New York State Department of Environmental Conservation Division of Environmental Remediation

Office of the Director, 12th Floor

625 Broadway, Albany, New York 12233-7011 Phone: (518) 402-9706 • Fax: (518) 402-9020

Website: www.dec.ny.gov

DEC 2 2 2011



Kathleen Alaimo, President Syracuse Label Co., Inc. 110 Luther Avenue Liverpool, New York 13088

Re:

Certificate of Completion Site Name: 110 Luther Ave Site Site No. C734118 Township of Salina, Onondaga County

Dear Ms. Alaimo:

Congratulations on having satisfactorily completed the remedial program at the 110 Luther Ave Site. Enclosed please find an original, signed Certificate of Completion. The New York State Department of Environmental Conservation (Department) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the Certificate of Completion (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 a notice of the COC 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 a notice of the COC 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 of COC is recorded within the time frame specified. A standard notice form is attached to this letter;
- Provide a notice of the COC and a fact sheet describing the institutional and engineering controls (IC/EC) that are required at the site to the Brownfield Site Contact list within 10 days of issuance of the COC;
- Implement the Department-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 the Department 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 the Department in June, 2013; and



You and your lessees must submit an annual report to the New York State Department of Taxation and Finance within one year and for each of the following eleven years after the execution of the Brownfield Site Cleanup Agreement. The Report must provide the information required by Chapter 390 of the Laws of 2008, Tax Law Section 171-s.

If you have any questions regarding any of these items, please contact Christopher F. Mannes III, PE at (315)-426-7515.

Sincerely,

Dale A. Desnoyers

Director

Division of Environmental Remediation

ec:

- D. Simmons, Esq. H&E (dsimmons@hancocklaw.com)
- D. Vanetti, PE- S&W (dvanetti@swredev.com)
- S. Bates NYSDOH
- M. Sergott NYSDOH
- C. Mannes
- H. Warner
- W. Daigle
- B. Conlon

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP) CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name

Address

SYRACUSE LABEL CO., INC.

110 Luther Avenue, Liverpool, NY 13088

BROWNFIELD CLEANUP AGREEMENT:

t Execution: 9/11/09 Agreement Index No.:B7-0811-09-08

Application Approval Amendment: none

Agreement Execution Amendment: none

SITE INFORMATION

Site No.: C734118 Site Name: 110 Luther Ave. Site

Site Owner: SYRACUSE LABEL CO., INC.

Street Address: 110 Luther Avenue

Municipality: Liverpool County: Onondaga DEC Region: 7

Site Size: 1.400 Acres

Tax Map Identification Number(s): 085-12-04.1, 085-12-05.0, 085-12-06.1, 085-12-08.0, 085-12-09.0

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):

Allowable Uses under the BCP: Commercial and Industrial

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

Tax Credit Provisions for Entities Taxable Under Article 9, 9-A, 32, and 33:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 25 %. Tangible Property Credit Component Rate is 12 %.

Tax Credit Provisions for Entities Taxable Under Article 22 & S Corporations:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 25 %. Tangible Property Credit Component Rate is 10 %.

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 Onondaga County as Book/page 5178/754 Inst No 38443.

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 a finding that:

- (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 received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Joseph J. Martens

Commissioner

New York State Department of Environmental Conservation

By:

Dale A. Desnoyers, Director

Date: DEC 2 2 2011

Division of Environmental Remediation

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

Site Name: 110 Luther Ave, Site ID No. C734118
110 Luther Avenue Liverpool, New York 13088
Tax Map Identification No.: 085-12-4.1, 5.0, 6.1, 8.0, and 9.0

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) to Syracuse Label Co., Inc for a parcel approximately 1.400 acres located at the 110 Luther Avenue in the Town of Salina and Onondaga County.

PLEASE TAKE NOTICE, the Certificate was 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 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):

- Residential Use, as set forth in 6NYCRR 375-1.8(g)(2)i.
- □ Restricted Residential Use, as set forth in 6NYCRR 375-1.8(g)(2)ii.
- Commercial Use, as set forth in 6NYCRR 375-1.8(g)(2)iii.
- Industrial Use, as set forth in 6NYCRR 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 the Department as not inconsistent with the remedy.

PLEASE TAKE NOTICE, since 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 Onondaga County as Book 5178 of Page 754 Institutional No. 38443

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 the Department'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 271421.2 and any other applicable provision of law.

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

110 Luther Ave, C734118, 110 Luther Avenue Liverpool, New York 13088

PLEASE TAKE NOTICE, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department 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 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 transfeWILL 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, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 7 located at 615 Erie Boulevard West Syracuse, New York 13204 by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

		(Applicant)
Ŧ.		By:
		Title:
		Date:
COUNTY OF	lan) of statut	
appeared be the individual(s) whose n he/she/they executed the san	_, personally know ame is (are) subso me in his/her/thei	, in the year 20, before me, the undersigned, personally on to me or proved to me on the basis of satisfactory evidence to cribed to the within instrument and acknowledged to me that ir capacity(ies), and that by his/her/their signature(s) on the upon behalf of which the individual(s) acted, executed the
Signature and Office of individual taking acknowledgment		Please record and return to: Kathleen Alaimo, President Syracuse Label Co., Inc. 110 Luther Avenue

12/03/09



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION Site Management Form 12/14/2011



SITE DESCRIPTION

SITE NO.

C734118

SITE NAME 110 Luther Ave. Site

SITE ADDRESS: 110 Luther Avenue

ZIP CODE: 13088

CITY/TOWN:

Liverpool

COUNTY: Onondaga

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

First Periodic Review Date: 04/01/2013

Description of Institutional Control

Syracuse Label Co., Inc.

110 Luther Avenue 110 Luther Avenue

Environmental Easement

Block: 12

Lot: 04

Sublot: 1

Section: 085

Subsection: 000

S_B_L Image: 085-12-04.1

Ground Water Use Restriction

IC/EC Plan

Land use Restriction

Monitoring Plan

O&M Plan

Site Management Plan

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Lot: 05
Sublot: 000
Section: 085
Subsection: 000
S_B_L Image: 085-12-05.0
Ground Water Use Restriction
IC/EC Plan
Land use Restriction
Monitoring Plan
O&M Plan
Site Management Plan
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Lot: 06
Sublot: 1
Section: 085
Subsection: 000
S_B_L Image: 085-12-06.1
Ground Water Use Restriction
IC/EC Plan
Land use Restriction
Monitoring Plan
O&M Plan
Site Management Plan

Lot: 08
Sublot: 00
Section: 085
Subsection: 000
S_B_L Image: 085-12-08.0
Ground Water Use Restriction
IC/EC Plan
Land use Restriction
Monitoring Plan
O&M Plan
Site Management Plan

Lot: 09
Sublot: 000
Section: 085
Subsection: 000
S_B_L Image: 085-12-09.0
Ground Water Use Restriction
IC/EC Plan

Land use Restriction

Monitoring Plan

O&M Plan

Site Management Plan

Description of Engineering Control

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Syracuse Label Co., Inc.
110 Luther Avenue
  110 Luther Avenue
     Environmental Easement
       Block: 12
          Lot: 04
              Sublot: 1
                  Section: 085
                      Subsection: 000
                           S_B_L Image: 085-12-04.1
                                Cover System
                                Vapor Mitigation
          Lot: 05
              Sublot: 000
                  Section: 085
                      Subsection: 000
                           S_B_L Image: 085-12-05.0
                                Cover System
                                Vapor Mitigation
          Lot: 06
              Sublot: 1
                  Section: 085
                      Subsection: 000
                          S_B_L Image: 085-12-06.1
                                Cover System
                                Vapor Mitigation
          Lot: 08
              Sublot: 00
                  Section: 085
                      Subsection: 000
                          S_B_L Image: 085-12-08.0
                                Cover System
                                Vapor Mitigation
          Lot: 09
              Sublot: 000
                  Section: 085
                      Subsection: 000
                          S B L Image: 085-12-09.0
                                Cover System
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Vapor Mitigation

BCA Index No.: B7-0811-09-08

SCHEDULE "A" ENVIRONMENTAL EASEMENT PROPERTY DESCRIPTION

Address of property: 110 Luther Ave, T/O Salina, Onondaga County, New York Tax Map: 085 - 12 - 4.1, 5.0, 6.1, 8.0 and 9.0

All that tract or parcel of land, situate in the Town of Salina, County of Onondaga and State of New York, being Lot Nos. 427 - 433, 437, 438 and 467 - 478, on a map of Buckley Gardens dated May 18, 1914 made by A.L. Eliot, C.E. and filed in the Onondaga County Clerk's Office May 20, 1914 as Map No. 1484.

Also, all that tract or parcel of land, situate in the Town of Salina, County of Onondaga and State of New York, being part of Farm Lot 135 in said Town, being part of Buckley Gardens according to a map dated May 18, 1914, filed in the Onondaga County Clerk's Office May 20, 1914 as Map No. 1484, being part of Albion Avenue, formerly, according to said Buckley Gardens map, being a strip of land beginning at the intersection of the most northerly corner of Lot 468 Buckley Gardens with the southeasterly street boundary of Albion Avenue; thence N 43°59'30" W Deed, a distance of 40.0 feet to a point; thence S 46°00'30" W Deed, a distance of 60.0 feet to a point; thence S 43°59'30" E Deed, a distance of 40.0 feet to a point; thence N 46°00'30" E Deed, a distance of 60.0 feet to the point and place of beginning. Intending to describe a strip of land conveyed to Syracuse Label Company, Inc. by deed recorded in Book 3972 of Deeds at page 48 & c. in the Onondaga County Clerk's Office.

Excepting and reserving a right of way over the above described parcel to and over the existing pavement of Albion Avenue for purpose of ingress and egress. Being a strip of land that is 15.0 feet in width and 60.0 feet in length.

The above described parcels of land are more particularly and correctly described together as follows:

All that tract or parcel of land situate in the Town of Salina, County of Onondaga and State of New York, being part of Buckley Gardens according to a map of said tract made by A.L. Eliot, C.E. dated May 18, 1914 and filed in the Onondaga County Clerk's Office May 20, 1914 as Map No. 1484, bounded and described as follows:

Beginning at the intersection of the southwesterly boundary of Knapp Street with the northwesterly boundary of Luther Avenue; running thence S 46°00'30" W, along said northwesterly boundary of Luther Avenue, a distance of 220.00 feet to a point therein, said point being the most southerly corner of Lot No. 433 in said Buckley Gardens; thence N 43°36'17" W, along the southwesterly boundary of said Lot No. 433, a distance of 90.00 feet to the most westerly corner thereof; thence S 46°00'30" W, along the southeasterly boundaries of Lot Nos. 471, 470 and 469, respectively, a distance of 90.00 feet to the most northerly corner of Lot No. 437 in Buckley Gardens; thence S 43°36'17" E, along the northeasterly boundary of said Lot No. 437, a distance of 90.00 feet to the most easterly corner thereof, said point being in the aforementioned northwesterly boundary of Luther Avenue; thence S 46°00'30" W, along said northwesterly boundary of Luther Avenue, a distance of 60.00 feet to the most southerly corner of Lot No. 438; thence N 43°36'17" W, along the southwesterly boundaries of Lot Nos. 438 and 467, respectively, and its northwesterly prolongation, a distance of 220.00 feet to a point in the southeasterly boundary of Interstate Route No. 81; thence N 46°00'30" E, along said southwesterly boundary of Interstate Route No. 81, a distance of 60.00 feet to a point therein, said point being on the northwesterly prolongation of the northeasterly boundary of Lot No. 468; thence S 43°36'17" E, along said northwesterly prolongation of said northeasterly boundary of Lot

No. 468, a distance of 40.00 feet to the most northerly corner of said Lot No. 468, said point being in the southeasterly boundary of said Albion Avenue; thence N 46°00'30" E, along said southeasterly boundary of Albion Avenue, a distance of 310.00 feet to the intersection of the aforementioned southwesterly boundary of Knapp Street with said southeasterly boundary of Albion Avenue; thence S 43°36'17" E, along said southwesterly boundary of Knapp Street, a distance of 180.00 feet to the point of beginning.

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