

EXHIBIT

B

**STATE OF WEST VIRGINIA
VOLUNTARY REMEDIATION PROGRAM
CERTIFICATE OF COMPLETION AND COVENANT**

Freedom Industries, Inc. entered into a Voluntary Remediation Agreement with the Secretary of the Department of Environmental Protection, dated March 27, 2015 (“Agreement”). The Agreement was entered into to address the release of any contaminants at Freedom Industries, Inc. (“Site”) located at 1015 Barlow Drive, in Elk District, Kanawha County, West Virginia.

The following documents are incorporated as a part of this certificate and covenant:

- The application dated January 6, 2015, and the site assessment submitted with the application.
- The Agreement dated March 27, 2015, and modifications dated September 8, 2015, January 19, 2016, and January 3, 2018.
- A map depicting the site (See Exhibit A).
- A list of the contaminants for which the remediation standards specified in the Agreement have been met (See Exhibit B).
- The final report submitted for the site dated January 5, 2018, issued by a licensed remediation specialist.
- A description of any institutional or engineering controls that were used to achieve a remediation standard (See Exhibit C).
- The land use covenant that is to be recorded for this site (See Exhibit D).

This Certificate of Completion is issued pursuant to W.Va. Code §22-22-13 to Freedom Industries, Inc. in recognition of the completion of the work required under the Agreement.

Pursuant to W.Va. Code §§22-22-7(f), 22-22-13, 22-22-14, and 22-22-18, the Secretary of the West Virginia Department of Environmental Protection (hereinafter, “WVDEP”), in the name of and on behalf of the State of West Virginia, now covenants not to bring any civil, criminal, or administrative action or claim, resulting from or based upon the release or threatened release of contaminants that were the subject of the Voluntary Remediation Agreement. This covenant shall bar actions against Freedom Industries, Inc., Freedom Industries, Inc.’s successors and assigns, and those persons identified in W.Va. Code §22-22-18, from all public and private

claims arising under Chapter 22 of the West Virginia Code or rules adopted thereunder in connection with the release or threatened release that was the subject of the Voluntary Remediation Agreement. This covenant shall not apply to Freedom Industries, Inc.'s predecessors in title.

CONDITIONS

This certificate and the covenant it contains are subject to the terms and conditions set forth below:

1. The following conditions, contained in W.Va. Code §22-22-15, which may cause the Voluntary Remediation Agreement to be reopened:
 - a) fraud was committed in demonstrating attainment of a standard at the site that resulted in avoiding the need for further remediation of the site;
 - b) new information confirms the existence of an area of previously unknown contamination which contains contaminants that have been shown to exceed the standards applied to the previous remediation at the site;
 - c) the level of risk is increased significantly beyond the established level of protection at the site due to substantial changes in exposure conditions, such as a change in land use, or new information is obtained about a contaminant associated with the site which revises exposure assumptions beyond the acceptable range. This condition applies only where the level of risk is increased by a factor of at least five or the hazard index exceeds 1, or 10 where multiple systematic toxicants do not affect the same organ;
 - d) the release occurred after the effective date of this Article on a site not used for industrial activity prior to the effective date of this Article; the remedy relied, in whole or in part, upon institutional or engineering controls instead of treatment or removal of contamination; and treatment, removal, or destruction has become technically and economically practicable; or
 - e) the remediation method failed to meet the remediation standard or combination of standards.

For purposes of this paragraph, "new information" means any information obtained directly or indirectly by the Department from any person after issuance of a Certificate of Completion, but does not include information the Department has received in the application for participation in the Voluntary Remediation Program, including any site assessment, or other information available to the Department under the Voluntary

Remediation Program prior to the execution of the Certificate of Completion.

Information that does not qualify as new information may be considered by the Secretary along with new information if necessary, to determine whether any of the conditions for reopening set out in Section 16 of the Voluntary Remediation and Redevelopment Rule have occurred.

Where one of the foregoing conditions is found to exist for a portion but not all of the site, this certificate and covenant shall continue to apply to all portions of the site that were unaffected by the occurrence of that condition.

2. To the extent that the Agreement or any of the documents referenced in this certificate impose obligations that continue after the execution of this certificate, there shall be continued compliance with such obligations.
3. This certificate and covenant do not preclude the State of West Virginia from taking any unilateral action at the site, under any existing or future statutory authority, to protect human health and the environment; provided, however, in no event shall the State have a right of recovery against Freedom Industries, Inc. or any other person to whom the covenant herein applies to the extent that such right of recovery arises under Chapter 22 of the West Virginia Code, and relates to matters covered by the Agreement.
4. This certificate and covenant do not preclude the State from seeking recovery of such sums as the Freedom Industries, Inc. has agreed to pay the WVDEP under the Agreement.

WHEREFORE, the Secretary of the Department of Environmental Protection, on behalf of the State of West Virginia, issues this certificate and covenant, with all aforementioned privileges, responsibilities, conditions, and reservations, this date of March 20, 2018, to Freedom Industries, Inc..



for Secretary, Department of Environmental Protection