-3740.
 - FOR REFERENCE SEE SURVEY PREPARED BY OTTNEY & MILLER, L.P.C., DATED OCTOBER 24, 2001 AND IDENTIFIED AS JOB NO. 14060.
 - FOR REFERENCE SEE SURVEY PREPARED BY MONTOSH & McINTOSH, P.C., DATED FEBRUARY 5, 2007, LAST RESURVEYED MARCH 4, 2008 AND IDENTIFIED AS JOB NO. A-3654-A.
 - FOR REFERENCE SEE VILLAGE OF MEDINA, TOWNS OF SHELBY & RIDGEWAY TAX MAP 80.10.
 - FOR REFERENCE SEE ABSTRACT OF TITLE PREPARED BY STEWART TITLE INSURANCE COMPANY, ORDER NO. 13-360481, DATED APRIL 26, 2017.
 - FOR REFERENCE SEE ABSTRACT OF TITLE PREPARED BY STEWART TITLE INSURANCE COMPANY, ORDER NO. 81294323, DATED JUNE 3, 2024.

THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH 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@GW.DEC.STATE.NY.US.

LEGEND

- OE OVERHEAD ELECTRIC
- OT OVERHEAD TELEPHONE
- OEAT OVERHEAD ELECTRIC & TELEPHONE
- F FENCE
- MP POWER POLE
- MAN MANHOLE
- WV WATER VALVE
- HYD HYDRANT
- TEB TELEPHONE BOX
- BCB BCB BOUNDARY
- PB PERIMETER BOUNDARY



RECORD DESCRIPTIONS

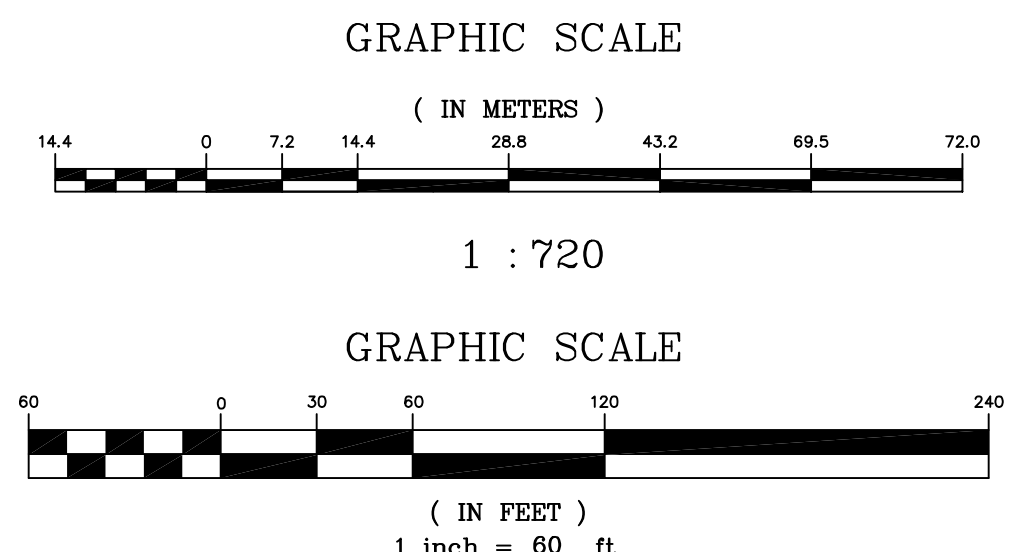
LIBER-858, PAGE-7561

Parcel A
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 BEGINNING at the intersection of the west line of Olney Street with the Town line between the Town of Ridgeway on the north and the Town of Shelby on the south; thence southerly along the west line of Olney Street, a distance of 468.90 feet to a point at its intersection with the southerly line of Lot 17 of the above mentioned Map of Survey of Oak Orchard Acres, said line being also the north line of lands conveyed to Harrison Nichols by deed recorded in Liber 138 of Deeds at page 147; thence westerly along the southerly line and also along the southerly line of Lot 16 and 15 of said map and the north line of said Nichols' land making an interior angle of 91° 28' 00", a distance of 264.00 feet to its intersection with the easterly line of Lot 12; thence westerly along the west line of Nichols' land making an interior angle of 268° 31' 00", a distance of 93.00 feet to the southerly line of Lot 12; thence westerly along the southerly line making an interior angle of 91° 28' 00", a distance of 230.10 feet to its intersection with the easterly boundary of Caroline Avenue as shown on said map of survey; thence northerly along said boundary making an exterior angle of 268° 27' 30", a distance of 100.00 feet to its intersection with the southerly line of Lot 5; thence westerly along the southerly line making an interior angle of 91° 32' 30", a distance of 230.00 feet to its intersection with the westerly line of Lot 5, being also the east line of land conveyed to Michael Cosgrove by deed recorded in Liber 119 of Deeds at page 119; thence northerly along the westerly line and also along the westerly line of Lots 6 and 7, Swan Place, playground and park and along the east line of Cosgrove's lands, making an interior angle of 88° 27' 30", a distance of 552.10 feet to its intersection with the before mentioned town line between the Town of Ridgeway on the north and the Town of Shelby on the south; thence easterly along the town line making an interior angle of 92° 20' 07", a distance of 773.89 feet to the point of beginning.

Parcel B
 ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Medina, Town of Ridgeway, County of Orleans and State of New York, being part of the east part of Lot 33, Township 15, Range 3 of the Holland Land Company's Survey, bounded and described as follows:
 BEGINNING at the intersection of the west line of Olney Street with the south line of lands of New York Central & Hudson River Railroad Company now Penn Central Transportation Company; thence southerly along the west line of Olney Street, a distance of 524.05 feet to the south line of Lot 33; thence westerly along the last mentioned line 837.64 feet to a point; thence northerly along a course forming an interior angle of 88° 17' 47" with said south line of Lot 33, a distance of 468.47 feet; thence northerly making an interior angle of 129° 33' 49", a distance of 63.87 feet to a point on the before mentioned southerly right of way line of the existing Penn Central Transportation Company; thence easterly along the right of way line, making an interior angle of 150° 26' 11", a distance of 804.98 feet to the point of beginning.

1 BERNZOMATIC DRIVE ENVIRONMENTAL EASEMENT AREA DESCRIPTION NYSDEC SITE NO. C837018

ALL THAT TRACT OR PARCEL OF LAND situate in the Village of Medina, Towns of Ridgeway and Shelby, County of Orleans, State of New York, and being part of Lot 33, Township 15, Range 3 and Lot 40, Township 14, Range 3 of the Holland Land Company Survey (so-called), bounded and described as follows:
 BEGINNING at a POINT at the intersection of the west line of Bernzomatic Drive (Formerly Olney Street) (50.0 feet wide) with the south line of lands of the New York Central & Hudson River Railroad Company now the County of Orleans I.D.A.;
 RUNNING THENCE: Southerly, at an interior angle of 79°-33'-33" with the last described line and along the west line of Bernzomatic Drive, a distance of 798.02 feet to a point;
 RUNNING THENCE: Southerly, at an interior angle of 101°-42'-41" with the last described line, a distance of 789.88 feet to the east line of lands conveyed to Michael Cosgrove by deed recorded in the Orleans County Clerk's Office in Liber 119 of Deeds at Page 119;
 RUNNING THENCE: Northerly, at an interior angle of 78°-14'-02" with the last described line and along the east line of said Cosgrove lands, a distance of 306.02 feet to the south line of Lot 33, Township 15, Range 3, being also the north line of Lot 40, Township 14, Range 3;
 RUNNING THENCE: Westerly, at an interior angle of 272°-13'-42" with the last described line, and along the south line of said New York Central and Hudson River Railroad Company lands, a distance of 802.87 feet to the POINT OF BEGINNING, containing 15.008 Acres, be the same more or less.
 BEING AND INTENDED TO BE a portion of land conveyed to B360 Holdings LLC by deed recorded in the Orleans County Clerk's Office in Liber 858 of Deeds at Page 7561.



BEING ALSO PART OF LOT-3, LIBER-6 OF MAPS, PAGE-58A.
 BEING ALSO PART OF LOTS-5, 6, 7, 12-22, OAK ORCHARD ACRES, LIBER-6 OF MAPS, PAGE-58.

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.

NYSDEC SITE NO. C837018
 1 BERNZOMATIC DRIVE
 McINTOSH & McINTOSH, P.C.
 CONSULTING ENGINEERS, LAND SURVEYORS, PLANNERS
 LOCKPORT, NEW YORK BUFFALO, NEW YORK
 PHONE 433-2535 FAX 625-8360

RESURVEY	REVISION	SURVEY OF PART OF LOT-33, TWP.-15, R.-3, HOLLAND PURCHASE	
ADDED EASEMENT AND REVISED AREA	REVISION NO. 2	LOCATION	VILLAGE OF MEDINA, TOWNS OF SHELBY & RIDGEWAY, ORLEANS COUNTY, NEW YORK
REVISED AREA	REVISED DATE 5/20/2024	BEING ALSO PART OF	LOT-40, TWP.-14, R.-3, HOLLAND PURCHASE
REVISED DATE 5/20/2024	REVISED DESCRIPTION	JOB NO.	A-4002
REVISED DESCRIPTION	SCALE: 1" = 60'	DATE	MAY 31, 2024

MAY 31, 2024
 DATE OF PLAT OR MAP

JOHN E. McINTOSH, III LICENSE NO. 49928



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 ALL RIGHTS RESERVED

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDITIONAL LAW.

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

Former Bernzomatic Facility, Site ID No. C837018
1 Bernzomatic Drive, Towns of Ridgeway and Shelby, NY, 14103
Village of Medina, Orleans County, Tax Map Identification Numbers: 80.10-1-20.211 (portion of) &
80.10-2-1.21 (portion of).

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 Kristin Jones (Newell Operating Company) and Kyle Brent (B360 Holdings, LLC) for a parcel approximately 15.006 acres located at 1 Bernzomatic Drive in Village of Medina, Towns of Ridgeway and Shelby, Orleans 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 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.

PLEASE TAKE NOTICE, 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 Orleans County as Instrument No. 2024-126195.

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 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

**Former Bernzomatic Facility, C837018
1 Bernzomatic Drive, Village of Medina, NY, 14103**

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, NY 14414-9519, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/C837018>.

WHEREFORE, the undersigned has signed this Notice of Certificate

B360 Holdings LLC

By: _____

Title: _____

Date: _____

**Former Bernzomatic Facility, C837018
1 Bernzomatic Drive, Village of Medina, NY, 14103**

STATE OF NEW YORK) SS:
COUNTY OF ORLEANS)

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:
B360 Holdings LLC
9484 Mountain Rd, Middleport, NY

and

Newell Operating Company
3 Glenlake Parkway, Atlanta,
GA

Dec. 2024



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
 12/30/2024



SITE DESCRIPTION

SITE NO. **C837018**

SITE NAME Former Bernzomatic Facility

SITE ADDRESS: 1 Bernzomatic Drive ZIP CODE: 14103

CITY/TOWN: Medina

COUNTY: Orleans

ALLOWABLE USE: Commercial and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES:	YES	NO
IC/EC Certification Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Monitoring Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operation and Maintenance (O&M) Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Periodic Review Frequency: once a year

Periodic Review Report Submitted Date: 04/30/2026

Description of Institutional Control

Newell Operating Company

6655 Peachtree Dunwoody Rd

1 Bernzomatic Dr. (Ridgew

Environmental Easement

Block: 1

Lot: 20

Sublot: 21

Section: 80

Subsection: 10

S_B_L Image: 80.10-1-20.211 (portion of)

Building Use Restriction

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

1 Bernzomatic Drive (Shelb

Environmental Easement

Block: 2

Lot: 1

Sublot: 21

Section: 80

Subsection: 10

S_B_L Image: 80.10-2-1.211 (portion of)

Building Use Restriction

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Description of Engineering Control

Newell Operating Company

6655 Peachtree Dunwoody Rd

1 Bernzomatic Dr. (Ridgeway)

Environmental Easement

Block: 1

Lot: 20

Sublot: 21

Section: 80

Subsection: 10

S_B_L Image: 80.10-1-20.211 (portion of)

Cover System

1 Bernzomatic Drive (Shelby)

Environmental Easement

Block: 2

Lot: 1

Sublot: 21

Section: 80

Subsection: 10

S_B_L Image: 80.10-2-1.211 (portion of)

Cover System