In the Matter of

Niagara Mohawk Power Corporation d/b/a National Grid

Case 20-E-0380 & 20-G-0381

December 2, 2020

Prepared Redacted
Exhibit___(SSIRP-1) of:

Staff Site Investigation and Remediation Panel (SSIRP)

Jeremy Flaum Utility Supervisor

Office of Electric, Gas and Water

Anthony DiGiacomo
Auditor 1 (Public Utilities)

Office of Accounting, Audits and Finance

State of New York Department of Public Service Three Empire State Plaza Albany, New York 12223-1350

Cases 20-E-0380 & 20-G-0381

Relied Upon Responses to Information Requests

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Date of Request: September 3, 2020 Request No. DPS-521
Due Date: September 14, 2020 NMPC Req. No. NM-563

NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID

Case Nos. 20-E-0380 and 20-G-0381 Electric and Gas Rates

Request for Information

FROM: DPS Staff, Anthony DiGiacomo

<u>TO</u>: National Grid, Charles F. Willard

SUBJECT: Site Investigation & Remediation (SIR) Expense

Request:

Note: In all interrogatories, all requests for workpapers or supporting calculations shall

be construed as requesting any Word, Excel or other computer spreadsheet models in original electronic format with all formulae intact and unlocked.

Pages 13 and 14 of the Direct Testimony of Charles F. Willard discusses NMPC's methodology to calculate its forecast of SIR expense.

- 1. In Cases 17-G-0239 & 17-E-0238, the Company forecasted SIR expense based on fiscal year data. In addition, Exhibit__(CFW-4), which details the historic, current, and anticipated DEC work schedules, and Exhibit__(CFW-6), which details the Company's past SIR program data, are also based on fiscal year data. Explain why the Company is not using Exhibit__(CFW-6) to forecast SIR expense and instead, developed its Rate Year forecast based on calendar year data.
- 2. Does NMPC agree that the use of a multi-year average to forecast SIR expense will smooth out any fluctuations in the yearly expense level?
 - a. If yes, does the Company agree removing specific years or expenses out of a multi-year average defeats the purpose of using a multi-year average?
 - b. If not, explain why not.

Response:

1. Exhibit__(CFW-6) is presented on a fiscal year basis to remain consistent with the Department of Environmental Conservation ("DEC") schedule presented in Exhibit ___ (CFW-4) and with the Company's budget and spend reporting. The fiscal year spending contained in Exhibit __ (CFW-6) is utilized in conjunction with the calendar year forecast information to show similar trends (decreased spending and anomalous years).

Ultimately, the Company chose to base its SIR expense forecast for the Rate Year and Data Years on a calendar year to be consistent with the Annual Public Service Commission reports.

2. While, in general, the Company agrees with this concept, if applied here, the Company does not believe that such an approach would lead to an accurate Rate Year forecast but instead would severely understate anticipated spending. Specifically, as described in Mr. Willard's testimony, the Company believes that calendar years 2017 and 2018 SIR costs are anomalous and should not be used in a multi-year average because those years exhibited unusually low spending (compared to prior and post years) because of, among other things, regulatory approval delays and project manager turnover at DEC. Delays of similar magnitudes and turnovers have not occurred in subsequent years nor does the Company anticipate that they will recur moving forward. The Company believes that including the anomalous spends in calendar years 2017 and 2018 would artificially lower the SIR forecast unnecessarily. Instead, the Company is proposing the use of an adjusted average (removing spending associated with the anomalous years) as presented in the direct testimony of Charles F. Willard.

Name of Respondent: Brian Stearns

Date of Reply: September 11, 2020 Date of Request: October 19, 2020 Request No. DPS-959
Due Date: October 29, 2020 NMPC Req. No. NM-1311

NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID

Case Nos. 20-E-0380 and 20-G-0381 Electric and Gas Rates

Request for Information

FROM: DPS Staff, Anthony DiGiacomo

<u>TO</u>: National Grid, Revenue Requirements Panel

SUBJECT: Site Investigation & Remediation (SIR) Expense

Request:

Note: In all interrogatories, all requests for workpapers or supporting calculations shall

be construed as requesting any Word, Excel or other computer spreadsheet models in original electronic format with all formulae intact and unlocked.

Page 15-16 of the Direct Testimony of Charles F. Willard lists the drivers of SIR Expense in the Rate Year and Data Years.

- 1. For each site listed, provide a more detailed explanation of the remedial action NMPC forecasts will occur during the Rate Year, Data Year One, and Data Year Two. In addition, provide the dollar amounts associated with each project, broken down by year.
- 2. For each site listed, provide a status update.
- 3. Explain if there have been any delays to the start of the anticipated work for these sites since NMPC filed its testimony. If yes, will these recent delays have any impact on the spending forecasts for the Rate Year and Data Years.

Response:

The drivers of SIR costs for the Rate Year and Data Years are discussed in the direct testimony of Company Witness Charles F. Willard and the anticipated cost per project per year (Rate Year and Data Year) are presented in Exhibit_(CFW-8) to the Mr. Willard's direct testimony. Responses to Questions 1, 2, and 3 are provided below for each site.

Cohoes (**Linden St.**) – The remedy for this site includes in-situ soil stabilization ("ISS") to address manufactured gas plant ("MGP") impacted material in the upland portion of the site and soil excavation and bank stabilization for the area along the riverbank. The remedial design was approved by the New York State Department of Environmental Conservation ("DEC") in 2020, the Request for Proposal ("RFP") is in development, and the Company anticipates remedial

construction in the Rate Year followed by preparation of closure reports and transition to long-term operation and maintenance ("O&M") work in the Data Years. There have been no delays to the anticipated work since the testimony filing.

Glens Falls (Mohican St.) – The remedy for this site includes excavation of MGP-impacted soil followed by off-site treatment/disposal. The remedial design was approved by the DEC and the project was broken into phases to better manage this large remediation project, minimize contract overruns, and prioritize the installation of an electrical ductbank within the remediation footprint. One of the remedial phases is currently out to bid and is expected to commence in late 2020 and conclude in early 2021. The remaining upland remedial work is expected to proceed in the Rate Year followed by preparation of closure reports and transition to long-term O&M work in the Data Years. There have been no delays to the anticipated work since the testimony filing.

Hudson (Water St.) – The remedy for this site includes the removal of MGP-impacted sediment from the Hudson River near the previously remediated upland site. The remedial design for this site was approved by DEC in 2020, and currently the Company is developing the RFP for contract bidding. The Company now anticipates the RFP preparation, contractor bidding, and contract award to take place in the Rate Year with remedial construction initiating in Data Year 1 and concluding in Data Year 2. There have been delays to the anticipated work since the testimony filing as additional efforts to obtain access to an off-site staging area are anticipated; however, the delays are not currently anticipated to have an impact on the spending forecasts.

North Albany – The remedy for this site includes soil excavation in select areas as well as ISS in other areas to address MGP-impacted material. The remedial design preparation is ongoing. The Company now anticipates the RFP preparation, contractor bidding, and contract award to take place in the Rate Year with remedial construction taking place in Data Years 1 and 2. There have been delays to the anticipated work since the testimony filing as additional work was required as part of the remedial design efforts; however, the delays are not currently anticipated to have an impact on the spending forecasts.

Rensselaer – The remedy for this site includes soil excavation in select areas of the site as well as ISS in other areas to address MGP-impacted material. The remedial design is currently under review by DEC. The Company now anticipates RFP preparation, contractor bidding in the Rate Year, remedial construction in Data Year 1, followed by preparation of closure reports and transition to long-term O&M work in the Data Year 2. There have been delays to the anticipated work since the testimony filing as additional work was required as part of the remedial design efforts. The delays are anticipated to shift spending forecasts by one year.

Rome (Jay & Madison) – The remedy for this site has not yet been decided. The Company is currently preparing the Feasibility Study ("FS") Report to evaluate potential remedial options. The Company now anticipates remedial construction in either Data Year 1 or Data Year 2 followed by preparation of closure reports and transition to long-term O&M work. There have been delays to the anticipated work since the testimony filing as additional efforts associated with completion of the FS Report are required. The delays are anticipated to shift the spending forecasts by one year.

Troy (Water St.) – The remedy for this site includes soil excavation in select areas of the site as well as ISS in other areas to address MGP-impacted material. The remedial design has been approved by the DEC, and the Company is currently developing the RFP for contract bidding. This project has been separated into phases to better manage this large remediation project and minimize contract overruns. Remedial efforts are anticipated to take five years from beginning to completion. The Company anticipates remedial construction in the Rate Year and Data Years. There have been delays to the anticipated work since the testimony filing as additional efforts have been required to obtain access to the site; however, the delays are not currently anticipated to have an impacted on the spending forecasts.

Schenectady (**Clinton St.**) – The remedy for this site includes soil excavation in one parcel and ISS in another parcel to address MGP-impacted material. The remedial design for the parcel to be excavated has been approved by the DEC. The remedial design for the parcel that will undergo ISS treatment is currently ongoing. The Company anticipates preparation of the RFP for contract bidding in the Rate Year followed by remedial construction in the Data Years. There have been delays to the anticipated work since the testimony filing as additional efforts have been required to obtain access to the site; however, the delays are not currently anticipated to have an impact on the spending forecasts.

Canastota - The remedy for this site has not yet been decided. The Company is currently preparing the FS Report to evaluate potential remedial options. The Company anticipates completion of the remedial design and preparation of the RFP for contract bidding in the Rate Year and Data Year 1 followed by remedial construction in Data Year 2. There have been no delays to the anticipated work since the testimony filing.

Gloversville (Hill St.) – The remedy for this site includes the installation of a deep trench to separate groundwater from MGP non-aqueous phase liquid ("NAPL") and enable the collection of NAPL for off-site transportation and disposal. In addition, the remedy includes soil excavation in select areas for off-site transportation and disposal. The Company is currently conducting pre-design investigation activities to develop the remedial design. The Company anticipates completion of the remedial design and preparation of the RFP for contract bidding in the Rate Year and Data Year 1 followed by initiation of remedial construction in Data Year 2. There have been no delays to the anticipated work since the testimony filing.

Harbor Point - The remedy for this site includes multiple areas or operable units ("OUs"). A majority of the remedies have been completed and are in long-term O&M work. OU-2 (Mohawk River section adjacent to the site) is currently undergoing additional investigation activities to gather sufficient information to develop a remedial strategy. The Company anticipates completion of the remedial design and preparation of the RFP for contract bidding in the Rate Year and Data Year 1 followed by initiation of remedial construction in Data Year 2. There have been no delays to the anticipated work since the testimony filing.

Malone - The remedy for this site has not yet been decided. The Company is currently preparing the FS Report to evaluate potential remedial options. The Company anticipates completion of the remedial design and preparation of the RFP for contract bidding in the Rate Year and Data

Year 1 followed by remedial construction in Data Year 2. There have been no delays to the anticipated work since the testimony filing.

Amsterdam (Front St.) - The remedy for this site has not yet been decided. The Company is currently completing investigation activities to gather sufficient information to develop a remedial strategy. Following completion of the investigation activities, the Company will prepare the FS Report to evaluate potential remedial options. The Company anticipates continued development of the FS Report followed by the remedial design in the Rate Year and Data Years. There have been no delays to the anticipated work since the testimony filing.

Fulton (Ontario St.) - The remedy for this site has not yet been decided. The Company is currently completing supplemental investigation activities in order complete the Remedial Investigation ("RI"). Following completion of the RI, the Company will prepare the FS Report to evaluate potential remedial options. The Company anticipates continued development of the FS Report followed by the remedial design in the Rate Year and Data Years. There have been no delays to the anticipated work since the testimony filing.

Fulton (S. First St.) – The remedy for this site includes soil excavation at two parcels to address MGP-impacted material. In addition, a storm sewer is to be sliplined to mitigate potential migration of MGP impacts into the sewer. The Company, however, identified significant deterioration of the storm sewer and in 2020 presented the DEC with an alternative remedial approach in that parcel. The DEC is currently reviewing the proposal. The Company anticipates development of the remedial design for the alternative approach along with the RFP for contract bidding in the Rate and Data Years. There have been no delays to the anticipated work since the testimony filing.

LeRoy - The remedy for this site has not yet been decided. The Company is currently completing supplemental investigation activities in order complete the RI. Following completion of the RI, the Company will prepare the FS Report to evaluate potential remedial options. The Company anticipates continued development of the FS Report followed by the remedial design in the Rate Year and Data Years. There have been no delays to the anticipated work since the testimony filing.

Troy (Water St.) Hudson River Sediments - The remedy for this site has not yet been decided. The Company is currently awaiting completion of the upland areas [Troy (Water St.) above] to evaluate potential MGP impacts and prepare the FS Report to evaluate potential remedial options. The Company anticipates continued evaluation of the upland remedial efforts in the Rate and Data Years. There have been no delays to the anticipated work since the testimony filing.

Name of Respondent: Brian Stearns

Date of Reply: October 28, 2020

Date of Request: September 18, 2020 Request No. DPS-708
Due Date: September 28, 2020 NMPC Req. No. NM-781

NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID

Case Nos. 20-E-0380 and 20-G-0381 Electric and Gas Rates

Request for Information

FROM: DPS Staff, Jeremy D. Flaum

TO: National Grid

SUBJECT: SIR Non-compliance Sites

Request:

Note: In all interrogatories, all requests for workpapers or supporting calculations shall

be construed as requesting any Word, Excel or other computer spreadsheet models in original electronic format with all formulae intact and unlocked.

For each of the Company's Site Investigation Remediation (SIR) sites that are either currently not in compliance with New York State Department of Environmental Conservation (NYSDEC) or other regulatory orders and agreements, or for which the Company has previously (within the past 5 years) paid fines and/or received penalties for non-compliance with NYSDEC or other regulatory orders and agreements:

- 1. Provide an explanation for the non-compliance.
- 2. Identify any costs incurred by the Company as a result of the non-compliance.

Response:

The Company does not have any SIR sites that are currently out of compliance with NYSDEC or other regulatory orders or agreements and/or received penalties for non-compliance within the past 5 years.

Name of Respondent:

Brian Stearns

Date of Reply: September 28, 2020 Date of Request: September 18, 2020 Request No. DPS-706

Due Date: September 28, 2020 NMPC Req. No. NM-779

NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID

Case Nos. 20-E-0380 and 20-G-0381 Electric and Gas Rates

Request for Information

FROM: DPS Staff, Jeremy D. Flaum

TO: National Grid

SUBJECT: Non-Competitively Bid Proposals

Request:

Note: In all interrogatories, all requests for workpapers or supporting calculations shall

be construed as requesting any Word, Excel or other computer spreadsheet models in original electronic format with all formulae intact and unlocked.

In Appendix A of the Direct Testimony of Charles F. Willard, the Company documents the reasons for Site Investigation and Remediation (SIR) work that is not competitively bid or performed under a Blanket Purchase Order.

- 1. Provide copies of all such documentation since January 1, 2017.
- 2. Identify each exception to the Company's standard competitive procurement practices deemed necessary for SIR work since January 1, 2017.
- 3. For each of the exceptions identified in your response to Question 2 above, specify the reasons for concluding that the work did not require competitive bidding.
- 4. Specify the dollar value of each SIR project proposal that was not competitively bid.
- 5. Identify all instances in which the Company obtained an independent analysis of non-competitively bid proposals. In your response, describe the circumstances that triggered the independent analysis, state whether any inconsistencies between the non-bid proposals and the independent analysis were identified and describe how those inconsistencies were addressed and reconciled with the decision to skip the competitive bidding process.

Response:

Since January 1, 2017, the Company has not conducted any SIR work that was not competitively bid or performed under a Blanket Purchase Order.

Name of Respondent:

Date of Reply:

Brian Stearns

September 28, 2020

Date of Request: November 20, 2019 Request No. DPS-091
Due Date: July 31, 2020 NMPC Req. No. NM ELEC-PF091

NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID

Case Nos. 20-E-XXXX and 20-G-XXXX Electric and Gas Rates

Request for Information

SUBJECT: Customer Service Issues

Request:

Note: In all interrogatories, all requests for workpapers or supporting calculations shall

be construed as requesting any Word, Excel or other computer spreadsheet models in original electronic format with all formulae intact and unlocked.

91. Provide the following information addressing site investigation and remediation (SIR) expense: (a) recent SIR expenditures by year; (b) the status of SIR-related deferrals; (c) whether there are any existing or anticipated insurance proceeds or third-party contributions available to offset SIR expense; (d) the status of any SIR-related litigation; and, (e) descriptions of the existing SIR projects and how the rate year costs associated with each such project were calculated.

Response:

- a) Please see Exhibit __ (CFW-6) and Exhibit __ (CFW-7) to the direct testimony of Company Witness Charles F. Willard.
- b) Please see the testimony and exhibits of the Company's Revenue Requirements Panel.
- c) Niagara Mohawk has settled with all its insurers. In the early 1990s, Niagara Mohawk undertook a comprehensive effort to identify and review insurance policies to seek recovery of SIR costs from its insurers. In the mid to late 1990s, Niagara Mohawk negotiated settlements of these insurance claims. This effort resulted in collection of a net of approximately \$39 million in insurance proceeds that were amortized and credited to Niagara Mohawk's customers over a ten-year period.

With respect to third-parties, in general terms, Niagara Mohawk has evaluated and continues to evaluate the feasibility of bringing legal action seeking cost recovery or contribution from third parties. This process involves assembling and reviewing information concerning sites and surrounding properties, such as technical data, current ownership, past ownership, current operations and past operations to identify other potentially responsible third parties, if any. Niagara Mohawk has recently resolved a third-party contribution as described below.

Albion MGP

The former Albion MGP site consists of two adjoining parcels – a 0.3-acre western parcel owned by Niagara Mohawk and a 0.2-acre parcel owned by the New York State Electric and Gas Corporation ("NYSEG"). The site is subject to the multi-MGP site Order on Consent between NYSDEC and Niagara Mohawk which is presented in Exhibit __ (CFW-2) to the testimony of Charles F. Willard. Under the federal Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), NYSEG is a potentially responsible party ("PRP") as an owner and operator. An equitable contribution by NYSEG to Niagara Mohawk's past and future costs was reached in 2018.

Lower Ley Creek

The Lower Ley Creek ("LLC") site consists of the LLC operable unit of the Onondaga Lake Superfund site which has been listed on the National Priorities List ("NPL") pursuant to CERLA consisting of the lower two miles of the Ley Creek (including the creek channel and adjacent floodplains), beginning at and including the Route 11 Bridge downstream to the mouth of Ley Creek where it empties into Onondaga Lake. It also includes the original channel of Ley Creek prior to channelization of the creek in the 1970s, referred to as "Old Ley Creek Channel"; an approximate 3.7-acre wetland area, situated on the southern bank of the creek; and various sections of the creek's banks where prior dredgings from the creek were deposited, as well as any area where hazardous substances that migrated from the LLC have come to be located. The Company along with other participating parties, entered into an Administrative Order on Consent to conduct remedial design activities.

d) With respect to the status of any SIR-related litigation, please see below:

Universal Waste

ELG Utica Alloys, Inc. ("ELGUA") filed a CERCLA action against Niagara Mohawk on December 22, 2016, seeking reimbursement of past response costs and other damages plus future response costs and damages arising out of the release or threatened release of hazardous substances at the Universal Waste site in Utica, New York. The site operated as a metal recycling operation from the 1950s until 2012. ELGUA alleges that Niagara Mohawk sent used transformers containing PCBs to the site from the 1960s through the 1970s, resulting in contaminated soils and groundwater. Additional parties were added to the litigation in late 2018 and early 2019. The defendants in this matter now include Special Metals Corp., General Electric Company, Empire Recycling Corp., Chicago Pneumatic Tool Company, LLC, and third-party defendant CBS Corporation (successor-in-interest to Westinghouse Electric Corporation). Discovery is ongoing.

EPK Properties, LLC ("EPK")

On July 24, 2014, EPK filed a complaint against Pfohl Brothers Landfill Steering Committee ("Pfohl Brothers"), Niagara Mohawk, and the Town of Cheektowaga (collectively, "Defendants"), alleging that Defendants were liable in trespass, nuisance, and negligence for allegedly allowing water to run onto plaintiff's property and expanding the existing wetlands. Niagara Mohawk was named individually as the owner of the property situated between the Pfohl Brothers Landfill and the EPK property. Niagara Mohawk is also a member of the Pfohl Brothers Landfill Steering Committee (Niagara Mohawk was among the PRPs regarding the Pfohl Brothers Landfill site). The U.S. District Court for the Northern District

of New York granted each Defendant's Motion to Dismiss. On December 6, 2016, Plaintiff filed a Motion to Re-argue and Niagara Mohawk filed its opposition to this motion on January 10, 2017. The Court denied EPK's motion to reargue in May 2017 and EPK appealed this decision in August 2017. Oral arguments were held in February 2018 and the decision was upheld by the Appellate Division in March 2018. This matter is dismissed.

<u>Upper Ley Creek – RACER Trust</u>

In late 2018, Niagara Mohawk along with over 20 other companies, received a complaint from the Revitalizing Auto Communities Environmental Response Trust ("RACER Trust") in connection with the Upper Ley Creek ("ULC") operable unit of the Onondaga Lake Superfund site. In early 2019, the Company attended a meeting in which RACER Trust presented its information as to the potential nexus of the parties listed in the complaint to the ULC site. Multiple defendants filed a joint motion to dismiss in November 2019 and the court dismissed the complaint without prejudice on May 12, 2020. RACER Trust filed a Notice of Appeal on June 10, 2020.

e) Please find descriptions of the existing SIR projects in Exhibit __ (CFW-1) to the direct testimony of Company Witness Charles F. Willard. The calculation of the forecast of Rate Year SIR costs is also discussed in Mr. Willard's testimony.

Name of Respondent: Charles F. Willard

Date of Reply: July 31, 2020

Date of Request: September 3, 2020 Request No. DPS-519
Due Date: September 14, 2020 NMPC Req. No. NM-561

NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID

Case Nos. 20-E-0380 and 20-G-0381 Electric and Gas Rates

Request for Information

FROM: DPS Staff, Anthony DiGiacomo

TO: National Grid, Charles F. Willard

SUBJECT: Site Investigation & Remediation (SIR) Expense

Request:

Note: In all interrogatories, all requests for workpapers or supporting calculations shall

be construed as requesting any Word, Excel or other computer spreadsheet models in original electronic format with all formulae intact and unlocked.

Exhibit__(CFW-3) to the Direct Testimony of Charles F. Willard details "examples of changes to DEC remedy decisions following discussions with NMPC."

Provide all "changes to DEC remedy decisions following discussions with NMPC" for calendar years 2015, 2016, 2017, 2018, and 2019. For each identified change, specify the site name, change in budget, and the year the change was approved by DEC.

Response:

Changes to DEC remedy decisions following discussions with NMPC for calendar years 2015 through 2019 are as follows:

North Albany MGP (Albany, NY)

The initial DEC-recommended remedy was \$31.8 million, and the Company recommended remedy was \$24.7 million, for a savings of \$7.1 million. The change was approved by DEC in 2016.

Oswego (West Utica St.) Non-Owned MGP (Oswego, NY)

The initial DEC-recommended remedy was \$7.2 million, and the amended remedy (Company-recommended) was \$5.4 million, for a savings of \$1.8 million. The change was approved by DEC in 2016.

Syracuse (Erie Blvd.) MGP (Syracuse, NY)

The initial DEC-recommended remedies ranged from \$5.5 million to \$19.8 million. The Company-recommended remedy was \$1.7 million, for a savings of \$3.8 million to \$18.1 million. The change was approved by DEC in 2015.

Schenectady (Clinton St.) Non-Owned MGP (Schenectady, NY)

The initial DEC-recommended remedy was \$11.4 million, and the amended remedy (Company-recommended) was \$10.4 million, for a savings of \$1 million. The change was approved by DEC in 2019.

Name of Respondent: Brian Stearns

Date of Reply: September 11, 2020 Date of Request: September 18, 2020 Request No. DPS-705 Due Date: September 28, 2020 NMPC Req. No. NM-778

NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID

Case Nos. 20-E-0380 and 20-G-0381 Electric and Gas Rates

Request for Information

FROM: DPS Staff, Jeremy D. Flaum

TO: National Grid

SUBJECT: SIR Program Internal Reviews

Request:

Note: In all interrogatories, all requests for workpapers or supporting calculations shall

be construed as requesting any Word, Excel or other computer spreadsheet models in original electronic format with all formulae intact and unlocked.

On page 18 of the Direct Testimony of Charles Willard, Mr. Willard states, "With respect to the Company's internal controls and how they apply to Site Investigation and Remediation (SIR) projects, National Grid has conducted internal reviews of the administration and management of the SIR group, as well as the adequacy of controls to meet significant environmental obligations."

For all such internal reviews of the SIR group performed since January 1, 2017:

- 1. Describe the scope and frequency of these internal reviews.
- 2. Provide copies of all reports and other documentation that describe the findings and recommendations.
- 3. Identify all other reviews and audits that the Company has performed on its SIR program or individual SIR sites, and provide the results, including any written reports, of each review and audit.
- 4. Describe any conditions that may trigger an internal or external review or audit of an SIR project or the Company's SIR program or expenditures.
- 5. Explain the processes for addressing recommendations or deficiencies identified in internal reviews or other internal or external audits of the Company's SIR program or any of its SIR sites.

Response:

1-3. The Company's SIR group conducts periodic reviews of its Master Service Agreement ("MSA") consultants to evaluate compliance with its MSA contracts. Since January 1, 2017, the Company conducted four audits for work conducted under the MSA contracts. The reports for these audits are provided as Attachment 1.

In addition, the Company performs audits of disposal facilities to review disposal of materials from SIR sites. As described in Appendix A of the Direct Testimony of Charles F. Willard, the Company uses only facilities approved by the National Grid Vendor Advisory Group, a cross functional group comprised of employees from the SIR, Environmental Compliance, Legal, and Procurement departments. The group employs a prequalification and auditing process to reduce the likelihood that disposal facilities themselves ultimately become the subject of future environmental proceedings. Audits are conducted by the group if the facility being audited is local; if not local, audits are conducted by an external firm and reviewed and summarized by the group. Audit reports completed by the Vendor Advisory Group since January 1, 2017 are included in Attachment 2 (2017 audit reports), Attachment 3 (2018 audit reports), Attachment 4 (2019 audit reports), and Attachment 5 (2020 audit reports to date). Attachments 2-5 are confidential and will be submitted in accordance with the terms of the Protective Order. Redacted versions are being provided as well.

4. Conditions that may trigger an internal or external review or audit of an SIR project or the Company's SIR program or expenditures vary, depending on the nature and subject of the review.

Reviews by National Grid's Internal Audit ("IA") or Safety Health & Environment ("SHE") departments may occur periodically. National Grid includes SIR as part of its annual planning process to determine if an audit should be considered as part of the audit plan for a given year. The annual audit plan is comprised of "risk-based," "cyclical," and "responsive" audits. Risk-based audits comprise the majority of the audit plan. Potential audit topics are identified through various sources of management information and assessed for potential SHE and IA risks. Areas with the highest risk scores are included within the risk-based portion of the plan. Cyclical audits make up a small portion of the annual audit plan and cover topics that are low risk but core to National Grid's operations. Responsive audits are placeholders to address risks that emerge during the year such as an internal or external environmental or safety incident or regulatory change.

Waste vendors are audited prior to being added to National Grid's approved list as well as on a periodic basis.

5. If an internal review or other internal or external audit identifies recommendations or deficiencies with respect to the SIR program, those items are discussed among the SIR management team (SIR Director, SIR Area Managers) and corrective measures are identified and distributed to the SIR group. If an internal review or other internal or external audit identifies recommendations or deficiencies with respect to a specific SIR

site, the SIR Area Manager and Project Manager engage the project team (including but not limited to, project consultant, construction manager, contractor, regulator) to discuss the recommendation/deficiency and develop corrective measures moving forward for that particular site. Depending on the nature of the issue, the particular recommendation/deficiency and corrective measure would be shared with the remainder of the SIR group.

Name of Respondent: Brian Stearns

Date of Reply: September 28, 2020

nationalgrid

Memorandum

To: **Brian Stearns**

From: Kelly Likens

3/23/2017 Date:

Arcadis Audit March 2017 Subject:

On March 9, 2017 I went to the Syracuse headquarters office of Arcadis, located at One Lincoln Center, 110 W Fayette St #3000, Syracuse, New York, to perform an audit for work conducted under the 2009 MSA contract with NG's Environmental SIR Group.

Specifically, the scope of the audit was to gain an understanding of the internal controls in place to ensure proper accounting of labor costs. Additionally, I asked Arcadis to explain their procedure for procuring subcontractors. To achieve this goal, I audited employee time sheets and expenses for certain pre-selected invoices and I met with Amy Cox, our account billing representative, Belinda Johnson, billing/training coordinator, and Terry Young, Principle in Charge.

Summarization of our findings:

Overall, I found Arcadis to be in compliance with NG's MSA contract terms and conditions. I maintain cordial working relationships with their key players and they are always responsive to any questions that arise.

Arcadis' calendar year is broken up into 12 billing periods, 8 periods which consist of 4 weeks, and 4 periods that consist of 5 weeks. Timesheets cover a one-week period, and time is charged by task and by job number. Arcadis does not allow a job number to start accruing charges until they receive verbal approval (documented by the Arcadis PM), written approval, or a signed WAF or Change Notice (with a Scope of Work provided by an Arcadis PM).

Arcadis typically posts four weeks of timesheets for a job and then issues an invoice to NG. The exceptions to the above are the five week billing periods and, on occasion, the need to issue an invoice for more than one billing period if charges from a previous period(s) were not invoiced as a result of an assessment by an Arcadis PM. The invoice is not sent out until the Arcadis PM approves the invoice and forwards the cover sheet and budget table to the invoice specialist.

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ARCADIS personnel may receive salary increases at the beginning of each year. ARCADIS tracks individuals that work on projects under the MSA to the specific billing rates based o National Grid established criteria. Twice a year, ARCADIS reviews each individual employee's experience relative to the billing category criteria to determine if if modifications is appropriate under the MSA. Salary increases do not affect the ARCADIS billing rates for National Grid – i.e., ARCADIS maintains the agreed-upon rates for the billing categories for the duration of the MSA contract.

When hired by ARCADIS, new employees are placed in a pay grade (and receive compensation consistent with that grade) based on their education, industry experience, etc. (internal grades are matched with National Grid billing categories). Promotions are considered for a variety of reasons, including individual performance, meeting/exceeding individual goals, and corporate job descriptions. Human Resources oversees the promotion process.

I chose a random sampling of invoices to compare hours billed with actual timesheets maintained at the Syracuse Arcadis office. This sampling consisted of five different active sites, using invoices from random periods during the new MSA period. I brought the original invoice copies from the site files. All of the hours billed on these invoices matched with timesheets for the appropriate Arcadis employees. There were several incidents where employees had more time on their timesheets for our projects than was invoiced. Further checking by Arcadis produced proof that some time was written off by Arcadis; some time was transferred to other projects to more accurately reflect time worked; and one time sheet had been revised and the new copy was provided.

Further investigation of expense reimbursements, per National Grid, meals are only reimbursed if there is overnight lodging. Per National Grid terms and conditions for consulting, 7.3.3 (TRAVEL/BUSINESS EXPENSE. All invoiced costs shall be reasonable, itemized and supported with copies of all vouchers, records of advances, charge receipts, air bills, rental receipts, and any other information required to validate the charges to Company's satisfaction.) Many meal invoices are not shown as itemized receipts. When asked about providing itemized receipts for meals Arcadis stated that they are working on improving the issue and mentioned that it must specifically be stated in the contract.

Terry Young was asked to explain how Arcadis arrives at their in-house equipment rental rates. He stated that their in-house rental rates are similar to the prevailing outside rental rates. Most of the equipment they provide to us is rented. Terry was asked how they decide which equipment rental company to utilize and he explained that they have a negotiated volume discounts with Pine Environmental and Eco-Solutions so they get the majority of their business. Other firms are used for specialized pieces of equipment or when they are more local to the job site.

Arcadis has Master Services Agreements with selected labs and drillers but they are not locked into rate agreements with these suppliers. Because they are given large

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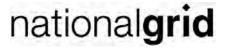
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amounts of work, they provide volume discounts. These firms, TestAmerica, SGS-Accutest, Eurofins, and Pace for example, are routinely utilized for small jobs, especially when they are the "local" firm. When there is a big job, these same MSA vendors are asked to provide a quote along with a selected number of other firms so that the client is assured the best possible price. If a non-MSA firm comes in with a lower price, they are given the work. Terry Young stated that the value that Arcadis has is that they are a large national firm and leverage that drive their pricing down for their clients.

If you have any questions regarding the audit that this report has not answered, please let me know and I will be happy to respond.



Memorandum

To: **Brian Stearns**

From: Kelly Likens

Date: 09/30/2017

Subject: O'Brien & Gere Audit September 2017

On September 11, I went to the corporate headquarters office of O'Brien & Gere (OBG), located at 333 West Washington Street Syracuse, New York, to perform an audit for work conducted under the 2009 MSA contract with NG's Environmental SIR Group. OBG has been in business for over 60 years. The volume of work that OBG performs for National Grid varies from year to year. In 2016, gross revenue for worked performed for National Grid was \$1,324,000, \$1,215,000 of which was related to Site Investigation and Remediation (SIR). So far to date, 2017, gross revenues total \$821,000, \$685,000 of which is related to SIR projects.

Specifically, the scope of the audit was to gain an understanding of the internal controls in place to ensure proper accounting of labor costs. Additionally, I asked OBG to explain their procedure for procuring subcontractors. To achieve this goal, I audited employee time sheets and expenses for certain pre-selected invoices and I met with Jennifer Geraets; Credit & Collections Manager, Justina Jones; Project Accountant, and Lucia Salvino: Project Control 1.

Summarization of our findings:

Overall, I found OBG to be in compliance with NG's MSA contract terms and conditions. We maintain cordial working relationships with their key players and they are always responsive to any questions that arise.

Employees are required to use an electronic timecard for reporting their hours worked. Time is accounted for in 15-minute increments. Employees are expected to complete timecards at the close of each week and submit to their supervisors for approval by the Monday morning following that week's end. Oracle time and expense module syncs daily to Oracle Projects. Upon approval of timecards, the employee's time (hours and cost) processes nightly and distributes cost to the respective projects. The distributed cost will generate revenue based on the project fee type. This revenue creates an unbilled receivable. The unbilled receivable is then invoiced to the client via an invoice event (Fixed Price Work) or system generated (Non-Fixed Price work). When invoiced is finalized, the unbilled receivable is relieved and a corresponding accounts Receivable is established.

Niagara Mohawk Power Corporation

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all of employees expenses go through our Oracle workflow process. Receipts are required (uploaded) except for Meals under \$25, Mileage, per diem (incidentals) Once an employee submits their expense report through the Oracle portal, they are sent through to their supervisor for approval as well as audited by our AP department before final approval is made.

For each advancement level within each Line of Progression (LOP), established salary ranges exist for all job descriptions. These ranges are benchmarked every two years, and changes are made accordingly as appropriate. For LOP I, II and III, employees, salary ranges also are subjected to geographical differences.

For all employees, annual compensation increases are primarily based on judgment of merit guided by regular appraisal of individual work performance. Each year, a salary administration fund is established, and supervisors are provided with guidance on the range of increase each employee is eligible for. This range is dependent on employees' performance and current salary position in current salary range.

I chose a random sampling of invoices to compare hours billed with actual timesheets maintained at the Syracuse OBG office. This sampling consisted of four different active sites, using invoices from random periods during calendar year 2016. I brought our original invoice copies from the site files. All of the hours billed on these invoices matched with timesheets for the appropriate OBG employees.

Jennifer Geraets was asked how are the equipment rentals determined, her response was Equipment rentals for OBG Owned equipment are based on a discounted Market rate of 80%.

OBG has Master Services Agreements with labs, surveyors and drillers but they are not locked into rate agreements with these suppliers. Because they are given large amounts of work, they provide volume discounts. These firms, Thew Associates PE-LS, TestAmerica, Parratt-Wolff, for example, are routinely utilized for small jobs, especially when they are the "local" firm. When there is a big job, these same MSA vendors are asked to provide a quote along with a selected number of other firms so that the client is assured the best possible price. If a non-MSA firm comes in with a lower price, they are given the work.

If you have any questions regarding the audit that this report has not answered, please let me know and I will be happy to respond.

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nationalgrid

Memorandum

To: Charles F. Willard

From: Lauren Donovan & Michael Toohey

Date: February 21, 2017

Subject: GEI Consultants, Inc. Audit 2017

On February 21st, Mike and I went to the offices of GEI Consultants, Inc., located at 400 Unircorn Park Drive, in Worburn, Massachusetts to perform an audit of their billing practices for work conducted under their Master Services Agreement (MSA) with National Grid's Environmental SIR Group.

We met with Corinne DeVito, Billing Manager. She had all the answers to our questions we had asked for prior to the meeting.

Specifically, the scope of the audit was to obtain a sufficient understanding of internal controls in place to ensure proper accounting of labor costs. At the same time, We conducted a random timesheet audit for labor billed under the MSA.

Summarization of findings:

GEI employees complete electronic time sheets on a daily basis and their time is approved every Friday. The employee electronically signs the timesheet, it is then routed to his/her supervisor for approval. Payroll posts the approved time sheets and the time is then submitted to the designed project/phase/task or overhead.

Per the MSA, GEI offered the following volume discount with National Grid:

- 5% on consulting fees greater than \$7,000,000 for the 12-month period from August to the following July;
- 10% on consulting fees greater than \$8,000,000 for the 12-month period from August to the following July;
- 15% on consulting fees greater than \$10,000,000 for the 12-month period from August to the following July;

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For the 12-month time period from August 2015 to July 2016, GEI billed National Grid the following in labor/consulting fees:

MA	NY	Total
August		
2015 to July	August 2015	August 2015
2016	to July 2016	to July 2016
\$787,725.71	\$7,126,513.14	\$7,914,238.85

We also asked about their subcontractors under contract. GEI has MSAs with laboratories and they bid the drilling work to ensure the lowest possible cost to the client. Their drillers are pre-qualified on the basis of quality of service. They have their drillers quote for every single project. They have many audited laboratories and they use them based on project cost and laboratory specialty. They don't use labs that outsource their analyses. Their audited labs can usually provide better than market rates.

For this audit, Mike and I chose a random sampling of invoices to compare hours billed and expenses with actual timesheets and backup maintained at GEI's office. This sampling consisted of 15 invoices for both New England and New York. Hours billed on these invoices matched with timesheets for the similar period. We found no incidents where labor was charged to incorrect project numbers and the number of hours charged on each invoice matched the actual time sheets. Although backup for expenses under \$100 is not required to be sent with invoices under the terms of this MSA, GEI routinely sends such backup with each invoice. Therefore, all expenses had been reviewed previously and it was not necessary to check any expenses at this audit.

The invoices we chose were in a folder on our shared drive and our laptops were brought to the audit. Once the audit was completed, we noted on the electronic invoice copies that the timesheets had been audited.

Invoices are sent via e mail to the National Grid Analyst as well as uploaded into the Ariba system. We found one instance that Rockaway Park invoice 3000910 for \$13,308.69 was dated March 17, 2016 but was not confirmed in Ariba until September 16, 2016. There were e-mails attached to the electronic copy of the invoice on our shared drive explaining what had happened. GEI records showed that the invoice had been uploaded into Ariba, but we did not see it in our system. Michele Wiedersum, an analyst in New York at the time contacted the Ariba team to help with the issue. The invoice was then in my work list and confirmed. Provided below is a table summarizing this issue as a task; to be followed-up on, in a future audit.

Overall, We found GEI in compliance with all of National Grid's terms of the MSA and other general billing policies and procedures. GEI was easy to work with and very cooperative.

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Table 1

Vendor	Region	Issue	Task	Action	Follow-up
GEI	KEDLI	National	Notify	Perform an	September
		Grid is not	Vendor of	additional	2017
		always	responsibility	Vendor	
		aware of	to e-mail	Audit to	
		invoices	invoices as	review	
		posted into	well as post	timelines of	
		Ariba	in Ariba	payments	

Thank you.

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Memorandum

To: Elizabeth Greene

From: Lauren Donovan

Date: March 29, 2019

Subject: GZA Audit - March 03, 2018 Through December 31, 2018

I contacted GZA in February to inform them that I would be conducting a by e-mail audit of timesheets and billing practices for work conducted under the 2009 & 2018 MSA contract with National Grid's Environmental SIR Group.

Specifically, the scope of the audit was to obtain a sufficient understanding of internal controls in place to ensure proper accounting of labor costs. At the same time, I conducted a random timesheet audit for labor billed under the MSA.

Michele Fabri, Project Accountant, provided me with the timesheet backup and responses to my questions. I work closely with her on the invoicing process. GZA is an Ariba vendor and have been since we made the switch from SUS to Ariba in 2015.

Summarization of findings:

For the period from March 03, 2018 Through December 31, 2018, the total billed to National Grid in labor/consulting fees for Massachusetts and Rhode Island was \$3,809,568.50.

Massachusetts	Rhode Island
\$1.946.897.12	\$1.862.671.38

In the 2009 MSA the volume discount schedule is as follows:

•	\$3.000.000 -	\$4,000,000	5%
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In the 2018 Contract, which was in effect as of August 2018, the volume discount schedule is as follows:

•	\$0 - \$2.500.000	0%
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•	\$3,000,000 - \$4,000,000	5%
•	\$4,000,000 - \$5,000,000	10%
•	\$5,000,000 - \$10,000,000	15%
•	Excess of \$10,000,000	20%

The volume discount reset, once we started the 2018 MSA Contract. Per the new MSA, our volume discount schedule now starts at \$2.5M and is at 0.25%. That was the negotiated agreement with procurement at National Grid. Also, per the new MSA, the volume discount will reset on April 1 of each year. GZA did not reach the discount threshold within the March to July time period.

GZA will obtain bids from up to three subcontractors for the work that they contract directly. This is typically laboratory and environmental drilling work. The number of bidders depends on the nature of the work and availability of qualified subcontractors. They also communicate results of bid solicitations with the National Grid project manager. This process allows for consistency and efficiency in work performance and also ensures competitive pricing. In certain cases where specialized services are required, GZA is not always able to obtain three qualified bids. These cases are also reviewed with the National Grid Project Manager prior to making a final selection.

GZA will typically provide their own field equipment, for example, health and safety monitoring, air monitoring, soil and groundwater sampling equipment, from their inhouse inventory. Depending on the availability of equipment, there are times when this equipment is rented from a third party.

For this audit, I chose a random sampling of invoices to compare hours billed and expenses with actual timesheets and backup maintained by GZA. GZA employees are required to enter their time on a weekly basis. All time was properly charged to the correct project numbers. Because all expenses are required to be sent with invoices under the terms of this MSA, all expenses have been reviewed previously and it was not necessary to check any expenses during this audit.

Overall, I found GZA to be in compliance with National Grid's MSA terms and other general billing policies and procedures. I have established a good rapport with Michele and she is very cooperative and responsive when billing issues occur or documents require signatures.

The original invoices from the site files were used for the audit. Once the audit was completed, I noted on the electronic invoice copies that the timesheets had been audited.

If you have any questions regarding this audit that this report has not answered, please let me know.

Niagara Mohawk Power Corporation

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Thank you.

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EP-18 Form 5 VENDOR EVALUATION

National Grid

Vendor Audit Form for Documenting Audits conducted by CHWMEG

EP - 18 Form 5

Date of Review:	May 2017		
Date of Last Review:	Initial		
Prepared By:	Matthew Root		
Vendor Name:	Hydrodec North Americ	ea LLC (Hydrodec)	
	EPA ID: OHR0001432	63	
Vendor Address:	2021 Steinway Blvd. Sl Canton, Ohio 44707 telephone: (330) 454-8		
Date of CHWMEG Audit:	August 18, 2015		
	CHWMEG Repo	ort Evaluation	
BACKGROUND			
List Wastes National Grid is r	equesting to send to th	nis facility:	
Non-Hazardous and Hazardous	transformer oils (0-2,00	0 ppm) in bulk volumes.	
List National Grid groups that use or potentially use this facility:			
At a minimum it is known that Electric Operations and Construction, Power & Delivery Operations, Construction and I&R would utilize Hydrodec (through G&S Technologies) as a location for recycling used transformer oil and/or oils containing PCBs.			
Currently, our oil disposal vender G&S Technologies transports used oil to Hydrodec through Carbon Express via tanker truck.			
TCI New York is also currently value of their TCI Alabama facility		ing oil from salvaged transformers to Hydrodec in	
FACILITY IS: A re-refiner of used transformer oils (including PCB oil).			
RECOMMENDATION			
Facility is recommended for app	proval and/or continued u	use (see Summary at end of review)	
VAG accepted for use: { }Yes	{ } No	DATE:	
APPROVED VENDOR LIST UP	PDATED:	DATE:	

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EP-18 Form 5 VENDOR EVALUATION

SITE LAYOUT AND OPERATIONS

Site Layout

Hydrodec is located approximately 1.5 miles southeast of downtown Canton, Ohio, and situated within the Stein Industrial Park which includes other light industry. The Stein Industrial Park) was redeveloped from a brownfield site under the Ohio Environmental Protection Agency (OEPA) Voluntary Action Program (VAP) circa 2007.

Hydrodec operates on 8.4 acres of the Stein industrial Park, with only 5 of those acres currently active in refining operations. Of the five acres considered active in refining operations, approximately 70% is paved (or lined).

The Hydrodec facility primarily includes the following structures; a tanker receiving building, a rail spur and off-loading pads, offices, two main tank farms, dedicated PCB storage tanks, process and other operational buildings, a laboratory, and a storm water pond.

Impervious areas include on-site driveways where trucks travel, a truck receiving area, tank storage containment dikes, and building footprints (including the main processing building). The on-site storm water retention pond is lined, and there is a containment system associated with the rail off-loading pads. An additional containment trench that is situated around buildings F/G and the around the area where frac-tanks are staged is reported to have a synthetic liner system under gravel. Railcars containing used oil are staged over gravel/ballast.

Operations

Hydrodec is 75% owned by the publicly-traded Hydrodec Group PLC and 25% owned by the privately-owned G&S Oil Recycling, LLC. Hydrodec is a re-refiner of transformer oil (including PCB oil) and primarily refines used transformer oil into a new oil product. Hydrodec only accepts naphthenic-based used oil at PCB concentrations less than 2,000 ppm. The used oil cannot be a hazardous waste and the halogen concentration must be less than 1,000 ppm.

Hydrodec only accepts used oil in bulk - no containers are accepted. Twenty-seven (27) storage tanks and seven additional frac-tanks are located on-site and are used for storage of oil and oily water. There is a total storage capacity of approximately 1,149,100 gallons on-site, including the frac-tanks. Prior to receiving oil, Hydrodec requires a vender to complete a vender approval form for accounting purposes and oil profiling. The vendor is also required to submit analytical results on the oil (including PCBs and silicon analysis) which is used to determine if it is PCB oil or non-PCB oil. Analytical data is also utilized to determine if oil is an on-spec, off-spec, or unacceptable used oil for processing. Based on these determinations and reviews, an approval/disapproval decision is made for accepting oil.

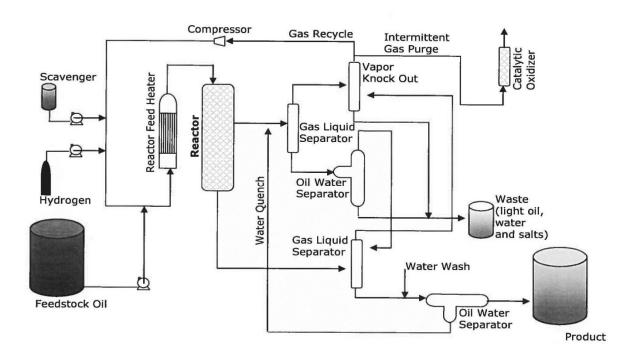
Used oil arrives at the Facility via tanker truck or by railroad car. Approximately 30% of the incoming oil arrives by railcar and 70% arrives by third-party trucks. Once on-site, oil is off-loaded via pumps and piping into dedicated storage tanks located within the tank farm. Following additional oil testing, oil is then transferred into either of four (4) feeder tanks located at the head of the oil re-fining process.

The re-refining process entails the injection of contaminated/used transformer oil into a recirculating hydrogen stream at reaction pressure. A patented hydrogen treatment mix is heated to reaction temperature in a direct contact heater. This heated mix is passed downwards through a hydro-treating catalyst within the main reactor, where the refining reactions occur. The process utilizes a scavenger (proprietary compound), hydrogen gas, and a polishing system to ensure oil quality. The same process is used regardless of whether the incoming oil is PCB or non-PCB, but PCB oil is processed through a dedicated process line and maintained separate from non-PCB oil. After the mix exits the catalyst, the excess hydrogen is separated and recirculated back to the front of the refining process. The refined oil is quenched, water-washed, scrubbed, and removed from the process as "Super Fine" transformer oil (99.9% pure). Refined oil may also be produced into base oil or inhibited base oil. A process flow diagram is provided below:

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EP-18 Form 5 VENDOR EVALUATION

The Hydrodec Hydrogenation Re-Refining Process



After the re-refining process is complete, the re-refined oil is then transferred via pipe into two 13,200 gallon quality tanks, where it is QA/QC tested prior to transfer to one of five 100,000 gallon clean oil tanks within the tank farm. The processed oil is then sold back to various utility companies for use in transformers (it is typically shipped off-site via railcars leased by Hydrodec).

A typical re-refining process operates 24 hours per day, 365 days per year as a continuous, single pass within a closed loop within each of four reactors. The plant is built to process 30,000 gallons per day (gpd) on average. The facility operates 24 hours per day and seven days per week but typically accepts used oil from 6:00 AM to 8:00 PM Monday through Friday (but can also accept oil outside those hours if necessary).

The facility employs on average 30 employees.

Waste Generation

Hydrodec generates the following residual wastes from the refining processes:

- Oily wastewater, oil/water separator waste, wash-down water, and contaminated storm water (non-hazardous);
- Solid wastes including PPE, lab waste, drip pad debris, spent catalyst, and others (non-hazardous).
- Wastewater from the treatment process (non-hazardous).
- Laboratory wastes (hazardous).
- PCB wastes (TSCA).

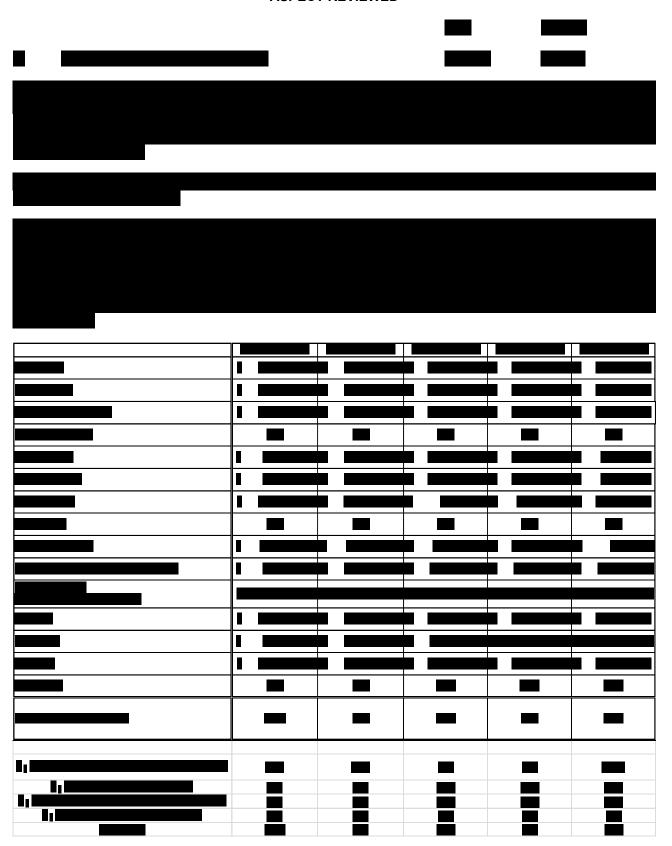
These wastes are collected by EnviroServe (Cleveland, OH or Wooster, OH)

• Brine water including reverse osmosis (RO) reject water, cooling tower blowdown water, and water softener back-flush (non-hazardous) are discharged to the City of Canton POTW.

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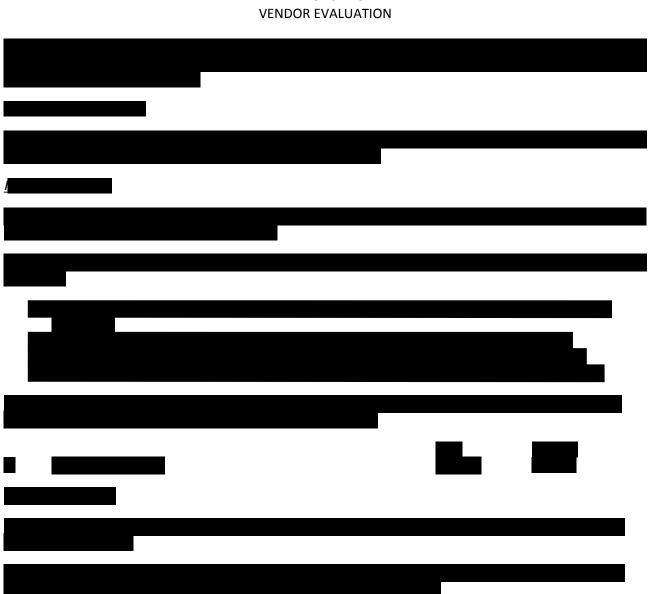
EP-18 Form 5 VENDOR EVALUATION

ASPECT REVIEWED



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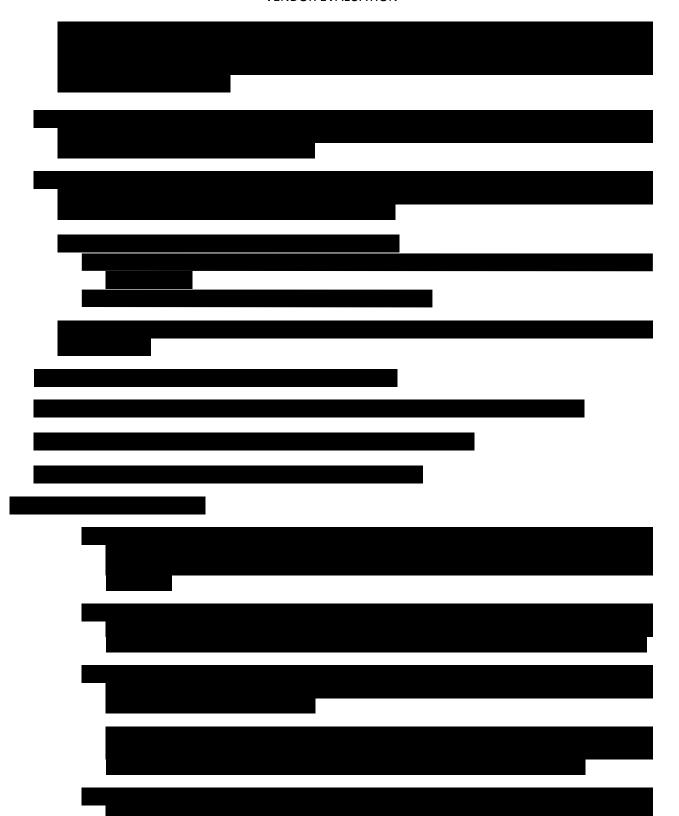
EP-18 Form 5





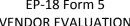
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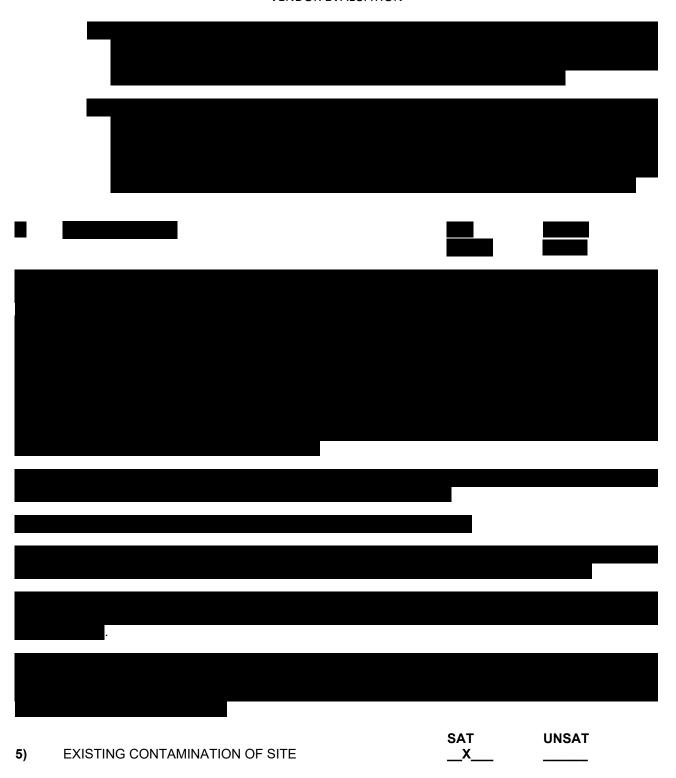
EP-18 Form 5 VENDOR EVALUATION



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EP-18 Form 5 **VENDOR EVALUATION**





As previously indicated Hydrodec is located in an industrial park (known as the Stein Industrial Park) that was redeveloped from a brownfield site under the Ohio Environmental Protection Agency (OEPA) Voluntary Action Program (VAP).

As such the subject Property has been subject to extensive investigation and remediation related to the brownfield redevelopment of the entire industrial park in which it is located. These investigation and remedial

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EP-18 Form 5 VENDOR EVALUATION

activities have resulted in the approval of a no further action letter and issuance of a covenant-not-to-sue from the OEPA.

In summary, there are known contaminant impacts to groundwater related to historic on-site activities. Under the environmental covenant for the industrial park VAP redevelopment, use of on-site groundwater is restricted. Historic environmental impacts are appropriately documented.

Furthermore, the intended use of the Stein Industrial Park is industrial use and its redevelopment is intended to facilitate economic revitalization in a blighted area of Canton Ohio. Hydrodec's operations are consistent with the intended revitalization and intended use of the Stein Industrial Park.

		SAT	UNSAT
6)	PROXIMITY TO SENSITIVE RECEPTORS:	X	

There are small residential neighborhoods approximately 1,000 feet to the west and 1,400 feet to the east. There is a larger residential neighborhood 2,500 feet to the north. The nearest residential home is approximately 1,000 feet to the west. Based on review of site features adequate controls (i.e. containment systems and barriers etc.) are in place to prevent discharges to these sensitive receptors.

7) SIGNIFICANT INCIDENTS SAT UNSAT __X___

During January 2013 Hydrodec released approximately 2,000 gallons of clean transformer oil from a staged rail car. This oil impacted the Hydrodec property and a portion of a neighboring industrial park property, as well as an off-site storm water pond. As part of the remedial measures associated with this spill, Hydrodec installed three sumps that extended into shallow groundwater. These sumps are inspected on a weekly basis but reportedly no LNAPL has been detected recently. Hydrodec anticipates that these sumps will continue to be inspected for the foreseeable future.

As a result of an on-site fire on December 1, 2013, the Hydrodec facility was deemed inoperable. OSHA conducted an investigation of the Hydrodec to determine the cause of the fire. As a result of that inspection a single citation was issued for incompatible materials used in the process. Hydrodec agreed to correct the cited violations and there were other provisions to the agreement. The case was abated and closed on July 22, 2014.

In light of the above incidents, it is opined that Hydrodec has taken the initiative to remediate the noted incidents and has since moved towards an improved record incidents. There have been not reported OSHA incidents since the 2013 fire and there have been no reported oil releases to date.



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EP-18 Form 5 VENDOR EVALUATION



SUMMARY:

In summary, it is opined that all of the evaluation criteria identified in EP-18 and summarized above are satisfactory. Based on the above detailed review, the facility is recommended to be added onto the "Approved Disposal/Recycling Facilities List."

Attachments:

Attachment A Cert of Insurance Attachment B Operating Permits

Attachment C Hydrodec Operation Plans

Attachment D 2016 and 2015 OSHA 300 Forms

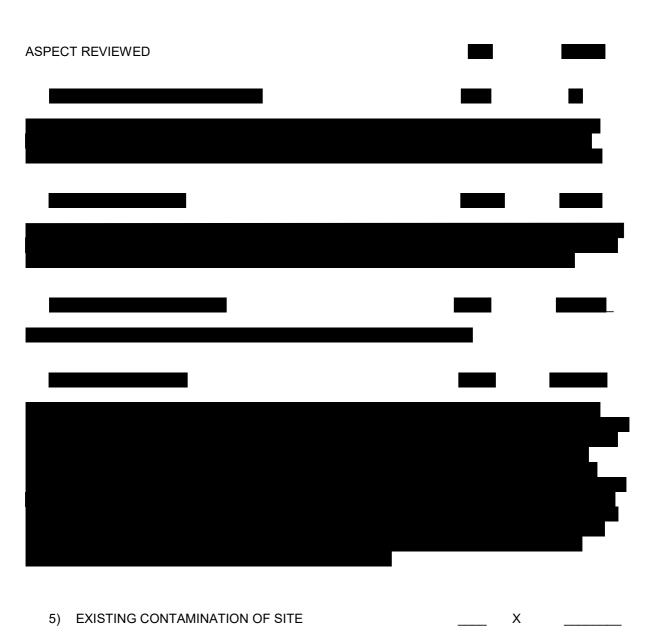
nationalgrid.com

National Grid Vendor Advisory Group (VAG) Evaluation of Waste Disposal Vend	dor
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Date of Review:	February 07, 2017
Date of CHWMEG visit:	August 10, 2016
Date of Last Review:	June 6, 2009
Prepared By:	Joanne Lupa Environmental NE
Vendor Name: Vendor Address:	Clean Harbors PPM, LLC. 2474 Highway 169 North Industrial Park Coffeyville, KS 67337
CHWMEG Report Evaluation	
Date of CHWMEG Audit:	August 10, 2016
BACKGROUND:	
List wastes National Grid sends TSCA/NON-TSCA transformers	or potentially sends to this facility: and oils
List National Grid groups that us Environmental NE	se or potentially use this facility:
FACILITY IS: (check all that app landfillincinerator _ X	oly): _ treatment facilitytransfer facilityother (list)
RECOMMENDATION: recommon recom	mended for use by National Grid (discuss existing site
VAG accepted for use:	YESNO DATE:
APPROVED VENDOR LIST UP	DATED: DATE:

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Vendor Evaluation



The site and surrounding properties are impacted with contaminants, primarily solvent-related constituents but also metals, from various historical operations in the area. Contaminants were also discovered when Westinghouse, owners at the time, performed an initial subsurface investigation. After subsequent investigations, the USEPA requested an interim corrective measures plan be implemented to control impacted groundwater and minimize further migration. In response to this, in 1995/96 the following remedial systems were installed: 1) a pump-and-treat groundwater remediation system to control and treat VOCs; 2) a permeable reactive barrier (PRB) funnel-and-gate system for in-situ treatment of groundwater; and 3) a point-of-use water treatment system (two carbon canisters) for a private water supply well on the nearby Adams farm.

A corrective measures study was completed in 2000 and finalized by incorporation into the facility permit in 2005, which prescribed the continued use of the PRB and the point-of-use treatment system, as well as

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the establishment of enforceable institutional controls. However, the corrective measures study deemed the groundwater pump-and-treat system as no longer necessary and that system was subsequently shut down in 2005. It was determined that remediation would also be continued under monitored natural attenuation. Groundwater monitoring must continue annually until remedial standards/goals are achieved (refer to Section III).

The onsite remediation was at one time the responsibility of Viacom, successor of Westinghouse and owner of Aptus. However, Clean Harbors alleges that in 2005 Viacom "walked away" from their responsibilities regarding performance of the onsite remediation and Clean Harbors thus assumed responsibility for the cleanup. Clean Harbors and Viacom remain in litigation over this matter, with the POC noting resolution of the case is likely in the near future.

6)	PROXIMITY TO SENSITVE RECEPTORS	_X	
located Kansas otherw approx southw light mater to USEPA	e, encompassing 406 company-owned acres with in an industrial park situated in a rural area about. There are no leased or tenant activities onsite ise, agricultural properties generally surround the imately two miles to the southwest. The nearest vest; the closest residence in any direction is about an industrial building and non-descript small control that of the site, and a concrete batch plant A ECHO database, there are 24 residents within ors within three miles. The nearest surface water which flows into the Verdigris River, located about	out 3.5 miles northeast of central. The Coffeyville Airport is adjacte industrial park. An oil refinery residential area of Coffeyville is out 1,000 feet to the south of the mmercial/light industrial operation is about 500 feet to the west. At one mile of the site. There are read in the site is a second or the site.	Coffeyville, ent to the east; is located three miles to the site. A vacant ns are about 1,000 ccording to the no sensitive an ½ mile to the
7)	SIGNIFICANT INCIDENTS	X	
Notes:	There have been no reported significant inciden	its at this facility	
		- •	

Vendor Audit Clean Harbors Environmental Services, Inc.

37 Rumery Road So. Portland, ME 04106 (207) 772-2201 (207) 772-2485

www.cleanharbors.com

On May 10, 2017, William Howard and David Thompson of National Grid's Environmental Department conducted a vendor audit of Clean Harbors Environmental Services, Inc. (CHESI) in South Portland, Maine. The audit was conducted at the request of the National Grid Vendor Advisory Group (VAG). The purpose of the audit was to evaluate the potential risk to National Grid in using this facility for recycling Non-PCB waste oil and wastewater streams. Nick Keen, Facility Manager, Dean Dadmun, Lab Manager, and Paul Hogan, Clean Harbors Utilities Account Manager, accompanied the auditors during the site visit.

Executive Summary

The CHESI facility in South Portland is a subsidiary of Clean Harbors, Inc. headquartered in Norwell, Massachusetts. CHESI owns and operates this oil recycling facility. The facility is permitted by the State of Maine Department of Environmental Protection (MEDEP) and the City of South Portland. The facility is permitted to receive, store, treat, and transfer waste oil, oil and water mixtures, and certain non-hazardous wastewater streams. The treatment method utilized at this facility reduces the volume and toxicity of the waste materials and produces a specification used oil fuel. The facility currently holds a permit for the discharge of wastewater to the City of South Portland's municipal sewer system. A waste oil facility license was obtained in 1996. Treated wastewater is discharged to the City of South Portland wastewater treatment facility under a pretreatment permit, and non–hazardous solid waste is shipped off-site for disposal.

The site is approximately one acre in size, and is located in the Rumery Industrial Park in South Portland, Maine. The site is located across the street from a residential area and borders a mixed commercial and industrial area, as well as a rail yard.

National Grid sends Non-PCB oils (i.e. diesel, lube and mineral), oil and water mixtures, and wastewater waste streams to CHESI.

Based on the results of the audit, the vendor is **recommended** for continued use by National Grid.

Niagara Mohawk Power Corporation

Exhibit__(SSIRP-1)d/b/a National Grid
Pages4226f-527380 and 20-G-0381

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Site Description and Background

The site was formerly undeveloped until 1983. Shark Oil Company was the original developer and owner of the facility. In December of 1983 the facility was sold to Pollution Control Unlimited. Clean Harbors of Maine, Inc. bought the facility from Pollution Control Unlimited in September of 1985. Clean Harbors of Maine was transferred to CHESI in 1993.

The facility is located on an acre of land which is covered by concrete and asphalt. Surrounding property usage is a mixture of commercial, industrial, and residential. There are no sensitive receptors nearby. The closest body of water is Casco Bay and the Fore River, which are 1.5 miles away. The drinking water supply is the Portland Water District. The facility is on a municipal sewer system.

The site is surrounded by a six foot high chain link fence topped with three strands of barbed wire. There are three access points for personnel and vehicular traffic. All gates are kept closed and locked when the facility is not in operation. Visitors are required to check in at the office. The facility can operate twenty-four hours per day, and seven days per week, when operating at full capacity. However the facility operates according to the workload and season fluctuation.

Process Description Summary

National Grid sends Non-PCB oils (i.e. diesel, lube and mineral), oil and water mixtures, and wastewater waste streams to the Clean Harbors Braintree, Massachusetts facility as a MA01 waste code on a hazardous waste manifest. The waste stream is batched with waste oil and water from other facilities at the Clean Harbors Braintree facility. Tanker truck loads are then manifested out of the Braintree facility with Clean Harbors as the generator. The oil and water is manifested as an MA01 waste code on a hazardous waste manifest to the CHESI facility. National Grid also will send waste directly to the facility from sites of generation.

Prior to off-loading, each load is sampled at the facility, and the sample is tested at the on-site laboratory for analysis. The test results are used first to confirm that the load meets the acceptance specifications of the facility and second to determine the optimum treatment plan for the waste. Upon analytical verification of the acceptability of the waste at the facility, the material is off-loaded into a receiving tank using a coarse screen to remove large solids.

Oil is then reclaimed by gravity separation and filtration. The gravity separation is enhanced by heat and chemical demulsification. Wastewater treatment is accomplished

Wendor-Auditp-GClean Harbors South Portland, ME

Niagara Mohawk Power Corporation

Exhibit__(SSIRP-1)d/b/a National Grid
Pages4826f-527380 and 20-G-0381

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by acid cracking, gravity oil separation, coagulation, metals precipitation, clarification and activated carbon absorption.

Mixed oily sludge from tank bottoms, truck heels, and oily debris solids are sent to Waste Management's lined landfill in Norridgewock, ME landfill as a non-hazardous, non-DOT regulated special waste. Hydroxide sludge from the wastewater treatment filter press cake is also sent to the Norridgewock landfill. The State of Maine does not consider these waste streams to be hazardous wastes and both of these waste streams are profiled with the State of Maine's Department of Environmental Protection. Oily absorbents are sent to Maine Energy Recovery Corp. (trash to energy incinerator) in Biddeford, ME as a special waste. Empty drums are sent to Industrial Container Services in Smithfield, RI.

The reclaimed oil is filtered and pumped to a finished product storage tank. Once filled, certified laboratory analysis is conducted to determine the composition and combustion characteristics of the reclaimed oil. Reclaimed oil which meets specifications is shipped to end users.

Environmental Issues:

Hazardous Waste

The facility does not accept hazardous wastes. Waste oil is not a hazardous waste in the State of Maine. Some New England states do regulate waste and used oil as a hazardous waste. The facility can accept waste from these states on a uniform hazardous waste manifest.

PCB Management

This facility is not a TSCA facility, and does not accept TSCA regulated waste.

Storage Tank Management

The facility maintains fourteen aboveground storage tanks in support of operations at the site. Various ancillary process tanks that are flow thru process tanks of treatment chemical tanks also exist at the facility, these tanks are not included in the following list of storage tanks.

Tank size in gallons	Product	Type of containment
28,000	Reclaimed oil	Concrete containment
28,000	Reclaimed oil	Concrete containment
24,000	Spent Oil	Concrete containment
24,000	Spent Oil	Concrete containment
20,000	Spent Oil	Concrete containment
20,000	Wastewater	Concrete containment
20,000	Wastewater	Concrete containment
15,000	Hydroxide Sludge	Concrete containment
15,000	Wastewater	Concrete containment
20,000	Treated Wastewater	none
20,000	Treated Wastewater	none
20,000	Treated Wastewater	none
500	Diesel	Double wall
5,000	Boiler Fuel	Concrete containment

Storm Water

Stormwater from all process areas is directed to wastewater storage tanks and is treated through the plant treatment system before being discharged under the facility industrial discharge permit. Treated wastewater is batch sampled and discharged. Stormwater from non-process areas of the facility is discharged under a multi-sector general permit for stormwater discharges.

Ground Water

The site contains nine groundwater monitoring that were installed. Groundwater at the site has been monitored since 1986. Ground water flows to the north/northwest. Low levels of Methyl tert butyl ether (MBTE), Total Extractable Petroleum Hydrocarbons (TEPH) and 2-chlorotoluene have been detected in the monitoring wells and have stabilized at low levels or are decreasing over time. The detected compounds are related to off-site businesses in the area.

Drinking Water

The drinking water supply is the Portland Water District.

Wastewater

The facility is on a municipal sewer system. Treated wastewater is discharged under a permit issued by the Water Resource Protection Department of the City of South Portland, Maine.

Wendor-Auditp-GClean Harbors South Portland, ME

Niagara Mohawk Power Corporation

Exhibit__(SSIRP-1)d/b/a National Grid

Pages4526-520380 and 20-G-0381

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Air Emissions

The facility has no air permits.

Solid Waste

Solid waste generated from operations of the facility is placed into dedicated dumpsters and shipped off site for disposal.

General Compliance Program Information

CHESI is in compliance with all permits and does not have any outstanding compliance issues. Mr. Richard Kaselis, Coordinator of the MEDEP Pretreatment Program and Mr. Thomas Wiley of the City of South Portland, Department of Water Resources were contacted to confirm the facility was currently in compliance.

Valid Permits – The facility holds the following permits:

- Waste Oil Storage License No. O-154-97-E-R
- Industrial Wastewater Discharge Permit No. 003
- Flammable Storage Permit S. Portland No. 13058
- MEDEP Multi-Sector General Permit No Exposure Certification No. MERNEB589

The facility has general liability insurance at \$40,000,000 and environmental impairment insurance at \$25,000,000.

The facility has a Closure Plan and the cost estimation for closure is \$ 391,006. This is covered by a Certificate of Insurance; a copy of which is located in Attachment C.

Overall the facility is neat, clean and well-run by the employees and management. The auditors reviewed records on-site and found them to be in good order. The facility tour included the office area, on-site laboratory, truck off-loading and loading, treatment and storage tank areas. No areas of the facility were restricted from our access during the tour.

Review of Financial Information

Certificates of Insurance are included in Attachment C. No other National Grid internal departments were asked to provide an opinion on the financials of Clean Harbors. Clean Harbors is audited multiple times each year by the VAG, and during procurement events as we contract with them directly. The 2016 Annual Report for Clean Harbors, Inc. is included in Attachment D.

Wendor-Auditp-GClean Harbors South Portland, ME

Niagara Mohawk Power Corporation

Exhibit__(SSIRP-1)d/b/a National Grid
Pages4626-5207380 and 20-G-0381

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Recommendation

Based on the results of the audit, the vendor is recommended for continued use by National Grid.

Niagara Mohawk Power Corporation

Exhibit__(SSIRP-1)t/b/a National Grid

Pages47 26-520780 and 20-G-0381

DPS-705 Attachment 2

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Attachments:

- A. Vendor Audit On-Site Observation Form
- B. Customer Audit Information
- C. Certificates of Insurance
- D. Clean Harbors, Inc. 2016 Annual Report
- E. Permits
- F. OSHA 300 Log
- G. Site Map
- H. Waste Tracking Report

ATTACHMENT A

Vendor On-site Observation Form

STHPORTUND, ME **National Grid**

Vendor Audit On-Site Observation Form for Use in Conducting Audits Managed by National Grid EP-18 Form 3

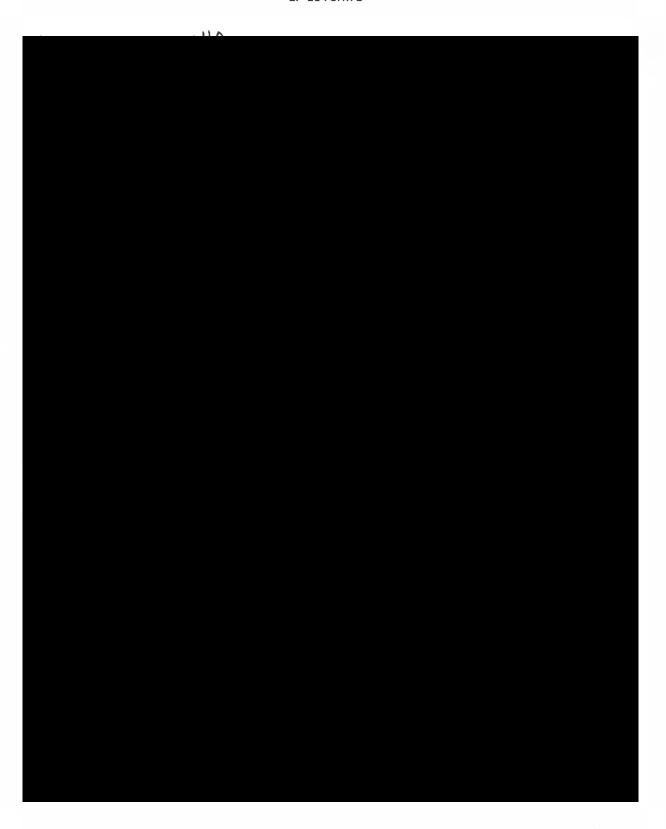


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EP-18 Form 3



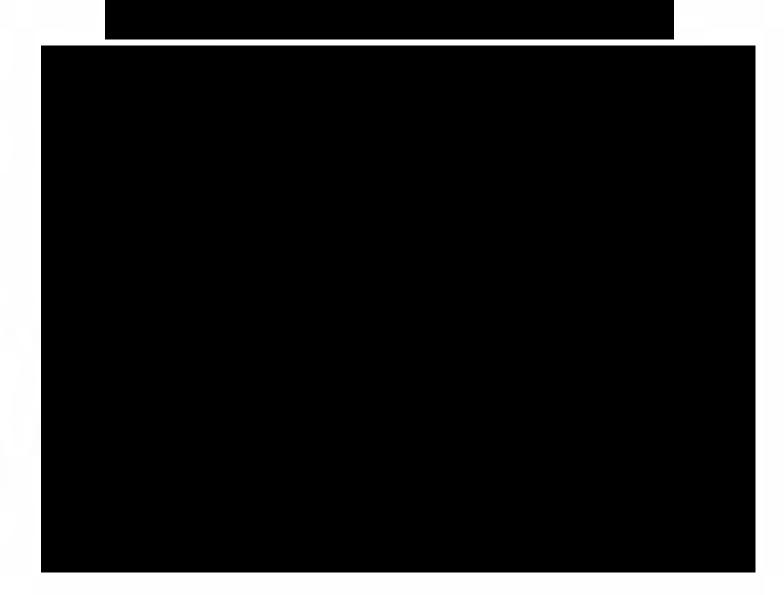
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Exhibit__(SSIRP-1)d/b/a National Grid

Pages5226f-527380 and 20-G-0381

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ATTACHMENT B

Customer Audit Information

Niagara Mohawk Power Corporation Exhibit__(SSIRP-1)t/b/a National Grid Pa**Ges58 26f-527**380 and 20-G-0381 DPS-705 Attachment 2 Page 25 of 230

National Grid Waste Disposal Vendor Audit Checklist/Survey Form EP-18 Form 2

This checklist/survey form is to be completed by a facility representative prior to or during a physical audit of their facility(ies) in order to provide National Grid US with the information necessary to evaluate the business practices of waste disposal vendors and their disposal facilities. Please complete this checklist accurately and as completely as possible. If you have a prepared audit package which covers the material requested in this checklist, you may submit that in addition to this checklist. Failure to complete this checklist accurately and completely may disqualify you from being used as a National Grid disposal vendor. Thank you for your cooperation.

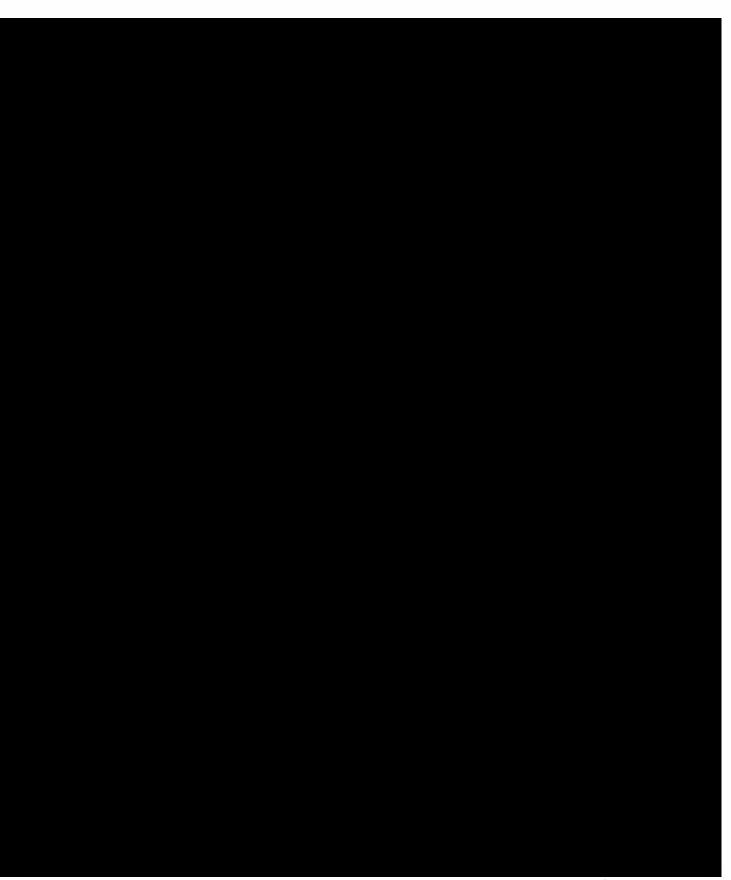
Company Name: CITAN HANSORS ENV. SERVICES THE
Facility Name/Location: SOUTH PORTRAND, ME
Information re Individual Completing Survey
Name: DEAN DADMUN
Title: LAB MANAPER
Telephone #/Fax #: 207 - M2 - 2201 / FAX 201 - 712 - 2485
E-mail Address: DADMUND OF LEANHARBORS. COM
Signature/Date: 6/8/17

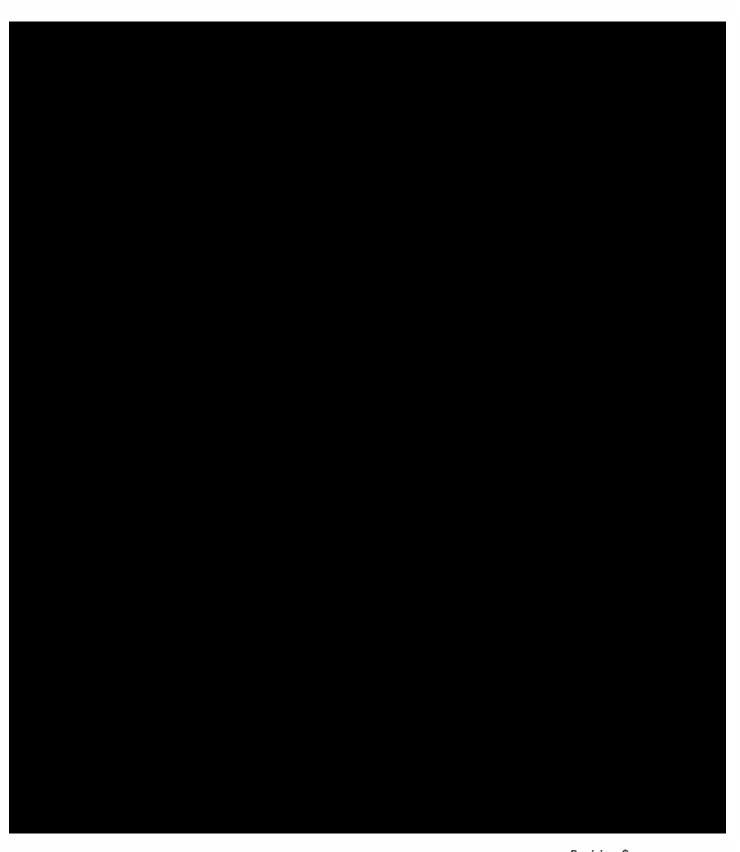


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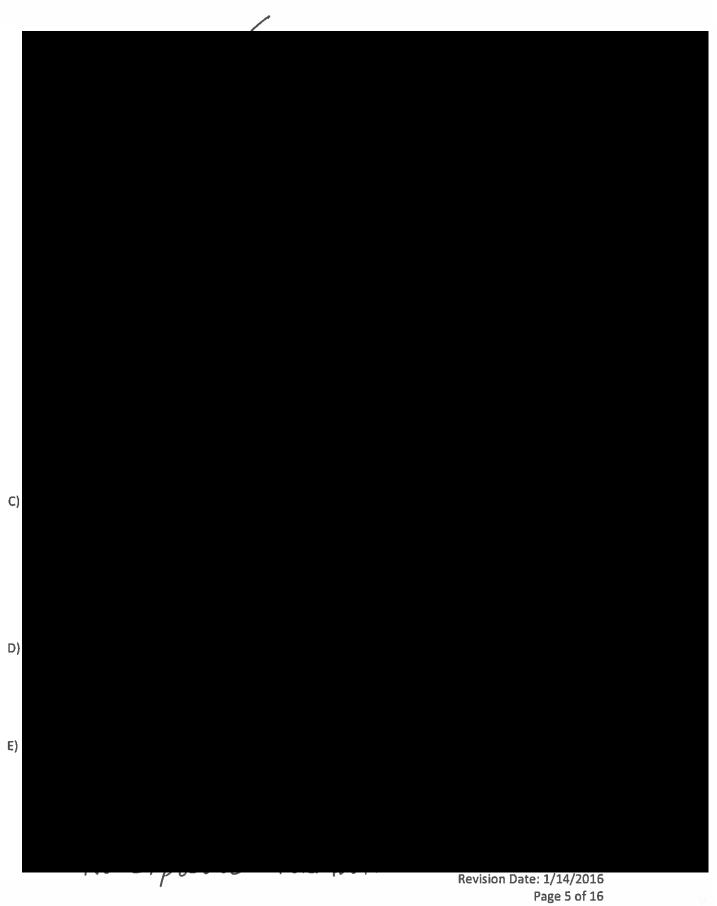
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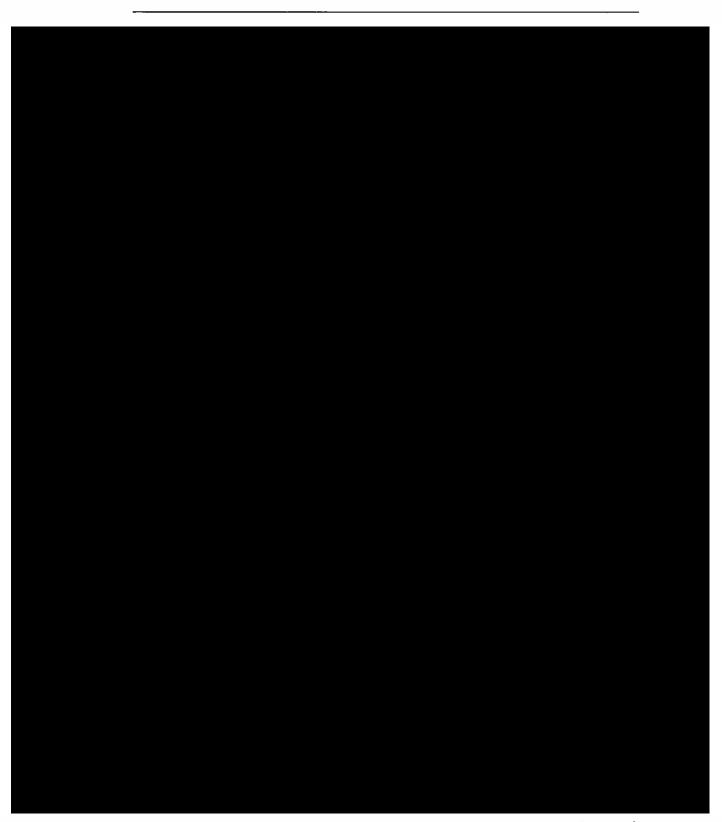
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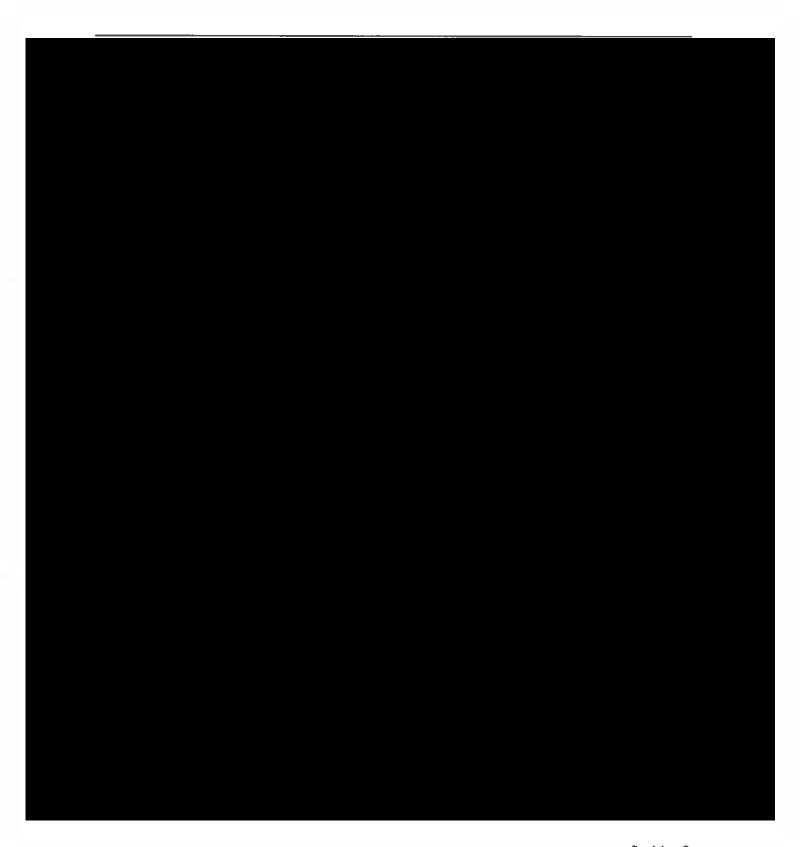
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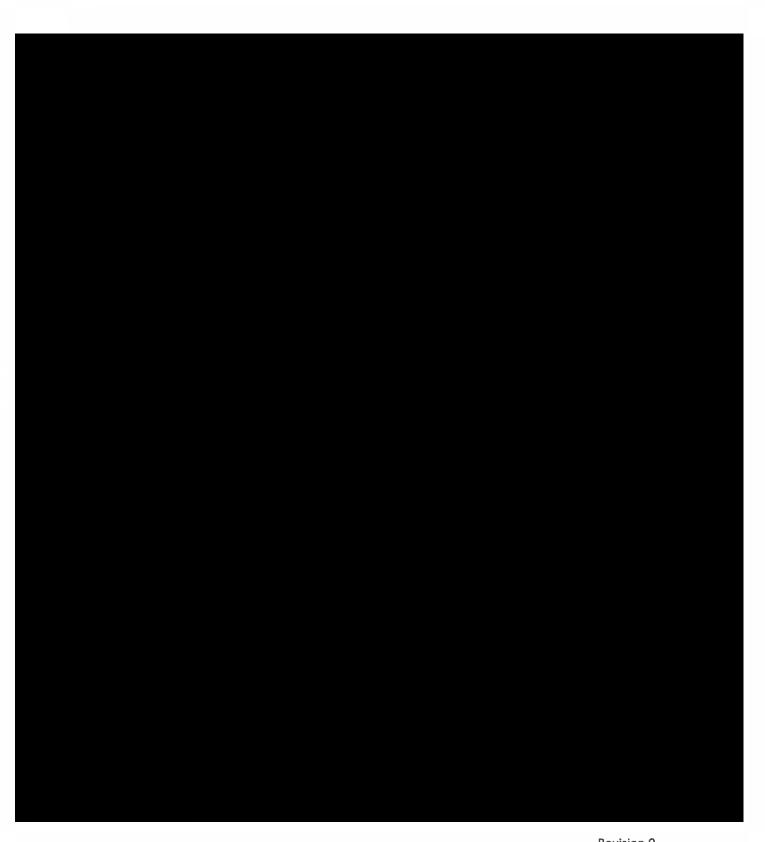
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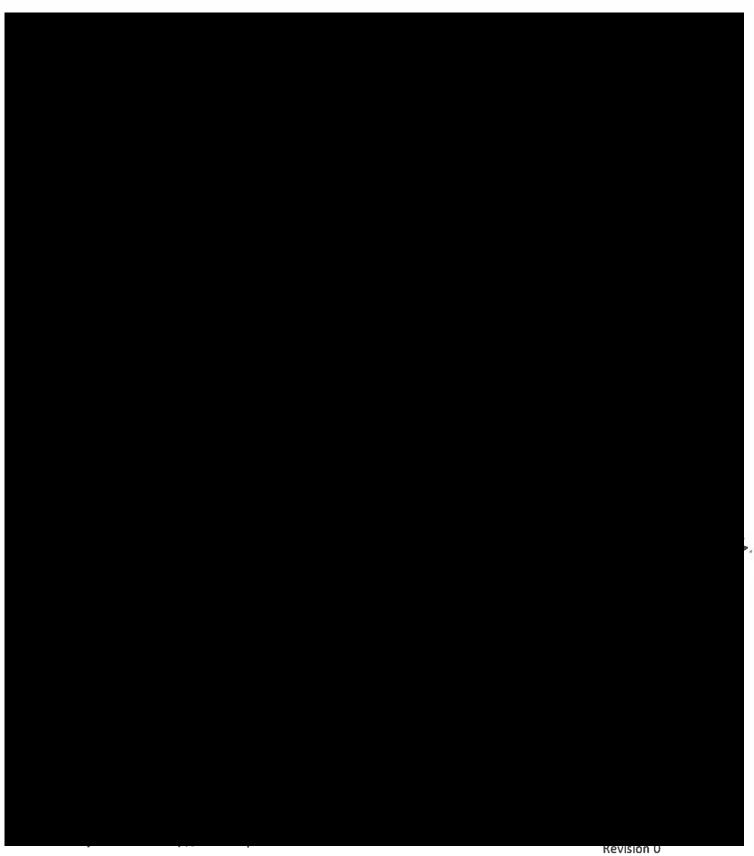
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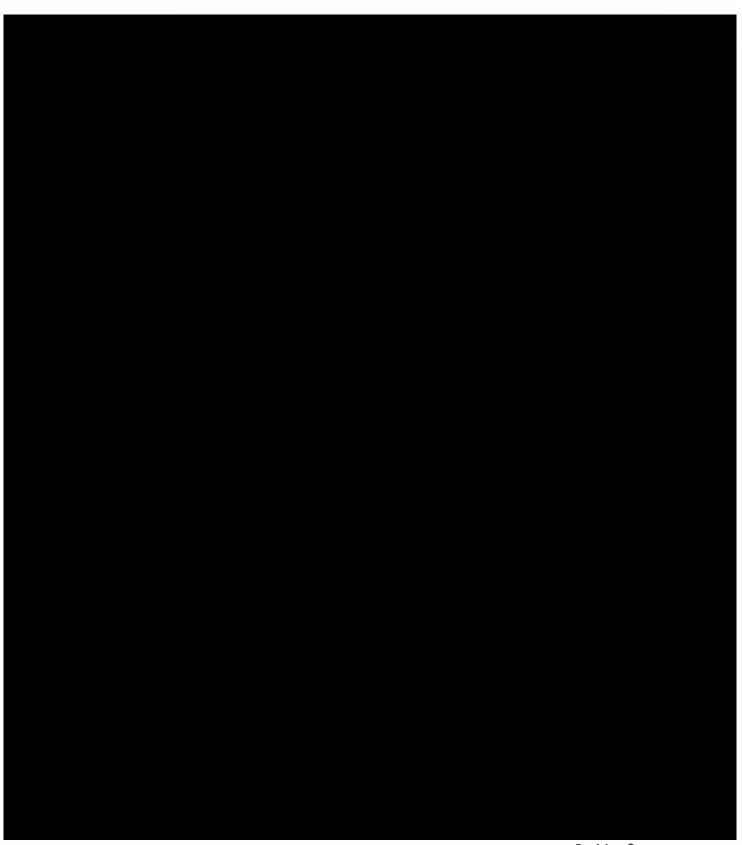
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Pages67 267-527380 and 20-G-0381

DPS-705 Attachment 2

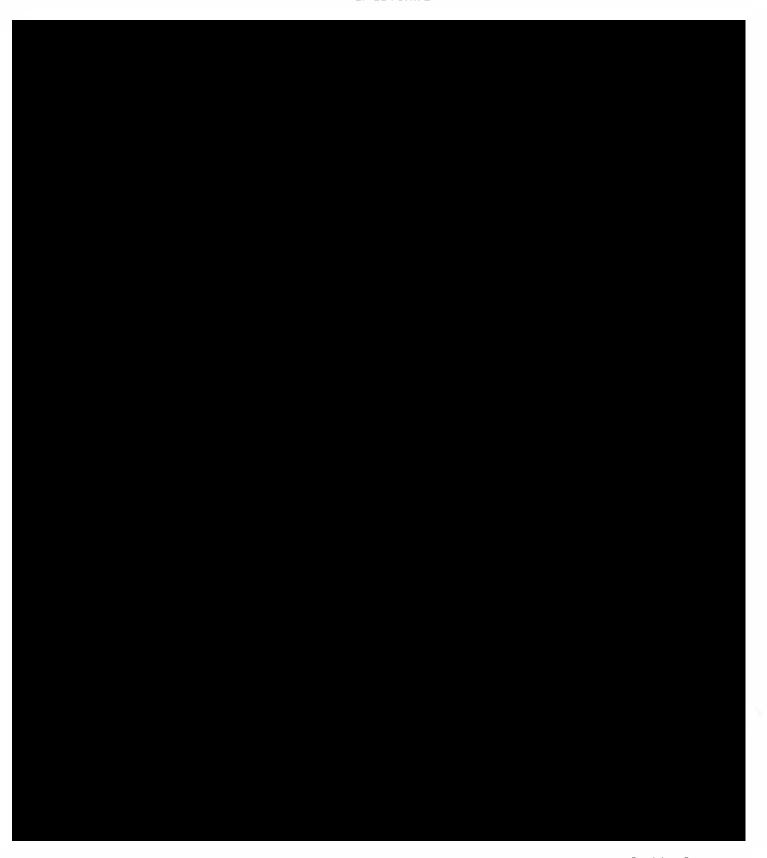
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Facility Audit: S.Portland, ME





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1.0 General Company Information

Introduction

Clean Harbors is North America's leading provider of environmental, energy and industrial services serving over 50,000 customers, including a majority of the Fortune 500 companies, thousands of smaller private entities and numerous federal, state, provincial and local governmental agencies.

Within Clean Harbors Environmental Services, the company offers Technical Services and Field Services. Technical Services provide a broad range of hazardous material management and disposal services including the collection, packaging, recycling, treatment and disposal of hazardous and non-hazardous waste. Field Services provide a wide variety of environmental cleanup services on customer sites or other locations on a scheduled or emergency response basis.

Within Clean Harbors Energy & Industrial Services, the company offers Industrial Services and Exploration Services. Industrial Services provide industrial and specialty services, such as high-pressure and chemical cleaning, catalyst handling, decoking, material processing and industrial lodging services to refineries, chemical plants, pulp and paper mills, and other industrial facilities. Exploration Services provide exploration, rental, oil and gas field services, and directional boring services to the energy sector serving oil and gas exploration, production, and power generation.

Headquartered in Norwell, Massachusetts, Clean Harbors has more than 175 locations, including over 50 waste management facilities, throughout North America in 38 U.S. states, seven Canadian provinces, Mexico and Puerto Rico. The Company also operates international locations in Bulgaria, China, Sweden, Singapore, Thailand and the United Kingdom. For more information, visit www.cleanharbors.com.

2.0 Facility Information

Facility Overview

Clean Harbors Environmental Services, Inc., a subsidiary of Clean Harbors, Inc. headquartered in Norwell, Massachusetts, owns and operates an oil recycling facility located in South Portland, Maine. This facility is a fully permitted Waste Oil Facility licensed by the State of Maine Department of Environmental Protection. The facility is permitted to receive, store, treat and transfer waste oil, oil and water mixtures, and certain non-hazardous wastewater streams. The treatment method utilized at this facility reduces the volume and toxicity of the waste materials, and produces a specification used oil fuel.

Facility Name	Clean Harbors Environmental Services, Inc.
Location	37 Rumery Road South Portland, ME 04106
County	Cumberland
Facility Owner	Clean Harbors, Inc. 37 Rumery Road South Portland, ME 04106
Property Owner	Clean Harbors, Inc. 37 Rumery Road South Portland, ME 04106
Facility I.D. No	MED980672182
Permit Type	Waste Oil Facility License, Waste Water Discharge Permit
Waste Description	Waste Oil, Oil and Water, Non-hazardous wastewaters
Services Provided	Oil Recovery Heat Separation of oil and water mixtures Filtration Carbon Absorption Flocculation Transportation Waste Oil Collection

Facility Site Plan



Facility History

The Clean Harbors Environmental Services, Inc. site, is approximately one acre, and is located in the Rumery Industrial Park in South Portland, Maine. Before its construction in 1983, the site had been undeveloped. The original developer and owner, Shark Oil Co., sold the facility to Pollution Control Unlimited in December of 1983. The facility was purchased by Clean Harbors Inc. in September 1985. At that time, the facility was renamed Clean Harbors of Maine, Inc. Rumery Rd. Facility. In January of 1993, Clean Harbors of Maine Inc. was changed to Clean Harbors Environmental Services, Inc.

Site Characterization

The facility site, located in the Rumery Industrial Park, is approximately one acre, relatively flat, and approximately half of its surface is covered with buildings or concrete pavement, which is locally diked to provide spill containment. The remainder of the site is covered by concrete and asphalt pavement.

A general site investigation was conducted in March of 1986. Beneath the site there is about twenty feet of fine sand grading into a silty clay strata, which likely overlies a granular zone consisting of sandy gravel and ultimately bedrock at a depth of one hundred feet. There is a waterable aquifer in the upper fine sand strata, a confined aquifer in the underlying granular zone beneath the clay, and in the bedrock. The Portland Water District serves the entire surrounding area. Thus, it is unlikely that the facility could have any impact on potable water supplies.

Security

At full capacity, the facility operates twenty-four hours per day, and seven days per week. However, the facility operates according to workload and seasonal fluctuation. A 6-foot high chain link fence with three strands of barbed wire encloses the perimeter of the facility. There are three access gates for personnel and vehicular access to the facility. All of the gates are kept locked when the facility is not in operation.

Warning signs are strategically located throughout the plant. The premises are fully lit at night to allow for good visibility of the facility from outside the perimeter by local public safety personnel. All visitors to the facility are required to check in at the plant office.

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Directions to Facility

37 Rumery Road South Portland, ME 04106 (207) 772-2201

From the North:

- 1. Take Main Turnpike south to Exit 45.
- 2. At end of Exit take left onto Route 1 North/Main Street.
- 3. Go approximately 1 mile to third set of lights Rumery Ind. Park.
- 4. Take Right onto Rumery Rd.
- 5. Go another eighth of a mile; take right, facility on right hand side.

From the North East:

- 1. Take Route 95/295 South to Exit 4-South Portland
- 2. At the end of the exit, follow Route 1/Main St. South
- 3. Go approximately 1 mile to the second set of lights.
- 4. Take left onto Rumery Rd.
- 5. Go another eighth of a mile, take right, facility on right hand side.

From the West:

- 1. Take Route 302 East to Route 95/295 South
- 2. Continue with directions as stated in directions from the North East 1-5.

From the South:

- 1. Take Route 95 North to Maine Turnpike North to Exit 45.
- 2. Continue with directions as stated in directions from the North, steps 2-5.

3.0 Operating Licenses and Permits

Permit Summary

Clean Harbors Environmental Services, Inc. is currently permitted by the Maine Department of Environmental Protection and the City of South Portland for the operation of the oil recycling facility and the wastewater discharge from the treatment of oil/water mixtures.

Permit Type/Governing Agency	Permit No.	Expiration Date
Waste Oil Storage Facility	O-154-97-E-R	9-28-2017
ME Department of Environmental Protection		
Industrial Wastewater Discharge Permit City of South Portland	003	12-21-2018
Water Resources Protection Department, City of South Portland		
Flammable Storage Permit City of South Portland	13058	4-01-2018
Stormwater Multi-Sector General Permit No Exposure Certification ME Dept. of Environmental Protection	MERNE B589	12-07-2021

Principal Operating Licenses/Permits

Copies of existing permits which detail types of waste management licensed capacities and waste types accepted are available for inspection upon request at the site. Selected permit pages may be attached at the end of this audit under Appendix 8.0.

Principal Contacts/Agencies

The list of contacts below can provide additional information regarding Clean Harbors Environmental Services' facility operations or compliance:

Operations	Nick Keen, Facility Manager Clean Harbors Environmental Services, Inc. 37 Rumery Road South Portland, ME 04106 207-772-220 keenn@cleanharbors.com
Regulatory	Wallace (Mannie)Bell Facility Compliance Manager Clean Harbors Environmental Services, Inc. 221 Sutton Street North Andover, MA 01845 978-687-5042 bellm@cleanharbors.com
RCRA Compliance	Stacy Ladner Maine Department of Environmental Protection Division of Oil & Hazardous Waste Facilities Regulation Bureau of Remediation and Waste Management State House, Station 17 Augusta, ME 04333-0017 207-287-2651 Stacy.a.ladner@maine.gov
Permitting	Rick Kaselis Maine Department of Environmental Protection Division of Oil & Hazardous Waste Facilities Regulation Bureau of Remediation and Waste Management State House, Station 17 Augusta, ME 04333-0017 207-287-2651 Richard.m.kaselis@maine.gov

	James Crowley, Pretreatment Program Coordinator					
	Maine Department of Environmental Protection					
	Division of Water Quality Management					
	Bureau of Land and Water Quality					
	State House Station 17 Appropriate MF 04222 0017					
	Augusta, ME 04333-0017					
	207-287-8898					
	James.R.Crowley@maine.gov					
Wastewater						
Discharge, POTW						
8 /	Tom Wiley, Compliance Administrator					
	City of South Portland					
	111 Waterman Drive					
	PO Box 9422					
	South Portland, ME 04106					
	207-767-7675					
	twiley@southportland.org					

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4.0 Process Description

Oil Reclamation Process

This facility utilizes both heat and chemical demulsification to enhance gravitational separation of oil from water and solid components. Prescribed chemical additives and separation rates differ widely between each tank treatment due to the wide variability of material received at the facility. Thus, the operation behaves more like sequential sets of batches than continuous operation.

The separation process begins by heating the waste oil in one of the three treatment tanks. These treatment tanks are capable of heating the waste oil to 180-200 degrees Fahrenheit. Chemical demulsifiers are added to enhance the separation process. This heating reduces the viscosity of the oil, thereby promoting gravitational settling of solids and provides separation of the oil and water fractions. The reclaimed oil is pumped to a finished product storage tank. Once filled, the laboratory will conduct analyses to determine the composition and combustion characteristics of the reclaimed oil. All reclaimed oil is transferred via our loading rack through dual duplex strainers onto bulk transporters prior to being delivered to end-users. All shipments are accompanied by the proper shipping documents and analysis for each and every load. Wastewater generated from this separation process is transferred to the wastewater tanks prior to going into the wastewater treatment system.

Wastewater Treatment

Wastewater treatment is a critical element to the success of the entire process. It enables the facility to accept and process water contaminated with oil or petroleum products. As is the case with oil processing the skill of the operator is the key to success. The wide variability of the character of the oil water received/handled demands careful selection of chemical additives, rates, and frequent re-adjustment.

Wastewater is collected in one of two 21,000-gallon storage tanks. Prior to entering the treatment system, the water is homogenized in the storage tank using compressed air for mixing. Samples are collected and analyzed in the laboratory to determine the optimum chemical dosage and treatment scheme.

The flow from the storage tanks to the treatment system is maintained between 20-50 gallons per minute. Water enters the Acidification Reactor where 10% Sulfuric Acid is added to drop the pH to between 3 and 4. At this pH the oil-water emulsion is chemically "cracked" to promote gravitational separation. An oil-water separator removes oil from the surface returning it to the oil process tanks for future processing. This separator also removes gross solids.

Subnatant flows to the first stage reactor where alum (Aluminum Sulfate) at 1-3 g/l and Powdered Acitivated Carbon (PAC) at 2 g/l dosage are added for doagulation and coprecipitation of oil and grease. In the second stage reactor lime slurry is added to increase the pH to 9-9.5. The lime serves a dual function. The high alkalinity is necessary to enhance Alum precipitation and also raises the pH above the solubility range for the heavy metals of concern. Both the metal coagulant and existing heavy metals in the wastewater precipitate out of solution as a metal hydroxide sludge. Periodically, a metal precipitant or defoaming agent is required for proper treatment of more difficult waste streams.

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The final step is the addition of an Anionic Polymer to flocculate particles into an agglomerate. Solids separation is accomplished with an inclined plate, lamella type clarifier. The metal hydroxide/PAC Sludge is pumped from the clarifier to a 5,000-gallon sludge thickener tank prior to dewatering by a recessed-plate filter press. The non-hazardous filter cake is disposed of in a licensed landfill.

The clarifier effluent is pushed through 2 Granular Activated Carbon Contactors. The GAC columns contain 2,000 lbs. Of carbon per train with a minimum of 15 minutes contact time. The treated wastewater then flows to one of three 20,000-gallon effluent storage tanks. The wastewater is analyzed for total oil and grease, pH, flashpoint and heavy metals prior to discharge into the municipal sewer system.

Waste Analysis

The Waste Analysis Plan for the facility outlines pre-qualification and on-site acceptance analysis requirements.

Pre-Qualification

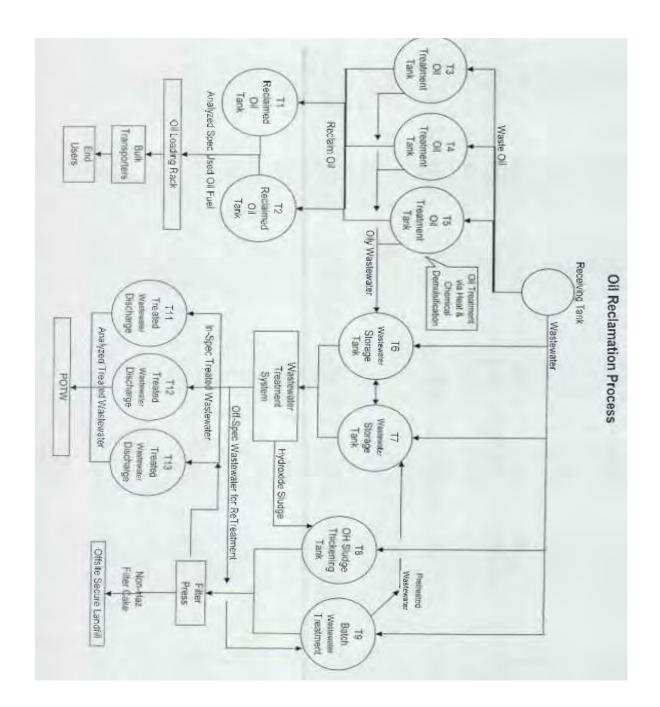
Prior to acceptance and treatment of a specific waste, A Waste Material Profile Sheet must be submitted to and approved by Clean Harbors prior to any waste shipment. Waste profile can be completed and submitted online on Clean Harbors' website at www.cleanharbors.com. Once the waste material is accepted for treatment/disposal, this information becomes part of the permanent record in the generator's file and the waste may be scheduled for shipment.

On-Site Analysis/Acceptance

Incoming load procedures verify that the delivered waste matches the accompanying manifest, pre-accepted documentation, and the conditions of the facility license. Analyses are provided by the laboratory to augment or verify pre-existing waste fuel oil characterizations and to comply with facility acceptance criteria. Analytical methods are classified as "mandatory analyses" and "supplemental analyses". This arrangement allows a tiered approach to waste characterization, enabling Clean Harbors to structure the analyses to adequately identify the waste oil and to define operational parameters for various treatment processes.

Outgoing Load Procedures

Each outgoing load is analyzed to properly classify the waste oil as specification used oil fuel or off-specification used oil fuel. Clean Harbors only markets specification used oil fuel.



5.0 Closure Plan

A comprehensive facility closure plan has been developed in accordance with RCRA requirements and is available at the site for inspection upon request. The Company utilizes both insurance and surety bonds to meet the Financial Assurance requirements of each state.

Facility Closure Certificate: see at the end of this audit under 8.0 Appendix.

6.0 Insurance

Clean Harbors (including Safety-Kleen and all entities) presently carries general liability and auto liability insurance providing coverage in the aggregate amount in excess of \$40 million. The Company purchases pollution liability insurance coverage in excess of \$25 million for its fixed sites for sudden and accidental occurrences. For waste in transit, which insures the Company against liability for sudden and accidental occurrences during transit on a Company vehicle from the time waste is picked up through its delivery to a disposal site the Company purchases insurance in excess of \$25 million.

Certificate of Liability Insurance: see at the end of this audit under 8.0 Appendix.

7.0 Financial Information

Financial information on Clean Harbors and its subsidiaries are available from the Clean Harbors website in the Investor Relations section.

http://www.cleanharbors.com/investor relations/investment materials.html

8.0 Appendix

If applicable, supporting facility documentation will follow.



Niagara Mohawk Power Corporation

Exhibit__(SSIRP-1)t/b/a National Grid

Pages8326f-5207380 and 20-G-0381

DPS-705 Attachment 2

Page 55 of 230

MAINE CERTIFICATE OF INSURANCE FOR CLOSURE CARE

Name and Address of Insurer (herein called the "Insurer"):

Indian Harbor Insurance

Company

Seaview House 70 Seaview Avenue

Stamford, CT 06902-6040

Name and Address of Insured (herein called the "Insured"):

Clean Harbors, Inc. 42 Longwater Drive Norwell, MA 02061

Facilities Covered:

EPA Identification No. MED-980-672-182

Clean Harbors Environmental Services, Inc.

37 Rumery Road

South Portland, Maine 04106 Closure Costs: \$391,006

Face Amount:

\$22,273,220

Policy Number:

PEC004201203

Effective Date:

September 6, 2016

The Insurer hereby certifies that it has issued to the Insured the policy of insurance identified above to provide financial assurance for closure for the facilities identified above. The Insurer further warrants that such policy conforms in all respects with the requirements of 06-096 CMR 860 Waste Oil Management Rules, as applicable and as such regulations were in effect on the date shown immediately below. It is agreed that any provision of the policy inconsistent with such regulations is hereby amended to eliminate such inconsistency.

Whenever requested by the Maine Department of Environmental Protection (hereinafter called the Department), the Insurer agrees to furnish to the Department a signed duplicate original of the policy listed above, including all endorsements thereon.

Niagara Mohawk Power Corporation Exhibit__(SSIRP-1)t/b/a National Grid Pages84 26f-527380 and 20-G-0381 DPS-705 Attachment 2 Page 56 of 230

I hereby certify that the wording of this certificate is identical to the wording specified in 06-096 CMR 860 Waste Oil Management Rules as in effect on the date shown immediately below.

MaryAnn Susavidge
Vice President

Authorized Representative of:

Indian Harbor Insurance

Company

Seaview House

70 Seaview Avenue

Stamford, CT 06902-6040

Signature of witness or notary: Hyndr A. Weizeaut

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL
Lynda A. Sergeant, Notary Public
Uwchlan Twp., Chester County

My Commission Expires June 19, 2020
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

CERTIFICATE HOLDER

Date: 8-29-16

Commissioner of the Maine Department of Environmental Protection State House, Station 17 Augusta, Maine 04330

DPS-705 Attachment 2

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HAZARDOUS WASTE FACILITY CERTIFICATE OF LIABILITY INSURANCE

- 1. Indian Harbor Insurance Company, the Insurer of Seaview House, 70 Seaview Avenue, Stamford, CT 06902-6040, hereby certifies that it has issued liability insurance covering bodily injury and property damage to Safety-Kleen Systems, Inc., the Insured, of 42 Longwater Drive, Norwell, MA 02061 in connection with the Insured's obligation to demonstrate financial responsibility under 40 CFR 264.147 or 265.147. The coverage applies at EPA ID#MED980672182, Clean Harbors Environmental Services, Inc., 37 Rumery Road, South Portland, ME, for sudden accidental occurrences. The limits of liability are \$1,000,000 each occurrence and \$2,000,000 annual aggregate, exclusive of legal defense costs. The coverage is provided under policy number PEC004203903 issued on November 1, 2016. The effective date of said policy is November 1, 2016.
- The Insurer further certifies the following with respect to the insurance described in Paragraph 1: 2.
 - Bankruptcy or insolvency of the Insured shall not relieve the Insurer of its obligations (a) under the policy.
 - The Insurer is liable for the payment of amounts within any deductible applicable to the (b) policy, with a right of reimbursement by the Insured for any such payment made by the Insurer. This provision does not apply with respect to that amount of any deductible for which coverage is demonstrated as specified in 40 CFR 264.147(f) or 265.147(f).
 - Whenever requested by a Regional Administrator of the U.S. Environmental Protection (c) Agency (EPA), the Insurer agrees to furnish to the Regional Administrator a signed duplicate original of the policy and all endorsements.
 - Cancellation of the insurance, whether by the Insurer, the Insured, a parent corporation (d) providing insurance coverage for its subsidiary, or by a firm having an insurable interest in and obtaining liability insurance on behalf of the owner or operator of the hazardous waste management facility, will be effective only upon written notice and only after the expiration of 60 days after a copy of such written notice is received by the Regional Administrator (s) of the EPA Region(s) in which the facility(ies) is(are) located.
 - Any other termination of the insurance will be effective only upon written notice and only (e) after the expiration of thirty (30) days after a copy of such written notice is received by the Regional Administrator(s) of the EPA Region(s) in which the facility(ies) is(are) located.

I hereby certify that the wording of this instrument is identical to the wording specified in 40 CFR 264.151(j) as such regulation was constituted on the date first above written, and that the Insurer is licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in one or more States.

orized Representative of Insurer)

Anthony Gentile, Vice Preisdent

Authorized Representative of Indian Harbor Insurance Company

c/o XL Catlin 505 Eagleview Boulevard Suite 100 Exton, PA 19341-0636

ATTACHMENT C

Certificates of Insurance

CERTIFICATE OF LIABILITY INSURANCE Page 1 of 2

Pages8726f-5207380 and 20-G-0381 DATE (MM/DD/SY70) Attachment 2

Page 59 of 230

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(les) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the

certific	ate holder in lieu of such endoisement(s).			
PRODUCER Willis of Massachusetts, Inc. c/o 26 Century Blvd. P. O. Box 305191		CONTACT NAME: PONE (A/C,NO,EXT): 877-945-7378 E-MAIL ADDRESS: certificates@willis.com		
	Nashville, TN 37230-5191	INSURER(S)AFFORDING COVERAGE	NAIC#	
		(NSURERA: ACE American Insurance Company	22667-001	
4		INSURER B: American Guarantee and Liability Insuranc	26247-003	
	Clean Harbors Environmental Services, Inc. 42 Longwater Drive	INSURERC: ACE American Insurance Company	22667-076	
		INSURER D: Indemnity Insurance Company of North Amer	43575-003	
	Norwell, MA 02061	INSURER É		
	Sign of the second seco	INSURER F:		

REVISION NUMBER: **CERTIFICATE NUMBER: 23763527** COVERAGES THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES, LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	TYPE OF INSURANCE	ADDL	SUBR	POLICY NUMBER	POLICY EFF	POLICY EXP	LIMITS
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR X XCU X COntractual GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO- DIHER:	Y		HDOG27858478	11/1/2016	11/1/2017	EACH OCCURRENCE \$ 2,000,000
A	AUTOMOBILE LIABILITY X ANY AUTO X ALL OWNED AUTOS AUTOS X HIRED AUTOS X MCS-90	Y		ISAH09051107	11/1/2016	11/1/2017	COMBINED SINGLE LIMIT \$ 5,000,000 BODILY INJURY(Per person) \$ BODILY INJURY(Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
В	X UMBRELLALIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION \$			AUC 4275262-12	11/1/2016	11/1/2017	EACH OCCURRENCE \$ 10,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE N OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Ifyes, describe under DESCRIPTION OF OPERATIONS below	N/A	s manufacturity still the still state of	WLRC49103530 WLRC49103554	11/1/2016 11/1/2016	11/1/2017	X PER OTH- EL. EACH ACCIDENT \$ 2,000,000 E.L. DISEASE - EA EMPLOYEE \$ 2,000,000 E.L. DISEASE - POLICY LIMIT \$ 2,000,000
A	Contractors Pollution Liability			COO G27416603 002 CPL		11/1/2017	\$10,000,000 Each Claim \$10,000,000 All Claims \$250,000 SIR

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may See Attached:

CERTIFICATE HOLDER	CARGELLATION
	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
For Reference Only	AUTHORIZED REPRESENTATIVE
	touting

Niagara Mohawk Power Corporation Exhibit__(SSIRP-1)d/b/a National Grid Pages8826f-5207380 and 20-G-0381

AGENCY CUSTOMER ID: 076900

LOC#:

DPS-705 Attachment 2 Page 60 of 230

ADDITIONAL REMARKS SCHEDULE

Page 2 of 2

AGENCY		NAMED INSURED
Willis of Massachusetts, Inc	·	42 Longwater Drive Norwell, MA 02061
POLICY NUMBER		MOIWEII, IM ONOO
See First Page		
CARRIER	NASC CODE	
See First Page		EFFECTIVE DATE: See First Page

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM TITLE: CERTIFICATE OF LIABILITY INSURANCE FORM NUMBER: 25

Pollution Legal Liability Carrier: Indian Harbor Insurance Company Policy Number: PEC004203903 Policy Term: 11/1/2016 - 11/1/2017 Limits: \$10,000,000 Each Claim/Aggregate

Page 61 of 230



Clean Harbors 221 Sutton Street North Andover, MA 01845 978.687.5000 www.cleanharbors.com

VIA FEDERAL EXPRESS (TRN 777106483752)

August 30, 2016

Ms. Pamela Davis Green, Environmental Specialist III
Division of Oil and Hazardous Waste Facilities Regulation
Bureau of Remediation and Waste Management
Maine Department of Environmental Protection
28 Tyson Drive
Augusta, ME 04333-0017

RE: Financial Assurance – Annual Inflation Increase and Insurance Policy Renewal Clean Harbors Environmental Services, Inc.
37 Rumery Road
South Portland, ME 04106

Dear Ms. Green:

As required by the Maine Department of Environmental Protection (the Department), Clean Harbors Environmental Services, Inc. (CHESI), located at the address referenced above, increases its closure cost estimate for inflation every August 31st. This letter is to notify the Department that CHESI has conducted the inflation adjustment and its closure cost estimate has increased from \$387,135 to \$391,006. The inflated closure cost estimate was calculated by multiplying the existing cost estimate by the annual inflation factor 1.010. This inflation factor was calculated by dividing the annual Implicit Price Deflator (IPD) for Gross National Product (GNP) for 2015 (109,868) by the annual IPD for GNP for 2014 (108,800). These IPDs were obtained from the U.S. Department of Commerce's Bureau of Economic Analysis's Table 1.1.9 and were the values that existed on July 13, 2016.

\$387,135 x 1.010 = \$391,006

Please find enclosed an original signed copy of the new Certificate of Insurance for \$391,006. The effective date of both the Certificate of Insurance and the renewed insurance policy (No. PEC 004201203) is September 6, 2016.

If you have any questions regarding this submittal, please feel free to contact me at 978-609-8705 or at bellm@cleanharbors.com.

Sincerely,

Wallace M. Bell Compliance Manager

Enclosure

cc w/enclosure: Nick Keen, CHESI

Wallace M Boll

Niagara Mohawk Power Corporation

Exhibit__(SSIRP-1)d/b/a National Grid
Pages9020f-5207380 and 20-G-0381

DPS-705 Attachment 2
Page 62 of 230

MAINE CERTIFICATE OF INSURANCE FOR CLOSURE CARE

Name and Address of Insurer (herein called the "Insurer"):

Indian Harbor Insurance

Company

Seaview House 70 Seaview Avenue

Stamford, CT 06902-6040

Name and Address of Insured (herein called the "Insured"):

Clean Harbors, Inc. 42 Longwater Drive Norwell, MA 02061

Facilities Covered:

EPA Identification No. MED-980-672-182

Clean Harbors Environmental Services, Inc.

37 Rumery Road

South Portland, Maine 04106 Closure Costs: \$391,006

Face Amount:

\$22,273,220

Policy Number:

PEC004201203

Effective Date:

September 6, 2016

The Insurer hereby certifies that it has issued to the Insured the policy of insurance identified above to provide financial assurance for closure for the facilities identified above. The Insurer further warrants that such policy conforms in all respects with the requirements of 06-096 CMR 860 Waste Oil Management Rules, as applicable and as such regulations were in effect on the date shown immediately below. It is agreed that any provision of the policy inconsistent with such regulations is hereby amended to eliminate such inconsistency.

Whenever requested by the Maine Department of Environmental Protection (hereinafter called the Department), the Insurer agrees to furnish to the Department a signed duplicate original of the policy listed above, including all endorsements thereon.

Pages 24 26-527380 and 20-G-0381

DPS-705 Attachment 2

Page 63 of 230

I hereby certify that the wording of this certificate is identical to the wording specified in 06-096 CMR 860 Waste Oil Management Rules as in effect on the date shown immediately below.

MaryAnn Susavidge
Vice President

Authorized Representative of:

Indian Harbor Insurance

Company Seaview House 70 Seaview Avenue Stamford, CT 06902-6040

Signature of witness or notary: Higher A. Weiseaut

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL
Lynda A. Sergeant, Notary Public
Uwchian Twp., Chester County
My Commission Expires June 18, 2020
MEMBER, FRANKYLVANIA ASSOCIATION OF NOTARIES

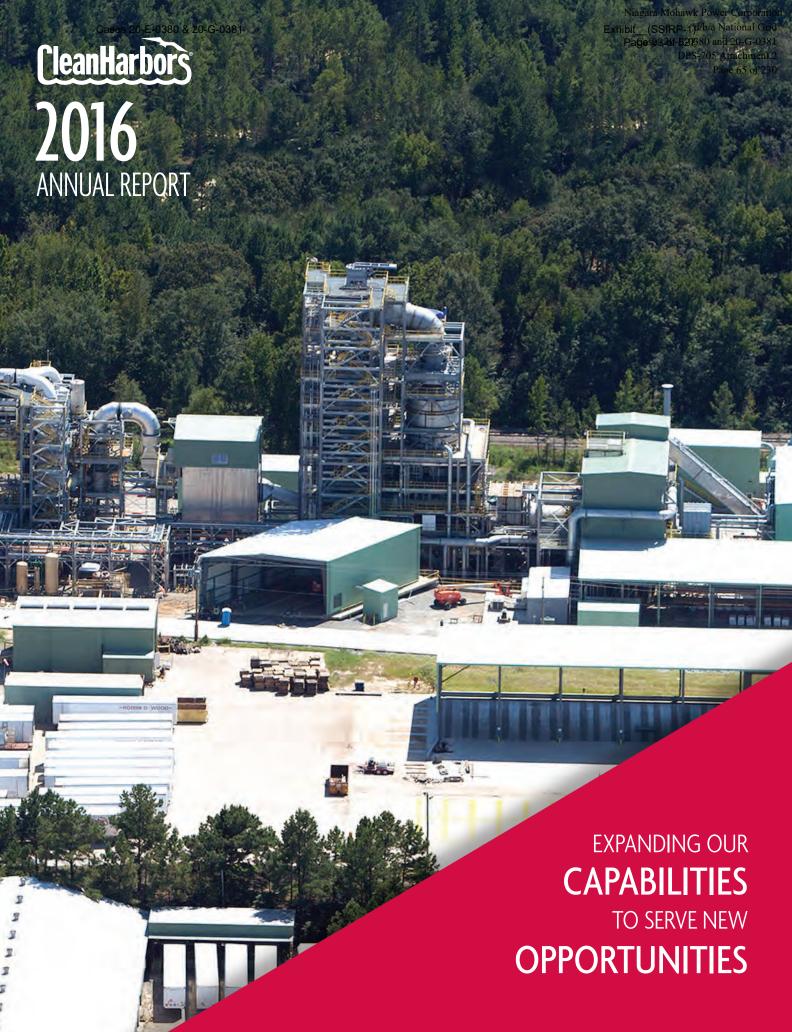
Date: 8-29-16

CERTIFICATE HOLDER

Commissioner of the Maine Department of Environmental Protection State House, Station 17 Augusta, Maine 04330

ATTACHMENT D

Clean Harbors Inc. 2016 Annual Report



Page 66 of 230 Delivering value by leveraging expertise, assets and technology to drive innovation and expansion

Our mission is to create a safer, cleaner environment through the treatment, recycling and disposal of hazardous materials. To achieve this mission, our culture is based on continually seeking growth opportunities and redefining the markets in which we operate. In 2016, Clean Harbors focused heavily on extending its leadership position in core markets through innovation and expansion.

We completed the construction of our new El Dorado, Arkansas incinerator. Beyond adding capacity, this state-of-the-art operation enhanced our ability to destroy regulated waste materials safely and effectively, opening up new opportunities for Clean Harbors to grow.

In an effort to further differentiate our services and increase profitability, we launched our very successful Performance Plus™ brand of high-quality lubricants, supplying them directly to customers through our Safety-Kleen network. We also introduced an innovative delivery program called OilPlus™, in which we deliver new motor oil and pick up used oil in a single stop. Our customers gain many benefits from this closed-loop system: they can consolidate vendors, enjoy enhanced service, cut costs and reduce their overall carbon footprint. By leveraging our expertise in re-refining oil, our unique infrastructure and the seven recent strategic acquisitions, we have created efficiencies and advantages that are unmatched.



These efforts align with our brand and our mission. We believe they will build significant and



Performance Plus Oil and Lubricants



#6 Performance Plus Car



500, across the chemical, energy, manufacturing and additional markets as well as numerous government agencies. These customers rely on Clean Harbors to deliver a broad range of services, such as end-to-end hazardous waste management, emergency spill response, industrial cleaning and maintenance, and recycling. Through its Safety-Kleen subsidiary, Clean Harbors is also North America's largest re-refiner and recycler of used oil and a leading provider of parts washers and environmental services to commercial, industrial and automotive customers. Founded in 1980 and

based in Massachusetts, Clean Harbors operates throughout the United States, Canada, Mexico and Puerto Rico. For more information, visit www.cleanharbors.com.

Niagara Mohawk Power Corporation

Exhibit__(SSIRP-1yl/b/a National Grid
Pages9526F527380 and 20-G-0381

TO OUR SHAREPPS-705 A Fractionent 2
Page 67 of 230

Dear Shareholders:

We confronted another challenging year in 2016. The energy marketplace remained weak, U.S. industrial production underperformed and the markets we serve in Western Canada continued to contract.

The year began with a crash in crude and base oil prices. Although prices rebounded by year's end, that volatile start set the tone for a difficult 2016. Faced with adverse market conditions for a second consecutive year, we focused on controlling those elements of the business within our control.

During 2016, we:

- Eliminated more than \$100 million of expense through a variety of cost reduction initiatives;
- Completed seven acquisitions to support our OilPlus closed-loop direct sales model and our environmental businesses;
- Executed a debt offering of \$250 million to fund those transactions;
- Completed the construction of our state-of-the-art incinerator in El Dorado, Arkansas;
- Launched several organic growth initiatives, including formalizing our daylighting, retail and healthcare services offerings;
- Divested our catalyst services business, yielding \$50 million in proceeds and supplementing the \$61 million in free cash flow generated over the course of 2016.

Investing in Growth – The El Dorado Incinerator

One of the most exciting developments of 2016 was the completion of our \$120 million incinerator in El Dorado, Arkansas. Taking nearly five years to complete from permitting to construction, the facility represents the single largest internal investment in our history.

The incinerator, which is featured on the cover of this year's annual report, is the first new hazardous waste incinerator to enter the commercial marketplace in 20 years, and adds approximately 70,000 tons to our network capacity. We believe the arrival of this increased capacity was perfectly timed. It coincides with the potential closure of a number of captive incinerators, the expected expansion of U.S. industrial production and manufacturing in the coming years and our plans to grow Safety-Kleen and Field Services. We expect that all of these projected developments will drive even more volumes into our network.

Investing in Growth – OilPlus™ Closed-Loop Offering

We are optimistic about our prospects for our planned closed-loop offering, in which we sell our lubricants directly back to our customer base. In 2016, this direct sales initiative transitioned from a regional pilot program to a nationwide launch of packaged product offerings at all Safety-Kleen branches. We also began the rollout of our OilPlus closed-loop offering of our blended products by bulk delivery beginning in the third quarter with upstate New York, followed guickly by other geographies and metropolitan areas. These activities were supported by seven recent acquisitions, including re-refineries, blending and packaging facilities, permitted waste-handling locations, additional waste oil collection customers and oil terminals. Within our re-refinery business, we can now process more than 225 million gallons of waste oil a year, blend and package as much as 120 million gallons annually, and support collection and distribution through an oil terminal network of more than 80 locations.



"El Dorado is the first new hazardous waste incinerator to enter the commercial marketplace in 20 years, and adds approximately 70,000 tons to our network capacity."

Alan McKim Chairman, President and Chief Executive Officer





Niagara Mohawk Power Corporation Exhibit__(SSIRP-1)d/b/a National Grid Pages 96 20f-5207380 and 20-G-0381 DPS-705 Attachment 2 Page 68 of 230

TO OUR SHARFHOLDERS

Our strategic vision for Safety-Kleen has always been to create a closed-loop model in which we collect waste oil, blend and package it and then sell the re-refined high-performance lubricants back to our waste oil collection customers. We believe that we have a strong value proposition to offer our customers beyond just our high-quality, high-performance lubricants. For example, we have created safeguards for customers to protect them on the spread between waste oil collection and lubricant pricing, which mitigates financial risk based on the volatility in crude prices. OilPlus is also a green offering that reduces our customers' carbon footprints and protects the environment. While it's early, the initial response to our closed-loop system has been very favorable, and we anticipate that blended sales will increase significantly in the coming years through our direct marketing efforts. This should benefit the Company and our shareholders in several ways: increased margins and profitability, higher customer retention through deeper relationships, and lower volatility through less commodity exposure.

Stabilizing our Industrial and Energy-Related Businesses

Within our Industrial Services group, we expect a strong turnaround season and increased opportunities for growth in the U.S. In Canada, however, we anticipate continued softness, particularly in Western Canada. The Oil Sands region, site of our fixed lodges, remains challenged by current energy prices, despite the recent rise in crude pricing. Production in the region is expected to remain constrained in the near-term, barring significant catalysts, such as additional energy price increases or pipeline construction to alleviate transportation limitations. Within our Oil and Gas Services businesses, we expect that exploration budgets and drill rig counts will finally begin to stabilize and then climb over the course of 2017. Even with the recent increase in rig count, however, the number of rigs operating in the U.S. today is about the same as in 2002, well before the shale revolution. Therefore, we will remain vigilant in our efforts to cut costs, gain market share, apply our underutilized assets and pursue opportunities in non-traditional markets or regions.

The Importance of Safety at Clean Harbors

In 2016, our team delivered the best safety performance in our history, as measured by our Total Recordable Incident Rate (TRIR). It was the fourth consecutive year of safety improvement. Safety remains the top priority for Clean Harbors and has become fully embedded in our culture.

Safety Starts with Me: Live It 3-6-5, our foundational program for employee safety, has been an overwhelming success, as evidenced by the results achieved since we launched the program in 2013.

Our commitment to safety is making a difference each and every day in protecting our employees, our customers and the communities we serve. Given the hazardous materials we handle and the hazardous work that we routinely perform, my most important job each day is ensuring that every Clean Harbors employee makes it home safely to their families at the end of that day. The management team and I take that responsibility very seriously. We go to great lengths to ensure that our entire organization shares that philosophy and is committed to meeting our safety goals.

Looking Ahead - Profitable Growth Expected

We entered 2017 focused on creating our own success through initiatives to fuel growth and cut costs. The new El Dorado incinerator is now online, and the recent launch of multiple growth initiatives should drive more revenue and volumes into our network. The team continues to do a phenomenal job streamlining our cost structure, which should enable us to deliver strong margin increases as revenue improves. We are also encouraged by the lift in overall customer activity that has accompanied rising U.S. economic expectations. With a more stable energy price environment and economic outlook, domestic industrial production is expected to increase in 2017 after finally turning positive late last year. Given this backdrop, we expect to emerge successfully from the economic down cycle of the past several years. We are confident about the strength of our business model, the demand for our broad range of services and the prospects for our financial and operational strategies.

Clean Harbors has encountered severe economic and industrial headwinds over the past several years, and our team has responded with extraordinary skill and dedication. To these outstanding employees, I offer my thanks for your continued hard work, focus on service excellence and tireless commitment to safety. On behalf of the Board of Directors, I also extend our sincere thanks to you, our fellow shareholders, for the confidence in Clean Harbors that you have shown over the past year. We are dedicated to rewarding that trust again in the year ahead – one in which we intend to grow profitably, generate significant cash flow and build long-term shareholder value.

Sincerely, Alan S. McKim

Chairman, President and Chief Executive Officer

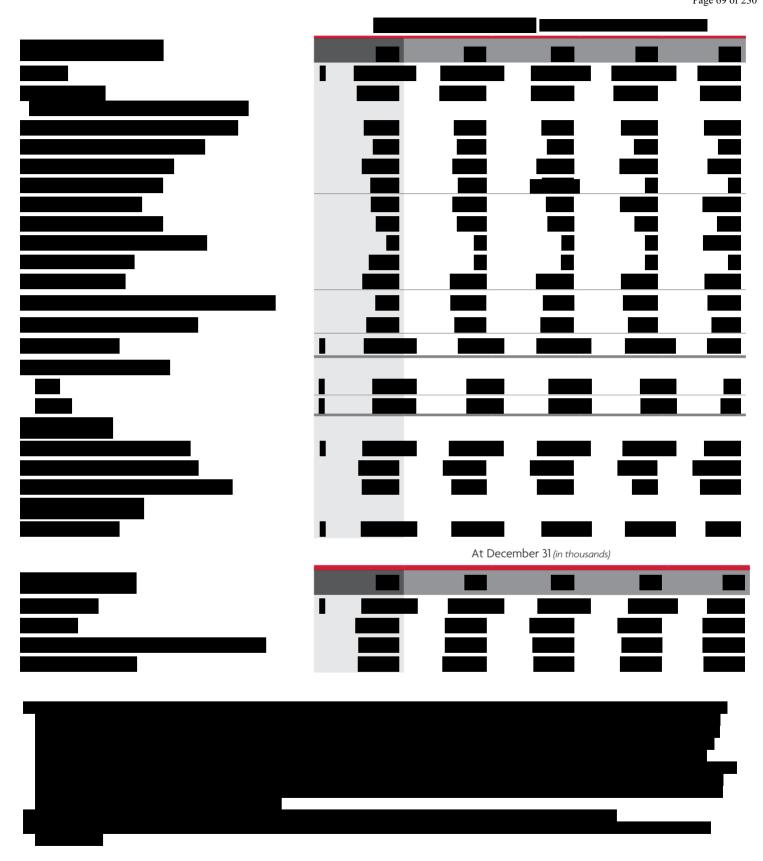
Clean Harbors, Inc.

March 31, 2017



Exhibit__(SSIRP-1)d/b/a National Grid
PaGes9729F5297380 and 20-G-0381
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EXECUTIVE OFFICERS & DIRECTORS

Niagara Mohawk Power Corporation
Exhibit__(SSIRP-1)t/b/a National Grid
Pages9826-527380 and 20-G-0381
DPS-705 Attachment 2
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Executive Officers

Alan S. McKim

Chairman, President and Chief Executive Officer

Michael L. Battles

Executive Vice President and Chief Financial Officer

Mark G. Bouldin

President, Kleen Performance Products*

George L. Curtis

Executive Vice President, Pricing and Proposals*

Eric J. Dugas

Vice President, Corporate Controller and Chief Accounting Officer

Eric W. Gerstenberg

Chief Operating Officer

Eric A. Kraus

Executive Vice President, Corporate Communications and Public Affairs

Marvin Lefebvre

President and Country Manager, Clean Harbors Canada*

David M. Parry

President, North America Sales and Regional Operations*

Michael J. Twohig

Executive Vice President and Chief Administrative Officer*

David J. Vergo

President, Safety-Kleen*

Brian P. Weber

Executive Vice President, Corporate Planning and Development*

Directors

Alan S. McKim

Chairman, President and Chief Executive Officer

Dr. Gene Banucci

Lead Director

Edward G. Galante

Director

Rod Marlin

Director

John T. Preston

Director

Andrea Robertson, CPA

Director

Thomas J. Shields

Director

Lauren C. States

Director

John R. Welch

Director

*Officer of a wholly owned subsidiary of the parent holding company, Clean Harbors, Inc.



Niagara Mohawk Power Corporation Exhibit__(SSIRP-1)t/b/a National Grid Pages9926F527380 and 20-G-0381 DPS-705 Attachment 2

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UNITED STATES

SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

		F	ORM 10-K			
×	ANNUAL REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGING For the fiscal year ended December 31, 2016 OR					
			ON 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934			
	F	or the transition period fron				
		COMMISSI	ON FILE NO. 001-34223			
		CLEAN	HARBORS, INC.			
		(Exact name of reg	strant as specified in its charter)			
	Massac (State or othe of incorporation 42 Longwater Dr	r jurisdiction or organization) ive, Norwell, MA	04-2997780 (IRS Employer Identification No.) 02061-9149			
	(Address of principa		(Zip Code) hone number: (781) 792-5000			
	Securities r	-	ion 12(b) of the Securities Exchange Act of 1934:			
		•				
	Title of ea		Name of each exchange on which registered: New York Stock Exchange			
		-	· ·			
	Securition	es registered pursuant to Sec	tion 12(g) of the Securities Exchange Act of 1934: None			
I	ndicate by check mark if t	he registrant is a well-known s	easoned issuer, as defined in Rule 405 of the Securities Act. Yes 🗷 No 🗖			
I	-	-	file reports pursuant to Section 13 or Section 15(d) of the Exchange			
Exchang	ge Act of 1934 during the p		d all reports required to be filed by Section 13 or 15(d) of the Securities or such shorter period that the registrant was required to file such reports) and ays. Yes ☑ No ☐			
Interacti	ve Data File required to be		ted electronically and posted on its corporate Web site, if any, every nt to Rule 405 of Regulation S-T during the preceding 12 months (or for such such files). Yes 🗷 No 🗖			
be conta		istrant's knowledge, in definiti	oursuant to Item 405 of Regulation S-K is not contained herein, and will not ve proxy or information statements incorporated by reference in Part III of			
reporting			ccelerated filer, an accelerated filer, a non-accelerated filer, or a smaller "accelerated filer" and "smaller reporting company" in Rule 12b-2 of the			
Large	e accelerated filer 🗷	Accelerated filer	Non-accelerated filer ☐ (Do not check if a smaller reporting company) Smaller reporting company ☐			
I	ndicate by check mark wh	ether the registrant is a shell co	ompany (as defined in Rule 12b-2 of the Exchange Act). Yes \(\sigma\) No \(\sigma\)			
(On June 30, 2016 (the last	business day of the registrant's	most recently completed second fiscal quarter), the aggregate market value			

assumptions on which this calculation is based.

On February 10, 2017, there were outstanding 57,276,933 shares of Common Stock, \$.01 par value.

DOCUMENTS INCORPORATED BY REFERENCE

of the voting and non-voting common stock of the registrant held by non-affiliates of the registrant was approximately \$2.7 billion, based on the closing price of such common stock as of that date on the New York Stock Exchange. Reference is made to Part III of this report for the

Certain portions of the registrant's definitive proxy statement for its 2017 annual meeting of stockholders (which will be filed with the Commission not later than April 30, 2017) are incorporated by reference into Part III of this report.

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CLEAN HARBORS, INC.

ANNUAL REPORT ON FORM 10-K

YEAR ENDED DECEMBER 31, 2016

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Disclosure Regarding Forward-Looking Statements

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In addition to historical information, this annual report contains forward-looking statements, which are generally identifiable by use of the words "believes," "expects," "intends," "anticipates," "plans to," "estimates," "projects," or similar expressions. These forward-looking statements are subject to certain risks and uncertainties that could cause actual results to differ materially from those reflected in these forward-looking statements. Factors that might cause such a difference include, but are not limited to, those discussed in this report under Item 1A, "Risk Factors," and Item 7, "Management's Discussion and Analysis on Financial Condition and Results of Operations." Readers are cautioned not to place undue reliance on these forward-looking statements, which reflect management's opinions only as of the date hereof. We undertake no obligation to revise or publicly release the results of any revision to these forward-looking statements. Readers should also carefully review the risk factors described in other documents which we file from time to time with the Securities and Exchange Commission (the "SEC"), including the quarterly reports on Form 10-Q to be filed by us during 2017.

PART I

ITEM 1. BUSINESS

General

Clean Harbors, Inc. and its subsidiaries (collectively, "we," "Clean Harbors" or the "Company") is a leading provider of environmental, energy and industrial services throughout North America. We are also the largest re-refiner and recycler of used oil in the world and the largest provider of parts cleaning and related environmental services to commercial, industrial and automotive customers in North America.

During the fourth quarter of 2016, we changed the manner in which we manage our business, make operating decisions and assess our performance. These changes included combining the Safety-Kleen Environmental Services business and Kleen Performance Products business as a single operating segment called "Safety-Kleen," moving the Production Services business, previously included in our Oil and Gas Field Services operating segment, into our Industrial Services operating segment, and reassigning certain departments among our operating segments in line with management reporting changes. In addition, for purposes of segment disclosure within Note 18, "Segment Reporting," to our consolidated financial statements included in Item 8 of this report, we combined the Oil and Gas Field Services and Lodging Services operating segments under the heading "Oil, Gas and Lodging Services," as those individual operating segments do not meet the quantitative thresholds for separate disclosure.

We believe that this new organizational structure aligns our businesses for growth and efficiency. The amounts presented for all periods herein have been recast to reflect the impact of such changes. Our operations are now managed in six operating segments based primarily upon the nature of the various operations and services provided: Technical Services, Industrial Services, Field Services, Safety-Kleen, Oil and Gas Field Services, and Lodging Services.

- Technical Services provides a broad range of hazardous material management services including the packaging, collection, transportation, treatment and disposal of hazardous and non-hazardous waste at our incinerator, landfill, wastewater and other treatment facilities.
- Industrial and Field Services provides industrial and specialty services such as high-pressure and chemical cleaning, daylighting services, production servicing, decoking, pigging and material processing to refineries, chemical plants, oil sands facilities, pulp and paper mills, and other industrial facilities. These businesses also provide a wide variety of environmental cleanup services on customer sites or other locations on a scheduled or emergency response basis including tank cleaning, decontamination, remediation, and spill cleanup.
- Safety-Kleen provides a broad range of environmental services such as parts cleaning, containerized waste services, used oil collection, and other complementary products and services, including vacuum services, allied products and other environmental services. In addition, Safety-Kleen manufactures, formulates, packages, blends, distributes and markets high-quality lubricants. We process used oil into high quality base and blended lubricating oils which, through our OilPlus TM closed loop initiative, are then sold to third-party customers, and provide recycling of oil in excess of our current re-refining capacity into recycled fuel oil which is then sold to third parties. Processing into base and blended lubricating oils takes place in our six owned and operated re-refineries, and recycling of oil into recycled fuel oil takes place in one of our used oil terminals. In 2016, we also increased our internal capabilities for blending and packaging of these oils.
- Oil, Gas and Lodging Services provides fluid handling, surface rentals, seismic support services, and directional boring services to the energy sector serving oil and gas exploration and power generation. In addition, we provide lodges and remote workforce accommodation facilities throughout Western Canada. These include our open lodges,

Niagara Mohawk Power Corporation

Exhibit (SSIRP-1)d/b/a National Grid

Cases 20-E-0380 & 20-G-0381

operator camps, drill camps, manufacturing of modular units and wastewater processing plants, operating services and parts.

Page 4502 261-527380 and 20-G-0381 operator camps, drill camps, manufacturing of modular units and wastewater processing plants, operating services and page 74 of 230 operator camps.

Clean Harbors, Inc. was incorporated in Massachusetts in 1980 and our principal office is located in Norwell, Massachusetts. We maintain a website at the following Internet address: http://www.cleanharbors.com. Through a link on this website to the SEC website, http://www.sec.gov, we provide free access to our annual reports on Form 10-K, quarterly reports on Form 10-Q, current reports on Form 8-K and amendments to those reports filed or furnished pursuant to Section 13(a) or 15 (d) of the Securities Exchange Act of 1934 as soon as reasonably practicable after electronic filing with the SEC. Our guidelines on corporate governance, the charters for our board committees, and our code of ethics for members of the board of directors, our chief executive officer and our other senior officers are also available on our website, and we will post on our website any waivers of, or amendments to, such code of ethics. Our website and the information contained therein or connected thereto are not incorporated by reference into this annual report.

Health and Safety

Health and Safety is our #1 priority—companywide. Employees at all levels of our Company share this philosophy and are committed to ensuring our safety goals are met. As an industry leader, our commitment to health and safety benefits everyone—our employees, our customers, the community, and the environment. In 2016 we continued with our very successful *Safety Starts With Me: Live It 3-6-5* program which is a key component in our overall safety program and along with our many other programs has continued to achieve low Total Recordable Incident Rate, or "TRIR;" Days Away, Restricted Activity and Transfer Rate, or "DART;" and Experience Modification Rate, or "EMR." For the year ended December 31, 2016, our Company wide TRIR, DART and EMR were 1.18, 0.72 and 0.67, respectively. For the year ended December 31, 2015, our Company wide TRIR, DART and EMR were 1.33, 0.83 and 0.54, respectively.

In order to protect our employees, continue to lower our incident rates, and satisfy our customers' demands to retain the best service providers with the lowest TRIR, DART and EMR rates, we are fully committed to continuously improving our health and safety performance. All employees recognize the importance of protecting themselves, their fellow employees, their customers, and all those around them from harm. This commitment is supported by the philosophies and Golden Rules of Safety that is the cornerstone of the Safety Starts with Me: Live It 3-6-5 program. Live It 3-6-5 is our dedication to the safety of our workers through each and every employee's commitment to our three Safety philosophies, our six Golden Rules of Safety and each employee's five personal reasons why they choose to be safe both at work, on the road and at home.

Compliance

We regard compliance with applicable environmental regulations as a critical component of our overall operations. We strive to maintain the highest professional standards in our compliance activities. Our compliance program has been developed for each of our waste management facilities and service centers under the direction of our compliance staff. The compliance staff is responsible for facilities permitting and regulatory compliance, compliance training, transportation compliance, and related record keeping. To ensure the effectiveness of our regulatory compliance program, our compliance staff monitors daily operational activities. We also have an Environmental Health and Safety Compliance Internal Audit Program designed to identify any weaknesses or opportunities for improvement in our ongoing compliance programs. We also perform periodic audits and inspections of the disposal facilities owned by other companies which we utilize.

Our facilities are frequently inspected and audited by regulatory agencies, as well as by customers. Although our facilities have been cited on occasion for regulatory violations, we believe that each of our facilities is currently in substantial compliance with applicable permit requirements.

Strategy

Our strategy is to develop and maintain ongoing relationships with a diversified group of customers that have recurring needs for environmental, energy or industrial services. We strive to be recognized as the premier supplier of a broad range of value-added services based upon quality, responsiveness, customer service, information technologies, breadth of service offerings and cost effectiveness.

The principal elements of our business strategy are to:

• Expand Service Offerings and Geographic Coverage—We believe our Technical Services, Industrial and Field Services, and Safety-Kleen segments have a competitive advantage, particularly in areas where we maintain service locations at or near a treatment, storage and disposal facility, or "TSDF." By opening additional service locations in close proximity to our TSDFs, we believe that we can increase our market share within these segments. We believe this will drive additional waste to our existing facilities, thereby increasing utilization and enhancing overall profitability. In addition, our management team continues to assess the competitive landscape in order to identify new

business opportunities and, at the end of 2016, included the Healthcare services and Daylighting businesses which will expand our services offerings to existing and potential customers.

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- Cross-Sell Across Segments—We believe the breadth of our service offerings allows us to provide additional services to existing customers. In particular, we believe we can provide industrial and field services to customers that traditionally have only used our technical services and technical services to customers that use our industrial services or oil and gas field services. At the same time, we see a variety of cross-selling opportunities between our Technical Services, Industrial and Field Services and Safety-Kleen segments. Evidencing this strategy, we have been successfully cross selling the services of Safety-Kleen, such as parts washers, allied products, recycling services and the implementation of our OilPlusTM closed loop initiative, to legacy Clean Harbors customers. We believe leveraging our ability to cross-sell across all of our segments will drive additional revenue for our Company.
- Capture Large-Scale Projects—We provide turnkey offsite transportation and landfill or incineration disposal services for soil and other contaminated media generated from remediation activities. We also assist remediation contractors and project managers with support services including groundwater disposal, investigation derived waste disposal, rolloff container management, and many other related services. We believe this will drive incremental waste volume to our existing facilities, thereby increasing utilization and enhancing overall profitability.
- Expand Throughput Capacity of Existing Waste Facilities—We operate an extensive network of hazardous waste management facilities and have made substantial investments in these facilities, which provide us with significant operating leverage as volumes increase. In addition, there are opportunities to expand waste handling capacity at these facilities by modifying the terms of the existing permits and by adding equipment and new technology. Through selected permit modifications, we can expand the range of treatment services offered to our customers without the large capital investment necessary to acquire or build new waste management facilities.
- Pursue Selective Acquisitions—We actively pursue selective acquisitions in certain services or market sectors where
 we believe the acquisitions can enhance and expand our business, such as the oil collection and refinery markets. We
 believe that we can expand existing services, especially in our non-disposal services, through strategic acquisitions in
 order to generate incremental revenues from existing and new customers and to obtain greater market share.
 Evidencing this strategy, during 2016, we acquired seven businesses that will primarily complement the strategy to
 create a closed loop model as it relates to the sale of our oil products. For additional information on our acquisitions,
 see "Acquisitions and Other Business Transactions" below.
- Execute Strategic Mergers and Divestitures—To complement our acquisition strategy and focus on internal growth, we regularly review and evaluate our existing operations to determine whether our business model should change through the merger or divestiture of certain businesses. Accordingly, from time to time, we may merge or divest certain non-core businesses and reallocate our resources to businesses that better align with our long-term strategic direction. For instance, on September 1, 2016, we completed the sale of our catalyst services business, which was a non-core business previously included within our Industrial and Field Services segment.
- Focus on Cost, Pricing and Productivity Initiatives—We continually seek to increase efficiency and to reduce costs in our business through enhanced technology, process efficiencies and stringent expense management. For instance, in 2016 and in response to current and expected business conditions, we successfully undertook headcount reductions, branch consolidations, reduction in third-party rentals, greater internalization of maintenance costs, procurement and supply chain improvements and lowering reliance on outside transportation.

Acquisitions and Other Business Transactions

Acquisitions are an element of our business strategy that involves expansion through the acquisition of businesses that complement our existing company and create multiple opportunities for profitable growth.

Demonstrating our selective acquisition strategy, we acquired during 2016 seven businesses for a combined purchase price of \$205.0 million, paid in cash and subject to customary post-closing adjustments, which complement our strategy to create a closed loop model as it relates to the sale of our oil products. These acquisitions also provided us two additional oil rerefineries while also expanding our used motor oil collection network and providing greater blending and packaging capabilities. These acquisitions provided us with greater access to customers in the West Coast region of the United States and additional locations with Part B permits. Operations of these acquisitions are primarily being integrated across our Safety-Kleen segment, with certain operations also being integrated into our Technical Services and Industrial and Field Services segments.

In 2015, we completed the acquisition of Heckmann Environmental Services, Inc. ("HES") and Thermo Fluids Inc. ("TFI"), a wholly-owned subsidiary of HES. The acquisition was accomplished through a purchase by Safety-Kleen, Inc., a wholly-owned subsidiary of our Company, of all of the issued and outstanding shares of HES from Nuverra Environmental Solutions, Inc. HES is a holding company that does not conduct any operations. TFI provides environmental services, including

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used oil recycling, used oil filter recycling, antifreeze products, parts washers and solvent recycling, and industrial waste-705 Attachment 2 management services, including vacuum services, remediation, lab pack and hazardous waste management. We acquired Thage 76 of 230 for a purchase price of \$79.3 million. The acquisition expanded our environmental services customer base while also complementing the Safety-Kleen network and presence in the western United States.

For additional information relating to our acquisition activities during fiscal years 2016, 2015 and 2014, see Note 3, "Business Combinations," to our consolidated financial statements included in Item 8 of this report.

Other business transactions may consist of mergers or divestitures and is another element of our business strategy that involves review of our portfolio of assets to determine the extent to which they are contributing to our objectives and growth strategy.

On September 1, 2016, we completed the sale of our catalyst services business, which was a non-core business previously included within the Industrial Services operating segment, for approximately \$50.6 million (\$49.2 million net of cash retained by the catalyst services business) subject to customary post-closing conditions. For additional information relating to this divestiture, see Note 4, "Disposition of Business," to our consolidated financial statements included in Item 8 of this report.

Protecting the Environment and Corporate Sustainability

Our core business is to provide industry, government and the public a wide range of environmental, energy and industrial services that protect and restore North America's natural environment.

As a leading provider of environmental, energy and industrial services throughout North America, our first goal is to help our customers prevent the release of hazardous wastes into the environment. We also are the leading service provider in the recovery and decontamination of pollutants that have been released. This includes the safe destruction or disposal of hazardous materials in a manner that ensures these materials are no longer a danger to the environment. When providing these services, we are committed to the recycling, reuse and reclamation of these wastes whenever possible using a variety of methods more fully explained below in the sections describing our general operations. Our Safety-Kleen branded services exemplify our commitment to sustainability and providing environmental solutions to the marketplace. Where possible, liquids such as solvents, chemicals and used oil are recycled to our high-quality standards and made into useful products. Tolling programs provide a closed-loop cycle in which the customer's spent solvents are recycled to their precise specifications and returned directly to them.

We have also become the leading North American provider of services to protect the ozone layer from the destructive effects of chlorofluorocarbons, or "CFCs," which are ozone layer depleting substances and global warming compounds that have global warming potentials up to 10,000 times more powerful than carbon dioxide. Global-warming potential is a relative measure of how much heat a greenhouse gas traps in the atmosphere.

Since 2013, California Air Resources Board has issued over 7,900,000 emission reduction credits that were generated by destroying CFC's at Clean Harbors' El Dorado Arkansas incinerator. Over 7,900,000 metric tons of carbon dioxide emissions were avoided by destroying these greenhouse gases. That is equivalent to removing over 1,668,745 passenger vehicles from the road for one year.

One of our most highly visible public programs for various governmental and community entities involves the removal of thousands of tons of hazardous wastes, from households throughout the United States and Canada, that might otherwise be improperly disposed of or become dangerous to the communities where they are stored.

As we provide these wide-ranging services throughout North America, we are committed to ensuring that our own operations are environmentally responsible. Our sustainability efforts are guided by a formal policy, strategy and plan and we continue to build on our past efforts, such as implementing numerous energy efficiency improvements and various transportation initiatives.

Competitive Strengths

- Leading Provider of Environmental, Energy and Industrial Services—We are a leading provider of environmental, energy and industrial services and the largest operator of non-nuclear hazardous waste treatment facilities in North America. We provide multi-faceted and low cost services to a broad mix of customers. We attract and better serve our customers because of our capabilities and the size, scale and geographic location of our assets, which allow us to serve multiple locations.
- Largest collector and recycler of used motor oil—As the largest re-refiner and recycler of used oil in the world, we returned during 2016 approximately 176.3 million gallons of new re-refined oil, lubricants and byproducts back into the marketplace. In 2016, our re-refining process eliminated more than one million metric tons of greenhouse gas

Cases 20-E-0380 & 20-G-0381

("GHG"), which is the equivalent of growing more than 32 million trees for 10 years in an urban environment of growing more than 32 million trees for 10 years in an urban environment of taking over 200,000 passenger cars off the road for one year.

Page 35 25 25 80 and 20-G-0381 taking over 200,000 passenger cars off the road for one year.

- Large and Diversified Customer Base—Our customers range from Fortune 500 companies to midsize and small public and private entities that span multiple industries and business types, including governmental entities. This diversification limits our credit exposure to any one customer and potential cyclicality to any one industry. As a percentage of our 2016 revenues, the top ten industries we service totaled approximately 69% and included chemical (13%), general manufacturing (13%), automotive (9%), refineries and oil sands (9%), government (6%), base oil, blenders and packagers (6%), utilities (4%), terminals and pipelines (3%), pharmaceutical and biotechnology (3%), and transportation (3%).
- Stable and Recurring Revenue Base—We have long-standing relationships with our customers. Our diversified customer base provides stable and recurring revenues as a significant portion of our revenues are derived from previously served customers with recurring needs for our services. In addition, switching costs for many of our customers are high. This is due to many customers' desire to audit disposal facilities prior to their qualification as approved sites and to limit the number of facilities to which their hazardous wastes are shipped in order to reduce their potential liability under United States and Canadian environmental regulations. We have been selected as an approved vendor by large and small generators of waste because we possess comprehensive collection, recycling, treatment, transportation, disposal, and waste tracking capabilities and have the expertise necessary to comply with applicable environmental laws and regulations. Those customers that have selected us as an approved vendor typically continue to use our services on a recurring basis.
- Comprehensive Service Capabilities—Our comprehensive service offerings allow us to act as a full-service provider to our customers. Our full-service orientation creates incremental revenue growth as customers seek to minimize the number of outside vendors and demand "one-stop shop" service providers.
- Integrated Network of Assets—We believe we operate, in the aggregate, the largest number of hazardous waste incinerators, landfills, treatment facilities and TSDFs in North America. Our broad service network enables us to effectively handle a waste stream from origin through disposal and to efficiently direct and internalize our waste streams to reduce costs. As our processing of wastes increases, our size allows us to increase our profit margins as we can internalize a greater volume of waste in our incinerators, landfills and other disposal facilities.
- Regulatory Compliance—We continue to make capital investments in our facilities to ensure that they are in compliance with current federal, state, provincial and local regulations. Companies that rely on in-house disposal may find the current regulatory requirements to be too capital intensive or complicated, and may choose to outsource many of their hazardous waste disposal needs.
- Effective Cost Management—Our significant scale allows us to maintain low costs through standardized compliance procedures, significant purchasing power, research and development capabilities and our ability to efficiently utilize logistics and transportation to economically direct waste streams to the most efficient facility. We also have the ability to transport and process with internal resources the substantial majority of all hazardous waste that we manage for our customers. In addition, our Safety-Kleen results are significantly impacted by the overall market pricing and product mix associated with base and blended oil products and, more specifically, the market prices of Group II base oils. Given the impact of lower base and blended oil pricing, we are now charging stop fees related to our used oil collection services which have allowed us to more effectively manage the profit spreads inherent in the business.
- **Proven and Experienced Management Team**—Our executive management team provides depth and continuity. Our 13 executive officers collectively have a significant amount of experience and expertise in the environmental, energy and industrial services industries. Our chief executive officer founded our Company in 1980, and since its formation has served as both the Chief Executive Officer and Chairman of the Board.

Operations

General

Seasonality and Cyclical Nature of Business. Our operations may be affected by seasonal fluctuations due to weather and budgetary cycles influencing the timing of customers' spending for products and services. Typically during the first quarter of each year there is less demand for our products, oil collection, recycling and environmental services due to the lower levels of activities by our customers as a result of the cold weather, particularly in the Northern and Midwestern regions of the United States and Canada. As a result, reduced volumes of waste are received at our facilities, higher operating costs are realized due to sub-freezing weather and high levels of snowfall, factory closings for year-end holidays reduce waste volume, and lower volumes of used oil are generated for collection by us.

Niagara Mohawk Power Corporation

Exhibit (SSIRP-1)t/b/a National Grid

Cases 20-E-0380 & 20-G-0381

Conversely, typically during the first quarter of each year there is more demand for our Industrial and Field Services and Attachment 2 Oil, Gas and Lodging Services segments due to the cold weather, particularly in Alberta, Canada, and less demand during the age 78 of 230 warmer months. The main reason for this is that the areas we service in Alberta are easier to access when the cold conditions make the terrain more suitable for companies to deploy their equipment. During the warmer months, thawing and muddy conditions may impede deployment of equipment.

Geographical Information. For the year ended December 31, 2016, we generated \$2,213.4 million or 80.3% of our revenues in the United States and Puerto Rico, \$538.0 million or 19.5% of revenues in Canada, and less than 1% of revenues in other international locations. For the year ended December 31, 2015, we generated \$2,576.2 million or 78.7% of our revenues in the United States and Puerto Rico, \$695.0 million or 21.2% of revenues in Canada, and less than 1% of revenues in other international locations. For additional information about the geographical areas from which our revenues are derived and in which our assets are located, see Note 18, "Segment Reporting," to our consolidated financial statements included in Item 8 of this report.

Technical Services

These services involve the collection, transportation, treatment and disposal of hazardous and non-hazardous waste, and include resource recovery, physical treatment, fuel blending, incineration, landfill disposal, wastewater treatment, lab chemical disposal, explosives management and CleanPack® services. Our CleanPack services include the collection, identification and categorization, specialized packaging, transportation and disposal of laboratory chemicals and household hazardous waste. Our technical services are provided through a network of service centers from which a fleet of trucks are dispatched to pick up customers' waste either on a predetermined schedule or on demand, and to deliver the waste to permitted facilities, which are usually Company-owned. Our service centers also can dispatch chemists to a customer location for collection of chemical and laboratory waste for disposal.

Collection, Transportation and Logistics Management. As an integral part of our services, we collect industrial waste from customers and transport such waste to and between our facilities for treatment or bulking for shipment to final disposal locations. Customers typically accumulate waste in containers, such as 55-gallon drums, bulk storage tanks or 20-cubic-yard roll-off containers. In providing this service, we utilize a variety of specially designed and constructed tank trucks and semi-trailers as well as third-party transporters, including railroads.

Treatment and Disposal. We recycle, treat and dispose of hazardous and non-hazardous industrial waste. The waste handled includes substances which are classified as "hazardous" because of their corrosive, ignitable, infectious, reactive or toxic properties, and other substances subject to federal, state and provincial environmental regulation. We provide final treatment and disposal services designed to manage waste which cannot be otherwise economically recycled or reused. The waste that we handle comes in solid, sludge, liquid and gas form.

We operate a network of TSDFs that collect, temporarily store and/or consolidate compatible waste streams for more efficient transportation to final recycling, treatment or disposal destinations. These facilities hold special permits, such as Part B permits under the Resource Conservation and Recovery Act, or "RCRA," in the United States, which allow them to process, transfer and dispose of waste through various technologies including recycling, incineration, and landfill and wastewater treatment depending on each locations permitted and constructed capabilities.

Resource Recovery and Fuel Blending. We operate recycling systems for the reclamation and reuse of certain waste, particularly solvent-based waste generated by industrial cleaning operations, metal finishing and other manufacturing processes. Resource recovery involves the treatment of wastes using various methods, which effectively remove contaminants from the original material to restore its fitness for its intended purpose and to reduce the volume of waste requiring disposal.

We also operate a recycling facility that recycles refinery waste and spent catalyst. The recycled oil and recycled catalyst depending on market conditions are sold to third parties.

Incineration. Incineration is the preferred method for the treatment of organic hazardous waste, because it effectively destroys the contaminants at high temperatures. High temperature incineration effectively eliminates organic waste such as herbicides, halogenated solvents, pesticides, pharmaceutical and refinery waste, regardless of whether gases, liquids, sludge or solids. Federal and state incineration regulations require a destruction and removal efficiency of 99.99% for most organic waste and 99.9999% for polychlorinated biphenyls, or "PCB," and dioxins.

As of December 31, 2016, we had eight active incinerators operating in five incinerator facilities that offer a wide range of technological capabilities to customers. In the United States, we operate a fluidized bed thermal oxidation unit for maximum destruction efficiency of hazardous waste with an estimated annual practical capacity of 58,808 tons and three solids and liquids capable incinerator facilities with a combined estimated annual practical capacity of 317,387 tons. We also operate one hazardous waste liquid injection incinerator in Canada with total annual practical capacity of 115,526 tons. Our state-of-the-art

Niagara Mohawk Power Corporation Exhibit__(SSIRP-1)^{d/b/a} National Grid

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hazardous waste incinerator at our El Dorado, Arkansas site, which officially came online in early 2017, is expected to approximately 70,000 tons of additional capacity to our Arkansas facility.

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Our incinerator facilities in Kimball, Nebraska; Deer Park, Texas; El Dorado, Arkansas; and Aragonite, Utah, are designed to process liquid organic waste, sludge, solids, soil and debris. Our Deer Park facility has two kilns and a rotary reactor. Our El Dorado facility specializes in the treatment of bulk and containerized hazardous liquids, solids and sludge. Our new state-of-the-art hazardous waste incinerator at our El Dorado, Arkansas, site specializes in high-temperature incineration of regulated waste, such as industrial and laboratory chemicals, manufacturing byproducts, medical waste, fertilizers and other solid and liquid materials that would otherwise be hazardous to the environment and public health if not properly managed. Our facilities in Kimball and Deer Park have on-site landfills for the disposal of ash produced as a result of the incineration process.

Our incinerator facility in Lambton, Ontario, is a liquid injection incinerator, designed primarily for the destruction of liquid organic waste. Typical waste streams include wastewater with low levels of organics and other higher concentration organic liquid waste not amenable to conventional physical or chemical waste treatment.

Landfills. Landfills are primarily used for the disposal of inorganic waste. In the United States and Canada, we operate nine commercial landfills. Seven of our commercial landfills are designed and permitted for the disposal of hazardous waste and two of our landfills are operated for non-hazardous industrial waste disposal and, to a lesser extent, municipal solid waste. In addition to our commercial landfills, we also own and operate two non-commercial landfills that only accept waste from our on-site incinerators.

Of our seven commercial landfills used for disposal of hazardous waste, five are located in the United States and two are located in Canada. As of December 31, 2016, the useful economic lives of these landfills include approximately 27.5 million cubic yards of remaining capacity. This estimate of the useful economic lives of these landfills includes permitted airspace and unpermitted airspace that our management believes to be probable of being permitted based on our analysis of various factors. In addition to the capacity included in the useful economic lives of these landfills, there are approximately 31.9 million cubic yards of additional unpermitted airspace capacity included in the footprints of these landfills that may ultimately be permitted, although there can be no assurance that this unpermitted additional capacity will be permitted. In addition to the hazardous waste landfills, we operate two non-hazardous industrial landfills with 4.2 million cubic yards of remaining permitted capacity. These two facilities are located in the United States and have been issued operating permits under Subtitle D of RCRA. Our non-hazardous landfill facilities are permitted to accept commercial industrial waste, including waste from foundries, demolition and construction, machine shops, automobile manufacturing, printing, metal fabrications and recycling.

Wastewater Treatment. We operate eight wastewater treatment facilities that offer a range of wastewater treatment technologies. These wastewater treatment operations involve processing hazardous and non-hazardous waste through the use of physical and chemical treatment methods. These facilities treat a broad range of industrial liquid and semi-liquid waste containing heavy metals, organics and suspended solids.

Total Project Management. We also provide total project management services in areas such as chemical packing, onsite waste management, remediation, compliance training and emergency spill response, while leveraging the Clean Harbors network of Technical Services and Industrial and Field Services centers and capabilities.

Industrial and Field Services

Industrial Services. We provide a wide range of industrial maintenance services and specialty industrial services at refineries, mines, upgraders, chemical plants, pulp and paper mills, manufacturing, and power generation facilities. We provide these services throughout North America, which includes our presence in the oil sands region in Alberta, Canada as well as the gulf coast region of the United States.

Our crews handle as-needed in-plant services to support ongoing in-plant cleaning and maintenance services, including liquid/dry vacuum, hydro-blasting, dewatering and materials processing, water and chemical hauling and steam cleaning. We provide a variety of specialized industrial services including plant outage and turnaround services, decoking and pigging, chemical cleaning, high and ultra-high pressure water cleaning, daylighting and hydro excavation, pipeline inspection and coating services, and large tank and surface impoundment cleaning.

Our crews also handle oilfield transport and production services supporting drilling, completions and production programs. On the drilling and completions side, we provide vehicles and services for fluid hauling and disposal for ad hoc and turnkey operations. We also provide services and equipment for drilling site cleanups and support. On the production side, we provide complete turnarounds and tank cleaning services. Our downhole well equipment helps maintain and increase well productivity.

Niagara Mohawk Power Corporation

Exhibit __(SSIRP-1)d/b/a National Grid

Cases 20-E-0380 & 20-G-0381

Field Services. We provide customers with highly skilled experts who utilize specialty equipment and resources and 20-G-0381 perform services at any chosen location. Our field service crews and equipment are dispatched on a planned or emergency Page 80 of 230 basis, and perform services such as confined space entry for tank cleaning, site decontamination, large remediation projects, demolition, spill cleanup, railcar cleaning, product recovery and transfer, scarifying and media blasting and vacuum services. Additional services include used oil and oil products recycling. Other services include filtration and water treatment services.

We are a leader in providing response services for environmental emergencies of any scale from man-made disasters such as oil spills, and natural disasters such as hurricanes.

Safety-Kleen

Our Safety-Kleen service brand offers an array of environmental services and complementary products to a diverse range of customers including automobile repair shops, car and truck dealers, metal fabricators, machine manufacturers, fleet maintenance shops and other automotive, industrial and retail customers.

As the largest provider of parts cleaning services in North America, our Safety-Kleen business offers a complete line of specially designed parts washers to customer locations and then delivers recurring service that includes machine cleaning and maintenance and the disposal and replacement of clean solvent or aqueous fluids. We also sell allied products including degreasers, glass and floor cleaners, hand cleaners, absorbents, antifreeze, windshield washer fluid, mats and spill kits.

Utilizing our collection network, we provide the pickup and transportation of hazardous and non-hazardous containerized waste for recycling or disposal, primarily through the Clean Harbors network of recycling and waste treatment and disposal facilities. We also collect used oil which serves as feedstock for our oil re-refineries discussed below, although a portion of the used oil brought to the re-refineries is either not suitable for re-refining or cannot be re-refined because we do not have sufficient re-refining capacity at a specific point in time. That oil is processed into recycled fuel oil, or "RFO," and is then sold to various customers, such as asphalt plants, industrial plants, pulp and paper companies, and vacuum gas oil and marine diesel oil producers.

Our vacuum services provide the removal of solids, residual oily water and sludge and other fluids from customers' oil/water separators, sumps and collection tanks. We also remove and collect waste fluids found at large and small industrial locations, including metal fabricators, auto maintenance providers, and general manufacturers.

Utilizing used oil collected by Safety-Kleen branches, we manufacture, formulate, package, distribute and markets highquality lubricants and allied products. We offer these services to business end-users and customers that can in turn market to retailers and end-consumers. The used oil collected by Safety-Kleen's branch network is processed or re-refined to convert into a variety of products, mostly base lubricating oils, and much smaller quantities of asphalt-like material, glycols and fuels. As the largest re-refiner of used oil in the world, we process the used oil collected through our six re-refineries located in East Chicago, Indiana; Newark, California; Wichita, Kansas; Tacoma, Washington; Fallon, Nevada, and Breslau, Ontario. Our primary goal is to produce and sell high-quality blended oils, which are created by combining our re-refined base and other base oils with performance additives in accordance with our proprietary formulations and American Petroleum Institute licenses. Our Performance Plus® brand and "green" proprietary brand EcoPower® sold under our Kleen Performance Products line of oil products are sold to on- and off-road corporate fleets, government entities, automotive service shops and industrial plants, which are serviced through our internal distribution network, as well as an extensive United States and Canada-wide independent distributor network. We also sell unbranded blended oils to distributors that resell them under their private label brands. In 2016, we implemented our OilPlusTM program resulting in the sale of our renewable oil products directly to our end customers. We sell the base oil that we do not blend and sell ourselves to independent blenders/packagers that use it to blend their own branded or private label oils. With more than 200 million gallons of used oil processed annually, we were able to return in 2016 approximately 176.3 million gallons of new re-refined oil, lubricants and byproducts back into the marketplace.

Oil, Gas and Lodging Services

Oil and Gas Field Services. Consists of two lines of businesses; Seismic Services and Surface Rentals. These services support exploration and drilling programs for oil and gas companies.

Seismic Services provides integrated seismic and right-of-way services for efficient resource discovery and site preparation. These services include: (i) seismic surveying that minimizes costs, environmental impact, and time in field; (ii) mulching/line clearing that expedites additional geophysical activities and minimizes environmental impact; and (iii) shot-hole drilling that provides safe and efficient operations in every terrain, including hostile and inaccessible regions.

Surface Rentals services support oil and gas companies' drilling and well completion programs. Key to our services is our ability to provide solids control to support the drilling process. Our technologies help manage liquids, solids and semi-solid material during the drilling operation, and include centrifuges, tanks, and drilling fluid recovery. We also can provide container

rentals for the safe collection of drill cuttings and other wastes, as well as manage disposal for drilling fluids and solids well and solids and solids and solids and solids well surface rental equipment to support drill sites by providing wellsite trailers, wastewater treatment systems and Page 81 of 230 holding tanks, light towers, and generators and handling tools.

Lodging Services. Consists of three lines of businesses; Lodge Operations, Camps and Catering, and Manufacturing. Synergy is created among all three lines of businesses within Lodging Services itself, as well with other Clean Harbors divisions by providing turnkey remote accommodations and manufacturing support.

Lodge Operations operates fixed lodges ranging in sizes up to approximately 600 beds throughout Western Canada, primarily in the Fort McMurray area. These are open lodges, with amenities that include catering and housekeeping services, fully equipped common areas, fitness rooms and computer rooms, wireless internet and public phones, powered parking stalls, laundry facilities, and daily towel service.

Camps and Catering operates remote workforce accommodation facilities throughout Western Canada, currently in British Columbia, Saskatchewan and Alberta, with multiple accommodation types. These include both client and open camps, operator camps, and drill camps. In addition, we provide internally to the majority of our lodges and camps food services prepared by Red Seal Chefs, hospitality services, camp and lodge managers, and housekeeping. Furthermore, hospitality services are available as a standalone service to clients who have other accommodation arrangements.

Manufacturing operates through BCT Structures Inc., a custom manufacturer of modular buildings specializing in providing workforce housing, office complexes, schools, lavatories, multi-story buildings, affordable housing, kitchen facilities and other customized modular solutions for various industries.

Competition

The hazardous waste management industry in which we compete is highly competitive. The sources of competition vary by locality and by type of service rendered, with competition coming from national and regional waste services companies and hundreds of privately-owned firms. Veolia Environmental Services, or "Veolia," Waste Management, Inc., or "WM," U.S. Ecology, and Stericycle, Inc. are the principal national firms with which we compete. Each of these competitors is able to provide one or more of the environmental services we offer.

Under federal and state environmental laws in the United States, generators of hazardous wastes remain liable for improper disposal of such wastes. Although generators may hire various companies that have the proper permits and licenses, because of the generators' potential liability, they are very interested in the reputation and financial strength of the companies they use for the management of their hazardous wastes. We believe that our technical proficiency and reputation are important considerations to our customers in selecting and continuing to utilize our services.

We believe that the depth of our recycling, treatment and disposal capabilities and our ability to collect and transport waste products efficiently, quality of service, safety, and pricing are the most significant factors in the market for treatment and disposal services.

For our Technical Services segment, competitors include several major national and regional environmental services firms, as well as numerous smaller local firms. We believe the availability of skilled technical professional personnel, quality of performance, diversity of services, safety record and price are the key competitive factors in this service industry.

For our Industrial and Field Services segment, competitors vary by locality and by type of service rendered, with competition coming from national and regional service providers and hundreds of privately-owned firms that offer energy or industrial services. CEDA International Corporation and Newalta in Canada, and Philip Services Corporation, Hydrochem and Veolia in the United States, are the principal national firms with which we compete. Each of these competitors is able to provide one or more of the industrial and field services offered by us. We believe the availability of specialized equipment, skilled technical professional personnel, quality of performance, diversity of services, safety record and price are the key competitive factors in this industry.

For our Safety-Kleen segment, competitors vary by locality and by type of service rendered, with competition coming from Heritage-Crystal Clean and Veolia, along with several regional and local firms.

For our Oil, Gas and Lodging Services segment, competitors vary by locality and type of services provided, with competition coming from national, regional and local service providers. Some of these competitors are able to provide one or more of the oil and gas field services we offer. Others only provide a limited range of equipment or services tailored for local markets. Competition is based on a number of factors, including safety, quality, performance, reliability, service, price, response time, and, in some cases, breadth of service offering. Our primary competitors in our lodging business are Civeo, Black Diamond, Horizon North Logistics, Noralta, Royal Camps and William Scotsman.

The principal methods of competition for all of our services are price, quality, reliability of service rendered and recomprehensive range of environmental, energy and industrial services than outpage 82 of 230 competitors in major portions of the United States and Canada.

Employees

As of December 31, 2016, we employed approximately 12,400 active full-time employees, of which 711 in the United States and 524 in Canada were represented by labor unions. We believe that our relationship with our employees is satisfactory. As part of our commitment to employee safety and quality customer service, we have an extensive compliance program and trained environmental, health and safety staff. We adhere to a risk management program designed to reduce potential liabilities to us and to our customers.

Intellectual Property

We have invested significantly in the development of proprietary technology and also to establish and maintain an extensive knowledge of leading technologies and incorporate these technologies into the services we offer and provide to our customers. As of December 31, 2016, we held a total of 38 U.S. and 13 foreign issued or granted patents (which will expire between 2017 and 2031), 7 U.S. and 5 foreign pending patent applications, 69 U.S. and 53 foreign trademark registrations, and 6 U.S. and 10 foreign trademark applications. We also license software and other intellectual property from various third parties. We enter into confidentiality agreements with certain of our employees, consultants and corporate partners, and control access to software documentation and other proprietary information. We believe that we hold adequate rights to all intellectual property used in our business and that we do not infringe upon any intellectual property rights held by other parties.

Management of Risks

We adhere to a program of risk management policies and practices designed to reduce potential liability, as well as to manage customers' ongoing environmental exposures. This program includes installation of risk management systems at our facilities, such as fire suppression, employee training, environmental, auditing and policy decisions restricting the types of wastes handled. We evaluate all revenue opportunities and decline those that we believe involve unacceptable risks.

We dispose of wastes at our incinerator, wastewater treatment and landfill facilities, or at facilities owned and operated by other firms that we have audited and approved. We apply established technologies to the treatment, storage and recovery of hazardous wastes. We believe our operations are conducted in a safe and prudent manner and in substantial compliance with applicable laws and regulations.

Insurance and Financial Assurance

Our insurance programs cover the potential risks associated with our multifaceted operations from two primary exposures: direct physical damage and third-party liability. We maintain a casualty insurance program providing coverage for vehicles, employer's liability and commercial general liability in the aggregate amount of \$105.0 million, \$102.0 million and \$104.0 million, respectively, per year, subject to retentions of \$2.0 million per occurrence for auto and commercial general liability and \$1.0 million for employers' liability in the United States and \$2.0 million in Canada. We also have workers' compensation insurance whose limits are established by state statutes.

We have pollution liability insurance policies covering potential risks in three areas: as a contractor performing services at customer sites, as a transporter of waste, and as a processor of waste at our facilities. The contractor's pollution liability insurance has limits of \$20.0 million per occurrence and \$25.0 million in the aggregate, covering offsite remedial activities and associated liabilities.

For sudden and accidental in-transit pollution liability, our auto liability policy provides the primary \$5.0 million per occurrence of transportation pollution insurance. Our pollution liability policies provide an additional \$60.0 million per occurrence and \$85.0 million in the aggregate for a total of \$65.0 million per occurrence and \$90.0 million, respectively. A \$2.0 million deductible per occurrence applies to this coverage in the United States and Canada.

Federal and state regulations require liability insurance coverage for all facilities that treat, store or dispose of hazardous waste. RCRA, the Toxic Substances Control Act, and comparable state hazardous waste regulations typically require hazardous waste handling facilities to maintain pollution liability insurance in the amount of \$1.0 million per occurrence and \$2.0 million in the aggregate for sudden occurrences, and \$3.0 million per occurrence and \$6.0 million in the aggregate for non-sudden occurrences. Our liability insurance coverage meets or exceeds all federal and state regulations.

Our international operations are insured under locally placed insurance policies that are compulsory in a specific country. In addition, we have a global foreign liability policy that will provide excess and difference in condition coverage in international countries.

Under our insurance programs, coverage is obtained for catastrophic exposures as well as those risks required to be 705 Attachment 2 insured by law or contract. It is our policy to retain a significant portion of certain expected losses related primarily to Page 83 of 230 employee benefit, workers' compensation, commercial general and vehicle liability. Provisions for losses expected under these programs are recorded based upon our estimates of the actuarial calculation of the aggregate liability for claims. We believe that policy cancellation terms are similar to those of companies in other industries.

Operators of hazardous waste handling facilities are also required by federal, state and provincial regulations to provide financial assurance for closure and post-closure care of those facilities should the facilities cease operation. Closure would include the cost of removing the waste stored at a facility which ceased operating and sending the material to another facility for disposal and the cost of performing certain procedures for decontamination of the facility. As of December 31, 2016, our total estimated closure and post-closure costs requiring financial assurance by regulators were \$442.3 million for our U.S. facilities and \$41.7 million for our Canadian facilities. We have obtained all of the required financial assurance for our facilities through a combination of surety bonds, funded trusts, letters of credit and insurance from a qualified insurance company. The financial assurance related to closure and post-closure obligations of our U.S. facilities will renew in 2017. Our Canadian facilities utilize surety bonds, which renew at various dates throughout 2017, as well as letters of credit.

Environmental Regulation

While our business has benefited substantially from increased governmental regulation of hazardous waste transportation, storage and disposal, the environmental services industry itself is the subject of extensive and evolving regulation by federal, state, provincial and local authorities. We are required to obtain federal, state, provincial and local permits or approvals for each of our hazardous waste facilities. Such permits are difficult to obtain and, in many instances, extensive studies, tests, and public hearings are required before the approvals can be issued. We have acquired all operating permits and approvals now required for the current operation of our business, and have applied for, or are in the process of applying for, all permits and approvals needed in connection with continued operation and planned expansion or modifications of our operations.

We make a continuing effort to anticipate regulatory, political and legal developments that might affect operations, but are not always able to do so. We cannot predict the extent to which any environmental legislation or regulation that may be enacted or enforced in the future may affect our operations.

United States Hazardous Waste Regulation

Federal Regulations. The most significant federal environmental laws affecting us are the Resource Conservation and Recovery Act, or "RCRA," the Comprehensive Environmental Response, Compensation and Liability Act, or "CERCLA," also known as the "Superfund Act," the Clean Air Act, the Clean Water Act, and the Toxic Substances Control Act, or "TSCA."

RCRA. RCRA is the principal federal statute governing hazardous waste generation, treatment, transportation, storage and disposal. Pursuant to RCRA, the EPA has established a comprehensive "cradle-to-grave" system for the management of a wide range of materials identified as hazardous waste. States that have adopted hazardous waste management programs with standards at least as stringent as those promulgated by the EPA have been delegated authority by the EPA to administer their facility permitting programs in lieu of the EPA's program.

Every facility that treats, stores or disposes of hazardous waste must obtain a RCRA permit from the EPA or an authorized state agency unless a specific exemption exists, and must comply with certain operating requirements (the Part B permitting process). RCRA also requires that Part B permits contain provisions for required on-site study and cleanup activities, known as "corrective action," including detailed compliance schedules and provisions for assurance of financial responsibility. See Note 9, "Closure and Post-Closure Liabilities," and Note 10, "Remedial Liabilities," to our consolidated financial statements included in Item 8 of this report for a discussion of our environmental liabilities. See "Insurance and Financial Assurance" above for a discussion of our financial assurance requirements.

The Superfund Act. The Superfund Act is the primary federal statute regulating the cleanup of inactive hazardous substance sites and imposing liability for cleanup on the responsible parties. It also provides for immediate response and removal actions coordinated by the EPA to releases of hazardous substances into the environment, and authorizes the government to respond to the release or threatened release of hazardous substances or to order responsible persons to perform any necessary cleanup. The statute provides for strict and, in certain cases, joint and several liability for these responses and other related costs, and for liability for the cost of damages to natural resources, to the parties involved in the generation, transportation and disposal of hazardous substances. Under the statute, we may be deemed liable as a generator or transporter of a hazardous substance which is released into the environment, or as the owner or operator of a facility from which there is a release of a hazardous substance into the environment. See Note 17, "Commitments and Contingencies," to our consolidated financial statements included in Item 8 of this report for a description of the principal such proceedings in which we are now involved.

Niagara Mohawk Power Corporation

Exhibit __(SSIRP-1)t/b/a National Grid

Cases 20-E-0380 & 20-G-0381

The Clean Air Act. The Clean Air Act was passed by Congress to control the emissions of pollutants into the appear of Attachment 2 requires permits to be obtained for certain sources of toxic air pollutants such as vinyl chloride, or criteria pollutants, such as age 84 of 230 carbon monoxide. In 1990, Congress amended the Clean Air Act to require further reductions of air pollutants with specific targets for non-attainment areas in order to meet certain ambient air quality standards. These amendments also require the EPA to promulgate regulations which (i) control emissions of 189 hazardous air pollutants; (ii) create uniform operating permits for major industrial facilities similar to RCRA operating permits; (iii) mandate the phase-out of ozone depleting chemicals; and (iv) provide for enhanced enforcement.

The Clean Water Act. This legislation prohibits discharge of pollutants into the waters of the United States without governmental authorization and regulates the discharge of pollutants into surface waters and sewers from a variety of sources, including disposal sites and treatment facilities. The EPA has promulgated "pretreatment" regulations under the Clean Water Act, which establish pretreatment standards for introduction of pollutants into publicly owned treatment works. In the course of the treatment process, our wastewater treatment facilities generate wastewater, which we discharge to publicly owned treatment works pursuant to permits issued by the appropriate governmental authorities. We are required to obtain discharge permits and conduct sampling and monitoring programs.

TSCA. We also operate a network of collection, treatment and field services (remediation) activities throughout North America that are regulated under provisions of TSCA. TSCA established a national program for the management of substances classified as polychlorinated biphenyls, or "PCBs," which include waste PCBs as well as RCRA wastes contaminated with PCBs. The rules set minimum design and operating requirements for storage, treatment and disposal of PCB wastes. Since their initial publication, the rules have been modified to enhance the management standards for TSCA-regulated operations including the decommissioning of PCB transformers and articles, detoxification of transformer oils, incineration of PCB liquids and solids, landfill disposal of PCB solids, and remediation of PCB contamination at customer sites.

Other Federal Laws. In addition to regulations specifically directed at our transportation, storage, and disposal facilities, there are a number of regulations that may "pass-through" to the facilities based on the acceptance of regulated waste from affected client facilities. Each facility that accepts affected waste must comply with the regulations for that waste, facility or industry. Examples of this type of regulation are National Emission Standards for Benzene Waste Operations and National Emissions Standards for Pharmaceuticals Production. Each of our facilities addresses these regulations on a case-by-case basis determined by its ability to comply with the pass-through regulations.

In our transportation operations, we are regulated by the U.S. Department of Transportation, the Federal Railroad Administration, the Federal Aviation Administration and the U.S. Coast Guard, as well as by the regulatory agencies of each state in which we operate or through which our vehicles pass.

Health and safety standards under the Occupational Safety and Health Act, or "OSHA," are also applicable to all of our operations.

State and Local Regulations. Pursuant to the EPA's authorization of their RCRA equivalent programs, a number of U.S. states have regulatory programs governing the operations and permitting of hazardous waste facilities. Accordingly, the hazardous waste treatment, storage and disposal activities of a number of our facilities are regulated by the relevant state agencies in addition to federal EPA regulation.

Some states classify as hazardous some wastes that are not regulated under RCRA. For example, Massachusetts considers used oil as "hazardous waste" while RCRA does not. Accordingly, we must comply with state requirements for handling state regulated wastes, and, when necessary, obtain state licenses for treating, storing, and disposing of such wastes at our facilities.

Our facilities are regulated pursuant to state statutes, including those addressing clean water and clean air. Local sewer discharge and flammable storage requirements are applicable to certain of our facilities. Our facilities are also subject to local siting, zoning and land use restrictions. We believe that each of our facilities is in substantial compliance with the applicable requirements of federal and state licenses which we have obtained. Once issued, such licenses have maximum fixed terms of a given number of years, which differ from state to state, ranging from three to ten years. The issuing state agency may review or modify a license at any time during its term. We anticipate that once a license is issued with respect to a facility, the license will be renewed at the end of its term if the facility's operations are in compliance with applicable requirements. However, there can be no assurance that regulations governing future licensing will remain static, or that we will be able to comply with such requirements.

Canadian Hazardous Waste Regulation

In Canada, the provinces retain control over environmental issues within their boundaries and thus have the primary responsibility for regulating management of hazardous wastes. The federal government regulates issues of national scope or where activities cross provincial boundaries.

Provincial Regulations. Most of Canada's industrial development and the major part of its population are located in Sources. Ontario, Quebec, Alberta and British Columbia. These provinces have the most detailed environmental regulations are located in Sources. Ontario, Quebec, Alberta and British Columbia. These provinces have the most detailed environmental regulations are located in Source and We operate major waste management facilities in each of these provinces, as well as waste transfer facilities in Nova Scotia and Manitoba.

The main provincial acts dealing with hazardous waste management are:

- Ontario—Environmental Protection Act;
- Quebec—Environmental Quality Act;
- Alberta—Environmental Protection and Enhancement Act; and
- British Columbia—Waste Management Act.

These pieces of legislation were developed by the provinces independently and, among other things, generally control the generation, characterization, transport, treatment and disposal of hazardous wastes. Regulations developed by the provinces under the relevant legislation are also developed independently, but are often quite similar in effect and sometimes in application. For example, there is some uniformity in manifest design and utilization.

Provincial legislation also provides for the establishment of waste management facilities. In this case, the facilities are also controlled by provincial statutes and regulations governing emissions to air, groundwater and surface water and prescribing design criteria and operational guidelines.

Waste transporters require a permit to operate under provincial waste management regulations and are subject to the requirements of the Federal Transportation of Dangerous Goods legislation. They are required to report the quantities and disposition of materials shipped.

Canadian Federal Regulations. The Canadian federal government has authority for those matters which are national in scope and in impact and for Canada's relations with other nations. The main federal laws governing hazardous waste management are:

- Canadian Environmental Protection Act (1999) ("CEPA 99"), and
- Transportation of Dangerous Goods Act.

Environment Canada is the federal agency with responsibility for environmental matters and the main legislative instrument is the Canadian Environmental Protection Act. This act charges Environment Canada and Health Canada with protection of human health and the environment and seeks to control the production, importation and use of substances in Canada and to control their impact on the environment.

The Export and Import of Hazardous Wastes Regulations under CEPA 99 control the export and import of hazardous wastes and hazardous recyclable materials. By reference, these regulations incorporate the Transportation of Dangerous Goods Act and Regulations, which address identification, packaging, marking and documentation of hazardous materials during transport. CEPA 99 requires that anyone proposing to export or import hazardous wastes or hazardous recyclable materials or to transport them through Canada notify the Minister of the Environment and obtain a permit to do so. Section 9 of CEPA 99 allows the federal government to enter into administrative agreements with the provinces and territories for the development and improvement of environmental standards. These agreements represent cooperation towards a common goal rather than a delegation of authority under CEPA 99. To facilitate the development of provincial and territorial agreements, the federal, provincial and territorial government ("CCME"). The CCME comprises the 14 environment ministers from the federal, provincial and territorial governments, who normally meet twice a year to discuss national environmental priorities and to determine work to be carried out under the auspices of the CCME.

Canadian Local and Municipal Regulations. Local and municipal regulations seldom reference direct control of hazardous waste management activities. Municipal regulations and by-laws, however, control such issues as land use designation, access to municipal services and use of emergency services, all of which can have a significant impact on facility operation.

Compliance with Environmental Regulations

We incur costs and make capital investments in order to comply with the previously discussed environmental regulations. These regulations require that we remediate contaminated sites, operate our facilities in accordance with enacted regulations, obtain required financial assurance for closure and post-closure care of our facilities should such facilities cease operations, and make capital investments in order to keep our facilities in compliance with environmental regulations.

As further discussed in Note 9, "Closure and Post-Closure Liabilities," and Note 10, "Remedial Liabilities," to put 705 Attachment 2 consolidated financial statements included in Item 8 of this report, we have accrued environmental liabilities as of Page 86 of 230 December 31, 2016, of \$186.3 million. For the years ended December 31, 2016 and 2015, we spent \$12.2 million and \$20.1 million, respectively, to address environmental liabilities.

As discussed more fully above under the heading "Insurance and Financial Assurance," we are required to provide financial assurance with respect to certain statutorily required closure, post-closure and corrective action obligations at our facilities. We have placed the required financial assurance primarily through a qualified insurance company.

As described in Note 17, "Commitments and Contingencies," to our consolidated financial statements included in Item 8 of this report, we are involved in legal proceedings arising under environmental laws and regulations. Alleged failure to comply with laws and regulations may lead to the imposition of fines or the denial, revocation or delay of the renewal of permits and licenses by governmental entities. In addition, such governmental entities, as well as surrounding landowners, may claim that we are liable for environmental damages. Citizens groups have become increasingly active in challenging the grant or renewal of permits and licenses for hazardous waste facilities, and responding to such challenges has further increased the costs associated with establishing new facilities or expanding current facilities. A significant judgment against us, the loss of a significant permit or license, or the imposition of a significant fine could have a material effect on our business and future prospects.

ITEM 1A. RISK FACTORS

An investment in our securities involves certain risks, including those described below. You should consider carefully these risk factors together with all of the information included in this report before investing in our securities.

Risks Affecting All of Our Businesses

Our businesses are subject to operational and safety risks.

Provision of environmental, energy and industrial services to our customers by all four of our business segments involves risks such as equipment defects, malfunctions and failures, and natural disasters, which could potentially result in releases of hazardous materials, injury or death of our employees, or a need to shut down or reduce operation of our facilities while remedial actions are undertaken. Our employees often work under potentially hazardous conditions. These risks expose us to potential liability for pollution and other environmental damages, personal injury, loss of life, business interruption, and property damage or destruction. We must also maintain a solid safety record in order to remain a preferred supplier to our major customers.

While we seek to minimize our exposure to such risks through comprehensive training programs, vehicle and equipment maintenance programs, and insurance, such programs and insurance may not be adequate to cover all of our potential liabilities and such insurance may not in the future be available at commercially reasonable rates. If we were to incur substantial liabilities in excess of policy limits or at a time when we were not able to obtain adequate liability insurance on commercially reasonable terms, our business, results of operations and financial condition could be adversely affected to a material extent. Furthermore, should our safety record deteriorate, we could be subject to a potential reduction of revenues from our major customers.

Our businesses are subject to numerous statutory and regulatory requirements, which may increase in the future.

Our businesses are subject to numerous statutory and regulatory requirements, and our ability to continue to hold licenses and permits required for our businesses is subject to maintaining satisfactory compliance with such requirements. These requirements may increase in the future as a result of statutory and regulatory changes. Although we are very committed to compliance and safety, we may not, either now or in the future, be in full compliance at all times with such statutory and regulatory requirements. Consequently, we could be required to incur significant costs to maintain or improve our compliance with such requirements.

Certain adverse conditions have required, and future conditions might require, us to make substantial write-downs in our assets, which have adversely affected or would adversely affect our balance sheet and results of operations.

We review our long-lived tangible and intangible assets for impairment whenever events or changes in circumstances indicate that the carrying value of an asset may not be recoverable. We also test our goodwill and indefinite-lived intangible assets for impairment at least annually on December 31, or when events or changes in the business environment indicate that the carrying value of a reporting unit may exceed its fair value. Based on the results of those tests, we determined during the third quarter of 2016 that the then carrying amount of our Lodging Services reporting unit exceeded the estimated fair value of that unit and we therefore then recognized a goodwill impairment charge of \$34.0 million with respect to that unit.

During the second quarter of 2015, we determined that the then carrying amount of our Oil and Gas Field Services reporting Attachment 2 unit exceeded the estimated fair value of that unit and we therefore then recognized a goodwill impairment charge of \$32.0 page 87 of 230 million with respect to that unit. During and as of the end of each of 2016 and 2015, we determined that no additional asset write-downs were required. However, if conditions in any of the businesses in which we compete were to deteriorate, we could determine that certain of our assets were impaired and we would then be required to write-off all or a portion of our costs for such assets. Any significant write-offs would adversely affect our balance sheet and results of operations.

Fluctuations in foreign currency exchange could affect our financial results.

We earn revenues, pay expenses, own assets and incur liabilities in countries using currencies other than the U.S. dollar. In fiscal 2016, we recorded approximately 20% of our revenues outside of the United States, primarily in Canada. Because our consolidated financial statements are presented in U.S. dollars, we must translate revenues, income and expenses as well as assets and liabilities into U.S. dollars at exchange rates in effect during or at the end of each reporting period. Therefore, increases or decreases in the value of the U.S. dollar against other currencies in countries where we operate will affect our results of operations and the value of balance sheet items denominated in foreign currencies.

Failure to effectively manage acquisitions and divestitures could adversely impact our future results.

We continuously evaluate potential acquisition candidates and from time to time acquire companies that we believe will strategically fit into our business and growth objectives. In particular, we acquired in 2015 all of the outstanding shares of Thermo Fluids Inc. for approximately \$79.3 million in cash and in 2016, we acquired seven business for approximately \$205 million in cash, subject to customary post-closing adjustments. If we are unable to successfully integrate and develop acquired businesses, we could fail to achieve anticipated synergies and cost savings, including any expected increases in revenues and operating results, which could have a material adverse effect on our financial results. We also continually review our portfolio of assets to determine the extent to which they are contributing to our objectives and growth strategy. In particular, we divested our catalyst services business on September 1, 2016 for approximately \$50.6 million (\$49.2 million net of cash divested), subject to customary post-closing conditions.

Our acquisitions may expose us to unknown liabilities.

Because we have acquired, and expect generally to acquire, all the outstanding shares of most of our acquired companies, our investment in those companies are or will be subject to all of their liabilities other than their respective debts which we paid or will pay at the time of the acquisitions. If there are unknown liabilities or other obligations, our business could be materially affected. We may also experience issues relating to internal controls over financial reporting, issues that could affect our ability to comply with the Sarbanes-Oxley Act, or issues that could affect our ability to comply with other applicable laws.

A cyber security incident could negatively impact our business and our relationships with customers.

We use computers in substantially all aspects of our business operations and also mobile devices and other online activities to connect with our employees and customers. Such uses give rise to cyber security risks, including security breach, espionage, system disruption, theft and inadvertent release of information. Our business involves the storage and transmission of numerous classes of sensitive and/or confidential information and intellectual property including, but not limited to, private information about employees, and financial and strategic information about our Company and our business partners. Furthermore, as we pursue our strategy to grow through acquisitions and new initiatives that improve our operations and cost structure, we are also expanding and improving our information technologies, resulting in a larger technological presence and corresponding exposure to cyber security risk. If we fail to assess and identify cyber security risks associated with acquisitions and new initiatives, we may become increasingly vulnerable to such risks. Additionally, while we have implemented measures to prevent security breaches and cyber incidents, our preventative measures and incident response efforts may not be entirely effective. The theft, destruction, loss, misappropriation, or release of sensitive and/or confidential information or intellectual property, or interference with our information technology systems or the technology systems of third parties on which we rely, could result in business disruption, negative publicity, brand damage, violation of privacy laws, loss of customers, potential liability and competitive disadvantage.

Additional Risks of Our Technical Services Business

The hazardous waste management business conducted by our Technical Services segment is subject to significant Page 88 of 230 environmental liabilities.

We have accrued environmental liabilities valued as of December 31, 2016, at \$186.3 million, substantially all of which we assumed in connection with certain acquisitions. We calculate our environmental liabilities on a present value basis in accordance with generally accepted accounting principles, which take into consideration both the amount of such liabilities and the timing when it is projected that we will be required to pay such liabilities. We anticipate our environmental liabilities will be payable over many years and that cash flows generated from our operations will generally be sufficient to fund the payment of such liabilities when required. However, events not now anticipated (such as future changes in environmental laws and regulations or their enforcement) could require that such payments be made earlier or in greater amounts than now estimated, which could adversely affect our financial condition and results of operations.

We may also assume additional environmental liabilities as part of future acquisitions. Although we will endeavor to accurately estimate and limit environmental liabilities presented by the businesses or facilities to be acquired, some liabilities, including ones that may exist only because of the past operations of an acquired business or facility, may prove to be more difficult or costly to address than we then estimate. It is also possible that government officials responsible for enforcing environmental laws may believe an environmental liability is more significant than we then estimate, or that we will fail to identify or fully appreciate an existing liability before we become legally responsible to address it.

If we become unable to obtain at reasonable cost the insurance, surety bonds, letters of credit and other forms of financial assurance required for our facilities and operations, our business and results of operations would be adversely affected.

We are required to provide substantial amounts of financial assurance to governmental agencies for closure and post-closure care of our licensed hazardous waste treatment facilities should those facilities cease operation, and we are also occasionally required to post surety, bid and performance bonds in connection with certain projects. As of December 31, 2016, our total estimated closure and post-closure costs requiring financial assurance by regulators were \$442.3 million for our U.S. facilities and \$41.7 million for our Canadian facilities. We have obtained all of the required financial assurance for our facilities through a combination of surety bonds, funded trusts, letters of credit and insurance from a qualified insurance company. The financial assurance related to closure and post-closure obligations of our U.S. facilities will renew in 2017. Our Canadian facilities utilize surety bonds, which renew at various dates throughout 2017, as well as letters of credit.

Our ability to continue operating our facilities and conducting our other operations would be adversely affected if we became unable to obtain sufficient insurance, surety bonds, letters of credit and other forms of financial assurance at reasonable cost to meet our regulatory and other business requirements. The availability of insurance, surety bonds, letters of credit and other forms of financial assurance is affected by our insurers', sureties' and lenders' assessment of our risk and by other factors outside of our control such as general conditions in the insurance and credit markets.

The hazardous waste management industry in which we participate is subject to significant economic and business risks.

The future operating results of our Technical Services segment may be affected by such factors as our ability to utilize our facilities and workforce profitably in the face of intense price competition, maintain or increase market share in an industry which has in the past experienced significant downsizing and consolidation, realize benefits from cost reduction programs, invest in new technologies for treatment of hazardous waste, generate incremental volumes of waste to be handled through our facilities from existing and acquired sales offices and service centers, obtain sufficient volumes of waste at prices which produce revenue sufficient to offset the operating costs of our facilities, minimize downtime and disruptions of operations, and develop our field services business. In particular, economic downturns or recessionary conditions in North America, and increased outsourcing by North American manufacturers to plants located in countries with lower wage costs and less stringent environmental regulations, have adversely affected and may in the future adversely affect the demand for our services. Our Technical Services business is also cyclical to the extent that it is dependent upon a stream of waste from cyclical industries such as chemical and petrochemical. If those cyclical industries slow significantly, the business that we receive from them would likely decrease.

The extensive environmental regulations to which we are subject may increase our costs and potential liabilities and limit our ability to expand our facilities.

Our operations and those of others in the environmental services industry are subject to extensive federal, state, provincial and local environmental requirements in both the United States and Canada, including those relating to emissions to air, discharged wastewater, storage, treatment, transport and disposal of regulated materials, and cleanup of soil and

groundwater contamination. For example, any failure to comply with governmental regulations governing the transport of 52780 and 20-G-0381 hazardous materials could negatively impact our ability to collect, process and ultimately dispose of hazardous wastes generated by our customers. While increasing environmental regulation often presents new business opportunities for us, it often also results in increased operating and compliance costs. Efforts to conduct our operations in compliance with all applicable laws and regulations, including environmental rules and regulations, require programs to promote compliance, such as training employees and customers, purchasing health and safety equipment, and in some cases hiring outside consultants and lawyers. Even with these programs, we and other companies in the environmental services industry are routinely faced with governmental enforcement proceedings, which can result in fines or other sanctions and require expenditures for remedial work on waste management facilities and contaminated sites. Certain of these laws impose strict and, under certain circumstances, joint and several liability on current and former owners and operators of facilities that release regulated materials or that generate those materials and arrange for their disposal or treatment at contaminated sites. Such liabilities can relate to required cleanup of releases of regulated materials and related natural resource damages.

From time to time, we have paid fines or penalties in governmental environmental enforcement proceedings, usually involving our waste treatment, storage and disposal facilities. Although none of these fines or penalties that we have paid in the past has had a material adverse effect upon us, we might in the future be required to make substantial expenditures as a result of governmental proceedings which would have a negative impact on our earnings. Furthermore, regulators have the power to suspend or revoke permits or licenses needed for operation of our plants, equipment, and vehicles based on, among other factors, our compliance record, and customers may decide not to use a particular disposal facility or do business with us because of concerns about our compliance record. Suspension or revocation of permits or licenses would impact our operations and could have a material impact on our financial results. Although we have never had any of our facilities' operating permits revoked, suspended or non-renewed involuntarily, it is possible that such an event could occur in the future.

Some environmental laws and regulations impose liability and responsibility on present and former owners, operators or users of facilities and sites for contamination at such facilities and sites without regard to causation or knowledge of contamination. In the past, practices have resulted in releases of regulated materials at and from certain of our facilities, or the disposal of regulated materials at third-party sites, which may require investigation and remediation, and potentially result in claims of personal injury, property damage and damages to natural resources. In addition, we occasionally evaluate various alternatives with respect to our facilities, including possible dispositions or closures. Investigations undertaken in connection with these activities may lead to discoveries of contamination that must be remediated, and closures of facilities might trigger compliance requirements that are not applicable to operating facilities. We are currently conducting remedial activities at certain of our facilities and paying a portion of the remediation costs at certain sites owned by third parties. While, based on available information, we believe these remedial activities will not result in a material effect upon our operations or financial condition, these activities or the discovery of previously unknown conditions could result in material costs.

In addition to the costs of complying with environmental laws and regulations, we incur costs defending against environmental litigation brought by governmental agencies and private parties. We are now, and may in the future be, a defendant in lawsuits brought by parties alleging environmental damage, personal injury, and/or property damage, which may result in our payment of significant amounts.

Environmental and land use laws also impact our ability to expand our facilities. In addition, we are required to obtain governmental permits to operate our facilities, including all of our landfills. Even if we comply with all applicable environmental laws, we might not be able to obtain requisite permits from applicable governmental authorities to extend or modify such permits to fit our business needs.

If our assumptions relating to expansion of our landfills should prove inaccurate, our results of operations and cash flow could be adversely affected.

When we include expansion airspace in our calculation of available airspace, we adjust our landfill liabilities to the present value of projected costs for cell closure and landfill closure and post-closure. It is possible that our estimates or assumptions could ultimately turn out to be significantly different from actual results. In some cases we may be unsuccessful in obtaining an expansion permit or we may determine that an expansion permit that we previously thought was probable has become unlikely. To the extent that such estimates, or the assumptions used to make those estimates, prove to be significantly different than actual results, or our belief that we will receive an expansion permit changes adversely in a significant manner, our landfill assets, including the assets incurred in the pursuit of the expansion, may be subject to impairment testing. Furthermore, lower prospective profitability may result due to increased interest accretion and depreciation or asset impairments related to the removal of previously included expansion airspace. In addition, if our assumptions concerning expansion airspace should prove inaccurate, certain of our cash expenditures for closure of landfills could be accelerated and adversely affect our results of operations and cash flow.

Niagara Mohawk Power Corporation
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Additional Risks of Our Industrial and Field Services Business

A significant portion of our Industrial and Field Services business depends upon the demand for cleanup of major Page 90 of 230 spills and other remedial projects and regulatory developments over which we have no control.

Our operations can be affected by the commencement and completion of cleanup of major spills and other events, customers' decisions to undertake remedial projects, seasonal fluctuations due to weather and budgetary cycles influencing the timing of customers' spending for remedial activities, the timing of regulatory decisions relating to hazardous waste management projects, changes in regulations governing the management of hazardous waste, secular changes in the waste processing industry towards waste minimization and the propensity for delays in the demand for remedial services, and changes in the myriad of governmental regulations governing our diverse operations. We do not control such factors and, as a result, our revenue and income can vary from quarter to quarter, and past financial performance for certain quarters may not be a reliable indicator of future performance for comparable quarters in subsequent years.

Additional Risks of Our Safety-Kleen Business

Fluctuations in oil prices may negatively affect our Safety-Kleen business.

A significant portion of our Safety-Kleen business involves collecting used oil from certain of our customers, re-refining a portion of such used oil into base and blended lubricating oils, and then selling both such re-refined oil and the excess recycled oil which we do not currently have the capacity to re-refine, or "RFO," to other customers. Changes in the reported spot market prices of oil affect the prices at which we can sell our re-refined oil and RFO. If applicable rates increase or decrease, we typically will charge a higher or lower corresponding price for our re-refined oil and RFO. The price at which we sell our re-refined oil and RFO is also affected by changes in certain indices measuring changes in the price of heavy fuel oil, with increases and decreases in the indices typically translating into a higher or lower price for our RFO. The cost to collect used oil, including the amounts we pay to obtain a portion of our used oil and therefore ability to collect necessary volumes and the fuel costs of our oil collection fleet, typically also increases or decreases when the relevant indices increase or decrease. However, even though the prices we can charge for our re-refined oil and RFO and the costs to collect and re-refine used oil and process RFO typically increase and decrease together, there is no assurance that when our costs to collect and re-refine used oil and process RFO increase we will be able to increase the prices we charge for our re-refined oil and RFO to cover such increased costs, or that our costs to collect and re-refine used oil and process RFO will decline when the prices we can charge for re-refined oil and RFO decline. These risks are exacerbated when there are rapid fluctuations in these oil indices.

Environmental laws and regulations have adversely affected and may adversely affect Safety-Kleen's parts cleaning and other solvent related services.

In connection with its parts cleaning and other solvent related services, Safety-Kleen has been subject to fines and certain orders requiring it to take environmental remedial action. Safety-Kleen may also be subject to monetary fines, civil or criminal penalties, remediation, cleanup or stop orders, injunctions, orders to cease or suspend certain practices or denial of permits required for the operation of its facilities. The outcome of any proceeding and associated costs and expenses could have a material adverse impact on Safety-Kleen's financial condition and results of operations.

Recent and potential changes in environmental laws and regulations may also adversely affect in the future Safety-Kleen's parts cleaning and other solvent related services. Interpretation or enforcement of existing laws and regulations, or the adoption of new laws and regulations, may require Safety-Kleen to modify or curtail its operations or replace or upgrade its facilities or equipment at substantial cost, which we may not be able to pass on to our customers, and we may choose to indemnify our customers from any fines or penalties they may incur as a result of these new laws and regulations. On the other hand, in some cases if new laws and regulations are less stringent, Safety-Kleen's customers or competitors may be able to manage waste more effectively themselves, which could decrease the need for Safety-Kleen's services or increase competition, which could adversely affect Safety-Kleen's results of operations.

Safety-Kleen is subject to existing and potential product liability lawsuits.

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Safety-Kleen has been named from time to time as a defendant in product liability lawsuits in various courts and jurisdictions throughout the United States. As of December 31, 2016, Safety-Kleen was involved in approximately 60 such proceedings (including cases which have been settled but not formally dismissed) wherein persons claim personal injury resulting from the use of its parts cleaning equipment or cleaning products. These proceedings typically involve allegations that the solvents used in Safety-Kleen's parts cleaning equipment contains contaminants or that Safety-Kleen's recycling process does not effectively remove the contaminants that become entrained in the solvents during their use. In addition, certain claimants assert that Safety-Kleen failed to warn adequately the product user of potential risks, including a historic failure to warn that such solvents contain trace amounts of toxic or hazardous substances such as benzene. Although Safety-Kleen maintains insurance that we believe will provide coverage for these claims (over amounts accrued for self-insured retentions and deductibles in certain limited cases), this insurance may not provide coverage for potential awards of punitive damages against Safety-Kleen. Although Safety-Kleen has vigorously defended and will continue to vigorously defend itself and the safety of its products against all of these claims, these lawsuits are subject to many uncertainties and outcomes cannot be predicted with assurance. Safety-Kleen may also be named in similar lawsuits, additional lawsuits in the future, including claims for which insurance coverage may not be available. If any one or more of these lawsuits were decided unfavorably against Safety-Kleen and the plaintiffs were awarded punitive damages, or if insurance coverage were not available for any such claim, our financial condition and results of operations could be materially and adversely affected. Additionally, if any one or more of these lawsuits were decided unfavorably against Safety-Kleen, such outcome may encourage more lawsuits against us.

Safety-Kleen is dependent on third parties for manufacturing the majority of its equipment.

Safety-Kleen does not manufacture the majority of the equipment, including parts washers, that Safety-Kleen places at customer sites. Accordingly, Safety-Kleen relies on a limited number of third-party suppliers for manufacturing this equipment. The supply of third-party equipment could be interrupted or halted by a termination of Safety-Kleen's relationships, a failure of quality control or other operational problems at such suppliers or a significant decline in their financial condition. If Safety-Kleen were not able to retain these providers or obtain its requests from them, Safety-Kleen may not be able to obtain alternate providers in a timely manner or on economically attractive terms and, as a result, Safety-Kleen may not be able to compete successfully for new business, complete existing engagements profitably or retain its existing customers. Additionally, if Safety-Kleen's third-party suppliers provide defective equipment, Safety-Kleen may be subject to reputational damage or product liability claims which may negatively impact its reputation, financial condition and results of operations. Further, Safety-Kleen generally does not have long-term contracts with its third-party suppliers, and as a result these suppliers may increase the price of the equipment they provide to Safety-Kleen, which may hurt Safety-Kleen's results of operations.

Additional Risks of Our Oil, Gas and Lodging Services Businesses

A large portion of our Oil and Gas Field Services business is dependent on the oil and gas industry in Western Canada, and declines in oil and gas exploration in that region have adversely affected and could in the future adversely affect our business.

Our Oil and Gas Field Services business generates a significant portion of its total revenues from customers in the oil and gas industry operating in Western Canada, although a majority of the services we provide to such customers relate to oil and gas refining which is less volatile than oil and gas exploration. Accordingly, declines in the general level of oil and gas exploration in Western Canada have had and could potentially have significant adverse effects on the revenues and profitability of our Oil and Gas Field Services business. Such declines have occurred and could potentially occur in the future if reductions in the commodity prices of oil and gas result in reduced oil and gas exploration and refining. Such declines could also be triggered by technological and regulatory changes, such as those affecting the availability and cost of alternative energy sources and other changes in industry and worldwide economic and political conditions.

Many of our major customers in the oil and gas industry conduct a significant portion of their operations in the Alberta oil sands. The Alberta oil sands contain large oil deposits, but extraction may involve significantly greater cost and environmental concerns than conventional drilling. While we believe our major involvement in the oil sands region will provide significant future growth opportunities, such involvement also increases the risk that our business will be adversely affected if future economic activity in the Alberta oil sands were to further decline. Major factors that could cause such a decline might include a prolonged reduction in the commodity price of oil and future changes in environmental restrictions and regulations. The downturn in worldwide economic conditions and in the commodity price of oil and gas which has occurred in recent years and continues to occur has caused certain of our customers to delay a number of large projects in the planning and early development phases within the oil sands region. In addition, customers are revisiting their operating budgets and challenging their suppliers to reduce costs and achieve better efficiencies in their work programs.

Niagara Mohawk Power Corporation Exhibit__(SSIRP-1)^{d/b/a} National Grid

Cases 20-E-0380 & 20-G-0381

All of our major Canadian lodges are located on land subject to leases; if we were unable to renew a lease, who sould attachment 2 be materially and adversely affected.

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All of our major Canadian lodges are located on land subject to leases. Accordingly, while we own the accommodations assets and can move them to other locations, if necessary, we only own a leasehold in those properties. If we were found to be in breach of a lease, we could lose the right to use the property. In addition, unless we could extend the terms of these leases before their expiration, we would lose our right to operate our facilities located on these properties upon expiration of the leases. In that event, we would be required to remove our accommodations assets and remediate the sites. We may not be able to renew our leases upon expiration on similar terms, or at all, and if we were unable to renew leases on similar terms, it may have an adverse effect on our business. In addition, if we were to lose the right to use a lodge due to non-renewal of a lease, we would be unable to derive income from such lodge, which could materially and adversely affect us.

Due to the significant concentration of our Lodging Services business in the oil sands region of Alberta, Canada, adverse events in that region could negatively impact our business.

Because of the concentration of our Lodging Services business in the oil sands region of Alberta, Canada, we have increased exposure to political, economic, regulatory, environmental, labor, climate or natural disaster events or developments that could disproportionately impact our operations and financial results. Such events include, for example, the large forest fires which during 2016 occurred in the Fort McMurray area of Alberta.

Our Lodging Services business depends significantly on several major customers, and the loss of one or more such customers or the inability of one or more such customers to meet their obligations to us could adversely affect our results of operations.

Our Lodging Services business depends significantly on several major customers engaged primarily in oil and gas exploration. Declines in the general level of oil and gas exploration in the oil sands region resulting in decreased demand for our lodging services have occurred in recent periods and could occur in the future, and have had and could have in the future adverse effects on the revenues and profitability of our Lodging Services business. The loss of any one or more of such large customers or a sustained decrease in demand by any of them have resulted and could result in a substantial loss of revenues and have had and could have a material adverse effect on our results of operations. In addition, the concentration of our customers in oil and gas exploration may impact our overall exposure to credit risk, either positively or negatively, because our customers may be similarly affected by changes in economic and industry conditions. While we perform ongoing credit evaluations of our customers, we do not generally require collateral in support of our trade receivables. As a result, we are subject to risks of loss resulting from nonpayment or nonperformance by our customers.

We may be adversely affected if customers reduce their accommodations outsourcing.

The business and growth strategy of our Lodging Services business depends in large part on the continuation of a current trend toward outsourcing such services. Many oil and gas companies in our core markets own their own accommodations facilities, while others outsource all or part of their accommodations requirements. Customers have largely built their accommodations in the past but will outsource if they perceive that outsourcing may provide quality services at a lower overall cost or allow them to accelerate the timing of their projects. We cannot be certain that this trend will continue and not be reversed or that customers that have outsourced accommodations will not decide to perform these functions themselves or only outsource accommodations during the development or construction phases of their projects. In addition, labor unions representing customer employees and contractors have, in the past, opposed outsourcing accommodations to the extent that the unions believe that third-party accommodations negatively impact union membership and recruiting. The reversal or reduction in customer outsourcing of accommodations could negatively impact our financial results and growth prospects.

Increased operating costs and obstacles to cost recovery due to the pricing and cancellation terms of our lodging services contracts may constrain our ability to make a profit.

The profitability of our Lodging Services business can be adversely affected by cost increases for food, wages and other labor related expenses, insurance, fuel and utilities, especially to the extent we are unable to recover such increased costs through increases in the prices for our services due to general economic conditions, competitive conditions or contractual provisions in our customer contracts. Oil and natural gas prices have fluctuated significantly in the last several years, and substantial increases in the cost of fuel and utilities have historically resulted in cost increases for our lodges. From time to time we have also experienced increases in our food costs. While we believe a portion of these increases were attributable to fuel prices, we believe the increases also resulted from rising global food demand. In addition, food prices can fluctuate as a result of temporary changes in supply, including as a result of severe weather such as droughts, heavy rains and late freezes. While

our long-term contracts often provide for annual escalation in our room rates for food, labor and utility inflation, we have head and 20-G-0381 unable to fully recover costs and such increases in costs would negatively impact our profitability on contracts that do not Page 93 of 230 contain inflation protections.

Risks Relating to Our Level of Debt, Letters of Credit and Senior Unsecured Notes

Our substantial levels of outstanding debt and letters of credit could adversely affect our financial condition and ability to fulfill our obligations.

As of December 31, 2016, we had outstanding \$1.6 billion of senior unsecured notes and \$132.6 million of letters of credit. Our substantial levels of outstanding debt and letters of credit may:

- adversely impact our ability to obtain additional financing in the future for working capital, capital expenditures, acquisitions or other general corporate purposes or to repurchase the notes from holders upon any change of control;
- require us to dedicate a substantial portion of our cash flow to payment of interest on our debt and fees on our letters
 of credit, which reduces the availability of our cash flow to fund working capital, capital expenditures, acquisitions
 and other general corporate purposes;
- subject us to the risk of increased sensitivity to interest rate increases based upon variable interest rates, including borrowings (if any) under our revolving credit facility;
- increase the possibility of an event of default under the financial and operating covenants contained in our debt instruments; and
- limit our ability to adjust to rapidly changing market conditions, reduce our ability to withstand competitive pressures
 and make us more vulnerable to a downturn in general economic conditions of our business than our competitors with
 less debt.

Our ability to make scheduled payments of principal or interest with respect to our debt, including our outstanding notes, any revolving loans and our capital leases, and to pay fee obligations with respect to our letters of credit, will depend on our ability to generate cash and our future financial results. If we were unable to generate sufficient cash flow from operations in the future to service our debt and letter of credit fee obligations, we might be required to refinance all or a portion of our existing debt and letter of credit facilities or to obtain new or additional such facilities. However, we might not be able to obtain any such new or additional facilities on favorable terms or at all.

Despite our substantial levels of outstanding debt and letters of credit, we could incur substantially more debt and letter of credit obligations in the future.

Although our revolving credit agreement and the indentures governing our outstanding notes contain restrictions on the incurrence of additional debt (including, for this purpose, reimbursement obligations under outstanding letters of credit), these restrictions are subject to a number of qualifications and exceptions and the additional debt which we might incur in the future in compliance with these restrictions could be substantial. In particular, we had available at December 31, 2016, up to an additional approximately \$195.2 million for purposes of additional borrowings and letters of credit under our revolving credit facility. Our revolving credit agreement and the indentures governing our outstanding notes also allow us to borrow significant amounts of money from other sources. These restrictions also do not prevent us from incurring obligations (such as operating leases) that do not constitute "debt" or "indebtedness" as defined in the relevant agreements. To the extent we incur in the future additional debt and letter of credit or other obligations, the related risks would increase.

The covenants in our debt agreements restrict our ability to operate our business and might lead to a default under our debt agreements.

Our revolving credit agreement and the indentures governing our outstanding notes limit, among other things, our ability and the ability of our restricted subsidiaries to:

- incur or guarantee additional indebtedness (including, for this purpose, reimbursement obligations under letters of credit) or issue preferred stock;
- pay dividends or make other distributions to our stockholders;
- purchase or redeem capital stock or subordinated indebtedness;
- make investments;
- · create liens;
- incur restrictions on the ability of our restricted subsidiaries to pay dividends or make other payments to us;

Niagara Mohawk Power Corporation Exhibit (SSIRP-1)^d/b/a National Grid Page at 22 26f-5207380 and 20-G-0381

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sell assets, including capital stock of our subsidiaries;

consolidate or merge with or into other companies or transfer all or substantially all of our assets; and

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engage in transactions with affiliates.

As a result of these covenants, we may not be able to respond to changes in business and economic conditions and to obtain additional financing, if needed, and we may be prevented from engaging in transactions that might otherwise be beneficial to us. Our revolving credit facility requires, and our future credit facilities may require, us to maintain certain financial ratios and satisfy certain other financial condition tests. Our ability to meet these financial ratios and tests can be affected by events beyond our control, and we may not be able to meet those tests. The breach of any of these covenants could result in a default under our revolving credit facility or future credit facilities. Upon the occurrence of an event of default, the lenders could elect to declare all amounts outstanding under such credit facilities, including accrued interest or other obligations, to be immediately due and payable. If amounts outstanding under such credit facilities were accelerated, our assets might not be sufficient to repay in full that indebtedness and our other indebtedness.

Our revolving credit agreement and the indentures governing our outstanding notes also contain cross-default and crossacceleration provisions. Under these provisions, a default or acceleration under one instrument governing our debt may constitute a default under our other debt instruments that contain cross-default and cross-acceleration provisions, which could result in the related debt and the debt issued under such other instruments becoming immediately due and payable. In such event, we would need to raise funds from alternative sources, which funds might not be available to us on favorable terms, on a timely basis or at all. Alternatively, such a default could require us to sell assets and otherwise curtail operations to pay our creditors. The proceeds of such a sale of assets, or curtailment of operations, might not enable us to pay all of our liabilities.

Other Risks Relating to Our Common Stock

The Massachusetts Business Corporation Act and our By-Laws contain certain anti-takeover provisions.

Sections 8.06 and 7.02 of the Massachusetts Business Corporation Act provide that Massachusetts corporations which are publicly-held must have a staggered board of directors and that written demand by holders of at least 40% of the outstanding shares of each relevant voting group of stockholders is required for stockholders to call a special meeting unless such corporations take certain actions to affirmatively "opt-out" of such requirements. In accordance with these provisions, our By-Laws provide for a staggered board of directors which consists of three classes of directors of which one class is elected each year for a three-year term, and require that written application by holders of at least 25% (which is less than the 40% which would otherwise be applicable without such a specific provision in our By-Laws) of our outstanding shares of common stock is required for stockholders to call a special meeting. In addition, our By-Laws prohibit the removal by the stockholders of a director except for cause. These provisions could inhibit a takeover of our Company by restricting stockholders' action to replace the existing directors or approve other actions which a party seeking to acquire us might propose. A takeover transaction would frequently afford stockholders an opportunity to sell their shares at a premium over then market prices.

ITEM 1B. UNRESOLVED STAFF COMMENTS

Not applicable.

ITEM 2. PROPERTIES

Our principal executive offices are in Norwell, Massachusetts, where we lease approximately 151,000 square feet under arrangements expiring in 2022. We also have regional administrative offices in Texas, South Carolina, Seattle and Alberta, Canada. Our properties are sufficient and suitable for our current needs.

We have a network of more than 475 service locations across 48 states, eight Canadian provinces, Puerto Rico and Mexico. Those service locations include service centers, satellite locations, branches, active hazardous waste management properties, lodging facilities and oil processing facilities. The service centers and branches are the principal sales and service centers from which we provide our environmental, energy and industrial services. The active hazardous waste management properties include incinerator facilities, commercial and non-commercial landfills, wastewater treatment facilities, treatment, storage and disposal facilities ("TSDFs"), solvent recovery management and recycling facilities, locations specializing in polychlorinated biphenyls ("PCBs") management, oil accumulation centers, oil terminals and oil re-refineries. Some of our properties offer multiple capabilities. The following sets forth certain information as of December 31, 2016 regarding our properties.

Service Centers, Satellite Locations and Branches

We have approximately 370 service centers, satellite locations and branches throughout the United States and Canada

which serve as principal sales and service centers from which we provide parts cleaning services, containerized waste services and other environmental services.

Page 482826-527880 and 20-G-0381

which serve as principal sales and service centers from which we provide parts cleaning services, containerized waste services and other environmental services.

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Active Hazardous Waste Management Properties

Incinerator Facilities. We own five operating incinerator facilities that have a total of eight incinerators with 491,721 tons of total practical capacity and an average utilization rate for 2016 of 88.8%. Our practical capacity is not based on a theoretical 24-hour, seven-day operation, but rather is determined as the production level at which our incinerators can operate with an acceptable degree of efficiency, taking into consideration factors such as longer term customer demand, permanent staffing levels, operating shifts, holidays, scheduled maintenance and mix of product. Capacity utilization is calculated by dividing actual production pounds by practical capacity at each incinerator.

	# of Incinerators	Practical Capacity (Tons)	Utilization Rate Year Ended December 31, 2016
Arkansas	2	85,072	92.1%
Nebraska	1	58,808	77.0%
Utah	1	66,815	75.8%
Texas	3	165,500	92.5%
Ontario, Canada	1	115,526	94.5%
	8	491,721	88.8%

Our incinerators offer a wide range of technological capabilities to customers through this network. We provide incineration in the United States through one fluidized bed thermal oxidation unit and three solids and liquids-capable incinerator facilities and we operate in Canada one active hazardous waste liquid injection incinerator. Our state-of-the-art hazardous waste incinerator at our El Dorado, Arkansas site, which officially came online in early 2017, is expected to add approximately 70,000 tons of additional capacity to our Arkansas facility.

Commercial and Non-Commercial Landfills. In the United States and Canada, we operate nine commercial landfills with approximately 31.8 million cubic yards of remaining highly probable airspace. Seven of our commercial landfills are designed and permitted for the disposal of hazardous wastes and two landfills are operated for nonhazardous industrial waste disposal and, to a lesser extent, municipal solid waste. In addition to our commercial landfills, we also own and operate two non-commercial landfills that only accept waste from our on-site incinerators. See "Landfill Accounting" within Note 2, "Significant Accounting Policies," to our consolidated financial statements included in Item 8 of this report for additional information on our commercial and non-commercial landfills.

Wastewater Treatment Facilities. We operate a total of eight facilities, of which six are owned and two are leased, that offer a range of wastewater treatment technologies and customer services. Wastewater treatment consists primarily of three types of services: hazardous wastewater treatment, sludge de-watering or drying, and non-hazardous wastewater treatment.

Treatment, Storage and Disposal Facilities. We operate 22 TSDFs, of which 20 are owned and two are leased, in the United States and Canada. Our TSDFs facilitate the movement of materials among our network of service centers and treatment and disposal facilities. Transportation may be accomplished by truck, rail, barge or a combination of modes, with our own assets or in conjunction with third-party transporters. Specially designed containment systems, vehicles and other equipment permitted for hazardous and industrial waste transport, together with drivers trained in transportation and waste handling procedures, provide for the movement of customer waste streams.

Solvent Recovery Management and Recycling Operations. We own two facilities specializing in solvent recovery management.

PCB Management Facilities and Oil Storage or Recycling Capabilities. We operate six facilities, of which four are owned and two are leased, specializing in PCB management or providing oil recycling capabilities.

Lodging Facilities

Lodge Operations. We operate six fixed lodges, all of which are owned and located on sites in Alberta, Canada that are leased under long-term operating agreements.

Niagara Mohawk Power Corporation Exhibit__(SSIRP-1)^{d/b/a} National Grid

Cases 20-E-0380 & 20-G-0381

Camps. We operate various camp facilities that can grow and shrink in size and location. Generally, we have on the have one page 120-6-0381 Attachment 2 operations at 1-2 larger facilities that we expect to operate on a multi-year basis. Additionally, we operate five office Page 96 of 230 complexes, six mini-camps, and approximately 50 single and double occupancy drill camps. All of our camp facilities are owned and located on various sites throughout Western Canada. Sites for the larger facilities are generally leased, whereas sites for our smaller facilities are generally provided by our customers.

Oil Processing, Blending and Packaging Facilities

Oil Accumulation Centers. We operate a total of nine accumulation centers, of which eight are owned and one is leased, used for accumulating waste oil from our branches.

Oil Terminals. We operate a total of 42 oil terminals, of which 29 are owned and 13 are leased, which collect or process used oil prior to delivery to re-refineries or distribution as RFO.

Oil Recycling and Re-refining Facilities. With our recent acquisitions we now own six oil re-refineries, five in the United States and one in Canada. With more than 200 million gallons of used oil processed annually, we were able to return in 2016 176.3 million gallons of new re-refined oil, lubricants and byproducts back into the marketplace.

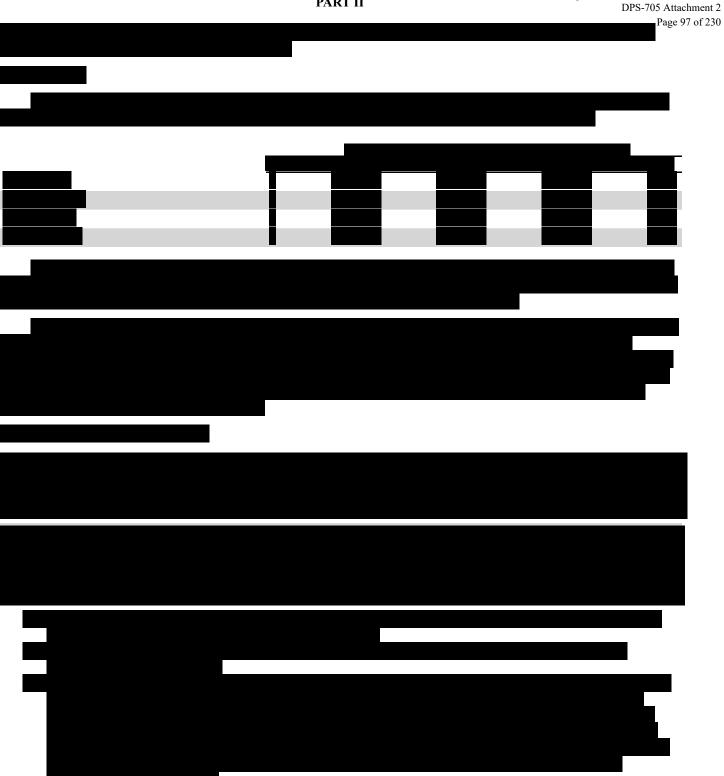
Oil Packaging and Blending Facilities. We operate a total of four oil packaging and blending facilities, of which two are owned and two are leased and used for blending and packaging oil from our branches.

ITEM 3. LEGAL PROCEEDINGS

See Note 17, "Commitments and Contingencies," to our consolidated financial statements included in Item 8 of this report for a description of legal proceedings.

ITEM 4. MINE SAFETY DISCLOSURES

Not applicable.



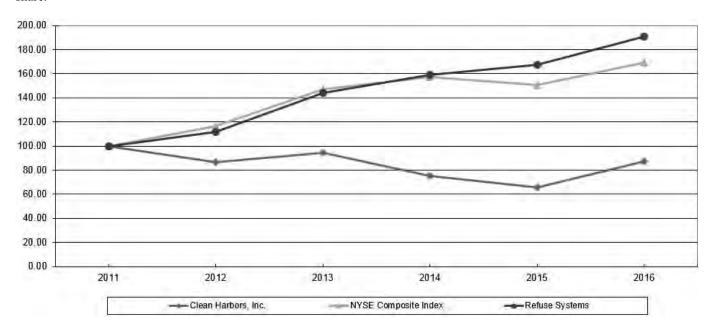
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Cases 20-E-0380 & 20-G-0381

COMPARISON OF 5-YEAR CUMULATIVE TOTAL RETURN AMONG CLEAN HARBORS, INC., NYSE COMPOSITE INDEX, AND CUSTOM PEER GROUP

Performance Graph

The following graph compares the five-year return from investing \$100 in each of our common stock, the NYSE Composite Index, and an index of environmental services companies (custom peer group) compiled by CoreData. The environmental services group used by CoreData includes all companies whose listed line-of-business is SIC Code 4953 (refuse systems), and assumes reinvestment of dividends on the ex-dividend date. An index compares relative performance since a particular starting date. In this instance, the starting date was December 30, 2011, when our common stock closed at \$63.73 per share.



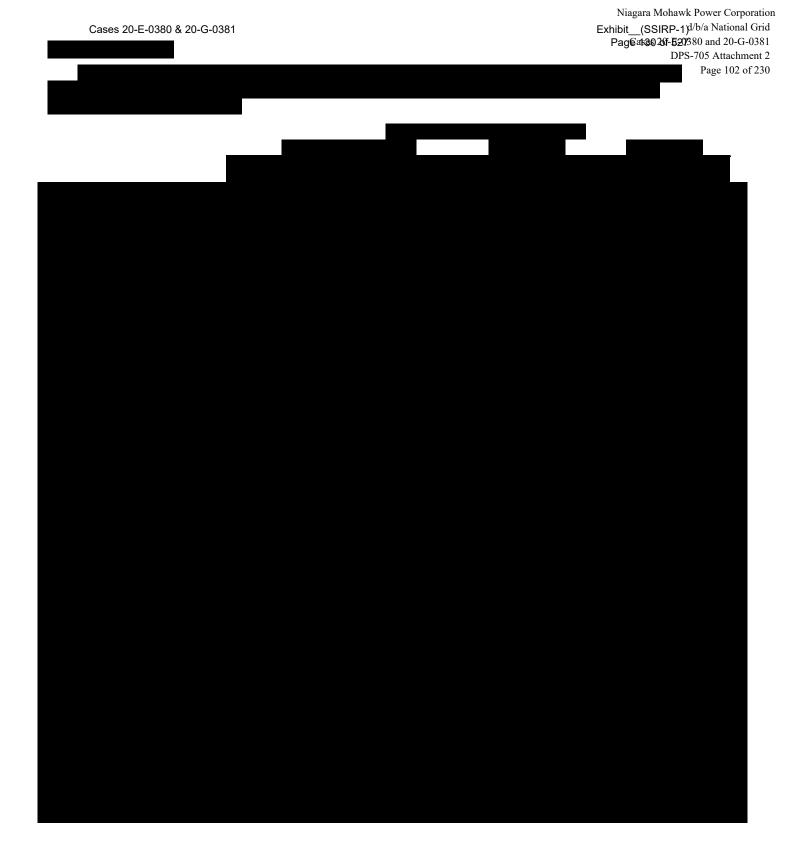
ASSUMES \$100 INVESTED ON JAN. 01, 2012 ASSUMES DIVIDENDS REINVESTED

Securities Authorized For Issuance Under Equity Compensation Plans

See Item 12, "Security Ownership of Certain Beneficial Owners and Management and Related Stockholder Matters," for a description of the securities which are authorized for issuance under our equity compensation plans.

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Niagara Mohawk Power Corporation



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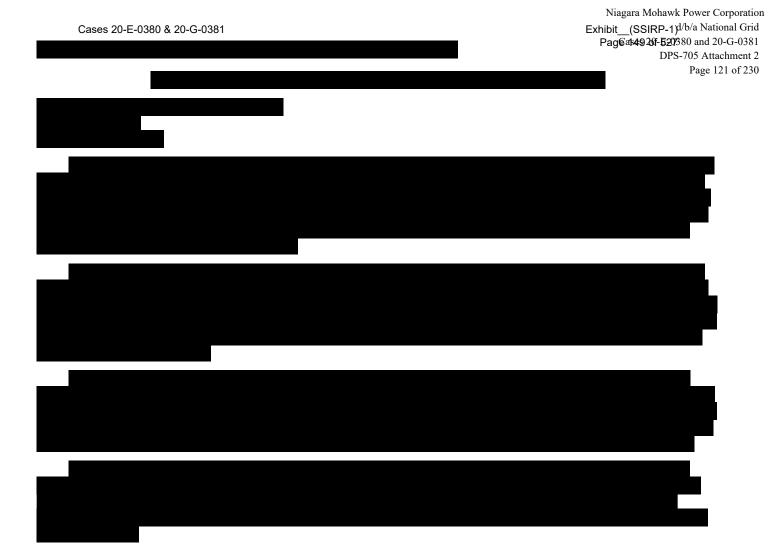












/s/ Deloitte & Touche LLP

Boston, Massachusetts February 22, 2017

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Cases 20-E-0380 & 20-G-0381 CLEAN HARBORS, INC. AND SUBSIDIARIES

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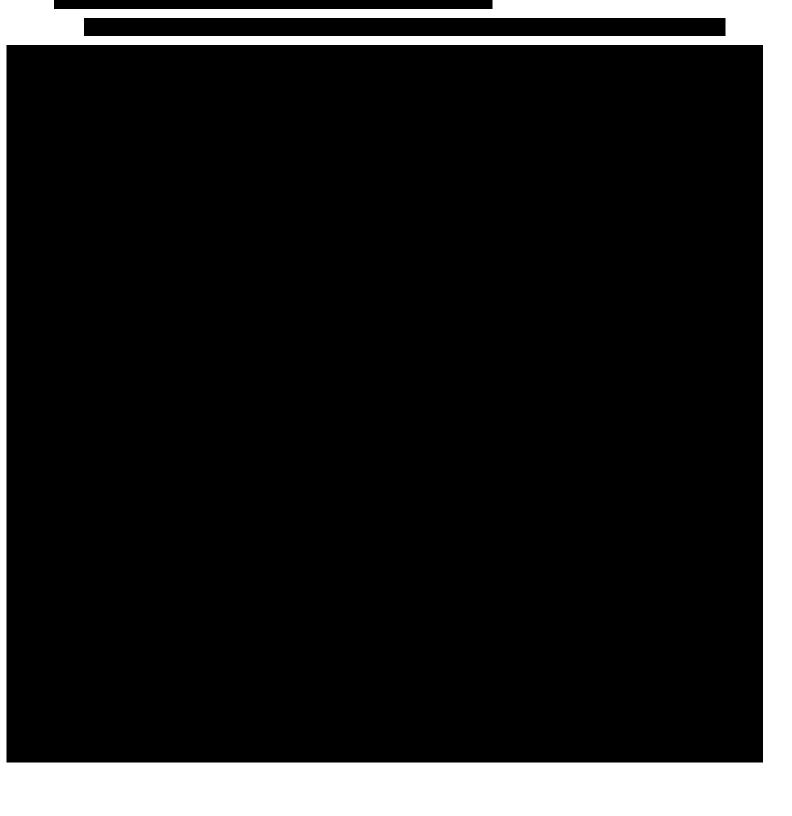
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/s/ Deloitte & Touche LLP

Boston, Massachusetts February 22, 2017

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PART IV

ITEM 15. EXHIBITS AND FINANCIAL STATEMENT SCHEDULES

(a) Documents Filed as a Part of this Report

		Page
1.	Financial Statements:	
	Report of Independent Registered Public Accounting Firm	<u>49</u>
	Consolidated Balance Sheets as of December 31, 2016 and 2015	<u>50</u>
	Consolidated Statements of Operations for the Three Years Ended December 31, 2016	<u>51</u>
	Consolidated Statements of Comprehensive Income (Loss) for the Three Years Ended December 31, 2016	<u>52</u>
	Consolidated Statements of Cash Flows for the Three Years Ended December 31, 2016	<u>53</u>
	Consolidated Statements of Stockholders' Equity for the Three Years Ended December 31, 2016	<u>54</u>
	Notes to Consolidated Financial Statements	<u>55</u>
2.	Financial Statement Schedule:	
	Schedule II Valuation and Qualifying Accounts for the Three Years Ended December 31, 2016	100

All other schedules are omitted because they are not applicable, not required, or because the required information is included in the financial statements or notes thereto.

3. Exhibits:

The list of exhibits filed as part of this annual report on Form 10-K is set forth on the Exhibit Index immediately following the signature page to this report, and such Exhibit Index is incorporated herein by reference.

Exhibits to this annual report on Form 10-K have been included only with the copies of the Form 10-K filed with the Securities and Exchange Commission. Upon request to the Company and payment of a reasonable fee, copies of the individual exhibits will be furnished. The Company undertakes to furnish to the Commission upon request copies of instruments (in addition to the exhibits listed below) relating to the Company's acquisitions and long-term debt.

ITEM 16. FORM 10-K SUMMARY

None

SIGNATURES

Pursuant to the requirements of Section 13 or 15(d) of the Securities Exchange Act of 1934, the registrant has duly caused this annual report to be signed on its behalf by the undersigned, thereunto duly authorized on February 22, 2017.

CLEAN HARBORS, INC.

By: /s/ ALAN S. MCKIM
Alan S. McKim
Chief Executive Officer

Pursuant to the requirements of the Securities Exchange Act of 1934, this annual report has been signed below by the following persons on behalf of the registrant and in the capacities and on the dates indicated.

Signature	<u>Title</u>	<u>Date</u>
/s/ ALAN S. MCKIM	Chairman of the Board of Directors and Chief Executive Officer	February 22, 2017
Alan S. McKim		
/s/ MICHAEL L. BATTLES	Executive Vice President and Chief Financial Officer	February 22, 2017
Michael L. Battles		
/s/ ERIC J. DUGAS	Vice President, Corporate Controller and Chief Accounting Officer	February 22, 2017
Eric J. Dugas		
*	Director	February 22, 2017
Gene Banucci		
*	Director	February 22, 2017
Edward G. Galante		
*	Director	February 22, 2017
Rod Marlin		
*	Director	February 22, 2017
John T. Preston		
*	Director	February 22, 2017
Andrea Robertson		
*	Director	February 22, 2017
Thomas J. Shields		
*	Director	February 22, 2017
Lauren C. States		
*	Director	February 22, 2017
John R. Welch		
*By: /s/ ALAN	I S. MCKIM	
	S. McKim	
	ey-in-Fact	

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EXHIBIT INDEX

Item No.	Description	Location
2.1	Acquisition Agreement by and between Safety-Kleen Services, Inc., as Seller, and Clean Harbors, Inc., as Purchaser, dated as of February 22, 2002	(1)
2.2	First Amendment to Acquisition Agreement by and between Safety-Kleen Services, Inc., as Seller, and Clean Harbors, Inc., as Purchaser, dated as of March 8, 2002	(2)
2.3	Second Amendment to Acquisition Agreement by and between Safety-Kleen Services, Inc. as Seller, and Clean Harbors, Inc. as Purchaser, dated as of April 30, 2002	(3)
2.4	Third Amendment to Acquisition Agreement by and between Safety-Kleen Services, Inc., as Seller, and Clean Harbors, Inc., as Purchaser, dated as of September 6, 2002	(4)
2.5	Fourth Amendment to Acquisition Agreement by and between Safety-Kleen Services, Inc., as Seller and Clean Harbors, Inc., as Purchaser, dated as of July 14, 2003	(5)
2.6	Agreement and Plan of Merger dated as of October 26, 2012 among Safety-Kleen, Inc., Clean Harbors, Inc., and CH Merger Sub, Inc.	(6)
3.1A	Restated Articles of Organization of Clean Harbors, Inc.	(7)
3.1B	Articles of Amendment [as filed on May 9, 2011] to Restated Articles of Organization of Clean Harbors	(8)
3.4D	Amended and Restated By-Laws of Clean Harbors, Inc.	(9)
4.34	Fifth Amended and Restated Credit Agreement dated as of November 1, 2016 among Clean Harbors, Inc., as the U.S. Borrower, Clean Harbors Industrial Services Canada, Inc., as the Canadian Borrower, Bank of America, N.A., as Administrative Agent, and the Lenders party thereto	(10)
4.34A	Amended and Restated Security Agreement (U.S. Domiciled Loan Parties) dated as of November 1, 2016 among Clean Harbors, Inc. , as the U.S. Borrower and a Grantor, the subsidiaries of Clean Harbors, Inc. listed on Annex A thereto or that thereafter become a party thereto as Grantors, and Bank of America, N.A., as Agent	(10)
4.34B	Amended and Restated Security Agreement (Canadian Domiciled Loan Parties) dated as of November 1, 2016 among Clean Harbors Industrial Services Canada, Inc., as the Canadian Borrower and a Grantor, the subsidiaries of Clean Harbors, Inc. listed on Annex A thereto or that thereafter become a party thereto as Grantors, and Bank of America, N.A., as Agent	(10)
4.34C	Amended and Restated Guarantee (U.S. Domiciled Loan Parties-U.S. Facility Obligations) dated as of November 1, 2016 executed by the U.S. Domiciled Subsidiaries of Clean Harbors, Inc. named therein in favor of Bank of America, N.A., as Agent for itself and the other U.S. Facility Secured Parties	(10)
4.34D	Amended and Restated Guarantee (Canadian Domiciled Loan Parties-Canadian Facility Obligations) dated as of November 1, 2016 executed by the Canadian Domiciled Subsidiaries of Clean Harbors, Inc. named therein in favor of Bank of America, N.A., as Agent for itself and the other Canadian Facility Secured Parties	(10)
4.34E	Amended and Restated Guarantee (U.S. Domiciled Loan Parties-Canadian Facility Obligations) dated as of November 1, 2016 executed by Clean Harbors, Inc. and the U.S. Domiciled Subsidiaries of Clean Harbors, Inc. named therein in favor of Bank of America, N.A., as Agent for itself and the other Canadian Facility Secured Parties	(10)
4.40	Indenture dated as of July 30, 2012, among Clean Harbors, Inc., as Issuer, the Guarantors listed on the signature pages thereto, and U.S. Bank National Association, as Trustee	(11)
4.42	Indenture dated as of December 7, 2012, among Clean Harbors, Inc., as Issuer, the subsidiaries of Clean Harbors, Inc. named therein as Guarantors, and U.S. Bank National Association, as Trustee	(12)
10.43*	Key Employee Retention Plan	` ´
10.43 10.43A*	• • •	(13)
	Form of Severance Agreement under Key Employee Retention Plan with Confidentiality and Non-Competition Agreement	(14)
10.45	Bill of Sale and Assignment dated as of September 10, 2002 by Safety-Kleen Services, Inc. and its Subsidiaries named therein, as Sellers, and Clean Harbors, Inc., as Purchaser, and its Subsidiaries named therein, as Purchasing Subs	(4)
10.46	Assumption Agreement made as of September 10, 2002 by Clean Harbors, Inc. in favor of	()
	Safety-Kleen Services, Inc. and its Subsidiaries named therein	(4)

Description	Page 2509 251-1521/380 and 20-G-0381 LDANS 1005 Attachment 2
Clean Harbors, Inc. Management Incentive Plan [as amended and restated on March 5, 2012]	Pags 179 of 230
Clean Harbors, Inc. Annual CEO Incentive Bonus Plan	(16)
Clean Harbors, Inc. 2010 Stock Incentive Plan [as amended on May 10, 2010]	(17)
Revised form of Restricted Stock Award Agreement [Non-Employee Director] [for use unde 2010 Stock Incentive Plan]	r (14)
Revised form of Restricted Stock Award Agreement [Employee] [for use under Clean Harbors, Inc. 2010 Stock Incentive Plan]	(14)
Revised form of Performance-Based Restricted Stock Award Agreement [for use under Clear Harbors, Inc. 2010 Stock Incentive Plan]	n (14)
Amendment to Section 8 and 10(i) of the Company's 2010 Stock Incentive Plan	(18)
Clean Harbors, Inc. 2014 CEO Annual Incentive Plan	(19)
Amendment to Section 6(m) of Clean Harbors, Inc. 2014 Annual CEO Incentive Plan	(20)
Mike Battles accepted offer letter effective as of January 6, 2016	(21)
Subsidiaries	Filed herewith
Consent of Independent Registered Public Accounting Firm	Filed herewith
Power of Attorney	Filed herewith
Rule 13a-14a/15d-14(a) Certification of the CEO Alan S. McKim	Filed herewith
Rule 13a-14a/15d-14(a) Certification of the CFO Michael L. Battles	Filed herewith
Section 1350 Certifications	Filed herewith
ended December 31, 2016, formatted in XBRL (Extensible Business Reporting Language): (i) Consolidated Balance Sheets, (ii) Consolidated Statements of Operations, (iii) Consolidated	ed
	Clean Harbors, Inc. Management Incentive Plan [as amended and restated on March 5, 2012] Clean Harbors, Inc. Annual CEO Incentive Bonus Plan Clean Harbors, Inc. 2010 Stock Incentive Plan [as amended on May 10, 2010] Revised form of Restricted Stock Award Agreement [Non-Employee Director] [for use unde 2010 Stock Incentive Plan] Revised form of Restricted Stock Award Agreement [Employee] [for use under Clean Harbors, Inc. 2010 Stock Incentive Plan] Revised form of Performance-Based Restricted Stock Award Agreement [for use under Clean Harbors, Inc. 2010 Stock Incentive Plan] Amendment to Section 8 and 10(i) of the Company's 2010 Stock Incentive Plan Clean Harbors, Inc. 2014 CEO Annual Incentive Plan Amendment to Section 6(m) of Clean Harbors, Inc. 2014 Annual CEO Incentive Plan Mike Battles accepted offer letter effective as of January 6, 2016 Subsidiaries Consent of Independent Registered Public Accounting Firm Power of Attorney Rule 13a-14a/15d-14(a) Certification of the CEO Alan S. McKim Rule 13a-14a/15d-14(a) Certification of the CFO Michael L. Battles Section 1350 Certifications The following materials from the Company's Annual Report on Form 10-K for the fiscal year ended December 31, 2016, formatted in XBRL (Extensible Business Reporting Language): (i) Consolidated Balance Sheets, (ii) Consolidated Statements of Operations, (iii) Consolidated Statements of Stockholders' Equity, and (vi) Notes to Consolidated Financial

^{*} A "management contract or compensatory plan or arrangement" filed as an exhibit to this report pursuant to Item 15(a)(3) of Form 10-K.

- (1) Incorporated by reference to the similarly numbered exhibit to the Company's Form 8-K Report filed on February 28, 2002.
- (2) Incorporated by reference to the similarly numbered exhibit to the Company's Form 10-K Annual Report for the Year ended December 31, 2001.
- (3) Incorporated by reference to the similarly numbered exhibit to the Company's Form 10-Q Quarterly Report for the Quarterly Period ended March 31, 2002.
- (4) Incorporated by reference to the similarly numbered exhibit to the Company's Form 8-K Report filed on September 25, 2002.
- (5) Incorporated by reference to the similarly numbered exhibit to the Company's Form 10-Q Quarterly Report for the Quarterly Period ended June 30, 2003.
- (6) Incorporated by reference to the similarly numbered exhibit to the Company's Form 8-K Report filed on October 31, 2012.
- (7) Incorporated by reference to the similarly numbered exhibit to the Company's Form 8-K Report filed on May 19, 2005.
- (8) Incorporated by reference to the similarly numbered exhibit to the Company's Form 8-K Report filed on May 12, 2011.
- (9) Incorporated by reference to the similarly numbered exhibit to the Company's Form 8-K Report filed on December 22, 2014.

- Incorporated by reference to the similarly numbered exhibit to the Company's Form 8-K Report filed on November 2 2016.

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- (11) Incorporated by reference to the similarly numbered exhibit to the Company's Report on Form 8-K filed on July 30, 2012.
- (12) Incorporated by reference to the similarly numbered exhibit to the Company's Form 8-K Report filed on December 10, 2012.
- (13) Incorporated by reference to the similarly numbered exhibit to the Company's Form 10-Q Quarterly Report for the Quarterly Period ended March 31, 1999.
- (14) Incorporated by reference to the similarly numbered exhibit to the Company's Form 10-K Annual Report for the Year ended December 31, 2010.
- (15) Incorporated by reference to Appendix A to the Company's definitive proxy statement for its 2012 annual meeting of shareholders filed on March 23, 2012.
- (16) Incorporated by reference to the similarly numbered exhibit to the Company's Form 8-K Report filed on May 14, 2009.
- (17) Incorporated by reference to the similarly numbered exhibit to the Company's Form 8-K Report filed on May 14, 2010.
- (18) Incorporated by reference to Appendix B to the Company's definitive Proxy Statement filed on March 22, 2013.
- (19) Incorporated by reference by Appendix A to the Company's definitive Proxy Statement filed on March 22, 2013.
- (20) Incorporated by reference to Appendix A to the Company's definitive Proxy Statement for its 2014 annual meeting of shareholders filed on April 29, 2014.
- (21) Incorporated by reference to the similarly numbered exhibit to the Company's Form 8-K Report filed on January 11, 2016.
- (22) These interactive data files are furnished herewith and deemed not filed or part of a registration statement or prospectus for purposes of Sections 11 or 12 of the Securities Act of 1933, as amended, are deemed not filed for purposes of Section 18 of the Securities Exchange Act of 1934, as amended, and otherwise are not subject to liability under those sections.

Form 10-K

Copies of the Company's Annual Report on Form 10-K for the year ended December 31, 2016, filed with the Securities and Exchange Commission on February 22, 2017, may be obtained without charge online at www. cleanharbors.com, or by writing to our corporate headquarters:

42 Longwater Drive P.O. Box 9149 Norwell, MA 02061-9149 Attention: Investor Relations 781.792.5100

Annual Shareholders Meeting

Wednesday, June 7, 2017 10:00 a.m. EDT Clean Harbors Training Facility 101 Philip Drive Norwell. MA 02061-9149

Auditors

Deloitte & Touche LLP 200 Berkeley Street Boston, MA 02116

Secretary of the Corporation

C. Michael Malm, Esq. Davis, Malm & D'Agostine, P.C.

Corporate Counsel

Davis, Malm & D'Agostine, P.C. One Boston Place Boston, MA 02108

Transfer Agent

American Stock Transfer & Trust Company 6201 15th Avenue New York, NY 11219 800.937.5449

Corporate Headquarters

42 Longwater Drive P.O. Box 9149 Norwell, MA 02061-9149 781.792.5000 www.cleanharbors.com

Common Stock

Our common stock trades on the New York Stock Exchange (NYSE) under the symbol CLH. The following table sets forth the high and low sales prices of our common stock for the indicated periods as reported by the NYSE.

2016	High	Low	2015	High	Low
First Quarter	\$ 49.97	\$ 37.09	First Quarter	\$ 58.44	\$ 44.70
Second Quarter	\$ 54.54	\$ 46.40	Second Quarter	\$ 59.29	\$ 50.65
Third Quarter	\$ 53.79	\$ 44.91	Third Quarter	\$ 54.31	\$ 43.00
Fourth Quarter	\$ 58.23	\$ 43.03	Fourth Quarter	\$ 48.05	\$ 39.89

On February 10, 2017, the closing price of our common stock on the NYSE was \$54.87 and there were 294 stockholders of record of our common stock, excluding stockholders whose shares were held in nominee, or "street" name. We estimate that approximately 22,400 additional stockholders beneficially held shares in street name on that date.

We have never declared nor paid any cash dividends on our common stock, and we do not intend to pay any dividends on our common stock in the foreseeable future. We intend to retain our future earnings, if any, for use in the operation and expansion of our business, payment of our outstanding debt and the continuation of our stock repurchase program. In addition, our current credit agreement and indentures limit the amount we could pay as cash dividends on, or for the repurchase of, our common stock.



Safe Harbor Statement

Any statements contained herein that are not historical facts are forward-looking statements within the meaning of the Private Securities Litigation Reform Act of 1995. These forward-looking statements are generally identifiable by use of the words "believes," "expects," "intends," "anticipates," "plans to," "estimates," "projects," or similar expressions. Such statements may include, but are not limited to statements about future financial and operating results, the Company's plans, objectives, expectations and intentions and other statements that are not historical facts. Forward-looking statements are neither historical facts nor assurances of future performance. Such statements are based upon the beliefs and expectations of Clean Harbors' management as of this date only and are subject to certain risks and uncertainties that could cause actual results to differ materially, including, without limitation, those items identified as "risk factors" in Clean Harbors' most recently filed Form 10-K and Form 10-Q. Therefore, readers are cautioned not to place undue reliance on these forward-looking statements. Our actual results and financial condition may differ materially from those indicated in the forward-looking statements. Clean Harbors undertakes no obligation to revise or publicly release the results of any revision to these forward-looking statements other than through its filings with the Securities and Exchange Commission, which may be viewed in the "Investors" section of the Clean Harbors website.

Clean Harbors is an Affirmative Action/Equal Opportunity Employer.





ATTACHMENT E

Permits

Principal Operating Licenses/Permits Clean Harbors Environmental Services, Inc. South Portland, Maine

Permit Type/Governing Agency	Permit NO.	Exp. Date
Waste Oil Storage Facility License Maine Department of Environmental Protection, Bureau of Oil and Hazardous Materials	0-154-97-E-R	12-28-2017
Industrial Wastewater Discharge Permit Water Resource Protection Department City of South Portland	003	12-21-2018
Flammable Storage Permit City Clerk City of South Portland	13058	Annual
USEPA NPDES Multi-Sector Stormwater General Permit	MER05A791	Terminated
MeDEP MultiSector General Permit No Exposure Certification		No Expiration
	MERNEB589	

STATE OF MAINE

DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE HOUSE STATION 17

AUGUSTA, MAINE 04333

Page 185 of 230 EXPIRATION DATE 12/28/2019

Page 2848 26f-5207380 and 20-G-0381

DPS-705 Attachment 2

A HAXII DIVALOSTREANIS

BOARD ORDER

IN THE MATTER OF

CLEAN HARBORS ENVIRONMENTAL)	MAINE HAZARDOUS
SERVICES, INC.)	WASTE, SEPTAGE & SOLID
RUMERY ROAD, SOUTH PORTLAND)	WASTE MANAGEMENT ACT
CUMBERLAND COUNTY, MAINE)	
WASTE OIL FACILITY LICENSE	40) ,	
LICENSE# O-154-97- E - R)	RENEWAL LICENSE

Pursuant to the provisions of Maine's Waste Oil Management Rules (June 13, 1988) 06-096 CMR 860, (hereinafter called the "Rules"), and the provisions of the Criteria for the Development of Waste Oil Storage Facilities, 38 M.R.S.A. Section 1319-X, the Board of Environmental Protection (hereinafter called the "Board") has considered the application of CLEAN HARBORS Environmental Services, Inc., (hereinafter "CLEAN HARBORS") with its supportive data, agency review comments and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY 1.

- Application: On April 2, 2012 CLEAN HARBORS filed an application for the A. renewal of its existing waste oil facility license # O-154-97-D-R. The application was accepted as complete for processing on April 19, 2012.
- History: CLEAN HARBORS has operated at the Rumery Road facility, since B. September 10, 1985. CLEAN HARBORS's facility is used for the storage and processing of waste oil handled by CLEAN HARBORS as a service to its customers within and outside the State of Maine. This is CLEAN HARBOR's fourth renewal request for a license from the Department for this facility. The existing license expired on September 28, 2012. CLEAN HARBORS's is operating under the terms and conditions of its existing license as allowed under the Department's Rules for Processing Applications 06-096 CMR 2, (21) (A).
- Summary of Proposal: CLEAN HARBORS is proposing to renew its existing waste oil facility license # O-154-97-D-R located at 37 Rumery Road in South Portland, Maine. The facility is located adjacent to the intersection of Rumery Road and Rigby Road in the Rigby Yard Industrial Park.

CLEAN HARBORS ENVIRONMENTAL	2	MAINE HAZARDOUS
SERVICES, INC.)	WASTE, SEPTAGE & SOLID
RUMERY ROAD, SOUTH PORTLAND)	WASTE MANAGEMENT ACT
CUMBERLAND COUNTY, MAINE)	
WASTE OIL FACILITY LICENSE)	**
LICENSE# O-154-97-E- R)	RENEWAL LICENSE

The facility has historically received an average weekly volume of two hundred and fifty thousand (250,000) gallons of waste oil per week or approximately thirteen million (13,000,000) gallons per year. Waste oil is delivered in bulk by vacuum or tanker trucks, tote tanks and in U.S. Department of Transportation approved non-bulk containers less than one hundred and nineteen (119) gallons in size and drums up to fifty five (55) gallons in size. CLEAN HARBORS also collects waste oil from do it yourself (DIY) oil changers as a service to the general public. Incoming waste oil is inspected and sampled by CLEAN HARBORS prior to offloading to ensure it is not hazardous waste.

Once inspected and approved, the waste oil is offloaded into a vaulted receiving tank and then pumped into a treatment tank or depending on the quality of the waste oil directly to a reclaimed waste oil storage tank for resale as a heating fuel or shipment to other permitted facilities for further treatment.

Waste to be handled at the facility:

Waste	Maximum volume in gallons	Storage Vessel
Waste oil reclaimed Waste oil reclaimed Waste oil treatment Waste oil treatment Waste oil treatment Waste oil treatment Waste water processin Waste water processin Hydroxide sludge Waste water Processed waste wate Processed waste wate Processed waste wate Spec used oil Glycol based coolant	28,000 28,000 24,000 24,000 20,000 ag 20,000 15,000 15,000 r 20,000 r 20,000	T-1 T-2 T-3 T-4 T-5 T-6 T-7 T-8 T-9 T-11 T-12 T-13 Boiler fuel tank
Ancillary process tank	ks 14,000	

CLEAN HARBORS imports waste oil into the State of Maine from other states. Waste oil shipped to the Rumery facility from outside the State of Maine is

Page 187 of 230

CLEAN HARBORS ENVIRONMENTAL	- 3	MAINE HAZARDOUS
SERVICES, INC.)	WASTE, SEPTAGE & SOLID
RUMERY ROAD, SOUTH PORTLAND)	WASTE MANAGEMENT ACT
CUMBERLAND COUNTY, MAINE)	
WASTE OIL FACILITY LICENSE)	
LICENSE# O-154-97-E- R)	RENEWAL LICENSE

shipped on a hazardous waste manifest utilizing the originating state's waste codes.

For example, Massachusetts uses waste codes MA01 for shipments of unused waste oil, used oil and mixtures of both; MA97 for specification used oil fuel; and MA98 for off-specification used oil. New Hampshire uses waste code NH01 for used oil and NHX1 for oil for recycling. Connecticut uses waste codes CR02 for oil or petroleum no longer suitable for its original purpose and CR03 for oil or petroleum that is no longer suitable for its original purpose and is miscible in water.

CLEAN HARBORS's Rumery Road facility has a total maximum storage capacity of two hundred and seventy eight thousand (278,000) gallons. This consists of the following: one hundred and twenty four thousand (124,000) gallons of waste oil in treatment and storage tanks, seventy thousand (70,000) gallons of waste water in water holding and treatment tanks, sixty thousand (60,000) gallons of treated water which is stored prior to discharge to the South Portland Sewer District, five thousand (5,000) gallons in the boiler feed tank, a five thousand (5,000) gallon Glycol based coolant tank and an additional fourteen thousand (14,000) gallons of capacity provided by process tanks utilized throughout the treatment process. The process tanks also include tanks associated with CLEAN HARBORS's waste water treatment system. CLEAN HARBORS stores oil contaminated solid material at the Rumery facility such as soil, absorbents, hydroxide sludge and debris from the waste oil treatment system. The solid material is stored in roll off containers of up to 40 yards in size on concrete pads.

General Description of the Facility:

The waste oil facility ("the facility") proposed by CLEAN HARBORS consists of 5 areas:

- A. Tank storage and tank treatment area
- B. Filter press area
- C. Loading area
- D. Unloading area
- E. Waste water treatment system area

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CLEAN HARBORS ENVIRONMENTAL	31	MAINE HAZARDOUS .
SERVICES, INC.)	WASTE, SEPTAGE & SOLID
RUMERY ROAD, SOUTH PORTLAND)	WASTE MANAGEMENT ACT
CUMBERLAND COUNTY, MAINE)	
WASTE OIL FACILITY LICENSE)	
LICENSE# O-154-97-E- R)	RENEWAL LICENSE

THEREFORE, THE BOARD APPROVES the above noted application of CLEAN HARBORS ENVIRONMENTAL SERVICES INCORPORATED for a waste oil storage and processing facility located at the Rigby Yard Industrial Park in South Portland, Maine, SUBJECT TO THE ATTACHED CONDITIONS and all applicable standards and regulations:

- 1. Standard Conditions of Approval (a copy is attached) as Appendix A.
- 2. This license expires on September 28, 2017.
- 3. The licensee shall submit within sixty (60) days of the signing date of this Order one consolidated copy of the application with plans that depict the facility structure and operation, as finally amended and approved. The purpose of this submittal is to consolidate and compile the facility application and various revisions such that the Department receives one completed document.
- 4. CLEAN HARBORS shall report all required analytical results on a dry weight basis.
- 5. Clean Harbors may use Method ASTM D5384-96 (Dexsil-Chlor-d-Tect); a field test method for determining total halogens in waste oil may be used for internal purposes only and not for compliance with the reporting requirements required by the Rules on out going shipments.
- 6. CLEAN HARBORS shall close its facility when waste oil is no longer handled at this site or at the direction of the Department. The licensee shall close its facility after notification to the Department and only in accordance with the Rules and the approved closure plan. Upon completion of closure of the facility or any portion of the facility, the licensee must submit to the Department certification, both by the licensee and by a State of Maine registered professional engineer, that the facility has been closed in accordance with the specification in the approved closure plan. CLEAN HARBORS shall notify the Department forty five (45) days prior to termination of its activities. Certification by CLEAN HARBORS and an independent State of Maine registered professional engineer shall be submitted within ninety (90) days from the date when CLEAN HARBORS no longer accepts waste oil at the facility.
- 7. The licensee shall submit financial and insurance instruments and updates by August 30 of each year following the signing date of this license.

Page 189 of 230

CLEAN HARBORS ENVIRONMENTAL	32	MAINE HAZARDOUS
SERVICES, INC.)	WASTE, SEPTAGE & SOLID
RUMERY ROAD, SOUTH PORTLAND)	WASTE MANAGEMENT ACT
CUMBERLAND COUNTY, MAINE)	Vi kii
WASTE OIL FACILITY LICENSE)	
LICENSE# O-154-97-E- R	.)	RENEWAL LICENSE

- 8. Transfer of ownership or operation shall only occur after approval by the Board and only in accordance with the Rules.
- 9. CLEAN HARBORS shall not accept waste oil for storage or treatment at this facility that exceeds the parameters for off specification waste oil found in Maine's Waste Oil Management Rules 06-096 CMR 860, (4) (C). Waste oils exceeding the parameters in 06-096 860, (4) (C) are considered hazardous waste in Maine. CLEAN HARBORS shall not accept waste waters or Glycol coolants at its Rumery Road facility that are determined to be a hazardous waste due to characteristics of hazardous waste or through its generation process. Clean Harbors shall make analytical or other documentation available used by Clean Harbors to determine if waste waters or used glycol based coolants can be accepted for treatment or storage at the facility to Department staff upon request.
- 10. CLEAN HARBORS shall submit all groundwater analytical results within 30 days of sampling. An electronic data deliverable, either in the form of a computer disk or e-mail submittal, which contains laboratory and field data in a format approved by the DEP for uploading into the DEP groundwater database, must be submitted to the DEP in conjunction with the written report. A complete record of all historical data generated over time for the site must be provided to the DEP. A complete groundwater monitoring report shall be submitted by January 30 of each year that includes at a minimum:
 - (a) A complete groundwater analytical results data base including blind or open duplicates.
 - (b) Field sampling, custody and laboratory data sheets for the most recent sampling round;
 - (c) complete historical water level data base with well construction data including top of riser, ground surface, screen top and bottom elevations;
 - (d) Piezometric phreatic surface map(s) that illustrate the location and direction of movement of contaminated ground water for the most recent sampling round;
 - (e) Map(s) showing analytical results for at least the latest round if there are detections;

Page 190 of 230

CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. RUMERY ROAD, SOUTH PORTLAND CUMBERLAND COUNTY, MAINE WASTE OIL FACILITY LICENSE LICENSE# 0-154-97-E- R	= 33)))	MAINE HAZARDOUS WASTE, SEPTAGE & SO WASTE MANAGEMEN RENEWAL LICENSE	
LICENSE# 0-134-9 (-E- K)	KENE WAL LICENSE	

- (f) Graphs demonstrating concentration vs. time axis for each well showing continuous contaminant detection.
- (g) The ground water monitoring is approved with monitoring wells 1 through 9 being gauged for static water level and sampled for pH, specific conductance, turbidity and dissolved oxygen with laboratory analysis being required for monitoring wells 3, 5, and 7.
- (h) The Department reserves the right to increase the number of monitoring wells to be sampled for laboratory analysis or require additional analysis if it is necessary to protect the public health or the environment.
- 11. CLEAN HARBORS shall submit no later than December 31, 2014 a copy of the renewed lease agreement for property being leased for its facility.
- 12. CLEAN HARBORS's shall use approved analytical methods or alternate analytical methods approved by the Department for determining contaminates in waste oil.
- 13. CLEAN HARBORS shall submit no later than April 1, 2013, a copy of an approved Flammable liquids and hazardous materials storage license from the City of South Portland.
- 14. The invalidity or unenforceability of any provision, or part thereof, of this license shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all aspects as if such invalid or unenforceable provisions or part thereof had been omitted.

9	²	yl		
DON	VE AND DATED AT AUGUSTA, MAINE THIS	15"	<u>.</u> <u>.</u> <u>.</u>	DAY
OF_	November, 2012.		36 3	
BOA	RD OF ENVIRONMENTAL PROTECTION		×	
BY:	Roberta. July			
	Robert A. Foley, Chair			

Page 191 of 230



Water Resource Protection

Permit Number: 003

INDUSTRIAL USER WASTEWATER DISCHARGE PERMIT

In accordance with the provisions of

The Federal Clean Water Act as amended, 33 U.S.C. Section 1251 et seq. (the "CWA"), and
The City of South Portland Code of Ordinances.

CLEAN HARBORS 37 RUMERY ROAD SOUTH PORTLAND, MAINE

is hereby authorized to discharge industrial wastewater from the above identified facility and through the sample points identified herein into the sewer system of the City of South Portland in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any and all applicable pretreatment regulations, standards or requirements under local, State, and Federal laws, including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of Chapter 29, "Sewer Pretreatment and Permits", of the "Code of Ordinances of the City of South Portland, Maine", and will subject the permittee to enforcement action.

This permit is effective November 1, 2013 and shall expire at midnight on December 21, 2018.

If the permittee wishes to continue to discharge after the expiration date of this permit, a written request must be made requesting an extension of this permit prior to the expiration date.

Director, Water Resource Protection

Issued this _____ ST__ day of ____ NOVEMBER_____ 2013

Page 192 of 230

Clean Harbors At 37 Rumery Road, South Portland, Maine.

Renewed November 1, 2013

Permit Expires December 21, 2018

SECTION A - SPECIAL CONDITIONS AND REPORTING REQUIREMENTS

Sample Points

This permit contains a renumbering of sample points when compared to any previous permit or sampling report which may be on file.

Historical Sample Points	Compliance Determination for
001 Sewer Manhole #2, in facility yard plan. Must comply with the City of South Portland's Local Limits and Centralized Waste Treatment Regulations; 40 CFR 437.46, Subpart D- Multiple Waste streams (A, B, C).	Local Limits and all Centralized Waste Treatment limitations for effluent
002 - At end of inclined plate clarifier of Oil Skimmer Tank. Centralized Waste Treatment Regulations; 40 CFR 437.46, Subpart D- Multiple Waste streams (A, B, C).	Used for in Process Cyanide only

Current Sample Points	Compliance Determination for
Sample Point 001	
This sample point is a manhole located inside the building.	For all Centralized Waste
Previously this sample point has not been utilized	Treatment Limitations
Sample Point 002	
This sample point is a manhole located outside the building.	Local Limits only
Previously this manhole was designated as sample point for	
all local limits and categorical standards	
Sample Point 003	
This sample point has been used as the in process location	In Process Cyanide only
for the categorical standards. The point will remain the	
same. The only exception is the descriptor will be more	
specific to avoid sample location discrepancies.	

Sample Point Descriptions

Clean Harbors is authorized to discharge process wastewater to the sewer system of the City of South Portland from the sample point(s) listed below.

Sample point 001 An internal manhole which contains categorical waste only. This manhole is for semi annual sampling for the categorical standards for Centralized Waste Treatment regulations, 40 CFR 437.46, Subpart D, Multiple Wastestreams (A, B, C)

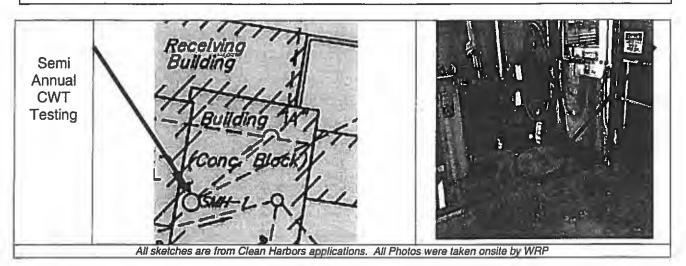
Sample point 002 Located in parking lot between treated water storage tanks and main building. This manhole contains process and sanitary waste. It is to be sampled for local limits only.

Sample point 003 Sample collected from T-200 Oil Skimmer Tank effluent as detailed in Permit application Diagram 7A. This sample point is for in-process cyanide testing,

DPS-705 Attachment 2
Page 193 of 230

SAMPLE POINT 001

Sketch and Photo Documentation



Effluent Limitations

The permittee shall comply with the following Categorical discharge limits at Sample Point 001

PARAMETER	CWT LIMITATIONS			
	Daily Max	Monthly Ave		
Bis(2-ethylhexyl)phthalate	0.267 mg/L	0.158 mg/L		
Antimony (T)	0.249 mg/L	0.206 mg/L		
Arsenic (T)	0.162 mg/L	0.104 mg/L		
Cadmium (T)	0.475 mg/L	0.0962 mg/L		
Chromium (T)	0.947 mg/L	0.487 mg/L		
Cobalt (T)	0.192 mg/L	0.124 mg/L		
Copper (T)	0.405 mg/L	0.301 mg/L		
Lead(T)	0.222 mg/L	0.172 mg/L		
Mercury (T)	0.00234 mg/L	0.000739 mg/L		
Nickel (T)	3.95 mg/L	1.45 mg/L		
Silver (T)	0.120 mg/L	0.0351 mg/L		
Tin (T)	0.409 mg/ L	0.120 mg/L		
Titanium (T)	0.0947 mg/L	0.0618 mg/L		
Vanadium (T)	0.218 mg/L	0.0662 mg/L		
Zinc(T)	2.87 mg/L	0.641 mg/L		
Carbazole	0.392 mg/L	0.233 mg/L		
o-Cresol	1.92 mg/L	0.561 mg/L		
p-Cresol	0.698 mg/L	0.205 mg/L		
n-Decane	5.79 mg/L	3.31 mg/L		
Fluoranthane	0.787 mg/L	0.393 mg/L		
n-Octadecane	1.22 mg/L	0.925 mg/L		
2,4,6-Trichlorophenol	0.155 mg/L	0.106 mg/L		

The discharge of any and all pollutants is prohibited except as otherwise provided in this permit.

Semi Annual Monitoring Report Due Dates

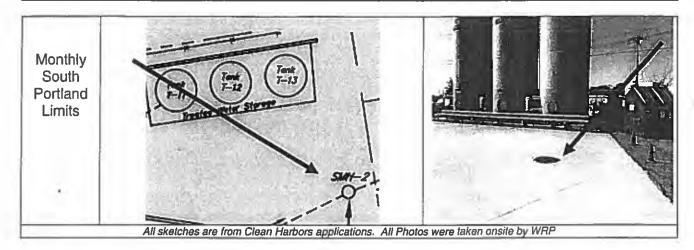
Semi Annual Categorical Monitoring Reports are due on the following dates during the permit term:

July 15, 2014 January 15, 2015 July 15, 2015 January 15, 2016 July 15, 2016 January 15, 2017 July 15, 2017 January 15, 2018 July 15, 2018

Page 194 of 230

SAMPLE POINT 002

Sketch and Photo Documentation



Effluent Limitations

The permittee shall comply with the following South Portland discharge limits at Sample Point 002.

PARAMETER	LOCAL LIMITATIONS
	Daily Max
Flow	50,000 gals/day
BOD5	3,000 lbs/day
Bis(2-ethylhexyl)phthalate	1.05 mg/L
Ammonia	120 mg/L
Arsenic (T)	0.01 lbs/day
Cadmium (T)	0.13 mg/L
Chromium (T)	4.7 mg/L
Copper (T)	0.89 mg/L
Cyanide (T)	0.12 mg/L
Fluoride (T)	81.0 mg/L
Lead(T)	0.33 mg/L
Mercury (T)	0.0024 mg/L
Molybdenum (T)	5.05 lbs/day
Nickel (T)	0.72 mg/L
Silver (T)	0.30 mg/L
Zinc(T)	1.3 mg/L
Total Suspended Solids	surcharge
pH ##, ###	5.0-12.0 su
Volatile Organics	Monitoring only

The monthly contract laboratory sample is collected from SMH2 in the middle of the parking lot.

Due to safety concerns of sampling in high traffic areas, the daily pH for each tank discharged occurs at in inside sample tap before the flow meter.

The discharge of any and all pollutants is prohibited except as otherwise provided in this permit.

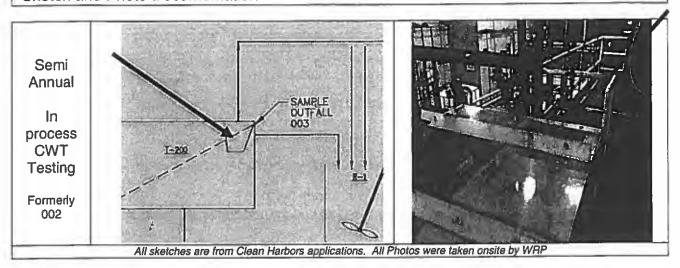
Monthly Monitoring Report Due Dates

Monitoring results obtained during the previous month shall be summarized for each month and must be received by the Department of Water Resource Protection on or before the fifteenth (15th) day of the month following the completed reporting period.

SAMPLE POINT 003

Exhibit (SSIRP-1)d/b/a National Grid Page 228 26f-520380 and 20-G-0381 DPS-705 Attachment 2 Page 195 of 230

Sketch and Photo Documentation



Effluent Limitations

The permittee shall comply with the following Categorical discharge limits at Sample Point 001

PARAMETER

CWT LIMITATIONS

Cyanide (Inline)

Daily Max 500 mg/L

Monthly Ave 178 mg/L

The discharge of any and all pollutants is prohibited except as otherwise provided in this permit.

Semi Annual Monitoring Report Due Dates

Semi Annual Categorical Monitoring Reports are due on the following dates during the permit term:

July 15, 2014 January 15, 2015 July 15, 2015

January 15, 2016 July 15, 2016 January 15, 2017

July 15, 2017 January 15, 2018 July 15, 2018

Page 196 of 230

City of South Portland Office of the City Clerk

License No. 13058

4/6/2017

To all Whom These Presents May Concern:

This is to certify that the City Clerk has granted a license to

Clean Harbors, Inc. doing business as Clean Harbors Environmental Services, Inc. at ■ 37 Rumery Road for Flammable and Combustible Liquids over 25001 Gallons/Compressed Gas under 2000 Gallons and at that place only on the following conditions: Gasoline N/A Fuel Oil 10,000 gallons Diesel 1000 gal Kerosene N/A Oil 167,000 gallons Other Propane: 200 Gallons

This license is granted subject to strict observance of all laws, ordinances and regulations enacted for the protection of the City of South Portland so far as they may apply and is to continue in force until 4/1/2018 unless sooner revoked.



Empfhly HB

City Clerk

This License is Not Transferable Please Post in Public View.

License Fee: \$300.00

Processing Fee: \$20.00

City of South Portland Office of the City Clerk

DPS-705 At achment 2 Page 197 of 230

License No.

13059

4/13/2017

To all Whom These Presents May Concern:

This is to certify that the City Clerk has granted a license to

Clean Harbors Environmental Services, Inc.

doing business as

Clean Harbors

at

17 Main Street

for

Flammable and Combustible Liquids over 25001 Gallons/Compressed Gas over 2001 Gallons

and at that place only on the following conditions;

Gasoline

200

Fuel Oil

13,000,000 gallons

Diesel

13,000,000 gallons

Kerosene

N/A

Oil

13,000,000 gallons

Other

Propane:

10

This license is granted subject to strict observance of all laws, ordinances and regulations enacted for the protection of the City of South Portland so far as they may apply and is to continue in force until 4/1/2018 unless sooner revoked.



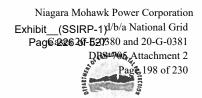
City Clerk

This License is Not Transferable Please Post in Public View.

License Fee: \$200.00

Processing Fee: \$20.00

STATE OF MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION





Commissioner



February 10, 2017

CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. 37 RUMMERY RD SOUTH PORTLAND, ME 04106

RE: Multi-Sector General Permit - Stormwater Discharge Associated with Industrial Activity

Dear Nicholas Keen:

The Maine Department of Environmental Protection ("DEP") is in receipt of your No Exposure Certification (NEC) for CLEAN HARBORS ENVIRONMENTAL SERVICES, INC.. You are authorized to discharge stormwater associated with your industrial activity as of February 6, 2017 provided that you maintain a condition of "no exposure." Your facility's NEC number is MERNEB589 at 37 RUMMERY RD, SOUTH PORTLAND, ME; please refer to this number in all future correspondence regarding Maine's Multi-Sector General Permit.

If you have any questions concerning the Multi-Sector General Permit, please contact staff at one of our offices:

Augusta, Main Office - (207) 287-7688 Bangor, Eastern Maine Regional Office - (207) 941-4570 Portland, Southern Maine Regional Office - (207) 822-6300 Presque Isle, Northern Maine Regional Office - (207) 764-0477

Sincerely,

Michael Kuhns, Director Bureau of Water Quality

Michael Kuling

DPS-705 Attachment 2 Page 199 of 230



U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER NOTICE OF INTENT CENTER



OPERATOR: CLEAN HARBORS ENV SVCS INC 1501 WASHINGTON STREET BRAINTREE, MA, 02185-9048 FACILITY: CLEAN HARBORS ENV SVCS INC 37 RUMERY STREET SOUTH PORTLAND, ME 04106

PERMIT NUMBER: MER05A791

03/03/2003

Dear Operator:

Thank you for submitting your Notice of Termination (NOT) form, terminating coverage under the EPA's Storm Water Multi-Sector Permit. The coverage for the facility listed above which began on 1/27/2001, has been terminated effective midnight of 3/3/2003. By submission of this NOT form, you are certifying that you have reviewed the terms and conditions of the multi-sector permit and have determined that the facility no longer requires coverage.

If you have any questions regarding this letter, please contact the Storm Water Notice of Intent Center at (866) 352-7755. If you have other questions concerning the storm water program, please call the EPA Region 01 contact: Thelma Muphy, (617) 918-1615.

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ATTACHMENT F OSHA 300 Log

DPS-705 Attachment 2 Page 201 of 230



Summary of Work-Related Injuries and Illnesses OSHA's Form 300A (Rev. 01/2004)

Employees former employees, and their representatives have the right to review the OSHA Form 300 in its entirely. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR 1904.35, in OSHA's Recordiceping rule, for further details on the access provisions for these forms. All satablishments covered by Part 1904 must complete this Summary page, even if no injuries or lineasses occurred during the year. Remember to review the Log to verify that the entires are complete Using the Log, count the individual entities you made for each category. Then write the fotals below, making sure you've added the entities from every page of the log. If you had no cases write 'D,"

Total number of days of job transfer or restriction

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Cases 20-E-0380 & Lapon of Lap	20-G-03	81								Exhib Pa
Year 2016 Occupational Safety and He alth Administration to Comparison to Campaignose Owal no. 1215-6178	Establishment Information	Rumery Road Oil	Street 37 Rumery Street Crty South Portland State AME Zp 4105	Industry description (e.g., Manufacture of motor truck trailers) Recyclable Material Merchant Whotesalers	Standard Industrial Classification (SIC), if known (e.g., SIC 3715) OR North American Industrial Classification (NAICS), if known (e.g., 336212)	Employment information	Annual average number of employees 15 Total hours worked by all employees last 30.611	Sign here Knowingly falsifying this document may result in a fine.	compatible standard this document and that to the best of my knowledge the entries are true, accurate, and	707 777 - 2201 (127-117-

DPS-705 Attachment 2

Date

Phone

Page 202 of 230



OSHA's Form 300A

Summary of Work-Related Injuries and *Illnesses*

All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary. Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0".

Employees, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904,35, in OSHA's recordkeeping rule, for further details on the access provisions for these forms.

Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total nu record
0	0	0	
(5)	(H)	(1)	

Number of Days

Total number of days of job transfer or restriction Total number of days away from work 8

0

Injury and Illness Types

	_			
	Hearing Loss	0	(2)	
(M) Total Number of	Poisanings	0	(4)	
(M) Total N	Respiratory Conditions	0	(3)	
	Skin Disorders	0	(2)	
	Injuries	0	(1)	

All Other **Mnesses**

9 0

Establishment Information:

Your Establishment Name: Rumery Road Facility

37 Rumery Road

South Portland, ME 04106

Hazardous Waste Treatment and Disposal Industry Description

4952 Standard Industrial Classification (SIC) 562211 North American Industrial Classification (NAICS)

Employment Information

Total hours worked by all employees last year: 26,397 Annual average number of employees; 12

umber of other

dable cases

3 0

Sign here

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entnes are true, accurate, and complete

Regional Health & Safety Manager 1/16/2015 Company Executive 207.799.8111

Niagara Mohawk Power Corporation Exhibit_(SSIRP-1)d/b/a National Grid Page:234 26-520380 and 20-G-0381 DPS-705 Attachment 2 Page 203 of 230

	Away On Job	Remained at Work Away On Job	Days	Death	Describe intury or illness, parts of body affected	Where the event occurred	Date of	Job Titte	Employee's name	Case
Check the "injury" colu choose one type of ill	Enter the number of days the injured or ill worker was:	CHECK ONLY ONE box for each case based on the most senous outcome for that case	ONLY ONE b.	CHECK (
		Classify the case	Classi		;	Describe the case	Describ		Identify the person	Iden
Establishment name: Kumery Eaci.	Establishme City: South	nk-telated injuries Injury and Illness	lso record wo complete an Ip.	You must a You must a office for he	treatment beyond first aid. You must also record significant work-related injuries and illnesses that are diagnosed by a physician or licensed health care professional. You must also record work-related injuries and libress and libress and libress and libress and libress and libress incorded on this form. If you're not sure whether a case is recordable, call your local OSHA office for help.	uries and illhesses that are diagnoser FR Part 1904 B Urrough 1904 12. Fee corded on this form. If you're not sure	nt work-related in ria listed in 29 Cl rijury or illness re	o record significa fic recording crite nt form for each i	It beyond first aid. You must als sses that meet any of the spec. Report (OSHA 301) or equivale.	roatmer and line incident
V.S. Department of the state of		empoyees to the extent possible write the information is being used for occupational safety and health purposes.	emproyees to the extent positionation is being used for safety and health purposes.	ormation i	Report sa	, ,	ss In	Illne	Injury and Illness Incident	In
		Attention in the form contains information relating to employee health and must be used in a manner that protects the confidentiality of	ms form co riployee hea that protect	ating to er	(a)			0	OSHA's Form 300	OS

OSF.	OSHA's Form 300 Injury and I	o IIIne	es In	OSHA's Form 300 Injury and Illness Incident Report		Attention: This form contains informalion relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.	is form co ployee het hat protect: the extent being user alth purpos	ntains inforrally and must sthe confider possible wf 1 for occupates.	nation st be used entiality of site the			U.S. Department of Labor	(15. Department of Labor and Servy and Receipt Americanian Year 2015	Pepartment of Labor my med mean commissions Year 2015	8	Δ !! Q
You must treatment and lifness Incident Ri	record information about even beyond first aid. You must alsi ses that meet any of the specif sport (OSHA 301) or equivates	y work-related de o record significa fifc recording crite int form for each i	ath and every wo nt work-related in ina listed in 29 CF injury or illness re	rk-related injury or illness that involve: luities and linesses that are diagnose; FR Part 1904 8 trough 1904 12. Feel corded on this form. If you're not sure	You must record information about every work-related death and every work-related injury or itness that involves loss of consciousness, restricted work activity or job transfer, days away from work or medical treatment beyond first stall. You must also record work-related trainise and itnesses that meet any of the specific recording critical instead in 29 CFR part 1904 12. Feat free to use two times to as single case if you need to. You must complete an hijury and litness incident Report (DSHA 301) or equivalent form for each trijury or illness recorded on this form. If you're not sure whether a case is recordable, call your local DSHA office for help.	o transfer, day You must als 3. You must conflice for help	ys away fron to record wo complete an	n work or med rk-related inju frijury and lith	ical ries ess	City	Establishment name: Rumery Rosad Facilioy City South Portland State: WE	Port	Rum	■ ¥ ®	ery Rosed Facility d State: RE	Cases 20-E-038
Ident	Identify the person		Describ	Describe the case			Classii	Classify the case	ase							30.8
						CHECK O.	NLY ONE b: st senous ou	CHECK ONLY ONE box for each case based on the most senous outcome for that case	case case	Enter the number of days the injured or ill worker was.	number e injured er was:	Checi	Check the "injury" column Strategies one type of illness	yury c	olumn illnes	20-6-0
Case	Employee's name	Job Titte	Date of	Where the event occurred	Describe injury or illness, parts of body affected	Death	Days	Remained at Work	al Work	Away	On Job	-	,			38
No.			Injury or onset of ilhess		and object/substance that directly injured or made person ដ		from Work	Job Transler or Restriction	Other Recordable Cases	work	restriction	SKIU	oferiqasi Oferiqasi	Condition	Heanng	9410 gV
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Public reporting burden for this collection of information is estimated to average 14 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information Persons are not required to respond to the collection of information unless it displays a current valid ONB control number. If you have any comments about this estimate or any other aspects of this data collection, including suggestions for reducing this burden, contact. US Department of Labor, OSHA Office of Statistics, Room N-3644, 200 Constitution Avenue, NW, Washington, DC 20210 Do not send the completed forms to this office.

Niagara Mohawk Power Corporation Exhibit__(SSIRP-1)d/b/a National Grid age 282 26f-5207380 and 20-G-0381 DPS-705 Attachment 2

Page 204 of 230

Year 2014 U.S. Department of Labor net selety and Health Administration

OSHA's Form 300A

Summary of Work-Related Injuries and Illnesses

All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "O"

Employees, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.35, in OSHA's recordkeeping rule, for further details on the access provisions for these forms.

Establishment Information:

Rumery Road Facility 37 Rumery Road Your Establishment Name. Address:

04106 MΕ South Portland, Hazardous Waste Treatment and Industry Description

Disposal

562211 Ö

4952

Standard Industrial Classification (SIC):

North American Industrial Classification (NAICS):

Employment Information

Total hours worked by all employees last year: 24848 Annual average number of employees: 12

Total number of other recordable cases

Total number of cases with job transfer or restriction

Total number of cases with

Number of Cases

Total number of deaths

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Sign here

Total number of days of job transfer or restriction.

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Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Company Executiv

All Other Illnesses

Hearing Loss

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Respiratory Conditions

Skin Disorders

Injuries

(M) Total Number of...

Injury and Illness Types

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Post this Summary page from February 1 to April 30 of the year following the year covered by the form.

Public reporting burden for this collection of information is estimated to average 50 minutes per response, including time for reviewing instructions, searching existing data sources, galbering and maintaining the data needed, and completing and reviewing the response, including suggestions for reducing this burden, contact: US Department of Labor, OSHA Office not required to respond to the collection of information unless it displays a current valid OABs control number, If you have any comments about this estimate or any other aspects of this data collection, including suggestions for reducing this burden, contact: US Department of Labor, OSHA Office of Statistics, Room N-1644, 200 Contribution Avenue, NW. Washington, DC 20210, Do not send the completed forms to this office.

DPS-705 Attachment 2

Page 205 of 230

OSHA's Form 300

Injury and Illness Incident Report

Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

W. Deep Collection

You must record information about every work-related death and every work-related injury or litness that involves loss of consciousness, restricted work activity or job transfer, days away from work or medical training that aid. You must also record work-related thinks and illnesses that aid is consciousness. You must also record work-related files and allnesses that a design as a five state of the specific recording critical is ided in 29 CFR Part 1904. 6 through 1904 12. Feel tree to use two lines is or a single case if you need to. You must complete an Injury and libress Incident Report (OSHA 301) or equivalent form for each injury or litness recorded on this form. If you're not sure whether a case is recordable, call your local OSHA ontice for help.

Establishment name: Rumery Road
Facility
CHY, South Portland State: ME

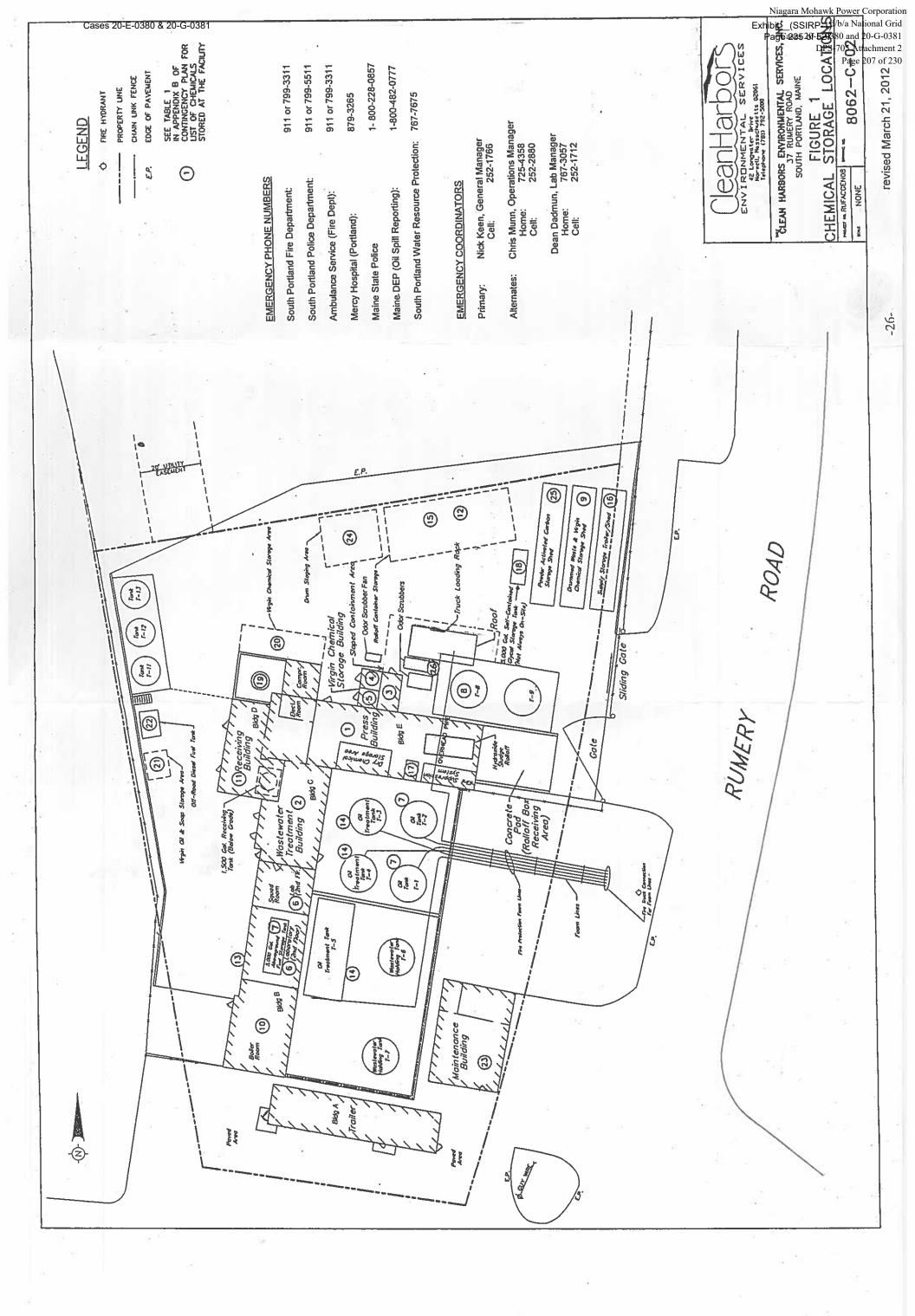
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		Describe Injury or illness, parts of body affected	and object/substance that descry injured or made person ill		(F)		Page Totals
Describe the case		Where the event occurred			(E)		
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ATTACHMENT G

Site Map



ATTACHMENT H

Waste Tracking Report

MMAINT - Manifest Master View

☐ Search Fields						
Manifest Number: 007042992FLE	Load Number:	ED 0-4	er Number:	Priman	y 1 - 007042992FLE	F ~
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Status SOBranch Service Sales Branch Order/Ta	s Sales Order Cre isk ID Order Type U		anifest Load Shipm Count Number Numb		Date to Gen DISP	ID TPD SI
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BO2232 Boston Gas Company M/ Addr Type Address Generator Addr 40 Sylvan Road Job Addr Beachan & Behen Street Manifested Company De	City State Zip Route No Waltham MA 02451 Everett MA 02149	ACKEN(AGENT FOR) 7/11	/2016			
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Niagara Mohawk Power Corporation Exhibit p(SSIRR-1)/b/a National Grid Page 236 07-527-80 and 20-G-0381 DPS-705 Attachment 2

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⊟ Annual Reporting

Line Number Handling Code Form Code Orig Code System Type Source Code Point of Measure

G19

Compliance Completion Date: 7/11/2016 4:21:33 PM

☐ Sample Result

Test Number Code

Sample Approved Sample Pulled By

Branch GM

Test Result UOM

No records found

⊟ Oil Companies

Line Number Oil Type Oil Spec %H2O Tank #

Niagara Mohawk Bower Corporation
Exhibit__(SSTRP-1)4/b/a National Grid
Page 239 26-527380 and 20-G-0381
DPS-705 Attachment 2
Page 211 of 230

WSRVWTRK - View Tracking Activities

Untrack Properties | Composition | Drum Viewing | Instrctns | Lab Results | History | Gen Rstrctns | Profile Rstrctns

Tracking Number: 52647825	3
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Del	Loc	Activity	Qty	Drum / Tank Vehicle	Actual Date	Manifest # Area	Profile #	Dspsl Fclty	Entry Date	User
	RU	POTW	4765	RU T12	07/13/2016 10:49:37 AM				07/13/2016 10:49:47 AM	LEASKB1
	RU	ПП	4765	RU T12	07/12/2016 11:04:30 AM				07/12/2016 11:04:44 AM	LEASKB1
	RU	PUMP	4765	RU T7	07/12/2016 10:52:32 AM				07/12/2016 10:53:06 AM	LEASKB1
	RU	PREC			07/11/2016 04:20:33 PM				07/11/2016 04:21:33 PM	LEASKB1
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ENVIRONMENTAL SERVICES

Drum Number 52647825

Scanned FC & Page 12 of 230

Fleet # 3104 Front Middle Back Clean Harbors Environmental Services, Inc.

37 Rumery Road

South Portland, ME 04106
(207) 772-2201
MED980672182

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Cyanide Screen		In the state of	8	11	Pos	/ Neg	Cyantesmo	Paper	*
Ammonia Screen			(c)	**	Pos/No	eg/ppm	Test Paper or (Quantofix	
pH Screen			2	2.0 - 12.5	Std I	Units	pH Paper/EP.	A 150.1	
Sulfide Screen			(-)	**	Pos	/ Neg	Lead Acetate	Paper	2
Total Sulfides			\ /	500		pm	Hach Metho		
H2S Gas		A STATE OF THE STA	X	100		pm	CHESI SOP-61	-	
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Niagara Mohawk Power Corporation
Exhibit__(SSIRP-1)I/b/a National Grid
Age 2443/01-52/7380 and 20-G-0381
DPS-705 Attachment 2
Page 213 of 230

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Vendor Audit
GlobalCycle
700 Richmond Street
Taunton, MA 02718
(508) 828-1005
Globalcycleinc.com

On 06/16/17, Joanne Lupa of National Grid's Environmental Department conducted a vendor audit of GlobalCycle located in Taunton, MA. The audit was conducted at the request of the National Grid Vendor Advisory Group (VAG). The purpose of the audit was to evaluate the potential risk to National Grid should they use this facility for wastewater recycling. Steve Posner, Vice President at Globalcycle, accompanied the auditor during the site visit.

Executive Summary

The facility has the capability to recycle non-hazardous wastewater brought in as bulk or non-bulk quantities.

National Grid does not currently use this facility.

Site Description and Background

The site has been in operation for four years, and was unused property prior to construction of the Globalcycle facility. It is owned by RBCC Real Estate Holdings, LLC.

The facility sits on 4 acres and surrounding property use is commercial and residential. The closest sensitive receptor, the Taunton River, is ½ of a mile away.

The city of Taunton is the source of the facility's drinking water. The facility has a septic system.

Process Description Summary

Prequalified shipments are sampled and profiled prior to acceptance for total Volatile Organic Compounds (VOCs), Semi-Volatile Organics (SVOCs), Total Suspended Solids (TSS), Total Dissolved Solids (TDS), and pH; analyses must be renewed annually.

Additional testing may be done based upon the generator's knowledge of the process or site history. This could include total nitrogen and free ammonia, fecal coliform, PCBs,

Wendor-Auditp-G@kobalCycle, Taunton, MA

Niagara Mohawk Power Corporation

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and any of the characteristic or listed Resource Conservation and Recovery Act (RCRA) wastes if suspected. Globalcycle requires a one quart sample.

Wastewater arriving for recycle gets screened for clarity, odor, oil, pH, and TDS. Any wastewater that must be rejected goes back to the site of generation or an alternate facility after discussions with the generator.

Water that comes to the facility already meeting the criteria of the receiving facility (i.e. Covanta) is pumped directly into the finished holding tanks, or remains in the truck and is then shipped directly to the authorized end use facility. Water requiring treatment is pumped into one of two receiving aboveground tanks (ASTs). Each receiving tank has the capability of flowing through a bag filter and granular activated carbon (GAC) treatment filters.

Depending upon the results of initial testing, the water within each treatment tank may require a different treatment. Treatments offered are:

- Large particle removal (filtrate boxes, solids separation hoppers, or through a basket strainer and into the coned bottom receiving tank 001)
- Small particle removal by pumping water from the receiving tanks through micron bag filters, in series.
- Organics removal by use of the GAC filters, in series.

To prevent fouling of the GAC filters, the bag filters will always be used prior to GAC treatment. There is a sample port in between the two GAC filters for "break-through" testing, which is defined as >10mg/l of VOCs or SVOC. A sample is taken at least monthly.

If necessary, dilute acid (muriatic) or alkaline solution (soda ash) may be added to the finish tank or directly into the tank truck prior to off-loading, in the event the pH is not between 6.5 to < 12.5.

Filter waste goes to Waste Management's Turnkey landfill in Rochester, NH or Covanta's Haverhill, MA facility. Spent carbon also goes to Turnkey. Any empty drums go to a scrap metal dealer. A small amount of segregated stormwater catch basin solids go to Waste Management's Taunton, MA landfill.

Environmental Issues:

The facility holds a current Individual Reclaimed Water Discharge Permit issued by the Massachusetts Department of Environmental Protection (MADEP). This authorizes GlobalCycle to use reclaimed water from their facility for the purpose of a Class C reclaimed water as per 314CMR 20.17.

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Storage Tank Management

The facility has a total of seven tanks, with total storage capacity of 93,000 gallons. Three treatment ASTs are inside, each holding 10,000 gals of waste water, and four ASTs are outside, each holding 21,000 gals of recycled water.

The three treatment ASTs (tanks 001, 002, and 003) have level meters and high/low level alarms, which are connected to relays on the power supply for the pumps. If an alarm is activated, power to the transfer pumps is terminated. The pumps can be run manually if the need ever arose. The floor of the facility pitches toward a sump pump within the secondary containment area; any spill then gets transferred into the cone-bottomed receiving tank 001 for treatment.

Storm Water

Storm water is collected and pumped after every rain event from the outside secondary containment around the finished holding tanks back into the finished holding tanks.

General Compliance Program Information

The site was undeveloped land prior to construction of the wastewater recycling facility.

No regulatory agencies have come out to audit the facility during the past four years they have been in operation.

Review of Financial Information

There is no Dun & Bradstreet number. A non-disclosure agreement was signed, and financials were provided. Since there is no contact for the Finance Dept. as outlined by EP18, the VAG chair and NYN environmental manager enlisted a sort-term solution and received help from the Procurement Department` Business Intelligence group.

This group states "Based on the two-year financial statements that you provided, the company seems to be financially stable. The analysis would have been more holistic if Cash Flow Statements were also submitted, but for lack of such I only based my conclusions on Balance Sheet and Income Statement."

Recommendation

There VAG needs to vote on whether they want to add this facility to National Grid's Approved Vendor list for disposal of non-hazardous wastewater.

Niagara Mohawk Power Corporation

Exhibit__(SSIRP-1)d/b/a National Grid

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Attachments (SHE Sharepoint website):

- A. National Grid Waste Disposal Vendor Audit Checklist/Survey Form
- B. Liability Insurance Certificate
- C. Permit Information

Vendor Audit Waste Management of New Hampshire, Inc.

30 Rochester Neck Road PO Box 7065 Rochester, NH 03839 Phone: (603) 330-2105

Fax: (603) 330-2130

www.wm.com

On August 18, 2017, David Thompson and William R. Howard of National Grid's Environmental Department conducted a vendor audit of Waste Management of New Hampshire, Inc., located in Rochester, NH. The audit was conducted at the request of the National Grid Vendor Advisory Group (VAG). The purpose of the audit was to evaluate the potential risk to National Grid in using this facility for land filling of asbestos, and other non-RCRA solid wastes. Jason Barroso, Industrial Accounts Manager, and William A. Howard District Engineer accompanied the auditors during the site visit.

Executive Summary

Waste Management of New Hampshire, Inc. (WMNH) is wholly owned by Waste Management, Inc. (WM). WM is one of the largest providers of waste disposal services in North America. WM companies provide disposal of residential, industrial and hazardous waste at multiple locations in the United States, Canada and Puerto Rico.

WMNH is a permitted subtitle D landfill. The landfill accepts municipal, commercial, and industrial solid wastes, asbestos, liquids for solidification and non-hazardous special waste. Waste is received primarily in bulk, but also in non-bulk containers. RCRA or NH hazardous waste, TSCA regulated waste, medical or infectious wastes; gaseous waste, nuclear source, special nuclear and nuclear by-product wastes are not accepted at the facility.

The active landfill is one portion of an integrated site which includes local trash truck operations, a materials recovery center, a landfill leachate treatment plant, a landfill gas to energy plant, and a landfill gas reclamation plant.

Based on the results of the audit, the vendor is **recommended** for continued use by National Grid.

Niagara Mohawk Power Corporation

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Site Description and Background

The facility is located on 1,248acres of land, of which 199 acres are permitted for landfill operations. The site is bordered by the Cocheco River on the northeast and the Isinglass River to the southwest. The property was formerly used for agricultural purposes, sand and gravel operations or was undeveloped before being developed as a landfill. Solid waste disposal at the site began in 1979 with the construction of the TLR-1 Landfill to the south of Rochester Neck Road. TLR-I was the first lined landfill in New Hampshire. Waste Management acquired the facility in 1983 and TLR-I was closed in 1992. TLR-II was permitted in 1988 and began operations in 1992; it had a double 60 mil HDPE and clay liner. TLR-III was permitted and began operations in 1995 and is permitted to accept waste until 2021. TLR-III, when completed, will cover TLR-II providing additional protection to the under layer of waste.

Leachate at the site is sent to a treatment facility on site for pretreatment before discharge to the local POTW. Landfill gas is sent to an on site electric generation operation which provides electricity for the facility and exports excess to the local distribution grid. Landfill gas is also treated to meet pipeline quality and sent via a 12.7 mile pipeline to the University of New Hampshire Durham campus, which fuels a cogeneration power plant.

Additional operations at the site include a material recycling facility and a residential trash truck garaging point is located on site. WMNH also has offices, a dog park and golf driving range for local residents.

There are no sensitive receptors within one mile of the facility. Site access is controlled by a combination of fencing, gates, and natural barriers.

Process Description Summary

The facility receives waste via trucks. All special waste must be preapproved prior to acceptance. A waste profile is required before special wastes are approved for acceptance. Most wastes are not required to be scheduled for shipment once approved, except for asbestos waste and liquids requiring solidification. All trucks arriving to the facility are weighed and reweighed before leaving. Drivers of special waste loads are questioned as to the material being shipped and the generator. Each driver must certify that the load contains no hazardous or unacceptable wastes.

Each load is then directed to the working face of the active portion of the landfill and directed by the facility operators where to place the waste shipment. Placement of asbestos waste is segregated to specific sections of the landfill cell. This is to ensure

Niagara Mohawk Power Corporation Exhibit__(SSIRP-1)J/b/a National Grid Page 248 26-527380 and 20-G-0381 DPS-705 Attachment 2 Page 220 of 230

that it is not compacted, and that landfill gas recovery wells are not drilled into that section of the landfill at a later time.

At the end of each day the active face of the landfill is covered. Depending on the future use of each area, various materials are used to cover the waste to maximize the capacity of the landfill. Asbestos is covered by one foot of soils each day.

The auditors reviewed the folder for special waste profile # 494639NH which has been recently shipped to the facility. The waste material was generated at the National Grid project in Somerset, Massachusetts. All of the paperwork was neat and organized. Included in the folder was the analytical testing that was required for approval as well as copies of each shipping document and the waste profile sheet.

Environmental Issues:

Hazardous Waste

The facility does not accept hazardous waste. Household hazardous waste is collected in order to keep this material out of the landfill. Small quantities of hazardous waste that is generated is shipped off-site for disposal.

PCB Management

This facility is not a TSCA facility, and does not accept TSCA regulated waste. The facility accepts PCB wastes that are less than 50 ppm.

Storage Tank Management

The facility maintains several aboveground storage tanks for diesel fuel that is used in the equipment as well as building heating oil. No waste is stored in tanks. There are no underground storage tanks at the facility.

Storm Water

Storm water from the site is channeled to holding ponds onsite and reused for dust control on site.

Ground Water

No portions of the waste management operations are located within the 100 year flood plain. The landfill leachate daily volumes are monitored. The leachate from the primary collection system is tested three times per year, and the secondary collection is tested annually. Groundwater monitoring wells are located along the perimeter of the facility and are tested twice a year for contaminants.

Drinking Water

WMNH obtains its potable water from the Town of Rochester, NH water department.

Niagara Mohawk Power Corporation Exhibit__(SSIRP-1)I/b/a National Grid Page:24926F527380 and 20-G-0381 DPS-705 Attachment 2 Page 221 of 230

Wastewater

The facility has an onsite landfill leachate treatment system that pretreats the waste water before discharging to the Rochester, NH sewer system. The system has the capacity to treat 80,000 gallons per a day. Domestic waste water from the site is also sent to the local sewer system.

Air Emissions

The facility has numerous permits and appears to be in compliance with all of them.

Solid Waste

Solid waste generated from operations of the facility are placed into dedicated dumpsters and deposited in the landfill face.

General Compliance Program Information

WMNH is in compliance with all permits and does not have any outstanding compliance issues. Mr. Michael Guilfoy PE of the New Hampshire Department of Environmental Services (NHDES), Office of Solid Waste was contacted to confirm the facility was currently in compliance. Ms. Elizabeth Nixon of the NHDES, Air Resources Division was also contacted, and WMNH has not had any issue since 2004.

Overall the facility was neat, clean and well run by the employees and management. The auditors reviewed records on site and found them to be in good order. The facility tour included a view of the working face, new cell development areas, leachate treatment plant and the gas processing plants.

Review of Financial Information

Certificates of Insurance are included in Attachment C. The 2016 Annual Report of Waste Management the parent corporation is included as Attachment G.

Recommendation

Based on the results of the audit, the vendor is recommended for continued use by National Grid.

Niagara Mohawk Power Corporation

Exhibit__(SSIRP-1)t/b/a National Grid

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DPS-705 Attachment 2

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Attachments:

- A. Vendor Audit On-Site Observation Form
- B. Vendor Audit Checklist
- C. Certificates of Insurance
- D. Waste Profile # 494639NH
- E. Waste Profile # 494639NH Approval Letter
- F. Waste Profile # 494639NH Tonnage Log
- G. WM Annual Report

Niagara Mohawk Power Corporation

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DPS-705 Attachment 2

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ATTACHMENT A

Vendor On-site Observation Form

ATTACHMENT B

Vendor Audit Checklist

ATTACHMENT C

Certificates of Insurance

ATTACHMENT D

Waste Profile # 494639NH

ATTACHMENT E

Waste Profile # 494639NH Approval Letter

ATTACHMENT F

Waste Profile # 494639NH Tonnage Log

ATTACHMENT G

Annual Report

Niagara Mohawk Power Corporation

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Cases 20-E-0380 & 20-G-0381

National Grid Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

Date of Review: 06/12/18 Date of Last Review: 05/16/13
Prepared By: Joanne Lupa, Environmental NE
Vendor Name: Clean Harbors PPM, LLC. Vendor Address: 2247 Highway 71 Kimball, NE 69145
CHWMEG Report Evaluation Date of CHWMEG Audit:
BACKGROUND:
List wastes National Grid is requesting to send to this facility
Coal tar contaminated soils
List National Grid groups that use or potentially use this facility: SIR
FACILITY IS: (check all that apply): X landfill X incineratortreatment facilityother (list):
RECOMMENDATION:
This facility is recommended for continued use
VAG accepted for use: []Yes []No DATE:
APPROVED VENDOR LIST UPDATED: DATE:

Page 1

Revision Date: 1/14/2016

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EP-18 Form 5

VENDOR EVALUATION ASPECT REVIEWED

Notes: No groundwater contamination has been identified at the site. There is no information that the facility has impacted subsurface soils.

<u>X</u>

5) EXISTING CONTAMINATION OF SITE

Page 2

Revision Date: 1/14/2016

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EP-18 Form 5

ASPECT REVIEWED	SAT	UNSAT	
6) PROXIMITY TO SENSITIVE RECEPTORS Notes:	<u>X</u>		
There are no sensitive receptors (hospitals, school radius of the facility.	s, animal preserv	es, wetlands) within a t	nree miles
7) SIGNIFICANT INCIDENTS Notes:	<u>X</u>		
There have been no reported significant incidents	at this facility		
•			
		<u> </u>	
			I
SUMMARY:			
This facility is recommended for continued use			
			

Page 3

Revision Date: 1/14/2016

National Grid Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

Date of Review: 06/12/18 Date of Last Review: 05/16/13
Prepared By: Joanne Lupa, Environmental NE
Vendor Name: Clean Harbors PPM, LLC. Vendor Address: 2247 Highway 71 Kimball, NE 69145
CHWMEG Report Evaluation Date of CHWMEG Audit:
BACKGROUND:
List wastes National Grid is requesting to send to this facility
Coal tar contaminated soils
List National Grid groups that use or potentially use this facility:
FACILITY IS: (check all that apply): X landfill X incineratortreatment facilityother (list):
RECOMMENDATION:
This facility is recommended for continued use
VAG accepted for use: []Yes []No DATE:
APPROVED VENDOR LIST UPDATED: DATE:

Page 1

Revision Date: 1/14/2016

Page 5 of 93

EP-18 Form 5

VENDOR EVALUATION ASPECT REVIEWED

Notes: No groundwater contamination has been identified at the site. There is no information that the facility has impacted subsurface soils.

<u>X</u>

5) EXISTING CONTAMINATION OF SITE

Page 2

Revision Date: 1/14/2016

Page 6 of 93

EP-18 Form 5

ASPECT REVIEWED	SAT	UNSAT	
6) PROXIMITY TO SENSITIVE RECEPTORS Notes:	<u>X</u>		
There are no sensitive receptors (hospitals, schools, radius of the facility.	animal preser	ves, wetlands) within a t	hree miles
7) SIGNIFICANT INCIDENTS Notes:	<u>X</u>		
There have been no reported significant incidents at	this facility		
SUMMARY:			
This facility is recommended for continued use			

Page 3

Revision Date: 1/14/2016

Page 7 of 93

EP-18 Form 5 VENDOR EVALUATION

National Grid

Vendor Audit Form for Documenting Audits conducted by CHWMEG

EP - 18 Form 5

Date of Review: 03/05/2018 Date of Last Review: 05/29/2009

Prepared By: Nicholas Calabro

Vendor Name: Clean Earth of Carteret

Vendor Address: 24 Middlesex Avenue, Carteret, NJ 07008

CHWMEG Report Evaluation Date of CHWMEG Audit: 08/08/2017

BACKGROUND:

Clean Earth Carteret (CEC) is permitted as a Class B recycling facility for receiving, processing and storage of separated asphalt, concrete, block, brick, rock and stone. The Facility accepts and processes shipments of petroleum contaminated soils. Inbound shipments are weighed at the inbound scale then directed to the processing building there they are unloaded in a designated area. Soils are then screened to remove rocks and debris. The screened soil is conveyed to an area where bacteria and nutrients may be added to promote the biodegradation of organic contaminants. Although the Facility's permit allows the acceptance of concrete, rock, demolition debris or similar materials for size reduction, these materials are generally not accepted and such size reduction is limited to materials removed from inbound soils. Only bulk shipments are accepted and there can be no free product associated with the inbound soil. The total petroleum hydrocarbon maximum is a running average of 15,000 mg/L. The polycyclic aromatic hydrocarbon limit for inbound soil is 15 times the NJ non-residential clean-up criteria. Metal contamination is evaluated on a case-by-case basis relevant to beneficial reuse standards. Only bulk shipments are accepted and there can be no free product associated with the inbound soil. The total petroleum hydrocarbon maximum is a running average of 15,000 mg/L. The polycyclic aromatic hydrocarbon limit for inbound soil is 15 times the NJ non-residential clean-up criteria. Metal contamination is evaluated on a case-by-case basis relevant to beneficial reuse standards. Prior to the acceptance of soil or other recyclable for processing, the customer must submit a Material Profile Sheet evaluation and approval. In addition, an analytical report or sample must be provided. The analytical requirements for pre-qualification of the inbound material include total petroleum hydrocarbons, volatile organic compounds, TCLP RCRA metals, ignitability, corrosivity, reactivity, polycyclic aromatic hydrocarbons and polychlorinated biphenyls.

List Wastes National Grid is requesting to send to this facility:

Urban/historic fill, petroleum contaminated soils, otherwise impacted/contaminated soil.

List National Grid groups that use or potentially use this facility:

KEDLI/KEDNY/Generation, potential for Upstate NY disposal.

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EP-18 Form 5 **VENDOR EVALUATION**

RECOMMENDATION:	
The Clean Earth Carteret facility is recommended to remain on the approved vendors list.	
VAG accepted for use: { }Yes { }No DATE:	
APPROVED VENDOR LIST UPDATED: DATE:	
Vendor Evaluation	
ASPECT REVIEWED	

EP-18 Form 5 VENDOR EVALUATION



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EP-18 Form 5 VENDOR EVALUATION

			./		INIATION OF SITE	STING CONTAMINAT	EVICTI	E١
	 _		✓		INATION OF SITE	STING CONTAMINAT	EXISTI	5)

Notes: Subsurface impacts to soil, sediment, and groundwater have been identified in connection with the former operations conducted on the property. Contaminants of concern identified in soils at the site include antimony, arsenic, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, beryllium, bis(2-ethylhexyl)phthalate, cadmium, chromium, chrysene, copper, dibenzo(a,h)anthracene, di-n-octyl phthalate, indeno(1,2,3-cd)pyrene, lead, mercury, naphthalene, nickel, selenium, silver, thallium, total petroleum hydrocarbons, zinc, phenol, benzene, and trichloroethylene. USMR's investigation of the site is ongoing and records indicated that impacts to area soils include arsenic, barium, cadmium, copper, lead, nickel, selenium and zinc; and, impacts to groundwater include selenium and chlorobenzene. USMR, the responsible party in connection with heavy metal impacts at the site, has not fully delineated metal impacts in the site area. VOC and phenol contamination of the groundwater beneath a portion of the site at levels exceeding the NJ Groundwater Quality Standards has been reported. Potable water is supplied to the site and surrounding properties by the Middlesex Water Company, which obtains drinking water from the Delaware and Raritan Canals. The site has been connected to municipal water services since at least 1998, when CEC began leasing the site. Under the provisions of New Jersey's Industrial Site Recovery Act, Reichhold Chemicals, Inc. is responsible for the remediation of that subsurface contamination, which was present at the site when they sold it to Sayreville Realty. Reichhold performed cleanup for chlorinated hydrocarbons and phenols in the groundwater using air sparging and the installation of and engineered cap. Reichhold completed remedial action at the site in 2011 and filed a Deed Notice outlining the remaining contaminants of concern. The NJDEP issued a Conditional No Further Action ("NFA") Letter with Requirements for Biennial Certification in relation to the site.

6) PROXIMITY TO SENSITIVE RECEPTORS ______

Notes: The Facility is located on a brownfields site in an industrial and commercial area of northeast New Jersey across from Staten Island, New York. The closest residence is approximately 1,900 feet north of the Facility and the estimated population within 1 mile of the Facility is approximately 7,500. A warehousing/distribution center adjoins the Facility to the north and Arthur Kill, a large estuary mainly used for navigation, adjoins the Facility to the south. A food distribution center adjoins the Facility to the east and drainage channel/wetlands adjoin the Facility to the west. CEC is located in an industrial and commercial area of northeast New Jersey across from Staten Island, New York. There are a number of schools within a 3 mile radius of the Facility with the closest being just over 1 mile to the northwest. The closest hospital is located just over 1 mile to the north/northeast. There is a Hess Oil Refinery about 3 miles southwest of the Facility and a Tosco (formerly Exxon) Refinery about 3 miles north of the Facility.

7) SIGNIFICANT INCIDENTS ______

Notes: There have been no fires, explosions, spills or releases at the Facility in the last five years. A fatality occurred at the facility in May 2016 when an employee reportedly failed to follow established lock-out/tag-out procedures during the cleaning of a screener. As a result, the worker was pulled into the machine by his left arm resulting in his death. Clean Earth, Inc. immediately initiated a company-wide shut down of its operations to ensure that each of its facilities reviewed the written lock-out/tag-out procedures for each relevant piece of equipment, re-trained all of its employees, managers and supervisors in its lock-out/tag-out program and instituted additional control procedures which require that either the Supervisor or a lead authorized personnel apply their lock(s) on the equipment following proper verification of the lockout/ tag-out method.

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SUMMARY:

National Grid has been using Clean Earth of Carteret for contaminated soil disposal purposes for an extended period of time. We have not experienced any issues with the Carteret facility, and the facilities risks are minimal according to the CHWMEG report. It is of the utmost importance to the field activities of KEDLI and especially KEDNY that CEC remains on the approved vendors list. Contaminated soils and urban fill hide behind every corner in DNY, especially in the city boroughs. CEC is the main hub which we send our contaminated soils, keeping them far away from our own DEC registered 360 facilities and any other non-approved landfills. It is highly recommended that the Clean Earth of Carteret facility remains on the VAG Approved Vendor List.

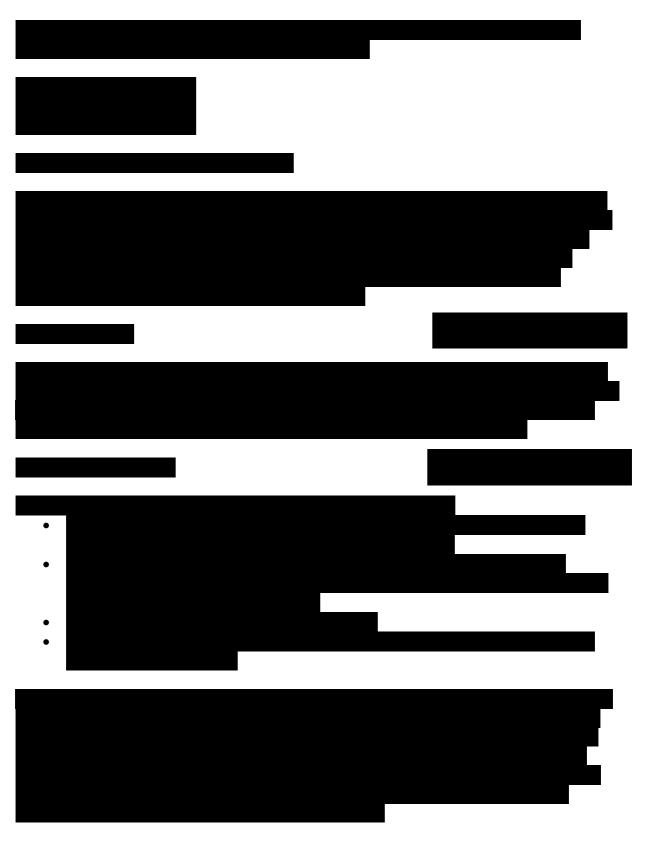
National Grid Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

Prepared By: Peter Harley Vendor Name: Chemical Waste Management, Inc.
Vendor Address: 36964 Alabama Highway 17 Emelle, AL 35459
CHWMEG Report Evaluation Date of CHWMEG Audit: May 9, 2017
BACKGROUND:
List wastes National Grid is requesting to send to this facility Hazardous and non-hazardous wastes, PCB wastes, asbestos wastes
List National Grid groups that use or potentially use this facility: Various. A very wide range of wastes accepted.
FACILITY IS: (check all that apply): X landfill incinerator X treatment facility X transfer facility other (list):
RECOMMENDATION: Recommended for continued use by National Grid
Generally good compliance record with extremely intensive regulatory scrutiny/inspection. Where issues have been identified, they have been relatively minor and resolved quickly. Given
geography and geological conditions, limited risk in terms of potential harm to nearby residents
or potable aquifers. Middle-of-the road financial profiles.
VAG accepted for use: []Yes []No DATE:
APPROVED VENDOR LIST UPDATED: DATE:
VENDOR EVALUATION
ASPECT REVIEWED

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) EXISTING CONTAMINATION OF SITE	X	
here are 53 shallow (up to 200 feet bgs) and 5 deep (750 to 9 te. There is documented ground water contamination on-site the shallow wells. Due to low permeability and conductivit ubsurface chalk beds, potable water aquifers reportedly only gs.	te including VOCs, but i ty, and high alkalinity, o	t is limited f
) PROXIMITY TO SENSITIVE RECEPTORS	X	
he facility spans 2800 acres, with 650 acres active operations pace/woodlands (all owned by CWM). One residence is local Emelle has a population of 50 people). As mentioned above, nly depths of over 1000 feet bgs. Some local residents (2-3 rells for potable water. The nearest surface water is Factory outh/southeast of the facility.	ted within 1 mile of the potable water aquifers miles from the site) use	facility exist at private
) SIGNIFICANT INCIDENTS	X	
according to the CHWMEG report, eight fires have occurred owhich appears to be relatively minor. The most significant was macro-encapsulation units being burned to ashes. Additio allon spill of leachate occurred. The spill was reported to AD	as in January 2016 that in nally, in June 2014, a 30 DEM and U.S. EPA, asses	resulted in 0,000-
emediation was performed, and the matter is considered clo		

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Cases 20-E-0380 & 20-G-0381

Exhibit (SSIR#bia) National Grid

Page 27:5-06327 and 20-G-0381

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SUMMARY:

Considering that all of the aspects reviewed are satisfactory, CWM is recommended for continued use and to be retained on the "Approved Disposal Facilities List."

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National Grid

Vendor Audit Form for Documenting Audits conducted by CHWMEG

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<u>Date of Review</u>: December 10th, 2018 <u>Date of Last Review</u>: March 20th, 2013

Prepared By: Nicholas Calabro

Vendor Name: Tradebe Treatment and Recycling Northeast, LLC: Bridgeport

Vendor Address: 50 Cross Street, Bridgeport, Connecticut 06610

CHWMEG Report Evaluation: Date of CHWMEG Audit: June 11th, 2018

BACKGROUND:

Tradebe Treatment and Recycling Northeast, LLC owns the Bridgeport facility, primarily a liquid fuel blending and wastewater treatment facility. The facility also provides solidification of non-hazardous semi-solids and sludges and trans-shipment of containerized waste to properly permitted facilities. The facility accepts hazardous, non-hazardous, and universal wastes for management. PCB-contaminated wastes up to 50 ppm are allowed under the Part B permit. Used oils are initially pumped through a "Degrit" System for solids removal. Hazardous waste with fuel value is pumped through a bell filter to remove solids. The wastewater treatment system utilizes ultrafiltration, chemical precipitation, carbon adsorption, bag/membrane filtration and biological treatment. Non-hazardous oily solids, non-oily solids, semi-solids and occasionally liquids, including tank bottom sludge, oily and non-oily debris (e.g. Degrit system solids), spent oil filters, and bio-solids off the wastewater treatment system centrifuge, are consolidated in an on-site mix pit.

List Wastes National Grid is requesting to send to this facility:

Hazardous and non-hazardous waste oils/oily water/waste water/off-spec fuels.

List National Grid groups that use or potentially use this facility:

Gas T&D/LNG, Electric T&D, Generation

APPROVED VENDOR LIST UPDATED:

FACILITY IS:

Liquid fuel blending and wastewater treatment facility. Solidification of semi-solids & sludge. Universal waste recycling.

DATE:

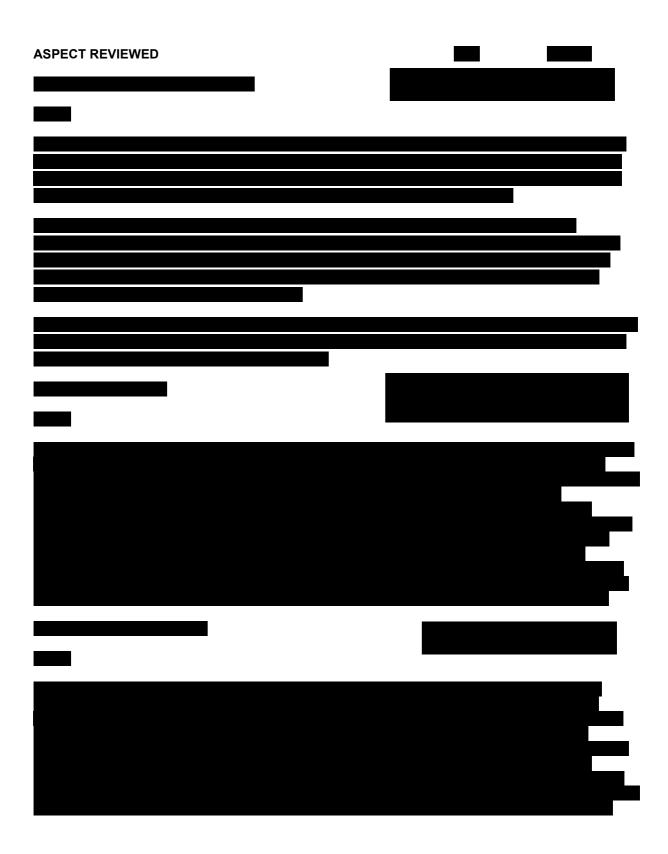
RECOMMENDATION:

The Tradebe Bridgeport facility is re	ecommended to r	emain on the appr	oved vendors list.
VAG accepted for use: { }Yes	{ }No	DATE:	

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Vendor Evaluation



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5) EXISTING CONTAMINATION OF SITE	<u>=</u>	<u> x</u>	

Notes:

Phase I and II site assessments were performed in 1993. Those efforts concluded that one location at the site was contaminated with total petroleum hydrocarbons, benzene, toluene, xylene, cadmium, chromium, and lead. The facility took actions to remediate and monitor the situation including the removal of soils containing lead and benzene in excess of respective standards. As part of the acquisition of this site by Tradebe, an investigation was conducted under the Connecticut Property Transfer Act; no additional monitoring was required under the Act. A minor spill was observed during a September 2017 CT DEEP inspection. Two to three gallons of used oil was released from a vacuum pump truck's vent onto the asphalt. The spill was immediately cleaned up and a spill report was prepared. The overall facility was in fair to good condition. Indoor tank areas have a slightly dirty appearance. Otherwise, the site appeared to be organized. Odors were noted throughout the processing areas, but were not noted outside of these areas. A couple small areas of ponded water were noted within the wastewater treatment area.

6) PROXIMITY TO SENSITIVE RECEPTORS ____ x ____

Notes:

Approximately 27,000 people reside within 1 mile of the facility. Residential properties are located across the street from the facility to the north. The Greater Bridgeport Transportation Company adjoins the facility to the south and west. Standard Oil, a home heating oil company, also adjoins the facility to the south. P.F. Milo & Sons, a general contractor and lumber supply company, adjoins the facility to the east. Land use within 3 miles of the facility is a mixture of commercial, light industrial and residential. Bruce Pond is located approximately 0.2 miles east of the facility. Yellow Mile Channel is located approximately 0.3 miles southeast of the facility, and Johnson Creek is located approximately 0.4 miles southeast of the facility. The Pequonnock River is located approximately 2 miles west, Bridgeport Harbor, part of Long Island Sound, is approximately 0.5 miles south, and the Housatonic River is approximately 2 miles to the east. There are no wetlands within three miles of the facility. Hall School is located about 0.25 miles northwest; McKinley School is located about 0.4 miles west; and Hall School is located about 0.25 miles N of the facility.

7)	SIGNIFICANT INCIDENTS	X	
No	tes:		

There have been two fires in the last five years, both in the solids mix pit. No hazards to worker health noted

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SUMMARY:

National Grid primarily uses Tradebe Bridgeport for the above listed waste streams. We have not experienced any issues with the Bridgeport facility, and the facility operations risk is minimal per the CHWMEG report. Liquid operations such as fuels blending and oil recovery are inherently risky activities, as reflected in the RAS score, so the facility score being low was encouraging. The proper permits are either in hand, or in the process of being procured. The lack of a Title V air permit is the result of regulatory inaction in behalf of EPA & CT DEEP. No current outstanding NOV's except for the air permit. It is recommended that the Tradebe Bridgeport facility remains on the VAG Approved Vendor List.

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Cases 20-E-0380 & 20-G-0381

EP-18 Form 5 VENDOR EVALUATION

National Grid

Vendor Audit Form for Documenting Audits conducted by CHWMEG

EP - 18 Form 5

Date of Review: 09/10/2018 Date of Last Review: 06/06/2013

Prepared By: Nicholas Calabro

Vendor Name: Veolia ES Technical Solutions, LLC: Port Arthur, Texas

Vendor Address: 7665 Highway 73, Port Arthur, Texas 77640

CHWMEG Report Evaluation Date of CHWMEG Audit: 03/29/2018

BACKGROUND:

The Veolia ES Technical Solutions, LLC: Port Arthur Facility ('The Facility') is comprised of approximately 2,750 acres, about 156 of which are considered active for waste operations. The Facility operates 24 hours per day, seven days per week and receives incoming shipments of waste from 7:00 a.m. to 4:00 p.m. Monday through Friday, manned at any given time by 183 employees. The Facility accepts drummed and bulk hazardous and non-hazardous waste for incineration, drum consolidation and drum indrum out transfer operations. The Facility is permitted to handle RCRA hazardous waste, PCB's, medical wastes and CERCLA wastes with only a few specific exceptions. The incinerator accepts waste solvents, solvent/oil mixtures, organic and inorganic chemical wastes, pesticide wastes, petroleum wastes, aqueous wastes, contaminated soils, sludge, PCBs and capacitors, among other waste types. Non-hazardous, non-incineration wastes are accepted for off-site third-party disposal.

Wastes arrive directly from the generator, from Veolia branch offices throughout the United States, from a rail transfer facility in Pasadena, Texas or from a 10-day transfer site located on the north side of Highway 73 about 1.000 ft. west of the main plant site.

It should be noted that deep well injection of on-site generated scrubber blowdown waters is also provided at The Facility. The deep well is also authorized to accept commercial wastes; however, according to site personnel, accepts only a limited volume of such wastes.

List Wastes National Grid is requesting to send to this facility:

Drummed or bulk PCB liquids of any concentration, Lab Pack Chemicals.

List National Grid groups that use or potentially use this facility:

Gas T&D (condensate/drip water), Electric T&D (xfrmr oil), Generation (chemicals), Environmental (chemicals), Facilities (chemicals), LNG (chemicals).

FACILITY IS:

Hazardous & Non-Hazardous waste incineration, non-haz/non-incineration waste transfer, deep well injection (limited commercial).

EP-18 Form 5 **VENDOR EVALUATION**

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RECOMMENDATION:

The Veolia Port Arthur facility is recommended to remain on the Vendor Audit Group approved vendo	rs
list due to its valuable waste acceptance criteria to National Grid operations.	

ist due to its valuable waste acceptance	criteria to Nati	onal Grid opera	tions.		
/AG accepted for use: { }Yes	{ }No	DATE:			
APPROVED VENDOR LIST UPDATED:	:	DATE:			
	Vendor Eva	luation			
ASPECT REVIEWED					
			X		
					I
					l
				_	

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Notes:

Groundwater monitoring and management associated with the closed WMI landfills is conducted by WMI on the Veolia site. A Veolia compliance plan approved by TCEQ details the remediation/monitoring requirements for The Facility, which includes sampling of seven groundwater monitoring wells. However, under the sales agreement between Veolia and WMI, WMI is responsible for operating, maintaining, and monitoring the seven wells and submitting all regulatory reports as required. Two of the seven WMI-managed wells are classified as recovery wells, with approximately 500 gallons/week removed. WMI is responsible for management of those waters. It is Veolia's understanding that the water is shipped to Texas Molecular in Deer Park, TX for deep well injection. Contaminant concentrations are reported to be decreasing, showing the effectiveness of the recovery system.

6)	PROXIMITY TO SENSITIVE RECEPTORS	X	

Notes:

The Facility is surrounded by a six-foot chain-link fence topped with three strands of barbed wire. Gates are manned and open during normal waste receiving hours and locked during other times. Security cameras equipped with motion detectors are used to monitor truck and employee entrance gates. Employees access the facility using key cards. The inactive, owned parcel to the north of Highway 73 is also used as a hunting and fishing area for employees. The Veolia Port Arthur site is approximately four miles west of Port Arthur, in Jefferson County, Texas in a topographically flat area consisting mainly of prairie and marsh land used for farming and grazing. According to EPA's ECHO database, there are no residents within a mile of the Facility and 61 residents within three miles of the Facility. A country club/residential area is located three miles west/northwest; Taylor Bayou is about 1.25 miles north of the Facility at its closest point; Hildebrandt Bayou flows into Taylor Bayou about three miles northeast of the Facility. A rice farm is adjacent to the south; an oil and gas plant is located three miles south; and, closed landfills are adjacent to the east and west. Various unnamed wetlands surround the site. The J.D.

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EP-18 Form 5 VENDOR EVALUATION

Murphree State Wildlife Area is located about 2.5 miles east of the Facility. Streams leading to Shallow Prong Lake are less than two miles southeast of the Facility and Coffee Bean Slough is about 2.5 miles southwest of the Facility. Surface waters in the area generally drain into the Gulf Coast Intercostal Waterway which flows to the Gulf of Mexico approximately 18 miles southeast of the Facility. There are no schools, daycares, hospitals nursing homes or parks within a three-mile radius of the Facility.

7)	SIGNIFICANT INCIDENTS		X	
Not	es:			
	operations area of the Facility is surrounded bricanes and tropical storms.	y a levee system to	protect against storm	surge from
				•

SUMMARY:

National Grid and its predecessor companies have been using Veolia for waste disposal purposes for an extended period of time. We have not experiences any issues with the Port Arthur facility, and the facilities risks are minimal according to the CHWMEG report. Current waste streams normally go to Port Arthur from other Veolia transfer facilities, such as Flanders, and should continue to do so to avoid excessive cost, greater transportation risk, and no tangible benefit. It is recommended that the Veolia Port Arthur facility be added back onto the VAG Approved Vendor List.

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National Grid Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

Date of Review: _	September 2018	Date of Last Review: <u>Sept. 23, 2015, based</u>
		on CHWMEG site visit on May 8, 2013
	- · · · - ·	
Prepared By:	David Thompson	
Vendor Name:	TCI of Alabama, LLC	
	Pell City, Alabama 3512	25
CHWMEG Report	Evaluation Date of CHWMI	EG Audit: <u>May 11, 2017</u>
BACKGROUND:		
	nal Grid is requesting to senders (TSCA disposal)	d to this facility
	groups that use or potentia	•
		Iincinerator <u>X</u> treatment facility ling – electrical component metals
RECOMMENDATI	ON:	
Recommended for	or continued use by National	Grid.
VAG accepted for	use: []Yes []No	DATE:
APPROVED VEND	OR LIST UPDATED:	DATE:
	VENDOR	EVALUATION
ASPECT REVIEWE	D	

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A Phase II Environmental Site Assessment was performed in late 2006; significant issues in regards to contamination were detected. Groundwater is present from 30-40 feet below grade and TCI is not required to monitor groundwater. During the facility tour in 2006, good housekeeping practices were generally observed and strong perchloroethylene or Askarel (PCB) odors were not observed. In addition, stains were not present tanks and equipment appeared well-maintained.

6) PROXIMITY TO SENSITIVE RECEPTORS <u>X</u>

According to the CHWMEG report, the facility is located within a business park and is generally surrounded by heavy industry. The area is lightly populated and sensitive receptors are not present in the vicinity. The population is approximately 1,130 within one mile of the facility. More specifically, a residence, a metals company, and a heat treat facility are located to the north. A pulp and paper plant is located to the east and a power company work crew station is to the south. Finally, an auto trim part manufacturer is located to the west.

In regards to water supply, Pell City municipal water is obtained from several wells within onemile west and upgradient of the site. A private well is located at a temporary residence

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Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/g National Grid

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approximately 0.25 miles north and upgradient of the facility. The nearest surface water body, an unnamed tributary to Logan Martin Lake, is situated approximately 0.25 miles to the east.

7) SIGNIFICANT INCIDENTS	X
According to the CHWMEG report, fires, explosi site during the last five years.	on, or other incidents have not occurred at the

SUMMARY:

Considering that all of the aspects reviewed are satisfactory, TCI is recommended for continued use and to be retained on the "Approved Disposal Facilities List."

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

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National Grid Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

Date of Review: March 13, 2019 Date of Last Review: August 2, 2013
Prepared By: Donald Campbell
Vendor Name: Bayshore Soil Management (BSM)* Vendor Address: 75 Crows Mill Road Keasbey, NJ 08832
CHWMEG Report Evaluation Date of CHWMEG Audit:July 11, 2018
BACKGROUND:
List wastes National Grid is requesting to send to this facility
Non-haz petroleum contaminated soils, coal tar contaminated soils
List National Grid groups that use or potentially use this facility:
Site Investigation and Remediation and possibly Environmental Compliance through their
support of Operations
FACILITY IS: (check all that apply):landfillincinerator _X_treatment facility [†] transfer facilityother (list):
RECOMMENDATION:
Retain Bayshore Soil Management on National Grid's Approved Vendor List. Another year, the VAG should consider asking CHWMEG about the possibility of an audit for Bayshore Soil Management, alone, rather than in combination with Bayshore Recycling Corporation.
VAG accepted for use: [X]Yes []No DATE: March 13, 2019
APPROVED VENDOR LIST UPDATED: DATE: March 13, 2019

*The Bayshore family of companies operates seven separate and distinct recycling operations on a 51.13-acre property. Of these, the CHWMEG review focuses on Bayshore Recycling Corporation (BRC) operations and includes additional information that was provided, particularly on Bayshore Soil Management (BSM). At times there appears to be conflation in the CHWMEG report with respect to whether the discussion pertains to BRC, BSM, or both. BRC recycles concrete, asphalt, brick, bock, wastewater treatment plant residuals, carbon filtration media, and slag. Those materials are processed into marketable products using a variety of applications.

[†]BSM is a low-temperature thermal desorption (LTTD) facility.

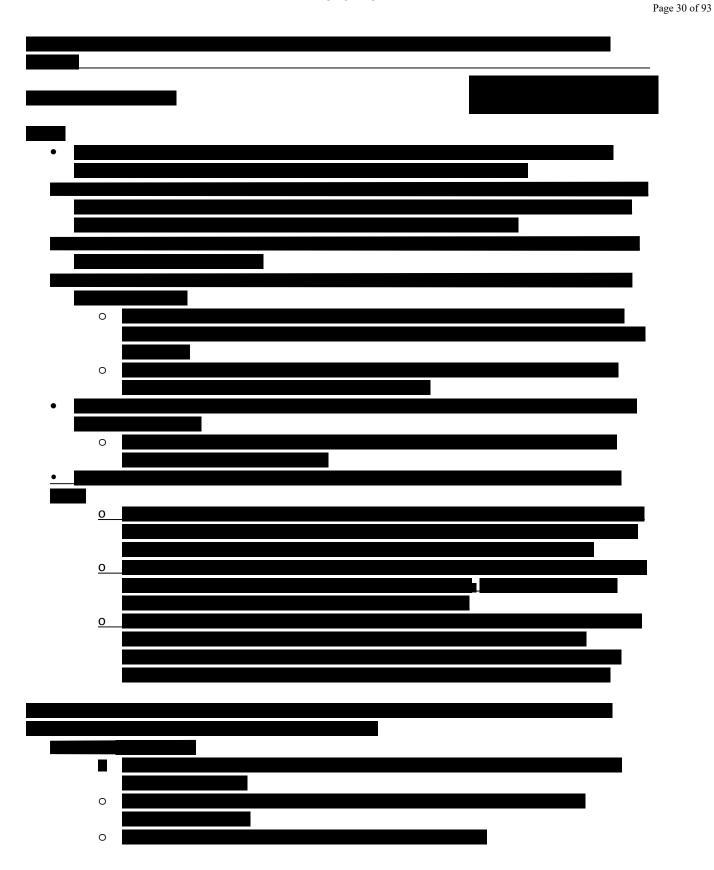
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VENDOR EVALUATION

ASPECT REVIEWED			
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5) EXISTING CONTAMINATION OF SITE	_	X
Notes:		
Contamination is present on the property and in the former operations and historic fill. The former Car		

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Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/g) National Grid

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There is reportedly groundwater contamination, beneath the property, the remediation of which is the responsibility of others.
A change in site ownership in 1995 triggered a remedial investigation under the Industrial Site Recovery Act. There is a remedial investigation report dated May 2016. 42 AOCs were investigated, of which 31 have received No Further Action (NFA) determinations. A 2005 Remedial Action Work Plan requires engineering controls and a deed notice. Of the 11 AOCs without NFA determinations, five have been investigated by BP and the property owner needs to complete the engineering control. The 2016 RI report recommends asphalt caps and deed notices for four soil AOCs of the six remaining AOCs. Groundwater is also an AOC. Groundwater requires monitoring, deed notice, and a Classification Exception Area. A vapor intrusion investigation will be required should the use of the site building change to other than the current industrial use.
6) PROXIMITY TO SENSITIVE RECEPTORSX Notes:
The quality of the uppermost groundwater is unsuitable for use, and the usable aquifer is used for commercial/industrial supply. Drinking water is provided by the Middlesex Water Company, which obtains water from the Delaware and Raritan Canal and upgradient wellfields. The nearest downgradient wells are over 3 miles away. The population served by groundwater within three miles is zero. Natural receptors within one mile are low quality surface water and/or wetlands. Based on the above, the RAS groundwater receptor subscore is 17.1.
Surface water: Local surface water quality is unsuitable for use. The proximity of the closest surface water intake is over three miles. Wetlands associated with the Raritan River are adjacent to the site. Based on the above, the RAS surface water receptor subscore is 17.2.
Air: The nearest residence is within 2,000 feet, and the population within three miles is greater than 10,000. The nearest commercial/industrial complex is within 2,000 feet, and the predominant land use within three miles is commercial/industrial. The nearest sensitive population is within 2,000 feet.

Based on the above, the RAS Air Receptor subscore is 94.1. The high RAS score for the air pathway is due to the facility's location in an urban/suburban area near National Grid's service territory in downstate NY. BSM is the closest LTTD to the downstate NY service territory. Unless National Grid

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Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

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high RAS Air Receptor score is unavoidable.	
7) SIGNIFICANT INCIDENTS	X
.,,	
Notes:	
There have been no fires, spills or explosions at BRC in the las	st five years. On April 25, 2014, there was a
fire in the collocated Transfer Station, Montecalvo Disposal S	· · · · · · · · · · · · · · · · · · ·
have been suspended since then. Montecalvo Disposal Servi	ces is in the Bayshore Family of companies,
but it is not being considered for use by National Grid.	

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Cases 20-E-0380 & 20-G-0381

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Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

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SUMMARY:
The reviewed facility is of higher financial strength. Insurance is currently in place. There were no lost-
time incidents in the three years preceding the CHWMEG review and the RAS health and safety subs-
core is very low. Permits are up-to-date or renewals have been applied for.
There were two NOVs in the five years preceding the report. One is still pending. In addition, a Settlement Order for a \$4,000 penalty was entered, and an ACO was entered to combine two preconstruction permits into a Title V permit.
The site has a long industrial past and there is soil and groundwater contamination that is the
esponsibility of past owners and/or operators. The site is close to natural receptors and human
populations; however, this is unavoidable for a facility located in a densely populated urban/suburban
area.
There were no significant incidents in the five years preceding the CHWMEG audit.

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National Grid Vendor Advisory Group (VAG) Evaluation of Wayne Disposal, Inc. (US Ecology Michigan)

Date of Review: September 18, 2018 Date of Last Review: February 13, 2013

Prepared By: Lisa Montesano

Vendor Name: Wayne Disposal, Inc. (US Ecology Michigan)

49350 North I-94 Service Drive Vendor Address:

Belleville, MI 48111

CHWMEG Report Evaluation Date of CHWMEG Audit: May 24, 2018

BACKGROUND:

Wastes National Grid sends or potentially sends to this facility:

Hazardous and non-hazardous solid PCB waste and Naturally Occurring Radioactive Materials (NORM) waste.

Groups that have used this facility:

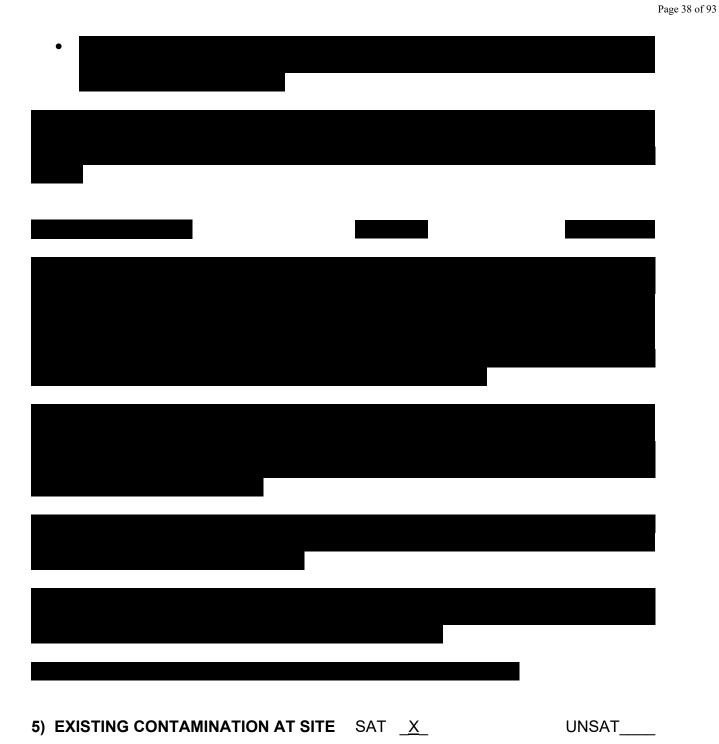
Various National Grid operating departments (Electric and Gas Operations, Property Services, etc.), derived from routine operations and maintenance activities, emergency response activities, and project construction work.

FA	CILITY IS: (check all that apply):
<u>X</u>	_ landfill
	incinerator
	treatment facility
	transfer facility
	other (list):

The US Ecology Michigan (USEM) facility is a wholly-owned subsidiary of US Ecology, and consists of two separately permitted facilities, including the Michigan Disposal Waste Treatment Plant (MDI) and Wayne Disposal, Inc. (WDI). WDI, a RCRA Subtitle C and TSCA hazardous waste landfill, is the subject of this audit. The total USEM facility is approximately 500 acres in size, including the 114 landfill (68 active) acres of WDI. Together with MDI, WDI can accept a wide range of hazardous and nonhazardous wastes, including NORM, PCB/TSCA solid wastes (at any concentration), and other select radiological wastes (e.g., FUSRAP waste). WDI cannot accept liquid wastes, but does accept hazardous wastes treated at MDI (e.g., stabilized) to meet landfill disposal requirements. Approximately 40 years of landfill life remains, as currently permitted.

RECOMMENDATION <u>The</u>				
retention on the approved VA				
for bulk solid, PCB-containing				
City in Lewiston, NY, which ce				
received USEPA TSCA appro				
<u>26, 2018). The status of </u>	<u>other expired</u>	permits/appi	<u>rovals noted b</u>	<u>elow could be</u>
<u>confirmed.</u>				
VAG accepted for use:	YES	NO	DATE:	
·			_	
APPROVED VENDOR LIST (JPDATED:		DATE_	
ASPECT REVIEWED:				





Although the site has a long history of waste management operations, based on the RFI studies conducted at the facility, no known subsurface (soil, groundwater) contamination exists, according to the Facility POC (USEM employee Amy Jo Haratyk, Audit Specialist).

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6) PROXIMITY TO SENSITIVE RECEPTORS	SAT <u>X</u>	UNSAT
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Drinking water for the region is supplied by surface water sources, from the Van Buren Township Department of Public Works Water and Sewer Division. Van Buren Township contracts with the Great Lakes Water Authority, which derives water from the Detroit River located approximately 17 miles to the east of WDI. There are no known groundwater supply wells in the immediate vicinity of the facility. Groundwater monitoring is conducted quarterly on 28 on-site monitoring wells.

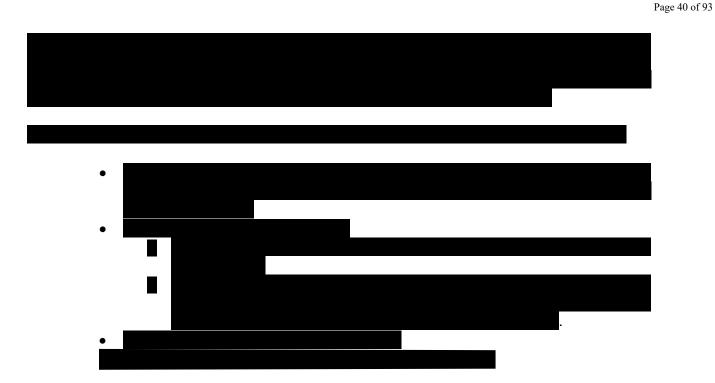
The facility is located within an approximate 500-acre site, and therefore the boundary between the waste management areas and the public is quite large. The nearest residential area is located approximately one-quarter mile away to the east and southeast. The nearest bodies of water are Quirk Drain and Willow Run Creek, which receive treated and/or uncontaminated stormwater from the facility. Ultimately, stormwater from this area is discharged to the Huron River and then to Lake Erie.

7) SIGNIFICANT INCIDENTS SAT X UNSAT___

In addition to the above-described regulatory history, no additional significant incidents have occurred in the last five years, including no explosions. However, one fire and two releases have been reported:

- 2017 a fire occurred within the MDI facility (while processing debris during microencapsulation).
- 2015 a leachate release was discovered within the WDI facility and reported to MDEQ (further described in Section 3 above).
- 2013 a leachate release from the WDI collection system was discovered and reported to MDEQ. The leachate accumulated on site and did not reach surface water, and cleanup was completed. No NOV was received by MDEQ.

Security at the facility is maintained using fencing and limited access points. Perimeter fencing consists of a 6-foot high, cyclone fence topped with three strands of barbed wire; and one active access gate (normally closed) at a rail spur and one manned gate. The facility is open weekdays, from 0700 through 1700. A security guard station is manned during waste receiving hours, and closed overnight. Surveillance cameras are located at the facility entrance.



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EP-18 Form 5 VENDOR EVALUATION

National Grid

Vendor Audit Form for Documenting Audits conducted by CHWMEG

EP - 18 Form 5

<u>Date of Review</u>: December 10th, 2018 <u>Date of Last Review</u>: June 5th, 2013

Prepared By: Nicholas Calabro

Vendor Name: Tradebe Treatment and Recycling Northeast, LLC: Meriden

Vendor Address: 136 Gracey Avenue, Meriden, Connecticut 06451

<u>CHWMEG Report Evaluation</u> <u>Date of CHWMEG Audit</u>: June 12th, 2018

BACKGROUND:

Tradebe Treatment and Recycling Northeast, LLC owns the Meriden, Connecticut facility, which is a RCRA Part B permitted hazardous and nonhazardous waste storage and treatment facility. Operations are primarily oil recovery, liquid fuel blending and wastewater treatment. The facility operates 24 hours, seven days a week and currently staffs 49 plant and transport employees. Pre-qualification of wastes requires submittal of a completed Waste Profile Sheet, process information, laboratory analyses and/or manufacturer's information. A sales representative sometimes reviews the generator's facility. Waste streams are screened for incompatibilities and substances not permitted (e.g. TSCA PCBs). Samples of waste are generally required and analyzed in the onsite lab or another designated laboratory. Upon arrival at the facility, wastes are visually inspected and samples are taken of each waste. All bulk shipments are sampled as well as 10% of containers of each individual waste stream. Typical analyses for inbound wastes include: PCBs, flash point, halogens, a solvent scan (oils and fuels), PCBs, BS&W (Basic Sediment and Water impurities in crude oil), flash point, metals, and pH (for incoming wastewater).

List Wastes National Grid is requesting to send to this facility:

Bulk Shipments & Containerized: used oil, oily water, off-spec fuels, haz/non-haz wastewater.

List National Grid groups that use or potentially use this facility:

Gas T&D/LNG, Electric T&D, Generation

FACILITY IS:

Hazardous & non-hazardous oil recovery, liquid fuel blending, and wastewater treatment.

RECOMMENDATION:

The Tradebe Meriden facility is recommended to remain on the approved vendors list.

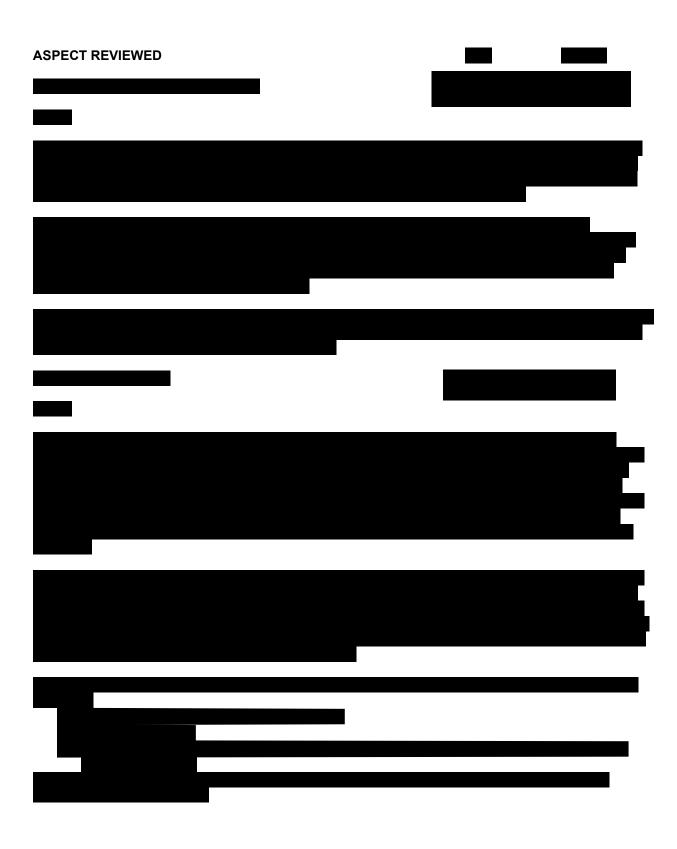
VAG accepted for use: { }Yes { }No DATE:

APPROVED VENDOR LIST UPDATED: DATE:

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EP-18 Form 5 VENDOR EVALUATION

Vendor Evaluation



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EP-18 Form 5 VENDOR EVALUATION



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EP-18 Form 5 VENDOR EVALUATION

5)	EXISTING CONTAMINATION OF SITE	X	

Notes:

Groundwater monitoring was required by a 1980s Consent Order. Groundwater monitoring wells were installed in February 1991 and in August 1993. The facility reported that wells were sampled approximately every 3 years. Several metals and Volatile Organic Compounds ("VOCs") were detected in groundwater samples above regulatory standards in monitoring conducted during the 1990s and 2000s. The facility reported that in 2009, all constituents were below the CT remediation standards.

Some visually contaminated soil was removed from that former tank farm in the early 1980s when the concrete pad was put in. In 1991, the tanks and concrete were removed along with some contaminated soil. A clean-up plan submitted to Connecticut Department of Environmental Protection ("CT DEP") by the facility in 1992 never received a response. Contaminated soil was also removed in Summer 2008 from the former tank farm area when the biological treatment area began construction.

According to a facility representative, site investigations conducted in the past indicated a need for corrective action at the former tank farm. The representative stated that interim corrective measures have been taken and a closure/cleanup plan was submitted to CT DEEP, which has not taken any definitive action on the plan or the tank farm area. In Spring of 2015, a Phase II assessment was completed per conditions of the Connecticut State Property Transfer Act (property was transferred in 2011).

6) PROXIMITY TO SENSITIVE RECEPTORS	X	

Notes:

Tradebe Meriden owns and operates on 2.5 acres of land, 1.75 of which are considered active. No related or unrelated tenant activities occur on the property. The residential population within one mile of the facility is approximately 11,142. An unnamed brook is located 0.25 miles east of the facility, Sodom Brook is located 0.3 miles west of the facility, Cathole Brook is located about 0.35 miles northwest, an unnamed pond is located 0.45 miles north, Harbor Brook is located 0.5 mile southeast, and Beaver Pond is located 0.96 miles north. Three schools are located near the facility: John Trumbull Elementary School (0.5 miles southeast, Jefferson Middle School (1 mile south) and Roger Sherman Elementary School (1.5 miles southeast). MidState Medical Center is about 3/4 miles west.

Groundwater and bedrock are located approximately 2.5 and 20 feet below ground surface, respectively. Groundwater underlying the northern and southeastern portion of the facility is classified by the State as GB meaning it is not useable without treatment while the southwestern portion of the site is classified as GA meaning it is a potential drinking water supply. Groundwater is believed to flow to the southeast.

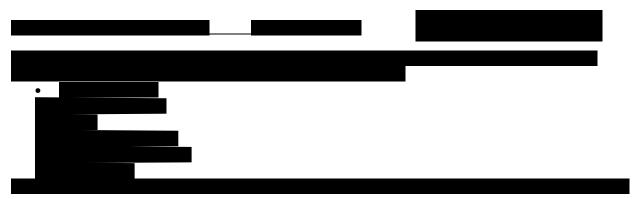
7) SIGNIFICANT INCIDENTS	_ X
Notes:	

There have been no noteworthy fires, spills or explosions at the facility in the past 5 years.

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EP-18 Form 5 VENDOR EVALUATION



SUMMARY:

National Grid has primarily uses Tradebe Bridgeport for the above listed waste streams, but the Meriden facility has presented a more than acceptable alternative and second option. We have not experienced any issues with the Meriden facility, and the facility operations risk is minimal per the CHWMEG report. Liquid operations such as fuels blending and oil recovery are inherently risky activities, as reflected in the RAS score, so the facility score being low was encouraging. The proper permits are either in hand, or in the process of being procured. The lack of a Title V air permit is the result of regulatory inaction in behalf of CT DEEP. No current outstanding NOV's except for the air permit. It is recommended that the Tradebe Meriden facility remains on the VAG Approved Vendor List.

National Grid Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

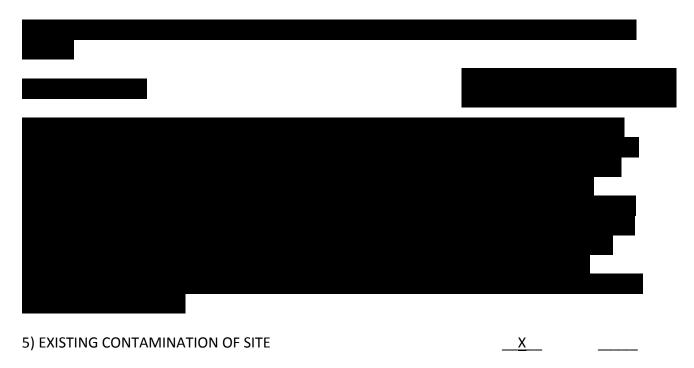
Date of Review:	December 2018	<u> </u>	Date of Last Review: <u>July 2014, based on</u>
			CHWMEG site visit on Feb. 27, 2013
Prepared By:	David Thom	nson	
	Bavia mom	 	
			C (Evoqua)
-	118 Park Ro		C445
	Darlington,	<u>Pennsylvania 10</u>	2112
CHWMEG Report	Evaluation Date	of CHWMEG A	udit:July 10, 2018
BACKGROUND:			
	nal Grid is reques	_	this facility
- Aramana		(3.10)	
	l groups that use IR and others as r		se this facility:
<u>x</u> transfer facili	ty <u>X</u> other (list	t): <u>hazardous</u>	<u>c</u> incinerator <u>x</u> treatment facility and non-hazardous (food grade) waste carbon d powdered activated carbon producer.
RECOMMENDAT Recommended for	ION: or continued use	bv National Gri	d.
			on (GAC) reduces long-term liability and is akin
to recycling and t	herefore compat	ible with corpo	rate recycling goals.
VAG accepted fo	r use: []Y	es []No	DATE:
APPROVED VEND	OR LIST UPDATE	D:	DATE:
		VENDOR EV	ALUATION
ASPECT REVIEW	ED		
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According to the CHWMEG report, an environmental site assessment was performed by Envirotrol prior to their acquisition in 1991. Low concentrations of metals were detected along an unspecified fence line and this area was reportedly remediated. The EPA then conducted a comprehensive sampling event in 1996 in response to allegations that dust accumulations at nearby properties were potentially attributable to site activities. Based on the resultant sampling data, the EPA concluded that facility operations had not adversely affected the environment or the surrounding area.

Siemens then performed an environmental investigation in October 2006 when they purchased Envirotrol. As part of that investigation, arsenic was detected in two sediment samples above residential standards. In addition, bis (2-ethylhexyl) phthalate and 1,3-dinitrobenzene were detected in groundwater above residual and non-residual standards. However, these were not deemed to pose a risk as shallow groundwater is not used for drinking water purposes. Finally, a Phase I Environmental Site Assessment was conducted in 2013 and recognized environmental conditions were not identified. It is noted that an ongoing groundwater monitoring program is not currently in place.

6) PROXIMITY TO SENSITIVE RECEPTORS X

According to the CHWMEG report, the population is approximately 262 within one mile of the facility and the nearest residence is located approximately 0.2 miles to the south. The nearest surface water body is the North Fork of Little Beaver Creek, located approximately 1,000 feet to the south.

EP-18 Form 5

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/g) National Grid

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In regards to water supply, bottled water is utilized on-site for drinking water purposes and municipal water is supplied and utilized for non-potable purposes (sinks, showers, and toilets). The latter water is disinfected via an ultraviolet system prior to use. In addition, two industrial water supply wells are utilized by Evoqua.

Private wells are primarily utilized in the vicinity of the site as Darlington Township does not have a municipal drinking water system. Pursuant to an agreement with the local community, Evoqua samples approximately fifteen private wells in the vicinity four times per year for various parameters.

7) SIGNIFICANT INCIDENTS	X
According to the CHWMEG report, fires, explo site during the last five years.	sion, or other incidents have not occurred at the
Observed Air Score is 71	

SUMMARY:

Considering that all of the aspects reviewed are satisfactory, Evoqua is recommended for continued use and to be retained on the "Approved Disposal Facilities List."

Vendor Audit Complete Recycling Solutions, L.L.C.

1075 Airport Road Fall River, MA 02720 Phone: (508) 402-7700

Fax: (508) 402-7751 www.crsrecycle.com

On May 4, 2018, William R. Howard, Jr. of National Grid's environmental compliance department conducted a vendor audit of Complete Recycling Solutions, LLC in Fall River, Massachusetts. The audit was conducted at the request of the National Grid Vendor Advisory Group (VAG). The purpose of the audit was to evaluate the potential risk to National Grid in using this facility for disposal of various mercury containing universal wastes, electronics, small PCB and non-PCB capacitors, PCB and Non-PCB lighting ballasts. This facility has not previously been audited or reviewed by National Grid. Keith Boyea, director, accompanied the auditor during the site visit.

Executive Summary

Complete Recycling Services, LLC (CRS) is owned by Keith Boyea and Charles Hopkins in partnership. CRS processes mercury containing and electronic waste on site. Lamp ballasts are sorted into Polychlorinated Biphenyl (PCB) and non-PCB units, batteries are sorted by chemistry on site. All waste is delivered by truck to the facility.

Based on the results of the audit, the vendor is recommended for use by National Grid for disposal of mercury containing wastes, lighting ballasts and small capacitors, both PCB and non-PCB, and electronic waste.

Site Description and Background

The facility is located in an industrial section of Fall River. The facility sites on 3.38 acres with approximately two acres actively used. The site has one building which is 32,410 square feet, approximately 4000 square feet is dedicated to office use, and 9500 square feet is dedicated to mercury lamp processing, including a mercury retort oven. Highway access is located within ½ mile of the facility. The building was built about 1979 and was previously used for wood cabinet manufacturing; prior to that the site had been undeveloped forest and farmland. The building is leased under a long term lease from HBH Realty, LLC. The facility has video surveillance in place for both outside the premises and inside the active portion of the facility. The system is recorded and

Wendor-Audito-Complete Recycling Solutions, LLC - Fall River, MA

Niagara Mohawk Power Corporation

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reviewed periodically by managerial employees. There is also a 24 hour alarm system that is monitored by a third party. The operational areas outside are also protected by a security fence.

The facility is located about ½ mile west of the water reservoir and is located over one mile and one half mile from any other sensitive receptors. Storm water from the site goes to a drainage swale located at the facility and is allowed to infiltrate.

CRS also owns a consolidation facility in Somerset, NJ; this facility is used to consolidate waste pickups from pickups in the western area of the northeast United States. No processing of waste occurs at this location.

Process Description Summary

All materials prior to being accepted at the facility for disposal must be pre-approved. Due to the nature of the in-coming waste materials; in most cases analysis of the waste is not required. Waste picked up by company drivers is screened for unacceptable material, waste delivered by outside transporters are screened upon arrival at the facility. The shipping documents are review and the piece count of each load verified at receipt.

Received materials are logged manually initially; with the logs being entered into computer for tracking of waste received orders, customers, pricing and invoicing. All received waste is weighted or counted during receipt. Each waste pickup receives a unique order number that is carried through all paperwork to invoicing.

Fluorescent lamps are fed into one of two LUMA 8000 lamp processing units. The lamps are crushed and the components separated. The glass shards are cleaned under vacuum and beneficially reused as daily cover at a local landfill. The metal end caps are collected and sent to metal smelters or recyclers. Finally the phosphor powder which contains the mercury is collected and retorted in the onsite retort/distillation units. The crusher/separator units are operated under negative pressure; with the exhaust being treated with a HEPA filter and activated carbon beds. Elemental mercury from the retort unit is collected and sold to be refined; the powder phosphor is landfilled. Phosphor powder is tested quarterly for TCLP and total mercury.

High intensity discharge lamps are mechanically disassembled to remove the non-mercury containing material from the mercury ampoule. The separated ampoules are crushed to remove the mercury and then distilled on site. Recovered elemental mercury is shipped off site three to four times per year to a mercury refiner.

Fluorescent lighting ballasts are sorted at the facility to separate ballasts that contain or potentially contain PCBs from non-PCB lighting ballasts. CRS is allowed by Massachusetts Department of Environmental Protection and United States Environmental Protection Agency to store PCB ballasts for up to ten calendar days.

Company Confidential VAG Audit Group

Wendor-Audito-Complete Recycling Solutions, LLC - Fall River, MA

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

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CRS ships PCB ballasts to Clean Harbors of Braintree for shipment to a Clean Harbors PCB incinerator. These shipments as scheduled on a seven day schedule to ensure compliance with the allowable storage limits.

Batteries are sorted onsite for shipment to disposal facilities. Mercury batteries are shredded and retorted onsite. Other mercury devices are also crushed or shredded on site, and then retorted. Electronic waste is separated onsite into separate components before being sent to recyclers. Data storage devices are shredded on site to ensure destruction of data.

Certificates of recycling/disposal are issued for each waste disposed of.

Environmental Issues:

Hazardous Waste

The facility does not accept federal hazardous waste. Some states regulate PCBs as a state hazardous waste, including Massachusetts. All hazardous waste was properly identified and stored on site.

PCB Management

All PCB wastes on site were properly identified and stored on site.

Storage Tank Management

One 3000 gallon diesel fuel tank is located on site. The tank was installed in 2014 and is a double wall steel tank. The tank is in good condition and is inspected monthly under the self-implemented Spill Prevention Control and Countermeasures Plan. The tank is used to refuel company owned vehicles that are used for pickup of wastes.

Storm Water

Storm water from the site flows into a drainage swale and retention pond onsite. No waste is stored or processed outside of the building.

Drinking Water

The facility is connected to the City of Fall River public water supply.

Wastewater

The facility is connected to the City of Fall River Waste water treatment plant for domestic waste water. No industrial waste waters are generated at the facility.

Wendor-Audito-Complete Recycling Solutions, LLC - Fall River, MA

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

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Air Emissions

The facility does not operate under any air permits. The emissions of mercury are recorded on a regular basis to confirm that the site emits less than one ton of mercury per a year and therefore not required to permit the emission. All potential mercury operations are conducted under controlled air flow areas and filtered through carbon filtration before being exhausted to the atmosphere.

Solid Waste

Solid waste generated on site were collected and stored in a neat and organized manner.

General Compliance Program Information

The Massachusetts Department of Environmental Protection (MA DEP) The MA DEP regulates the facility as a hazardous waste recycling facility, under a Class C Hazardous Waste Recycling Permit. See attachment H for copy of permit. The facility has received no violations going back to 2004; a copy of regulatory inspections is included as attachment I.

David of the MA DEP and Marianne Milette of US EPA was contacted about the current compliance of the facility both stated that there were no ongoing issues and facility has been cooperative with inspections.

Review of Financial Information

CRS is a small partnership and provided balance sheets for calendar years 2015 to 2017. CRS' balance sheet financials has improved each year and appears on solid financial ground. CRS uses a letter of credit with a local bank for funding of their contingency plan. See attachment E for copy of letter of credit from Bank5.

Recommendation

Based on the results of the audit, the vendor is recommended for continued use by National Grid.

Wendor-Auditp-G-Veolia ES Tech Solutions, LLC - W. Bridgewater, MA Exhibit_(SSIR Pb/9 National Grid

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b(a) National Grid

Page 3012-673527 and 20-G-0381

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Attachments:

- A. Vendor Audit On-Site Observation Form
- B. Waste Disposal Vendor Audit Checklist/Survey Form
- C. OSHA Logs and EMR
- D. Facility Site Plan
- E. Closure Letter of Credit
- F. Certificate of Insurance
- G. Facility Permit
- H. Compliance History

Wendor-Auditp-Complete Recycling Solutions, LLC - Fall River, MA

Niagara Mohawk Power Corporation

Exhibit__(SSIR\$\psi b(a) \text{ National Grid} \text{Page 3013-613527} \text{ And 20-G-0381} \text{ DPS-705 Attachment 3} \text{ Page 55 of 93}

ATTACHMENT A

Vendor Audit On-Site Observation Form

Niagara Mohawk Power Corporation Exhibit__(SSIR#blg National Grid Page 201-E-012507 and 20-G-0381 DPS-705 Attachment 3

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Cases 20-E-0380 & 20-G-0381

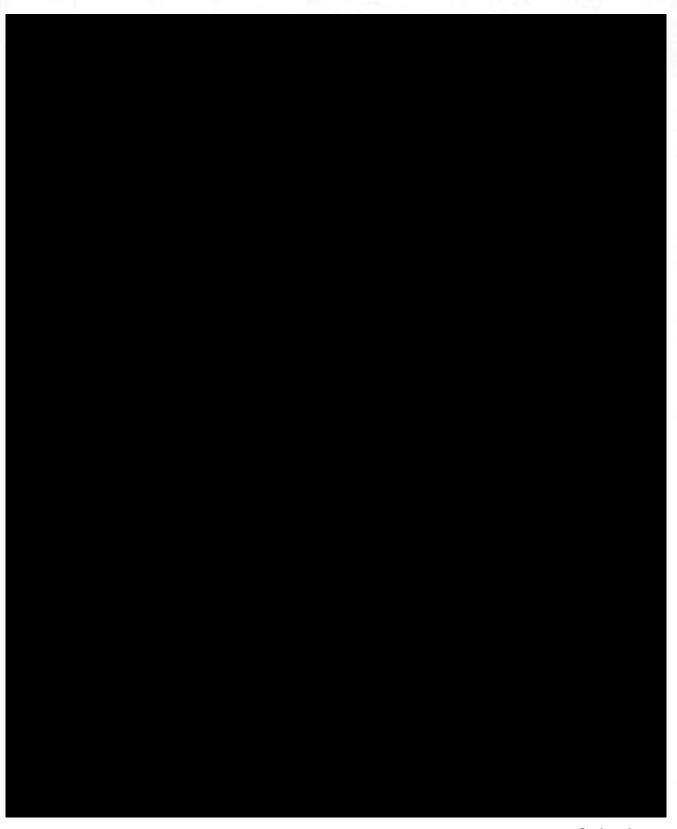
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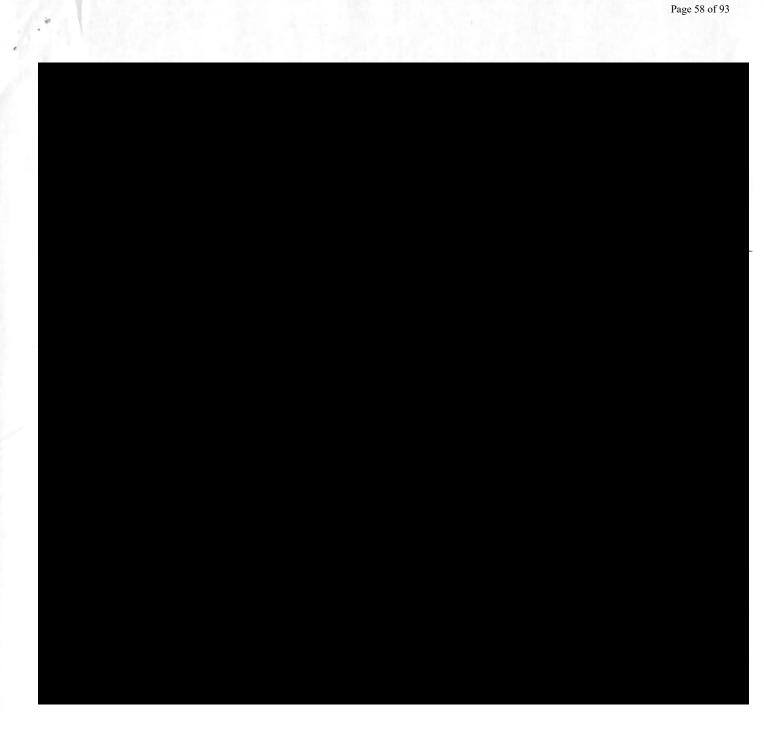
Niagara Mohawk Power Corporation

Exhibit__(SSIR\$\P\$)(3) National Grid

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Cases 20-E-0380 & 20-G-0381



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Niagara Mohawk Power Corporation

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ATTACHMENT B

Waste Disposal Vendor Audit Checklist/Survey Form

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National Grid Waste Disposal Vendor Audit Checklist/Survey Form EP-18 Form 2

This checklist/survey form is to be completed by a facility representative prior to or during a physical audit of their facility(ies) in order to provide National Grid US with the information necessary to evaluate the business practices of waste disposal vendors and their disposal facilities. Please complete this checklist accurately and as completely as possible. If you have a prepared audit package which covers the material requested in this checklist, you may submit that in addition to this checklist. Failure to complete this checklist accurately and completely may disqualify you from being used as a National Grid disposal vendor. Thank you for your cooperation.

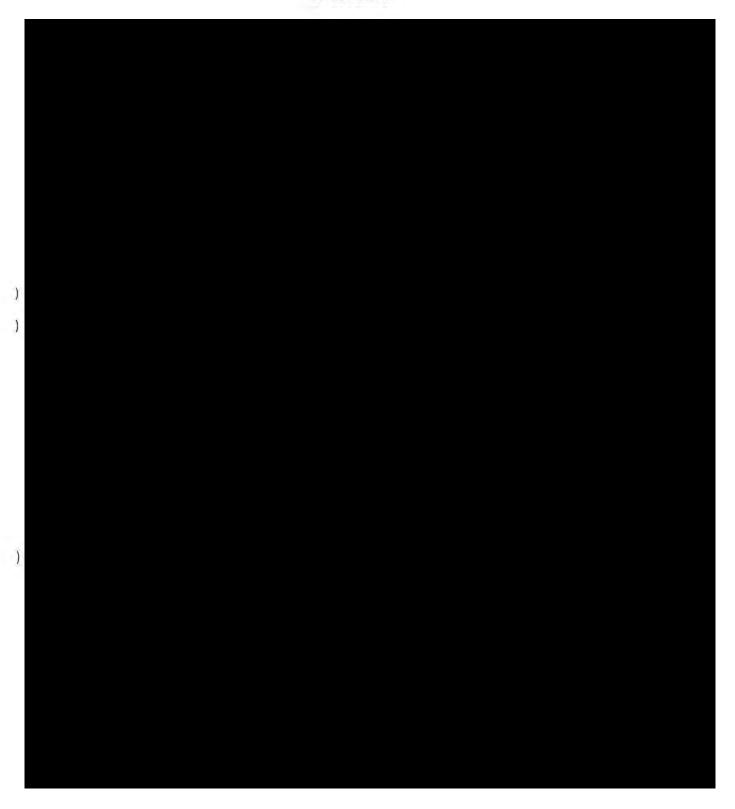
mplete Recycling Solutions, LLC
n:1075 Airport Road Fall River, MA 02720
ual Completing Survey
/ e a
508-402-7700 x703/508-402-7751
kboyea@crsrecycle.com
Hed 2 Boge 4/10,

EP-18 Form 2

Facility name, mailing address and telephone number: 1075 Airport Road Fall River, MA 02720/508-402-7700	
Location/address (If different):	
Facility contact(s), title(s), telephone number(s) and fax number(s): Keith Boyea/Director/508-402-77	
Name and address of legal owner of the facility: Complete Recycling Solutions, LLC (Same as above	
Name and address of legal owner of the property: HBH Realty, LLC 1075 Airport Road Fall River, MA 02720	
Form of ownership the facility operates under:	
Municipality [] Limited partnership[X] Proprietorship [] Other partnership [] Corporation [] Other []	
If the facility is a subsidiary, list the name, address, principal contact(s) and telephone number(s) of the parent corporation/organization: NA	
Dun & Bradstreet Number: 133115381	
Attach a copy of the Dun & Bradstreet: Yes [] No [X]	
If ownership is a partnership, list the name(s) and address(es) of all partners, both general and limited: Keith Boyea- 50%, Charles Hopkins- 50%	
Attach annual report with certified financial statements (e.g. 10K report, prospectus, etc.) and indicate here what has been provided: will provide upon request	
Other waste storage, treatment, disposal or recycling companies owned and/or operated by facility owner(s): Universal Waste consolidation facility- Somerset, NJ	

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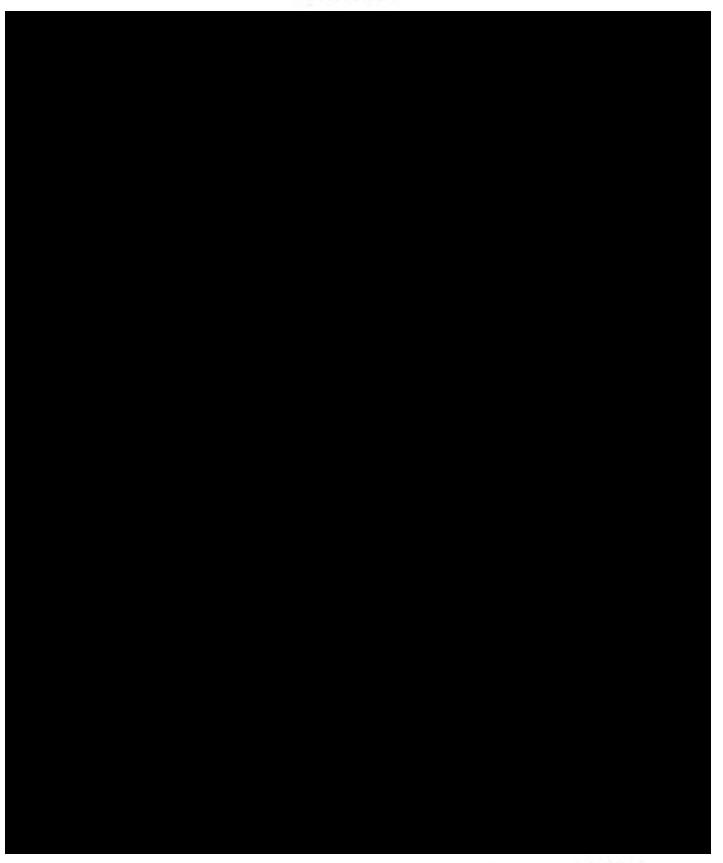
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EP-18 Form 2

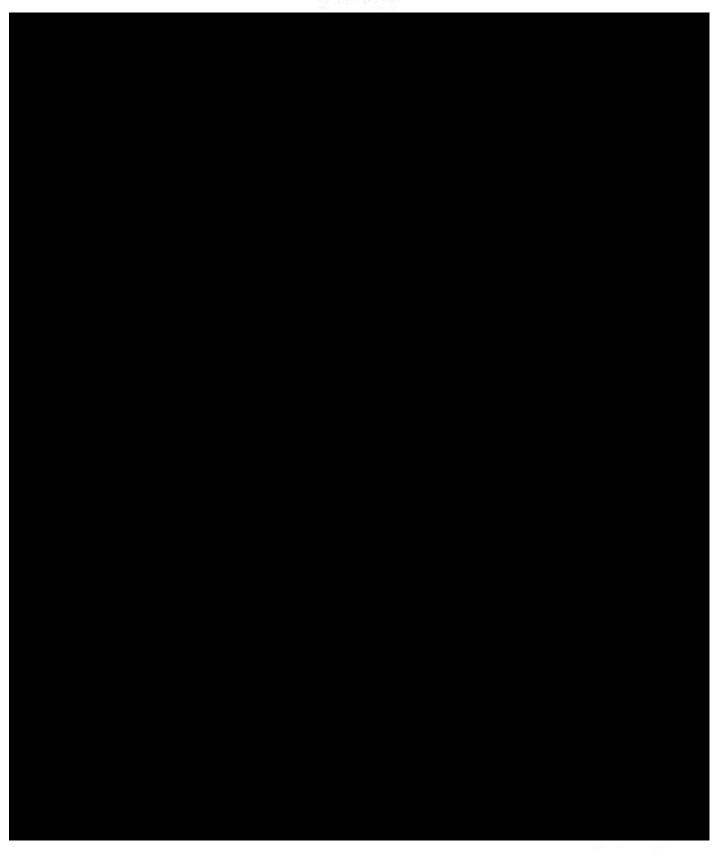


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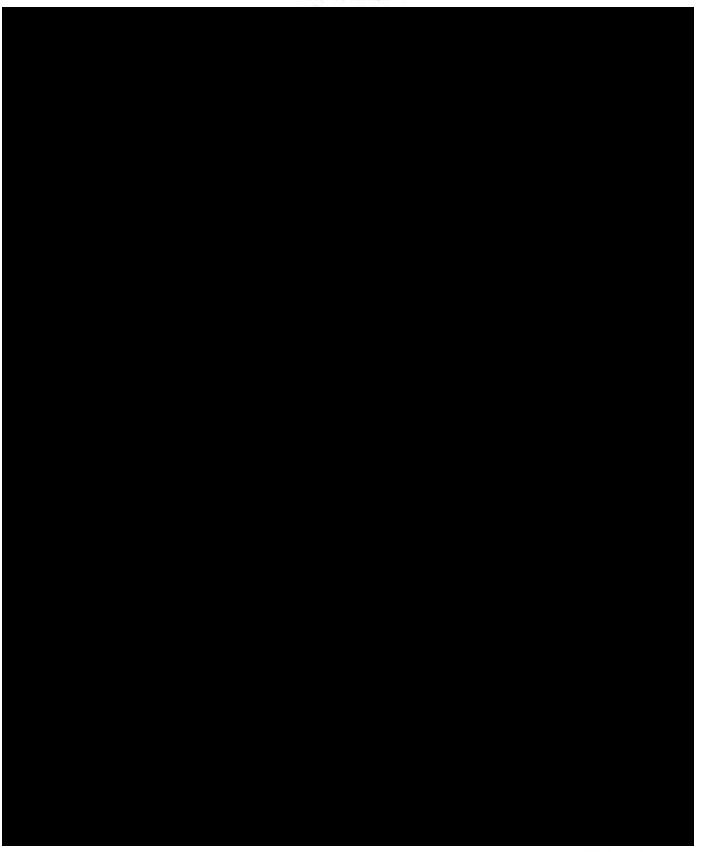


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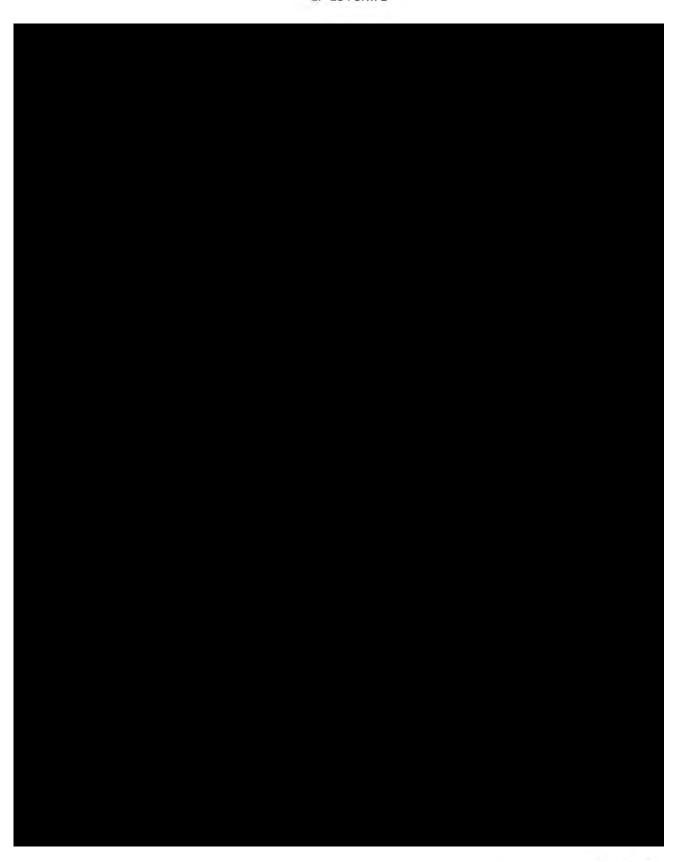
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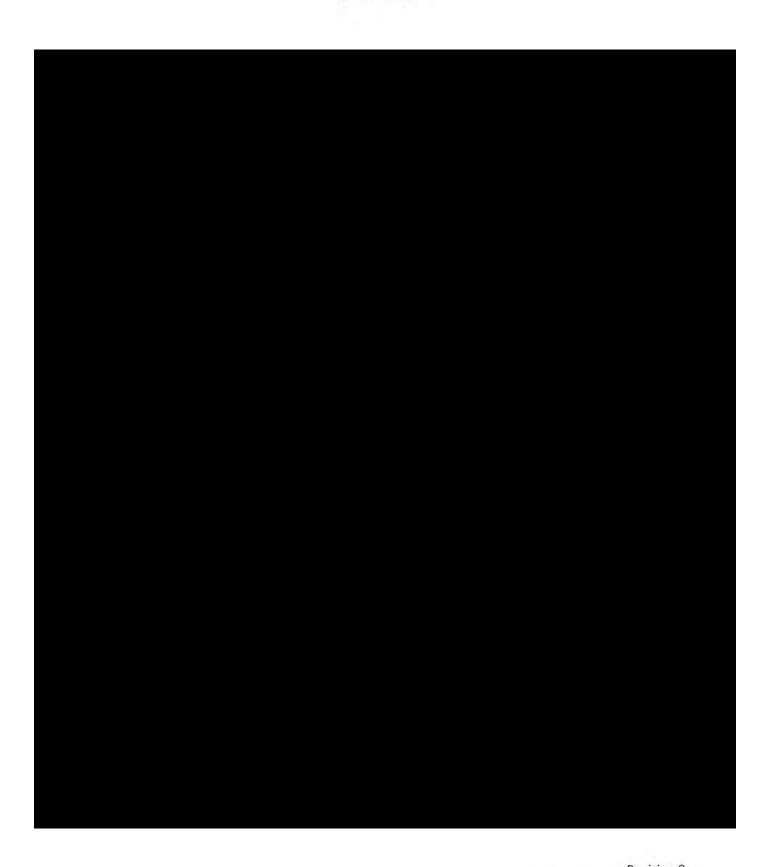
Revision 0 Revision Date: 1/14/2016

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Revision 0 Revision Date: 1/14/2016

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Revision 0 Revision Date: 1/14/2016

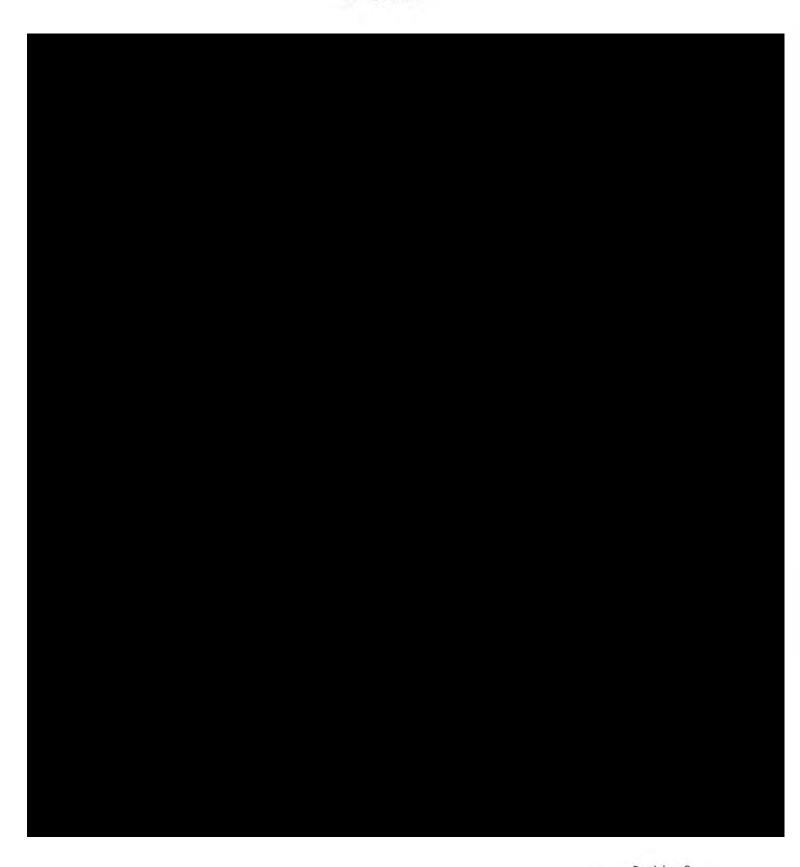
Page 10 of 16



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Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

Page 332-67352 and 20-G-0381

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EP-18 Form 2



Wendor-Auditp-Complete Recycling Solutions, LLC - Fall River, MA

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

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ATTACHMENT C

OSHA Logs and EMR

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

Page 335-61352 and 20-G-0381

DPS-705 Attachment 3

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OSHA's Form 300A (Rev. 01/2004)

Note: You can type input into this form and save it.

Because the forms in this recordkeeping package are "fillable/writable"
PDF documents, you can type into the input form fields and
then save your inputs using the free Adobe PDF Reader.

Year 20 17



U.S. Department of Labor Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

Summary of Work-Related Injuries and Illnesses

All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0."

Employees, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.35, in OSHA's recordkeeping rule, for further details on the access provisions for these forms.

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases	
0	1	0	0	
(G)	(H)	(1)	(J)	
Number of D	ays			
Total number of da away from work		tal number of days of job		
4		0		
(K)		(L)		
Injury and II	lness Types			
Total number of	(CH)			
(1) Injuries	_1_	(4) Poisonings	0	
(2) Skin disorders	0	(5) Hearing loss	0	
			The second secon	

Post this Summary page from February 1 to April 30 of the year following the year covered by the form.

Public reporting burden for this collection of information is estimated to average 50 minutes per response, including time to review the instructions, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any other aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistical Analysis, Room N-3644, 200 Constitution Avenue, NW, Washington, DC 20210. Do not send the completed forms to this office.

ty Fall River dustry description (e.g., Manufole Recycling andard Industrial Classification 5093 R orth American Industrial Classi	(SIC), if know	r truck trailers)
Recycling andard Industrial Classification 5093 R	(SIC), if know	
5093 R		rn (e.g., 3715)
All a Lange Car Car II		
orth American Industrial Classi		
	fication (NAIC	CS), if known (e.g., 3362)
423930		
mployment information orksheet on the next page to est unual average number of emplo	imate.) yees	35
otal hours worked by all employ	ees last year	70000
ign here		
nowingly falsifying this doc	cument may	result in a fine.
ertify that I have examined to y knowledge the entries are to	this document rue, accurate	t and that to the best of, and complete.
empany executive		Title
one 508 - 402 -7-70	Date	e 1/8/2

Cases 20-E-0380 & 20-G-0381

OSHA's Form 300A (Rev. 01/2004)

Note: You can type input into this form and save it.
Because the forms in this recordkeeping package are "fliable/writable"
PDF documents, you can type into the input form fields and
then save your inputs using the free Adobe PDF Reader.

Year 20 16
U.S. Department of Labor

Niagara Mohawk Power Corporation Exhibit__(SSIRゆり) National Grid

Page 336: 67352 and 20-G-0381

DPS-705 Attachment 3

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Form approved OMB no 1218-0176

All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.

Summary of Work-Related Injuries and Illnesses

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0,"

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Number of Cas	es				
deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases		
0 1		0	1		
(G)	(H)	(1)	(J)		
Number of Day	ıs	13	2		
Total number of days away from work		tal number of days of job			
15		0			
(K)		(L)			
Injury and Illne	ess Types	77. E.	أحازه العثماء		
Total number of					
(1) Injuries	2	(4) Poisonings	_ O _		
(2) Skin disorders 0		(5) Hearing loss	_ 0		
(3) Respiratory conditions		(6) All other illnesses	0		

Post this Summary page from February 1 to April 30 of the year following the year covered by the form.

Public reporting burden for this collection of information is estimated to average 50 minutes per response, including time to review the instructions, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information and these collection of information and the collection of information and these sestimates or may either aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistical Analysis, Reom b-3644, 200 Constitution Avenue, NW, Washington, DC 20219. Do not send the completed forms to this office.

Street 1075 Airport	Road		
City Fall River	State MA	Zi	02720
Industry description (e.g., Mar Recycling	ufacture of motor	truck (rai.	lers)
Standard Industrial Classificati 5093	on (SIC), if know	n (e.g., 37.	(5)
OR SUBS			
North American Industrial Cla	ssification (NAIC	S), if know	vn (e.v. 3362)
North American Industrial Cla 423930	ssification (NAIC	S), if know	vn (e.g., 3362)
423930			
	on (If you don't h		
423930 Employment informati	on (If you don't h estimate.)		
423930 Employment informati Worksheet on the next page to Annual average number of em	on (If you don't h estimate.) ployees	cive these f	igures, see the
423930 Employment informati Worksheet on the next page to	on (If you don't h estimate.) ployees	ave these f	igures, see the
423930 Employment informati Worksheet on the next page to Annual average number of em Total hours worked by all emp	on (If you don't h estimate) ployees loyees last year	35 7000	gures, see the
423930 Employment informati Worksheet on the next page to Annual average number of em Total hours worked by all emp Sign here	on (If you don't he estimate) ployees loyees last year document may	35 7000 result in t and that, and same	O a fine. to the best o plete.
423930 Employment informati Worksheet on the next page to Annual average number of em Total hours worked by all emp Sign here Knowingly falsifying this Lecrify that I have examine	on (If you don't he estimate) ployees loyees last year document may	35 7000 result in t and that, and same	O a fine.

Cases 20-E-0380 & 20-G-0381

OSHA's Form 300A (Rev. 01/2004)

Note: You can type input into this form and save it.

Because the forms in this recordkeeping package are fillable/writable*
PDF documents, you can type into the input form fields and then save your inputs using the free Adobe PDF Reader.



Form approved OMB no. 1218-0176

Summary of Work-Related Injuries and Illnesses

All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year Remember to review the Log to verify that the entries are complete and accurate before completing this summary.

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0."

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Number of G Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer of restriction	Total number of other recordable cases	
(G)	(H)	(1)	(1)	
Number of L)ays			
Total number of da away from work		tal number of days of job	COLUMN TO THE PROPERTY OF THE	
9		Ō		
(K)		(L)		
Injury and I	liness Types			
Total number o	f		20	
(I) Injuries		(4) Poisonings	0	
(2) Skin disorders		(5) Flearing loss	0	
(3) Respiratory cor	iditions ()	(6) All other illnesses	0	

Post this Summary page from February 1 to April 30 of the year following the year covered by the form.

Public reporting barders for this collection of information is cuttin stell to a varyer. St minutes per regionee, including time for realize the intentivious, search only public the data received and complete and review the collection of information. Person of one attention to repose to the collection of information under it steples to currents waited OME control number. If you have any complete and environ these existences on operation and a species of the data collection, under US Department of Labor, OSHA, Office of Statistical Analysis. Pours N7-64-4 261 Construction Avenue, NW. Westington, OR. 20/3/10. Direction the complete and format to the office.

Street 1075 Airport I	Road	makening rivers being become being
City Fall River	State MA	Zip 02720
Industry description (e.g., Manual Recycling	facture of mator true	k trailers)
Standard Industrial Classification	n (SIC), if known (a,	ą., 3715)
5093		
OR		
North American Industrial Clas	sification (NAICS), i	t known (e.g., 33)
423930		
Employment information Worksheet on the next page to a		these figures, see
Annual average number of emp	phyces	35
Total hours worked by all empl	loyees last year 7	0000
Sign here		
Sign here Knowingly falsifying this	document may res	ult in a fine.
T	ed this document a	d that to the be
Knowingly falsifying this is I certify the I have examine my knowledge the ordrics a	ed this document as re true, accurate, or	d that to the be

Niagara Mohawk Power Corporation Exhibit__(SSIR#b/3 National Grid Page 33-E-6/3527 and 20-G-0381 DPS-705 Attachment 3 Page 79 of 93



Managing your risk, protecting your interests

3/27/18

Keith Boyea Complete Recycling Solutions, LLC 1075 Airport Road Fall River, MA 02720

Re: Workers Comp. ERM Rating

Dear Keith:

This will confirm your corporate Workers Comp. Experience Modification for the past 5 year period:

1/1/2014:

.99

1/1/2015:

1.05

1/1/2016:

1.09

1/1/2017:

1.26

1/1/2018:

1.36

As always, please let me know if you need anything further.

Sincerely,

John Browne

Vice President





Wendor-Auditp-Complete Recycling Solutions, LLC - Fall River, MA

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

Page 339-67352 and 20-G-0381

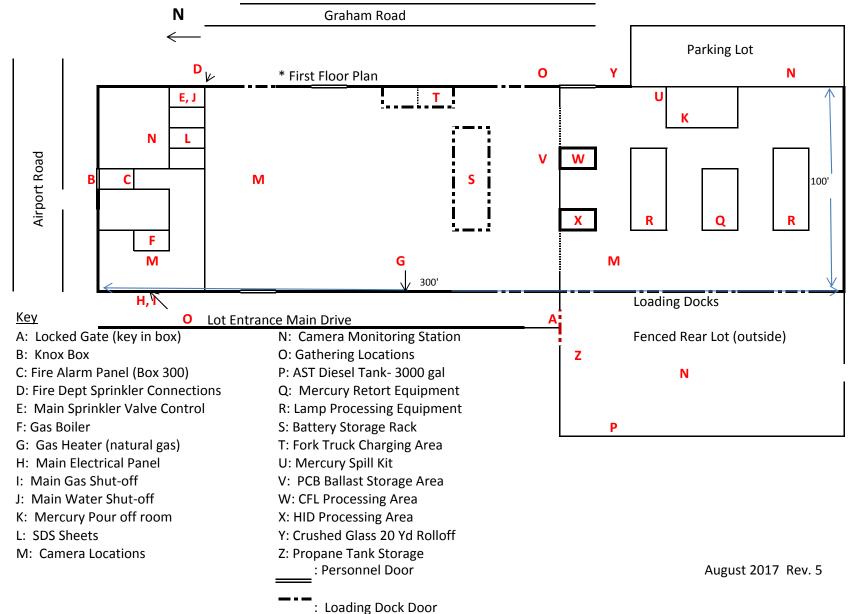
DPS-705 Attachment 3

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ATTACHMENT D

Facility Site Plan

Niagara Mohawk Power Corporation
Exhibit__(SSIR#b/g) National Grid
Page 3440:0752 and 20-G-0381
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Wendor-Auditp-Complete Recycling Solutions, LLC - Fall River, MA

Niagara Mohawk Power Corporation

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ATTACHMENT E

Closure Letter of Credit





This credit is subject to "the Uniform Commercial Code".

Attachment 3 Page 85 of 93

Niagara Mohawk Power Corporation

Wendor-Auditp-Complete Recycling Solutions, LLC - Fall River, MA

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

Page 345-61352 and 20-G-0381

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ATTACHMENT F

Certificate of Insurance

COMPREC-01 Exhibit (SSIRP 19 National Grid CAMO) Page 346-01352 and 20-G-038

DP\$-755Mttachment 3

CERTIFICATE OF LIABILITY INSURANCE

12/29/2017_{f 93}

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT Ryan Arsenault PHONE (A/C, No, Ext): (781) 235-3100 239 E-Mall ADDRESS: RArsenault@chinsurance.com		
The Corcoran & Havlin Insurance Group 287 Linden Street			
Wellesley, MA 02482			
	INSURER(S) AFFORDING COVERAGE	NAIC #	
	INSURER A: Nautilus Insurance Company	17370	
INSURED	INSURER B: Great Divide Insurance Company	25224	
Complete Recycling Solutions LLC	INSURER C: Great American Insurance Company	16691	
1075 Airport Road	INSURER D:		
Fall River, MA 02720	INSURER E:		
	INSURER F:		

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

E.	XCLL	JSIONS AND CONDITIONS OF SUCH	POLI	CIES.	LIMITS SHOWN MAY HAVE BEEN					
INSR LTR		TYPE OF INSURANCE	ADDL INSD	SUBR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMIT	s	
Α	X	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	\$	1,000,000
		CLAIMS-MADE X OCCUR	х	Х	ECP2007389-15	01/01/2018	01/01/2019	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	100,000
	X	Pollution						MED EXP (Any one person)	\$	5,000
								PERSONAL & ADV INJURY	\$	1,000,000
	GEN	I'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$	2,000,000
	X	POLICY PRO- JECT LOC						PRODUCTS - COMP/OP AGG	\$	2,000,000
		OTHER:						PROF LIAB	\$	1,000,000
В	AUT	OMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$	1,000,000
	X	ANY AUTO	Х	X	MAA1541099-16	01/01/2018	01/01/2019	BODILY INJURY (Per person)	\$	
		OWNED SCHEDULED AUTOS AUTOS						BODILY INJURY (Per accident)	\$	
	X	HIRED AUTOS ONLY X NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	\$	
	X	MCS-90							\$	
Α	X	UMBRELLA LIAB X OCCUR						EACH OCCURRENCE	\$	4,000,000
		EXCESS LIAB CLAIMS-MADE	X	X	FFX1541098-17	01/01/2018	01/01/2019	AGGREGATE	\$	4,000,000
		DED RETENTION \$							\$	
В	WOF	RKERS COMPENSATION EMPLOYERS' LIABILITY						X PER OTH- STATUTE ER		
	ANY	PROPRIETOR/PARTNER/EXECUTIVE N	N/A	X	WCA2013395-13	01/01/2018	01/01/2019	E.L. EACH ACCIDENT	\$	1,000,000
		idatory in NH)						E.L. DISEASE - EA EMPLOYEE	\$	1,000,000
	DÉS	s, describe under CRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	\$	1,000,000
С	Cor	nmercial Property		X	MAC4229813-04	01/01/2018	01/01/2019	Building		2,100,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
National Grid USA its direct and indirect parents subsidiaries and affiliates are included as additional insureds on a primary and non-contribtuory basis on the
General Liability, Contractors Pollution, and Excess Liability policies for ongoing and completed operations as required by written contract. National Grid
USA its direct and indirect parents subsidiaries and affiliates are included asadditional insureds on the Automobile Liability policy as required by written
contract. Waiver of subrogation applies in favor of National Grid USA its direct and indirect parents subsidiaries and affiliates on all policies listed above as
required by written contract.

CERTIFICATE HOLDER	CANCELLATION

National Grid USA Attn: Risk & Insurance Department 300 Erie Blvd West, A-4 Syracuse, NY 13202 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Of Deleter II

Wendor-Auditp-Complete Recycling Solutions, LLC - Fall River, MA

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

Page 34-E-67-52 And 20-G-0381

DPS-705 Attachment 3

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ATTACHMENT G

Facility Permit

Niagara Mohawk Power Corporation
Exhibit__(SSIR#b/g National Grid
Page 348-67362 and 20-G-0381
DPS-705 Attachment 3
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Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

DEVAL L PATRICK

TIMOTHY P. MURRAY Lieutenant Governor RICHARD K. SULLIVAN JR. Secretary

> KENNETH L. KIMMELL Commissioner

HAZARDOUS WASTE RECYCLING PERMIT

Complete Recycling Solutions, L.L.C. Name of Permittee

1075 Airport Road
Fall River, MA 02720
Facility and Mailing Address

Keith Boyea Contact Person October 3, 2013 Effective Date Class Permit No.

(508) 402-7700 Phone Number October 3, 2018 Expiration Date MAD980915755 EPA Identification No.

This is to certify that the above named company is authorized to manage regulated recyclable materials pursuant to M.G.L. Chapter 2IC and 310 CMR 30.200.

This permit authorizes recycling of the following materials only:

Material Description	MassDEP Waste Code	Amount
Mercury Contaminated Waste	D009*, U151*, D006* D008*, MA95**, MA99	Total - All Waste Codes Included 30,000 tons/year
Elemental Mercury Waste	D009, U151	30,000 tons/year

- * These waste codes pertain to the identification, classification and receipt of mercury contaminated articles.
- ** This waste code pertains to the identification, classification and mercury contaminated articles, under the Universal, Waste Rule at 310 CMR 30.1000.

DESCRIPTION OF RECYCLING OPERATIONS

Reclamation of mercury from mercury contaminated manufactured articles (MCMA).

Reclamation of elemental mercury waste classified as spent material.

Reclamation of elemental mercury waste classified as off-specification batches of commercial chemical products or discarded commercial chemical products or spill residues of either (310 CMR 30.133). It does not include reclamation of chemically bound mercury.

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LOCATION OF RECYCLING OPERATIONS

Complete Recycling Solutions, L.L.C. 1075 Airport Road Fall River, MA 02720

This permit authorizes Complete Recycling Solutions, L.L.C. to manage mercury contaminated manufactured articles (MCMA) as Class C regulated recyclable material for the purpose of reclaiming mercury waste, subject to the terms and conditions of this permit.

THIS PERMIT AUTHORIZES ONLY THE NAMED PERMITTEE TO ENGAGE IN THE ACTIVITIES DESCRIBED HEREIN. THIS PERMIT DOES NOT GRANT ANY RIGHTS NOT OTHERWISE GRANTED BY FEDERAL, STATE, OR LOCAL STATUTES, ORDINANCES, OR REGULATIONS. THE PERMITTEE SHALL COMPLY AT ALL TIMES WITH ALL STATE AND FEDERAL REGULATIONS AND STATUTES APPLICABLE TO THE MANAGEMENT OF REGULATED RECYCLABLE MATERIALS.

CERTIFICATION STATEMENT

Solutions, L.L.C., Fall River, MA, hereby certifies under penalty of law that: (1) I have personally examined and am familiar with the information submitted in this document and all attachments hereto and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete; and (2) I have full authority to sign this document on behalf of Complete Recycling Solutions, L.L.C., and by doing so, I am legally binding Complete Recycling Solutions, L.L.C., to comply with all the requirements set forth in this document. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment. The Complete Recycling Solutions, L.L.C. agrees to comply with all the requirements set forth in this document, (3) the individual whose signature appears below has full authority to sign this document on behalf of Complete Recycling Solutions, L.L.C., and that by doing so, he/she is legally binding Complete Recycling Solutions, L.L.C. to comply with all the requirements set forth in this document.

requirements set forth in this document.		
COMPLETE RECYCLING SOLUTIONS, L.L.C.	Data	9-11-13
By: July Doge	Date: _	9-11-15
Title: <u>Piredor</u>		
ISSUED BY THE MASSACHUSETTS DEPARTM	MENT OF	ENVIRONMENTAL
PROTECTION.		01.10
By: James Lacet	Date: _	3/14/13
James Doucett, Deputy Director		
Business Compliance Division		
Bureau of Waste Prevention		

Wendor-Auditp-Complete Recycling Solutions, LLC - Fall River, MA

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

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DPS-705 Attachment 3

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ATTACHMENT H

Compliance History

1075 Airport Road • Fall River, MA 02720 • Phone (508) 402-7700 • Fax (508)-402-7750 12N World's Fair Drive • Somerset, NJ 08873

04/2018

Compliance History- CRS

<u>Agency</u>	<u>Date</u>	<u>Comments</u>
MA DEP	March, 2004	Class C Issuance inspection, No Violations
City of Fall River	March, 2004	Class C Issuance inspection, No Violations
MA DEP	May, 2005	Class C, LQH-UW, LQG, TURA-LQTU- No Violations
EPA	May, 2006	TSCA Inspection- No violations
MA DEP	May, 2006	Class C, LQH-UW,LQG,TURA-LQTU- No Violations
EPA	April, 2007	TSCA Inspection- No violations
MA DEP	June, 2007	Class C, LQH-UW,LQG,TURA-LQTU- No Violations
MA DEP	Sept. 2008	Class C, LQH-UW,SQG,TURA-LQTU- No Violations
EPA	Feb. 2010	TSCA Inspection- No violations
MA DEP	Jan. 2012	Class C, LQH-UW, SQG,TURA-LQTU- No Violations
MA DEP	Dec. 2014	Class C, LQH- UW, TURA No Violations
EPA	Apr. 2018	TSCA Inspection- No violations

Niagara Mohawk Power Corporation Exhibit__(SSIR#b/a) National Grid Page 252-67352 and 20-G-0381 DPS-705 Attachment 4

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National Grid

Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

Date of Review: March 13, 2019 Date of Last Review: August 2, 2013
Prepared By: Donald Campbell
Vendor Name: Bayshore Soil Management (BSM)* Vendor Address: 75 Crows Mill Road Keasbey, NJ 08832
CHWMEG Report Evaluation Date of CHWMEG Audit:
BACKGROUND:
List wastes National Grid is requesting to send to this facility
Non-haz petroleum contaminated soils, coal tar contaminated soils
List National Grid groups that use or potentially use this facility:
Site Investigation and Remediation and possibly Environmental Compliance through their
support of Operations
FACILITY IS: (check all that apply):landfillincinerator _X_treatment facilityother (list):
RECOMMENDATION:
Retain Bayshore Soil Management on National Grid's Approved Vendor List.
Another year, the VAG should consider asking CHWMEG about the possibility of an audit for Bayshore Soil Management, alone, rather than in combination with Bayshore Recycling Corporation.
VAG accepted for use: [X]Yes []No DATE: March 13, 2019
APPROVED VENDOR LIST UPDATED: DATE: March 13, 2019

*The Bayshore family of companies operates seven separate and distinct recycling operations on a 51.13-acre property. Of these, the CHWMEG review focuses on Bayshore Recycling Corporation (BRC) operations and includes additional information that was provided, particularly on Bayshore Soil Management (BSM). At times there appears to be conflation in the CHWMEG report with respect to whether the discussion pertains to BRC, BSM, or both. BRC recycles concrete, asphalt, brick, bock, wastewater treatment plant residuals, carbon filtration media, and slag. Those materials are processed into marketable products using a variety of applications.

[†]BSM is a low-temperature thermal desorption (LTTD) facility.

Revision 0
Revision Date: 1/14/16
Page 1 of 7

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

Page 255-67552 and 20-G-0381

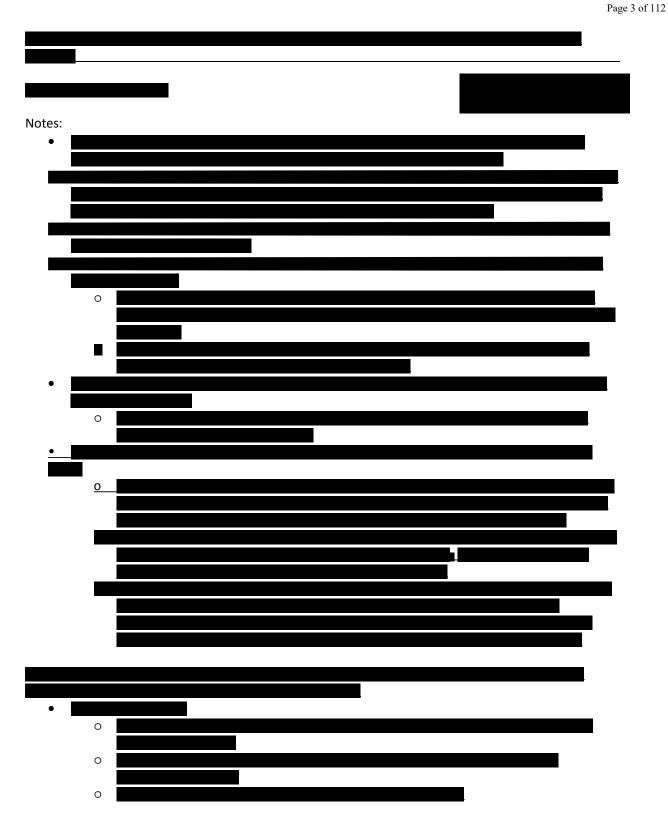
DPS-705 Attachment 4

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VENDOR EVALUATION

ASPECT REVIEWED			
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		_	
		_	
•			
	_		

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5) EXISTING CONTAMINATION OF SITE Notes: Contamination is present on the property and in the immediate area. The contamination is attributed to former operations and historic fill. The former Carborundum site is brownfields site.

> Revision 0 Revision Date: 1/14/16

There is reportedly groundwater contamination, beneath the property, the remediation of which is the

Niagara Mohawk Power Corporation

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responsibility of others.
A change in site ownership in 1995 triggered a remedial investigation under the Industrial Site Recovery Act. There is a remedial investigation report dated May 2016. 42 AOCs were investigated, of which 31 have received No Further Action (NFA) determinations. A 2005 Remedial Action Work Plan requires engineering controls and a deed notice. Of the 11 AOCs without NFA determinations, five have been investigated by BP and the property owner needs to complete the engineering control. The 2016 RI report recommends asphalt caps and deed notices for four soil AOCs of the six remaining AOCs. Groundwater is also an AOC. Groundwater requires monitoring, deed notice, and a Classification Exception Area. A vapor intrusion investigation will be required should the use of the site building change to other than the current industrial use.
6) PROXIMITY TO SENSITIVE RECEPTORS Notes:
Groundwater:
The quality of the uppermost groundwater is unsuitable for use, and the usable aquifer is used for commercial/industrial supply. Drinking water is provided by the Middlesex Water Company, which obtains water from the Delaware and Raritan Canal and upgradient wellfields. The nearest downgradient wells are over 3 miles away. The population served by groundwater within three miles is zero. Natural receptors within one mile are low quality surface water and/or wetlands. Based on the above, the RAS groundwater receptor subscore is 17.1.
Surface water:
Local surface water quality is unsuitable for use. The proximity of the closest surface water intake is over three miles. Wetlands associated with the Raritan River are adjacent to the site.
Based on the above, the RAS surface water receptor subscore is 17.2.
<u>Air:</u>
The nearest residence is within 2,000 feet, and the population within three miles is greater than 10,000. The nearest commercial/industrial complex is within 2,000 feet, and the predominant land use within three miles is commercial/industrial. The nearest sensitive population is within 2,000 feet.
Based on the above, the RAS Air Receptor subscore is 94.1. The high RAS score for the air pathway is due to the facility's location in an urban/suburban area near National Grid's service territory in downstate NY. BSM is the closest LTTD to the downstate NY service territory. Unless National Grid

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high RAS Air Receptor score is unavoidable.	
7) SIGNIFICANT INCIDENTS	X
Notes:	
There have been no fires, spills or explosions at BRC in the l	ast five years. On April 25, 2014, there was
fire in the collocated Transfer Station, Montecalvo Disposal	
have been suspended since then. Montecalvo Disposal Serbut it is not being considered for use by National Grid.	vices is in the Bayshore Family of companies

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Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

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SUMMARY:
The reviewed facility is of higher financial strength. Insurance is currently in place. There were no lost-
time incidents in the three years preceding the CHWMEG review and the RAS health and safety subs-
core is very low. Permits are up-to-date or renewals have been applied for.
There were two NOVs in the five years preceding the report. One is still pending. In addition, a Settlement Order for a \$4,000 penalty was entered, and an ACO was entered to combine two preconstruction permits into a Title V permit.
The site has a long industrial past and there is soil and groundwater contamination that is the responsibility of past owners and/or operators. The site is close to natural receptors and human populations; however, this is unavoidable for a facility located in a densely populated urban/suburban area.
There were no significant incidents in the five years preceding the CHWMEG audit.

National Grid Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

Date of Review: September 18, 2019 Date of Last Review: February 14, 2014
Prepared By: Donald Campbell
Vendor Name: Clean Earth of Philadelphia, LLC
Vendor Address: 3201 South 61st Street
Philadelphia, Pennsylvania 19153
CHWMEG Report Evaluation Date of CHWMEG Audit:May 16, 2019
BACKGROUND:
List wastes National Grid is requesting to send to this facility
Non-hazardous soils: virgin petroleum contamination, waste/used oil contamination, and historic
fill/non-petroleum and MGP (coal tar) contamination.
List National Grid groups that use or potentially use this facility:
Site Investigation and Remediation and Environmental Compliance through their support of Operations
FACILITY IS: (check all that apply):landfillincinerator _X_treatment facility*
transfer facility _X_other (list):soil processing and recycling and transfer facility
*low temperature thermal desorption; "however, facility thermal treatment unit has not been operation since March 2017, because the Clean Earth thermal treatment facilities in Morrisville, PA and New Castle, DE have separated the market for the jobs taken since that time."
RECOMMENDATION:
Retain Clean Earth of Philadelphia, LLC on National Grid's Approved Vendor List.
VAG accepted for use: []Yes []No DATE:
APPROVED VENDOR LIST UPDATED: DATE:

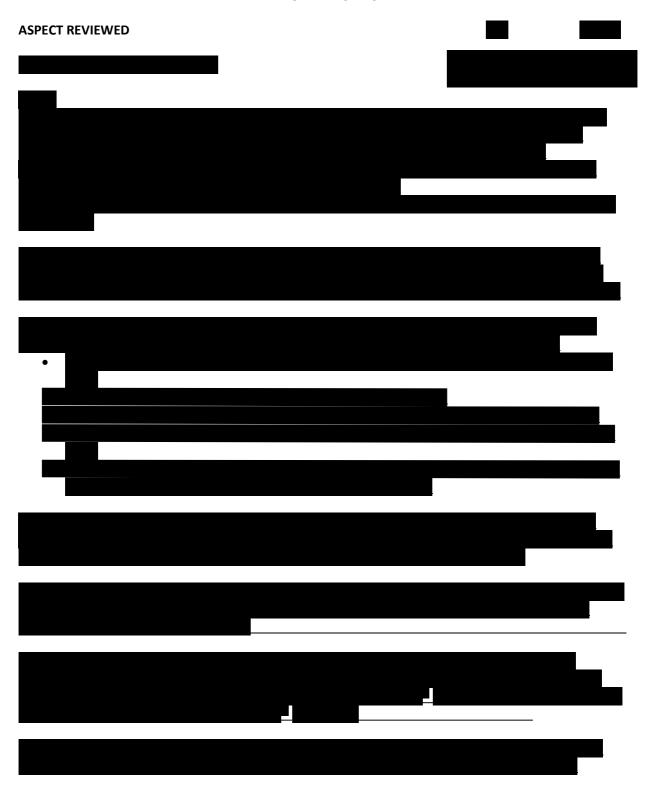
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VENDOR EVALUATION

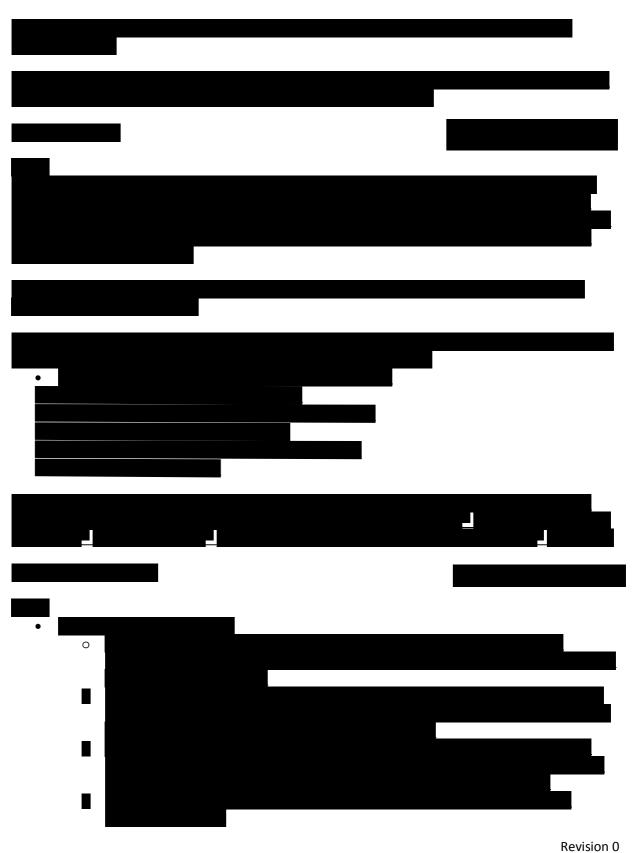


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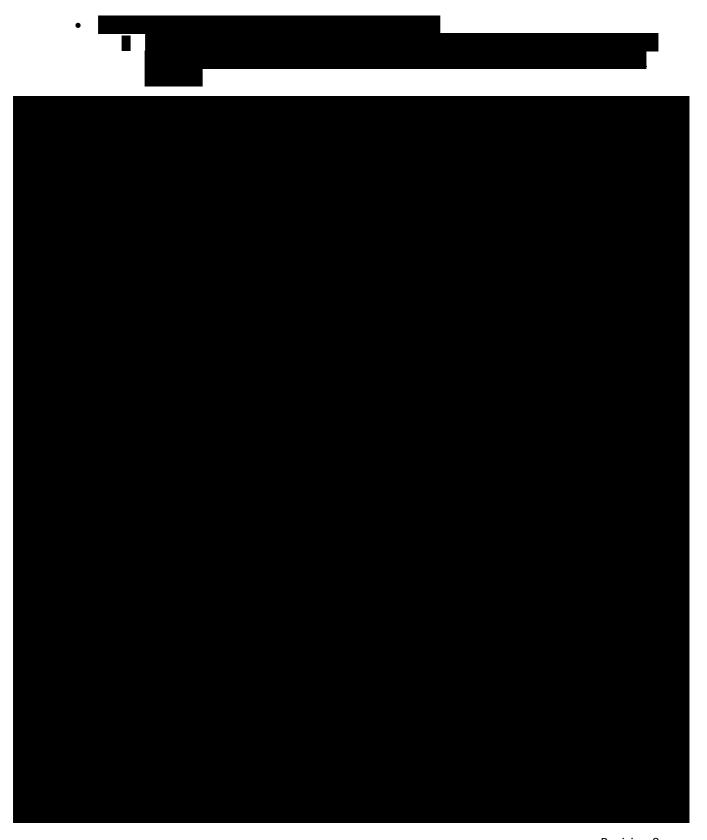
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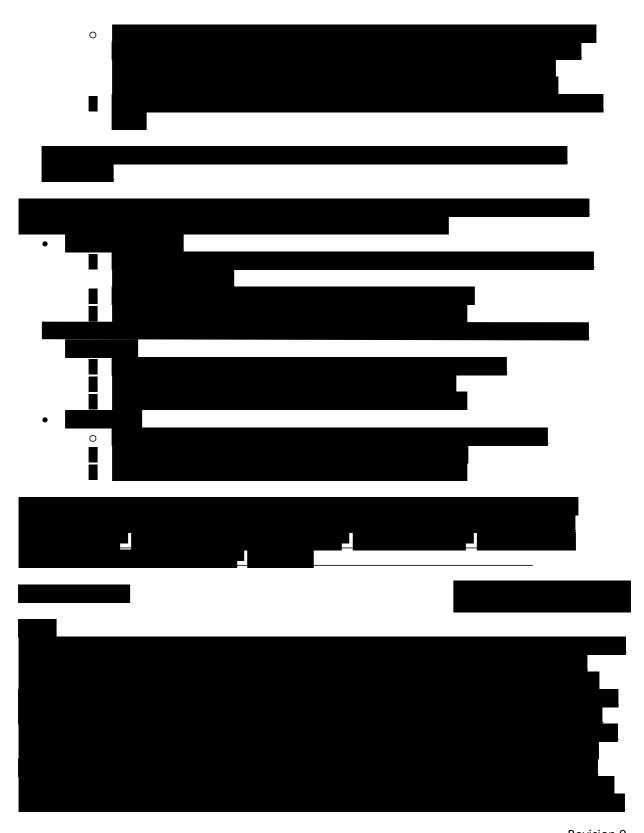
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Notes:

Limited site-specific geology/hydrogeology information is known by and available from the facility.

Based on a geotechnical report from March 2000, the facility is constructed on fill, primarily asphalt and concrete fragments for the first six to ten feet, then mixed with riverbed sediments of black silt to approximately 15 feet. Organic silt is present to a depth of approximately 40 feet, with sand and gravel beneath. At the time, the groundwater table was observed at 10 feet below existing grade. The property slopes lightly towards the Schuylkill River on the northern property boundary.

Bank of America reportedly conducted a Phase I due diligence evaluation of the site at the time of Purchase (2002). There were no environmental issues reportedly identified and no history of significant releases.

There has not been any groundwater sampling or monitoring conducted at the site and no sampling has been required.

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6) PROXIMITY TO SENSITIVE RECEPTORS	X	
Notes:		

Groundwater:

<u>Drinking water for the facility and the City of Philadelphia is obtained from the Schuylkill and Delaware</u>

<u>Rivers. The solid waste permit application indicates that the nearest surface water intake is greater than three miles away. There is no groundwater used for drinking water purposes in the Philadelphia vicinity.</u>

The RAS GW Potential Release Score includes a subscore for GW Receptors. The GW Receptors subscore is comprised of the following categories and inputs:

- Use of Uppermost Groundwater Water quality or quantity unsuitable for use,
- Use of Usable Aquifer -- Water quality or quantity unsuitable for use,
- Proximity to Downgradient Wells 2 3 miles,
- Population Served by Groundwater—Zero, and
- Natural Receptors (w/in 1 mile) High-quality surface water or wetlands.

Based on the above, the RAS groundwater receptor subscore is 20.0 with a confidence of 0.219.

Surface water:

<u>The RAS Surface Water Potential Release Score includes a subscore for Surface Water Receptors. The Surface Water Receptors subscore is comprised of the following categories and inputs:</u>

- Surface Water Use Within 3 Miles Drinking water supplies,
- Proximity to Closest User Intake Within 2,000 feet
- Population Served by Surface Water Over 10,000, and
- Proximity to Sensitive Natural Receptors Fresh water emergent wetlands within 0.21 miles.

Based on the above, the RAS Surface Water Receptor subscore is 96.6 with a confidence of 0.602. The high RAS score for the surface pathway is due substantially to the facility's location on a river and in an urban/suburban area near National Grid's service territory in downstate NY. Experience indicates that high RAS scores due to proximity to urban areas, rivers, and wetlands are common for CHWMEG-reviewed facilities located in New Jersey and eastern Pennsylvania. The high RAS Surface Water Receptor score is not unusual for a facility in CEP's geographical location and is unavoidable without incurring additional costs to ship waste to a treatment facility that is further away and in a less populated area. Based on the types of contamination managed by the facility and the nature of the treatment technologies employed, the additional expense does not appear to be warranted.

Air:

The RAS Air Potential Release Score includes a subscore for Air Receptors. The Air Receptor subscore is comprised of the following categories and inputs:

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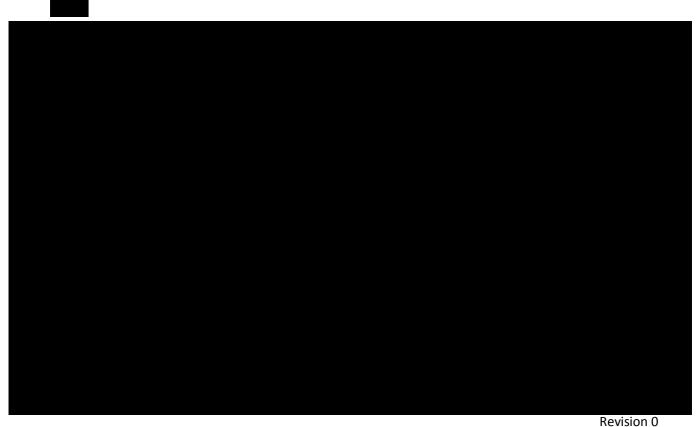
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- Population Within 3 Miles Over 10,000,
- Proximity to Nearest Residence -- Within 2,000 feet,
- Proximity to Comm/Ind Complex -- Within 2,000 feet,
- Predominant Land Use W/in 3 Miles Commercial/Industrial, and
- Proximity to Sensitive Natural Receptors Within 2,000 feet.

Based on the above, the RAS Air Receptor subscore is 94.1 with a confidence of 1.000. . Experience indicates that high RAS scores due to proximity to urban areas, rivers, and wetlands are common for CHWMEG-reviewed facilities located in New Jersey and eastern Pennsylvania. The high RAS Air Receptor score is not unusual for a facility in CEP's geographical location and is unavoidable without incurring additional costs to ship waste to a treatment facility that is further away and in a less populated area. Based on the types of contamination managed by the facility and the nature of the treatment technologies employed, the additional expense does not appear to be warranted.

7) SIGNIFICANT INCIDENTS	X	
Notes:		
There have been no reported fires, spills or releases at CEP in the last five year time incident in the past three years.	rs. There was or	ne lost-



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SUMMARY:

The reviewed facility is of lower to indeterminant financial strength based on Altman Z and RAS scores, but the market value has increased \$382 million in the last five years. Insurance is currently in place.

Permits are up-to-date or renewals have been applied for.

There were five NOVs in the five years preceding the report. These and other observed conditions are characterized as "minor compliance problems" by the CHWMEG auditor.

The site is built on fill. It is not known to be contaminated. It is close to natural receptors and human populations; however, this is unavoidable for a facility located in a densely populated urban/suburban area and near to the downstate New York service territory.

There were no significant incidents in the five years preceding the CHWMEG audit. There was one lost-time incident in the three years preceding the CHWMEG review.

The facility is recommended for retention on National Grid's Approved Vendor List.

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EP-18 Form 5 VENDOR EVALUATION

National Grid

Vendor Audit Form for Documenting Audits conducted by CHWMEG

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Date of Review: 03/05/2019

Date of Last Review: 05/05/2013

Prepared By: R. Fox

Vendor Name: Clean Harbors Deer Park, LLC

Vendor Address: 2027 Independence Parkway South, Deer Park, NY

Date of CHWMEG Audit: 05/15/2018

CHWMEG Report Evaluation

BACKGROUND

List Wastes National Grid is requesting to send to this facility:

Hazardous waste for incineration

List National Grid groups that use or potentially use this facility:

All of US operations either do or could potentially use this facility, below is a history of shipments:

- 2013 15 shipments
- 2014 14
- 2015 38
- 2016 63
- 2017 50
- 2018 57

All the above shipments are from New England other than: Dewey Ave (UNY-West) used twice in 2013, and an UNY SIR Site (Wallace & Son) used once in 2013.

FACILITY IS: The facility's primary activity is incineration. The onsite landfill, storage, and wastewater treatment activities support incineration. The facility also conducts transfer operations for bulked batteries/lightbulbs, special mixed RCRA wastes for which treatment elsewhere is more appropriate and items such as naturally-occurring radioactive materials (NORM) waste, pesticides and certain metals.

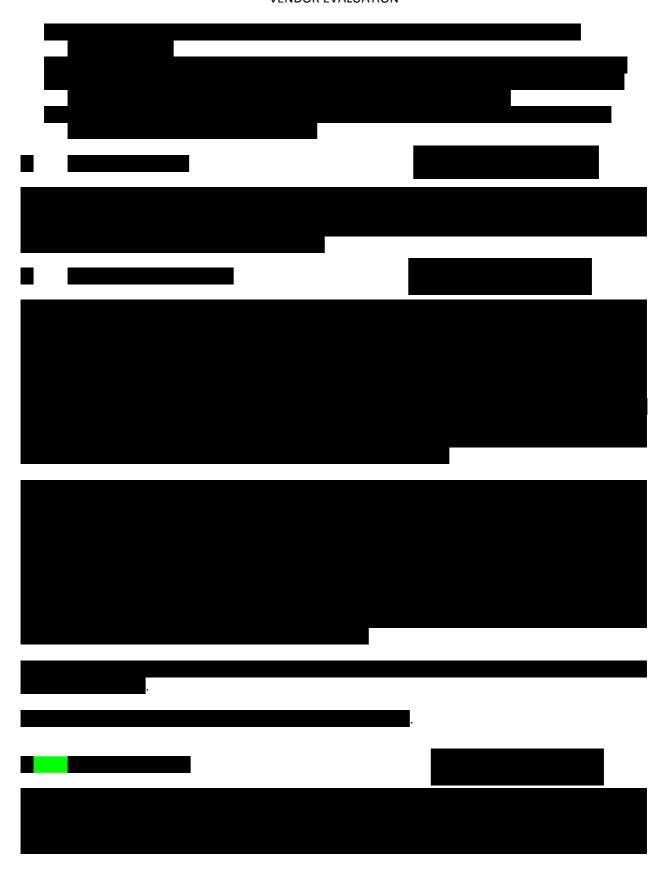
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EP-18 Form 5 VENDOR EVALUATION

RECOMMENDATION

Facility is recommended for continued use (s	see Summary a	at end of review)
VAG accepted for use: { } Yes	{ } No	DATE:
APPROVED VENDOR LIST UPDATED:		DATE:
SITE LAYOUT and OPERATIONS		
Clean Harbors Deer Park, LLC (CHDP) Environmental Services, Inc. (CHES), which (CHI), a publicly-traded company with he encompasses approximately 145 acres, 136 The facility is in the Deer Park Industrial Dist of and is operated by the City of Deer Par refineries, petrochemical plants, waste treat and terminal facilities. There are no tenant activities support incineration. The facility batteries/lightbulbs, special mixed RCRA was and items such as naturally-occurring radioa metals. Examples of the types of wastes recontaminated soils and sludges, aerosols, digas cylinders. Transfer operations are typical stabilization and encapsulation of filter cake not accept municipal solid waste, asbestos. Though the facility has no permit restriction amount it accepts due to limitations on the while continuing to meet air and water permit	n is a wholly-or eadquarters in a dispersion of which are a crict, which is wisk. Texas. The ment and dispersivities on the The onsite largetive materials eived at this significant incinerate or radioactive on the accepamount of me	wheel subsidiary of Clean Harbors, Inc. Norwell, Massachusetts. The facility active. The property is owned by CHDP. within the extraterritorial jurisdiction (ETJ) industrial district consists of petroleum osal facilities, and related transportation property. Indfill, storage, and wastewater treatment ducts transfer operations for bulked treatment elsewhere is more appropriate is (NORM) waste, pesticides and certain te are isocyanates, chlorinated solvents, g waste (stored but not incinerated) and m in-drum out. The facility also performs or ash generated onsite. The facility does be waste (with the exception of NORM) cotance of mercury, the facility limits the recury that may be fed to the rotary kilns
ASPECT REVIEWED		
		•

EP-18 Form 5 VENDOR EVALUATION



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EP-18 Form 5 VENDOR EVALUATION

5)	EXISTING CONTAMINATION OF SITE	_	X	

Groundwater contamination exists at this site. Groundwater contamination originated from pre-RCRA lagoons. The lagoons were closed in 1987 in accordance with a United States Environmental Protection Agency (EPA) agreed order. The facility's Part B permit was issued in 1988 and included a compliance plan that has been revised five times. The most recent revision, in 2007, was to install new monitoring wells. Constituents of concern include chlorinated solvents (e.g., chlorobenzene) that have not migrated offsite. The facility is utilizing a pump and treat system that has been effective in reducing the contaminants in the groundwater. Contaminated groundwater is treated in the onsite wastewater treatment plant.

An environmental site assessment, likely a Phase I survey, was completed by CHI prior to the acquisition of the facility from Safety-Kleen. No additional significant issues were thought to have been found. Clean Harbors is responsible for funding ongoing groundwater remediation activities as part of a compliance plan.

The last underground storage tank, a 2,000-gallon diesel fuel tank, was removed in 1993.

On October 22, 2013, there was a discharge of an estimated 150,000 gallons of treated process water to Tucker Bayou due to the failure of a pump motor. There have been 10 incidents of excess opacity (due to mechanical or waste content issues and not to employee error) in the last 5 years (approximately two per year). There have been no other noteworthy spills, fires or explosions in the past five years.

X	
	X

According to EPA's Enforcement and Compliance History Online (ECHO) database, there are no residents within one mile of the facility. The facility is bordered by a petroleum storage terminal to north and east and chemicals manufacturing facilities to the south and west. The closest residence is approximately 2.2 miles feet southwest of the facility. The closest school is located approximately 1.3 miles southwest of the facility. The closest surface waters are Tucker Bayou, which is adjacent to the facility to the west.

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EP-18 Form 5 VENDOR EVALUATION

7)	SIGNIFICANT INCIDENTS				X		
There	have been no fires, explosions	s, spills	or releases	in the last five	years at th	ne facility.	
	, ,	, ,			•		

SUMMARY:

Based on the above detailed review and its historic use by National Gird, the facility is recommended to be retained on the "Approved Disposal Facilities List."

National Grid Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

Date of Review: <u>06/12/18</u> Date of Last Review: <u>05/16/13</u>
Prepared By: Joanne Lupa, Environmental NE
Vendor Name: Clean Harbors PPM, LLC. Vendor Address: 2247 Highway 71 Kimball, NE 69145
CHWMEG Report Evaluation Date of CHWMEG Audit:
BACKGROUND:
List wastes National Grid is requesting to send to this facility
Coal tar contaminated soils
List National Grid groups that use or potentially use this facility: SIR
FACILITY IS: (check all that apply): X landfill X incineratortreatment facilitytransfer facilityother (list):
RECOMMENDATION:
This facility is recommended for continued use
VAG accepted for use: []Yes []No DATE:
APPROVED VENDOR LIST LIPDATED: DATE:

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Revision Date: 1/14/2016

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VENDOR EVALUATION



5) EXISTING CONTAMINATION OF SITE Notes:

<u>X</u>

No groundwater contamination has been identified at the site. There is no information that the facility has impacted subsurface soils.

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ASPECT REVIEWED	SAT	UNSAT	
6) PROXIMITY TO SENSITIVE RECEPTORS Notes:	<u>X</u>		
There are no sensitive receptors (hospitals, school radius of the facility.	s, animal preserv	es, wetlands) within a	three miles
7) SIGNIFICANT INCIDENTS Notes:	<u>X</u>		
There have been no reported significant incidents a .	at this facility		
	_		
SUMMARY:			
This facility is recommended for continued use			

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Revision Date: 1/14/2016

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National Grid Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

Date of Review: March 201	9	Date of Last Review: <u>Nov 2013, based on</u>
		National Grid site visit on Nov. 8, 2013
Prepared By: <u>David T</u>	hompson	
		(CHBI)
Vendor Address: 1 Hill Av Braintre		02184
CHWMEG Report Evaluation	Date of CHWMEG A	Audit:April 13, 2018
BACKGROUND:		
List wastes National Grid is re Various waste streams	-	-
List National Grid groups that Various SIR and others	•	•
	r (list): RCRA stora	_incinerator <u>x</u> treatment facility age, treatment, and transfer (i.e., a commercial bulking facility).
RECOMMENDATION: Recommended for continued	use by National Gri	id.
<u>Clean Harbors accepts a wide</u> to National Grid.	variety of waste ma	aterials and has long provided excellent service
VAG accepted for use:	[]Yes []No	DATE:
APPROVED VENDOR LIST UPD	ATED:	DATE:
	VENDOR EV	ALUATION
ASPECT REVIEWED		
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site during the last five years.

Niagara Mohawk Power Corporation

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5) EXISTING CONTAMINATION OF SITE	X
In January 1989, the EPA issued a RCRA Facility Assessment RCRA permitting process. In October 1989, EPA and Clean I 3008(h) Consent Order that established requirements for a RFI characterized site conditions for the purpose of evaluat potential corrective actions at 14 Areas of Concern (AOCs) performed in 1991 and 1992 and, based on the findings, the Stabilization Plan which was submitted to the EPA in July 1 plan were implemented and a draft RFI Phase II Work Plan 2006 in accordance with a Consent Order. The Work Plan v implementation has not yet been required.	Harbors entered into a RCRA Section RCRA Facility Investigation (RFI). The sing the need for and the scope of identified in the RFA. The RFI was e facility developed a Site 1994. The recommendations of this was submitted to the EPA in August
A draft Phase II report was submitted in October 2010. This of No Significant Risk did not exist at the site, primarily due in several locations. In addition, the full extent of Light Nor 1,1,1-tetrachloroethane (TCA) have not been delineated. F complete the delineation and remediate the potential sour the EPA responded with comments to the draft Phase II repute the next steps. Remediation of contaminated so have been capped. The resolution of the issues regarding the site transitioning into the Massachusetts Contingency Plan and/or remediation will continue under the MCP. Future at LNAPL and TCA in some areas of the site, and remediation	to the presence of PCBs in site soils and the presence of the presence of the presence of the Phase II report will result in the (MCP), and further assessment of the presence of the pre
6) PROXIMITY TO SENSITIVE RECEPTORS	X
According to the CHWMEG report, the population is approximation the facility and the nearest residence is located approximation closest school is located approximately 3,000 feet northwe water body is the Weymouth Fore River which abuts to the	tely 925 feet to the south. The st of the facility. The nearest surface
In regards to water supply, bottled water is utilized on-site municipal water is supplied and utilized for non-potable puwater in the surrounding area is also supplied by the muni sources of the water are reservoirs located approximately	rposes (sinks, showers, and toilets). cipal drinking water system. The
7) SIGNIFICANT INCIDENTS	<u>x</u>
According to the CHWMEG report, fires, explosion, or othe	r incidents have not occurred at the

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SUMMARY:

Considering that all of the aspects reviewed are satisfactory, CHBI is recommended for continued use and to be retained on the "Approved Disposal Facilities List."

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EP-18 Form 5 VENDOR EVALUATION

National Grid

Vendor Audit Form for Documenting Audits conducted by CHWMEG

EP - 18 Form 5

Date of Review: 03/05/2019

Date of Last Review: 05/05/2013

Prepared By: R. Fox

Vendor Name: Clean Harbors Deer Park, LLC

Vendor Address: 2027 Independence Parkway South, Deer Park, NY

Date of CHWMEG Audit: 05/15/2018

CHWMEG Report Evaluation

BACKGROUND

List Wastes National Grid is requesting to send to this facility:

Hazardous waste for incineration

List National Grid groups that use or potentially use this facility:

All of US operations either do or could potentially use this facility, below is a history of shipments:

- 2013 15 shipments
- 2014 14
- 2015 38
- 2016 63
- 2017 50
- 2018 57

All the above shipments are from New England other than: Dewey Ave (UNY-West) used twice in 2013, and an UNY SIR Site (Wallace & Son) used once in 2013.

FACILITY IS: The facility's primary activity is incineration. The onsite landfill, storage, and wastewater treatment activities support incineration. The facility also conducts transfer operations for bulked batteries/lightbulbs, special mixed RCRA wastes for which treatment elsewhere is more appropriate and items such as naturally-occurring radioactive materials (NORM) waste, pesticides and certain metals.

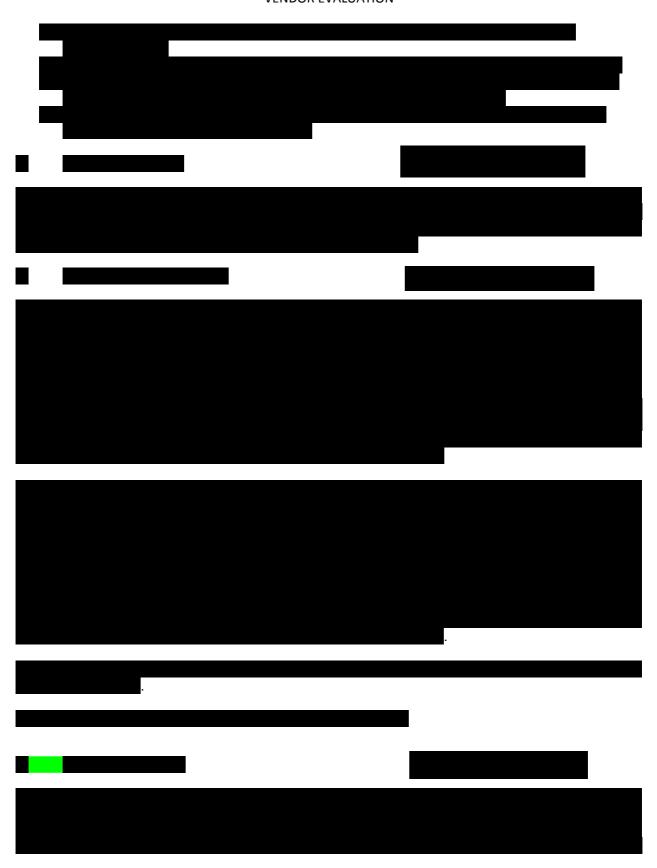
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EP-18 Form 5 VENDOR EVALUATION

RECOMMENDATION

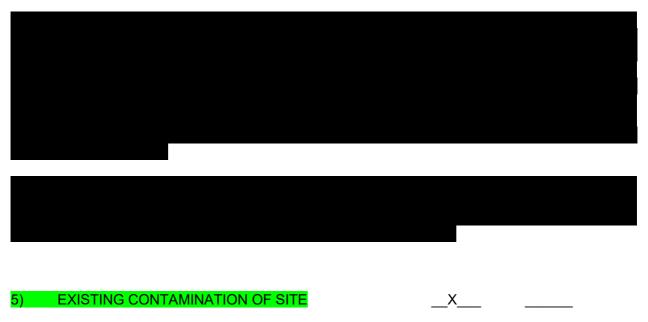
Facility is recommended for continu	ued use (see Sumn	nary at end of review)	
VAG accepted for use: { } Y	es { } No	DATE:	
APPROVED VENDOR LIST UPDA	TED:	DATE:	
SITE LAYOUT and OPERATIONS			
Clean Harbors Deer Park, LLC Environmental Services, Inc. (CHE (CHI), a publicly-traded company encompasses approximately 145 a The facility is in the Deer Park Indu of and is operated by the City of refineries, petrochemical plants, wa and terminal facilities. There are no	ES), which is a why with headquarte cres, 136 of which strial District, which Deer Park. Texas aste treatment and	olly-owned subsidiary of ers in Norwell, Massac are active. The property n is within the extraterritor The industrial district of disposal facilities, and r	Clean Harbors, Inc. husetts. The facility is owned by CHDP. orial jurisdiction (ETJ) consists of petroleum
The facility's primary activity is incidentivities support incineration. It batteries/lightbulbs, special mixed appropriate and items such as national and certain metals. Examples of chlorinated solvents, contaminated not incinerated) and gas cylinders. facility also performs stabilization onsite. The facility does not accept exception of NORM). Though the facility limits the amount it accept to the rotary kilns while continuing the	The facility also d RCRA wastes urally-occurring race the types of wasoils and sludges, Transfer operation and encapsulation to municipal solid was facility has no periods.	conducts transfer oper for which treatment dioactive materials (NOR stes received at this step aerosols, dioxin-contain of filter cake and incine aste, asbestos or radioal mit restriction on the accuracy of the mount of meroson operation on the accuracy of the step of t	erations for bulked elsewhere is more elsewhere is more elsewhere is more elsewhere is esticides ite are isocyanates, ing waste (stored but our in-drum out. The erator ash generated ective waste (with the ceptance of mercury, ocury that may be fed
ASPECT REVIEWED			

EP-18 Form 5 VENDOR EVALUATION



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EP-18 Form 5 VENDOR EVALUATION



Groundwater contamination exists at this site. Groundwater contamination originated from pre-RCRA lagoons. The lagoons were closed in 1987 in accordance with a United States Environmental Protection Agency (EPA) agreed order. The facility's Part B permit was issued in 1988 and included a compliance plan that has been revised five times. The most recent revision, in 2007, was to install new monitoring wells. Constituents of concern include chlorinated solvents (e.g., chlorobenzene) that have not migrated offsite. The facility is utilizing a pump and treat system that has been effective in reducing the contaminants in the groundwater. Contaminated groundwater is treated in the onsite wastewater treatment plant.

An environmental site assessment, likely a Phase I survey, was completed by CHI prior to the acquisition of the facility from Safety-Kleen. No additional significant issues were thought to have been found. Clean Harbors is responsible for funding ongoing groundwater remediation activities as part of a compliance plan.

The last underground storage tank, a 2,000-gallon diesel fuel tank, was removed in 1993.

On October 22, 2013, there was a discharge of an estimated 150,000 gallons of treated process water to Tucker Bayou due to the failure of a pump motor. There have been 10 incidents of excess opacity (due to mechanical or waste content issues and not to employee error) in the last 5 years (approximately two per year). There have been no other noteworthy spills, fires or explosions in the past five years.

	X
--	---

According to EPA's Enforcement and Compliance History Online (ECHO) database, there are no residents within one mile of the facility. The facility is bordered by a petroleum storage terminal to north and east and chemicals manufacturing facilities to the south and west. The closest residence is approximately 2.2 miles feet southwest of the facility. The closest school is located approximately 1.3 miles southwest of the facility. The closest surface waters are Tucker Bayou, which is adjacent to the facility to the west.

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EP-18 Form 5 VENDOR EVALUATION

7)	SIGNIFICANT INCIDENTS		X	
There	have been no fires, explosions	, spills or releases in the la	ast five years at th	e facility.

SUMMARY:

Based on the above detailed review and its historic use by National Gird, the facility is recommended to be retained on the "Approved Disposal Facilities List."

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National Grid

Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

Lehigh Cement Company (formerly ESSROC)

Date of Review: January - March, 2019 Date of Last Review: May 2013

Prepared By: Lisa Montesano

Vendor Name: Lehigh Cement Company (formerly ESSROC Cement Corporation)

Vendor Address: 3084 West County Road 225 South

Logansport, IN 46947

CHWMEG Report Evaluation Date of CHWMEG Audit: August 30, 2018

BACKGROUND:

Wastes National Grid sends or potentially sends to this facility:

Hazardous liquid materials and associated sludges, including paint thinners, solvents, off-specification oil, and aqueous mixtures that are acceptable for Waste Derivative Fuel (WDF) blending. (Wastes are typically batched with wastes derived by others at an approved Clean Harbors facility, and then shipped for fuel blending to Lehigh.)

Groups that have used this facility:

EACILITY IS: (check all that apply).

Various National Grid operating departments (Electric and Gas Operations, Property Services, Fleet Management, etc.), derived from routine operations and maintenance activities, emergency response activities, and project construction work.

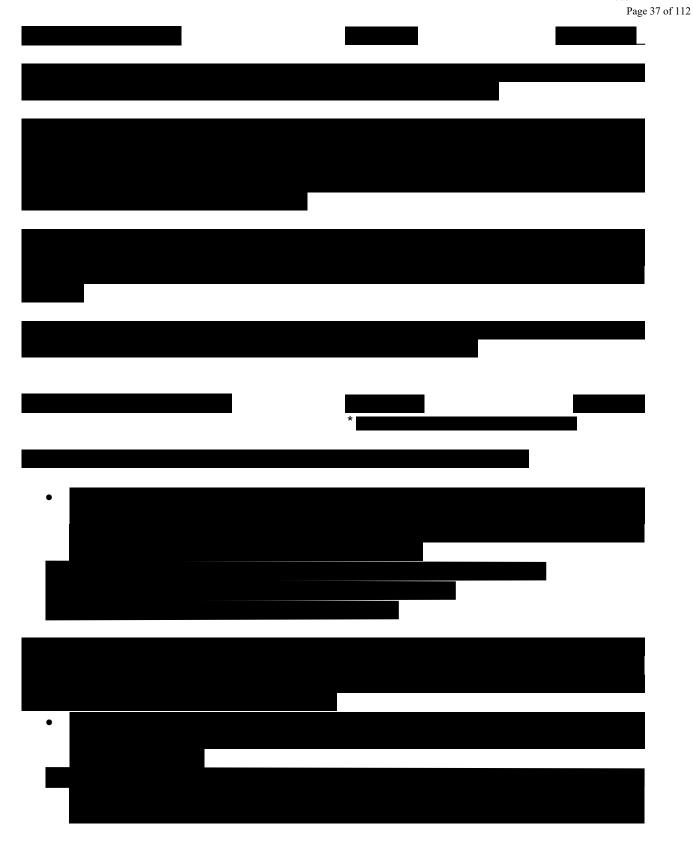
יתו	oilli i io. (check an that apply).
<u>X</u>	landfill
	incinerator
	treatment facility
	transfer facility
X	other (list): WDF operations (to support cement manufacturing)

The Lehigh Cement Company facility is a wholly-owned subsidiary of Heidelberg Cement Group, and among the leading producers of bulk cement and cement products in North America. The Logansport facility is situated on 1,500 acres, of which 104 acres are active including 2.7 acres used for the WDF operations. The facility is a RCRA-permitted hazardous waste fuel blending and cement manufacturing facility, whereby WDF are blended and burned for BTU recovery in cement kilns.

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RECOMMENDATION Lehigh is recommended for retention on the approved VAGPS-705 Attachment 4 vendor list. The facility provides a disposal alternative for wastes eligible for WDF blending, for which limited options are available - thus the reason for its inclusion as an approved vendor circa 2011-2013. It should be noted that the CHWMEG audit revealed numerous recent environmental and safety regulatory compliance citations in the past five years, from the Indiana Department of Environmental Management (IDEM), USEPA and the Mine Safety and Health Administration (MSHA). The facility appears to be subject to intensive, frequent regulatory scrutiny (air, water, waste, limestone quarry, etc.). Although some regulatory discrepancies were resolved in a relatively straightforward manner, others have resulted in monetary penalties and a Consent Decree. Lehigh should be expected to demonstrate improved compliance and to have resolved impending enforcement activities prior to the next VAG audit.

VAG accepted for use:	YESNO	DATE:
APPROVED VENDOR LIST	UPDATED:	DATE
ASPECT REVIEWED:		
•		





5) EXISTING CONTAMINATION AT SITE SAT X

UNSAT

In 1993, the USEPA identified 5 Solid Waste Management Units (SWMU) at the facility as part of a RCRA Facility Investigation, which required further evaluation including: an in-ground concrete basin, two cement kiln pillars, four slurry settling basins, the oil shop, diesel tank sumps, and six USTs. These SWMUs were closed prior to 2006, except for the consequences associate with the in-ground concrete basin, which impacted the on-site groundwater supply well. However, no further actions have been required by USEPA or IDEM at this time based on the results of routine monitoring, indicating the absence of residual contamination migration.

Eight groundwater monitoring wells associated with the on-site CKD landfill are monitored routinely. No associated groundwater contamination has been identified.

6) PROXIMITY TO SENSITIVE RECEPTORS

SAT X

UNSAT____

The facility spans 1,500 acres, of which 104 acres are active and 2.7 acres are for WDF operations. 33 residents are located within 1 mile and 2,617 residents within 3 miles of the facility. Adjacent facilities include a grain storage company, ethanol plant, and agricultural farms. Potable groundwater aquifers provide water supply to the site and surrounding residences and municipalities. Some rural, local residents use private wells for potable water. The nearest surface water is the Wabash River, located two miles to the north of the facility.

7) SIGNIFICANT INCIDENTS

SAT <u>X</u>

UNSAT____

In addition to the above-described regulatory history, no additional significant incidents have occurred in the last five years, including no explosions.

Security at the facility is maintained using chain-link fencing (segregating the sale of the part of the part of the property). In addition, the sale of the property is fenced with chain-link and rural fencing. Security cameras are in use at the waste fuel blending portion of the facility. The facility is in operation 24 hours per day, 7 days per week.



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National Grid

Vendor Audit Form for Documenting Audits conducted by CHWMEG

EP - 18 Form 5

Date of Review: March 11, 2019

Date of Last Review: May 2013

Prepared By: Beverly Auxford-Paiva

Vendor Name: Veolia ES Technical Solutions, LLC

EPA ID: MAC300017498

Vendor Address: 90 Pleasant Street

West Bridgewater, MA 02379 Telephone: (774) 296-6030

Date of CHWMEG Audit: April 12, 2018

CHWMEG Report Evaluation

BACKGROUND

List Wastes National Grid is requesting to send to this facility:

Batteries, computers, televisions, fluorescent lights, fluorescent light ballasts, refrigerators, air conditioners, thermostats and spent or expired Clor-n-Oil test kits.

List National Grid groups that use or potentially use this facility:

Facility is used by Electric and Gas Operations, Facilities, Fleet and SIR.

FACILITY IS: The facility is permitted to reclaim mercury from mercury-contaminated materials and elemental mercury waste, to decontaminate polychlorinated biphenyl (PCB) fluorescent light ballasts and to store PCB contaminated materials. The facility accepts mercury-containing manufactured articles (MCMA) such as fluorescent lamps, high intensity discharge (HID) lamps, batteries, mercury regulators, switches, thermometers and thermostats. These manufactured articles may also contain cadmium or lead as underlying hazardous constituents and carry the corresponding waste codes. The facility also accepts elemental mercury classified as a discarded commercial chemical product, mercury compounds, debris, soil and phosphor that are contaminated with mercury, PCB and non-PCB lamp ballasts, small PCB capacitors (less than 9 pounds), non-flammable refrigerant gas and all types of batteries. The facility also accepts fluorescent lights bulbs for recycle. Computers and other electronic equipment are accepted for dismantling and consolidation.

EP-18 Form 5 VENDOR EVALUATION

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/g) National Grid

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RECOMMENDATION

Facility is recommended for approval a	nd/or continued เ	use (see Summary at end of review)
VAG accepted for use: { } Yes	{ } No	DATE:
APPROVED VENDOR LIST UPDATED):	DATE:

SITE LAYOUT AND OPERATIONS

Site Layout

The facility consists two parcels, Parcel A, which consists of approximately 7 acres and the currently developed portion of the site, and Parcel B, which is approximately 30 acres of undeveloped land. All waste storage and processing activities occur with the approximately 57,000 square-foot building on Parcel A. The active area of the facility is 100% paved. The building is divided into office space, 8 loading/unloading docks, a material receiving area, a material sorting area, an outgoing materials area, container storage, an operations area for the disassembly of electronic equipment, a mercury lamp processing room and a mercury distillation room.

Wastes are segregated upon arrival at the facility and sorted for treatment. Wastes are generally processed within 24 hours. Bar code labels are not used but "document labels" are affixed to each container or package received.

All container storage is indoors. Drums may be stacked two-high with two feet of aisle space. Drums in the ballast recycling area are within curbing as well as being on a pad indoors. There is no limitation, other than limitations of space, on the total number of drums the facility can store with the exceptions that the TSCA area is limited to 804 55-gallon drum equivalents and the Class C mercury storage area is limited to 234 pallets of waste. Both the TSCA and Class C areas have epoxy-coated floors. All transfers occur within the building.

The facility has no storage tanks and the facility does not generate wastewater. No waste liquids, with the exception of liquid elemental mercury (which is rarely received), are accepted into the facility. Any liquid mercury is generally contained in articles such as thermometers, manometers, and switches. Spills and leaks are otherwise prevented by operator attention during material handling.

HEPA filters and activated carbon beds are used on the lamp crusher/separation units. Activated carbon beds are used on the distillation units/retorts. Following air pollution controls, units exhaust to the atmosphere through two stacks outside the building.

The facility operates under a stormwater no-exposure exclusion.

Operations

There are six recycling/transfer activities conducted at the facility:

1. Fluorescent lamps: Lamps are fed individually into one of three crusher/separator units (HID, LSS1, and "C Machine"). Lamps are crushed and components of lamps are separated inside the sealed units. Glass shards are cleaned under vacuum, and sent to NC Minerals in Bloomington, Minnesota to be reused as a glass abrasive for blasting. Aluminum end caps are collected and transported offsite to a scrap dealer. Calcium phosphate (phosphor) powder, which contains mercury from crushed lamps, is collected in small containers and taken to one of three onsite distillation/retort units. Any airborne particles and mercury vapors from the light crushing units are collected in HEPA filters and activated carbon vessels through which air from the units is

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vented. Phosphor powder in containers is placed in one of the three site retort units. A vacuum is established in the retort chamber by an external vacuum pump, and temperature is raised to between 550 and 850 degrees Celsius (electrically heated units, each 9.4 kilowatts). The high temperature is held from six hours to a maximum of twenty-four hours to vaporize mercury from powder. Mercury vapor is condensed, and the liquid elemental mercury produced is collected in 15-gallon containers. Three to four times a year, all mercury collected from retorting is consolidated into DOT-approved containers along with mercury collected directly from pour-off from devices and shipped for further refining and sale to the market. The remaining powder in the retort is cooled and removed from the unit and shipped for disposal. All components from the lamp recycling operations are tested quarterly for both TCLP and total mercury.

- 2. Mercury high intensity discharge (HID) lamps are automatically disassembled in an enclosed unit, which utilizes a series of conveyor belts, crushers, and magnetic separators to separate materials into mercury-containing and non-mercury-containing residuals and the volume is reduced. Glass is consolidated with processed fluorescent lamp glass for use as non-hazardous daily cover at the Waste Management non-hazardous landfill in Taunton, Massachusetts. Ampoules containing mercury are crushed, and the mercury is removed and processed in retorts onsite (much like the phosphor powder from the fluorescent lamp recycling process). The facility also operates a crusher for mercury-containing devices that hold non-pourable elemental mercury, such as thermometers, which is operated intermittently.
- 3. Fluorescent lamp ballasts typically consist of a steel housing unit which contains a small capacitor, a transformer, and an asphalt potting material to hold the components in place. Capacitors may be impregnated with PCBs, and the potting material may also contain PCBs. The ballast units containing PCBs are placed initially in a freezer compartment, which holds temperature below 32 degrees F. for at least 24 hours, and facilitates the subsequent separation of the ballast components. A hydraulic metal cutter is used to cut and remove the steel housing, which is boxed and sent off site as scrap along with any cuttings. Copper wire from internal transformers is cleaned in a proprietary device and recycled to a copper dealer. Spent wash solution is sent offsite for incineration. Potting compound and capacitors containing PCBs are transported offsite for treatment to a TSCA incinerator, or for disposal in a RCRA Subtitle C landfill. Non-PCB Ballasts (i.e., post 1979) do not require dismantling (however wires may be cut) and are scrapped for metals recovery. In some cases, non-PCB ballasts are disassembled similarly to PCB ballasts. However, no "soak and rinse" for PCB contaminant removal is required.
- 4. Old or obsolete electronic equipment, such as computers and peripherals, is transferred offsite for recycling. Some electronic equipment (with higher value components) is disassembled onsite, separating metals and plastics. Hard drives may be erased (military wipe) and/or shredded in a separate unit and shipped offsite for recycling.
- 5. All types of batteries are accepted onsite for sorting (no disassembly). Mercury batteries are segregated and sent to Veolia, Port Washington, Wisconsin. Units with no mercury are transferred offsite for recycling to various applicable facilities. All batteries have contacts taped over prior to further shipment, although they can be received non-taped.
- 6. Certain types of non-flammable refrigerant gases are recovered from air conditioners and refrigerators. Waste gas is sent to Veolia Flanders, New Jersey facility and ultimately to Veolia in Sauget, Illinois for incineration or to Interstate Refrigerant Recovery in Foxborough, Massachusetts for recycling. The facility received no equipment containing refrigerant in 2017.

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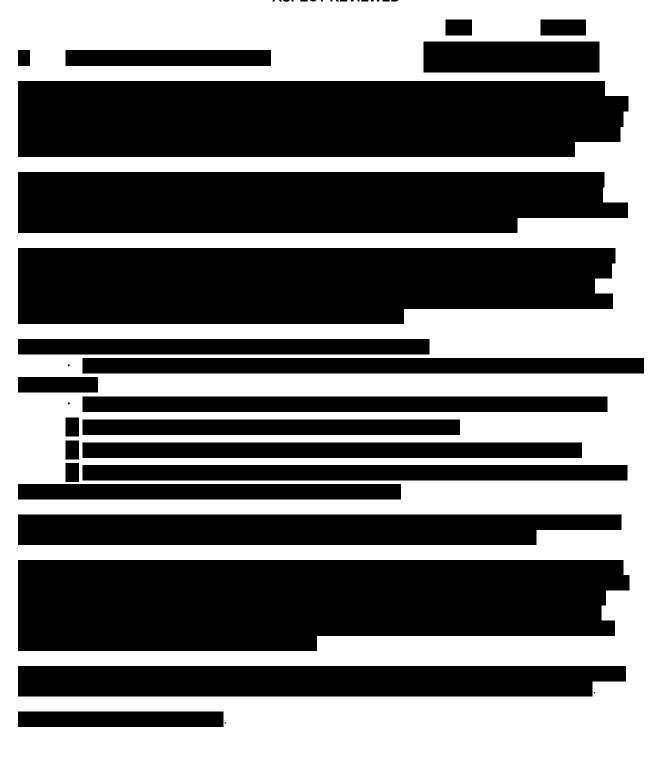
Waste Generation

- A. Wastes generated by the facility include:
- · Retorted phosphor powder is sent to the Waste Management landfill in Taunton, Massachusetts for landfill disposal.
- Ballast potting compounds and capacitors are sent to Veolia in Port Arthur, Texas or La Porte, Texas for incineration or to US Ecology Wayne Disposal in Belleville, Michigan for landfill disposal.
- Spent aqueous wash solution from ballast operations is sent to Veolia in Flanders, New Jersey or Phoenix, Arizona for incineration.
 - B. Materials that are sent offsite for reclamation or recycling include:
- Elemental mercury is sent to Veolia in Port Washington, Wisconsin to be sold on the mercury market.
- · Circuit boards and non-ferrous metals are shipped to Abington Reldan Metals in Fairless Hills, Pennsylvania and the Universal Scrap Metals Electronic Assets Recycling Division (USMe) in Chicago, Illinois for recycling.
- · Non-ferrous metals (copper windings from ballasts, etc.) are sent to Fortune Metal in Lincoln, Rhode Island and USMe in Chicago, Illinois for recycling.
 - · Scrap non-PCB ballasts are sent to USMe in Chicago, Illinois for recycling.
- Ferrous metal (sheet metal ballast casings, etc.) are sent to Eco Recycling Systems in Brockton, Massachusetts and Schnitzer Steel in Attleboro, Massachusetts for recycling.
 - · Cardboard containers are sent to Miller Recycling in Mansfield, Massachusetts for recycling.
- Plastic casings from electronic items are sent to Covanta in Holliston, Massachusetts for recycling.
- · Leaded glass from CRTs is sent to Universal Recycling Technologies (URT) in Dover, New Hampshire for recycling.
- · Scrap electronics are sent to JCM Computers in Abington, Massachusetts, PC Exchange in Framingham, Massachusetts and USMe in Chicago, Illinois for recycling.
- Batteries are sent to RSR Corporation in Middletown, New York, Raw Materials Company in Buffalo, New York, Retriev Technologies in Lancaster, Ohio and Inmetco in Ellwood City, Pennsylvania for recycling.
 - · Spent carbon is sent to Veolia in Port Washington, Wisconsin for recycling.
 - · Crushed lamp glass is sent to NC Minerals in Bloomington, Minnesota for recycling.
- · Mercury solids (amalgam, mercury-containing manufactured articles, elemental, mercury box liners) are sent to Veolia in Port Washington, Wisconsin for recycling.

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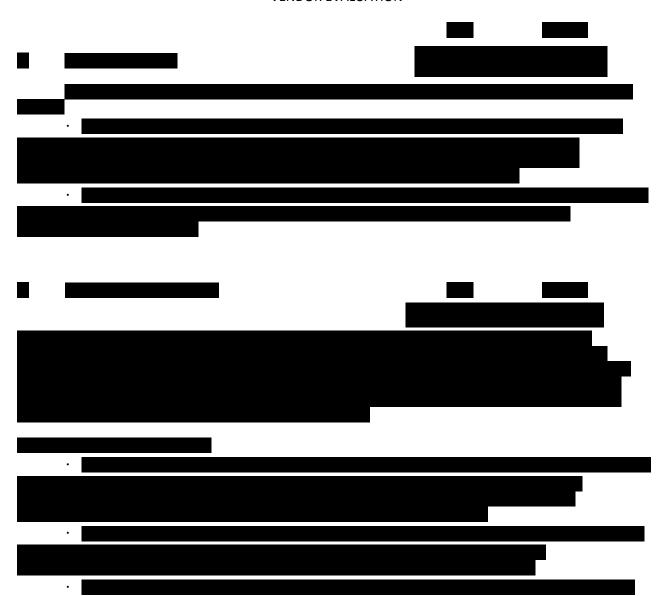
ASPECT REVIEWED



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6)

facility.

EP-18 Form 5 VENDOR EVALUATION

5) EXISTING CONTAMINATION OF SITE __X__ UNSAT _____
There is no existing contamination of the Site.

According to the United States Environmental Protection Agency (EPA) Enforcement and Compliance History Online (ECHO) database, there are 741 residents within one mile of the facility. The Hockomock Swamp borders the facility on the south. There are residences across Pleasant Street from the facility to the west. An electronics manufacturer is also adjacent to the facility on the west. Businesses, residential areas and undeveloped properties are located across State Route 24, which is adjacent to the facility on the east. The closest residence to the facility is located approximately 30 feet to the west and southwest (the width of the Pleasant Street right-of-way). A cellular telephone tower site and a cemetery border the facility on the north. The closest school is located approximately 1.2 miles northeast of the facility. The Hockomock River is approximately 2,800 feet west of the facility and West Meadow Brook is approximately 3,100 feet east of the facility. There are also various small ponds within 3 miles of the

PROXIMITY TO SENSITIVE RECEPTORS:

7) SIGNIFICANT INCIDENTS SAT UNSAT __X___

There have been no noteworthy fires, spills, explosions or releases at the facility in the past 5 years.



Niagara Mohawk Power Corporation

Cases 20-E-0380 & 20-G-0381

Exhibit (SSIR#b/g) National Grid

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SUMMARY:

The Veolia, West Bridgewater facility provides recycling services for several of our waste streams Clor-n-Oil test kits, batteries (especially lithium ion), TVs, refrigerators and other misc wastes which are hard to find homes for. Veolia is providing a valuable recycling service which helps in our environmental corporate goals.

In summary, the evaluation criteria identified in EP-18 and summarized above are satisfactory when measured jointly. Based on the above detailed review, the facility is recommended to continue used by National Grid.

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Cases 20-E-0380 & 20-G-0381

National Grid EI-180 Form 1 Template for Documenting Vendor Audits

Date of Review: _	September 3, 2019	Date of Last Review:	March 11, 2014	
Prepared By:	Rex Chen			
Vendor Name:	Clean Harbors Env. Se	ervices Inc.		
	200 4	51.0	-	
Vendor Address:_	309 American Circle,	El Dorado, AR /1/30		
CHWMEG Report Evaluation: September 3, 2019				
Date of CHWMEG	Audit: June 4, 2019			

BACKGROUND:

Clean Harbors owns the 375-acre lot, 50 acres of which are considered active. The facility operates 24 hours per day, seven days per week. Adjacent north there is a Clean Harbors Environmental Services 10-day transfer facility.

The facility's primary activity involves incineration of solid hazardous and non-hazardous wastes in three rotary kiln incinerators (Kiln #1, Kiln #2, and Kiln #44). The facility also has a metals recovery building (metals removed from incinerator ash are shipped offsite for recycling), and a solvent recovery unit. Additionally, the facility accepts universal wastes for trans-shipment to appropriate facilities throughout the United States and Canada. An onsite water treatment unit is used strictly for stormwater decontamination prior to discharge as required.

Wastes are received onsite via company transportation, third party transportation, and rail. Approximately 50% of incoming waste arrives via third-party transportation, while the other 50% is transported by Clean Harbors trucks originating all over the United States and Canada.

Most wastes arrive in containers. Bulk liquids are transferred to the onsite day feed tanks or are direct burned; containers are held in Warehouse 204 (the receiving and storage building) until they are ready for incineration. Incoming trucks park at the paved 72-hour truck staging area pending waste profile verification, review of manifests, preparation of container labels, etc. The facility must unload all containers or bulk liquids from trucks parked in the staging area within 72 hours of arrival.

The Clean Harbors El Dorado Hub, owned by the same parent company, occupies 5.7 acres adjacent to the northwest corner of Clean Harbors El Dorado. It services several Clean Harbors facilities, but primarily El Dorado, and consists of two 10-day truck parking lots and a truck-to-truck transfer station. Parking areas are packed soil with gravel, and the truck-to-truck transfer building is metal with a concrete floor.

The hub has is permitted for ten-day DOT storage and transfer and has not received any notices of regulatory deficiency.

Highlights and Noteworthy Items:

- The published 2017 industry DART rate for NAICS Code 56221 (waste treatment and disposal) is 2.4 (cases with days away from work and restricted work combined). Calculated facility rates are 0.95 (2018), 1.44 (2017), and 0 (2016).
- Good housekeeping practices were evident; no debris or spill residues were noted. All equipment observed appeared well maintained, with good paint and minimal rust.

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List wastes National Grid is requesting to send to this facility:

List National Grid groups that use or potentially use this facility:

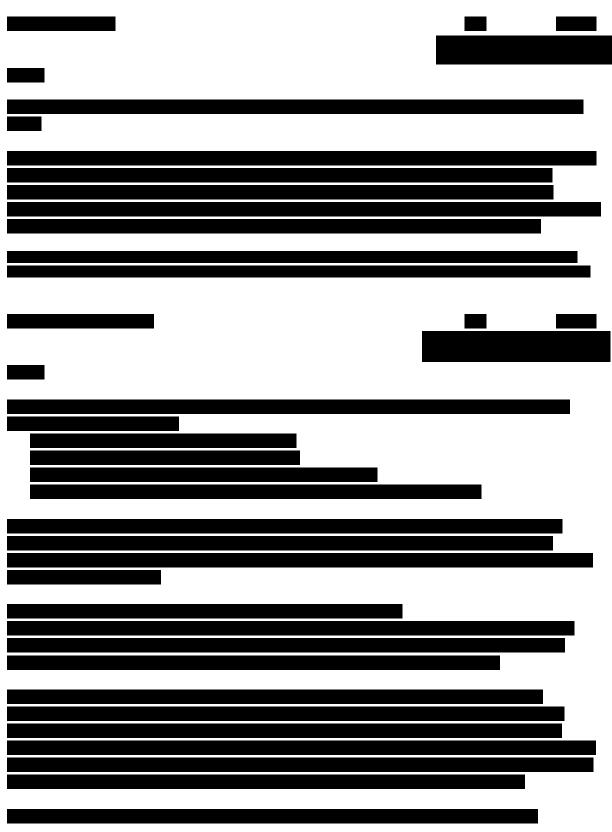
<u>Spent solvents, waste oils, conditionally acceptable asbestos and mercury; alkaline batteries incineration treated and fluorescent tubes crushed onsite and various liquid and solid hazardous and non-hazardous wastes</u>

Site Investigation and Remediation and Environmental Compliance through their support of Operations
FACILITY IS: (check all that apply):landfill _Xincineratortreatment facilitytransfer facilityother (list):
RECOMMENDATION:
The Clean Harbors El Dorado facility is recommended to remain on the approved vendors list per the isted waste streams above.
VAG accepted for use: []Yes []No DATE:
APPROVED VENDOR LIST UPDATED: DATE:
VENDOR EVALUATION
ASPECT REVIEWED

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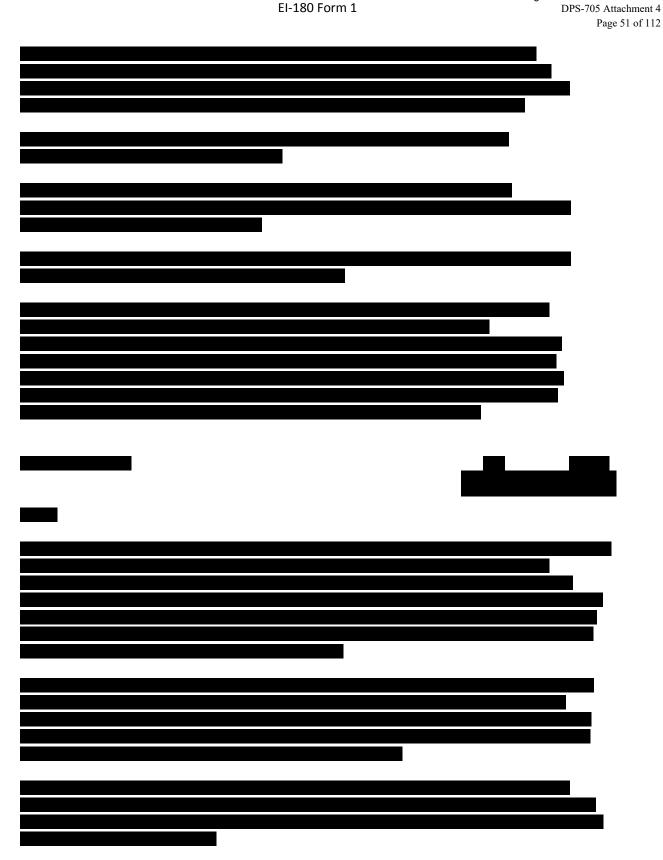
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EI-180 Form 1

Niagara Mohawk Power Corporation

Exhibit__(SSIR\$\P\$b(3) National Grid

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5) EXISTING CONTAMINATION OF SITE	SAT	UNSAT
	X	

Notes:

Groundwater has been contaminated from previous petroleum refining and refinery salvage operations. According to historic documentation, the previous refinery operations and management practices resulted in releases of petroleum hydrocarbon products to soil and groundwater when American Oil Company operated the refinery. Additionally, ENSCO operated three scrubber brine lagoons pre-RCRA (prior to 1988 requirements), which received scrubber water from the incinerator air pollution control system. The contamination is all related to the oil refinery operations. Under Corrective Action (CA), a RCRA Facility Investigation (RFI) was completed and submitted, and a Corrective Measures Study (CMS) was submitted. The Remedial Action Decision Document (RADD) for Corrective Action was approved by the Arkansas Department of Environmental Quality (ADEQ) in January 2001. A "new" corrective action plan was approved in December 2016. The plan addressed lead and 1,2 dichloroethane NPDES (surface water) discharge exceedance issues.

Clean Harbors El Dorado has a recovery well skimmer pump system consisting of "Solar Sipper" skimmer pumps installed in ten groundwater remediation wells. Recovered petroleum is incinerated onsite.

Four Chloride Treatment System wells are active and extract chloride impacted groundwater associated with the former brine lagoons. These wells collect chloride impacted groundwater into three tanks, which feed to the incinerator.

There is chloride contamination of soils and groundwater from former (closed) raw brine surface impoundments.

A closed municipal landfill is located near the facility (0.5 miles east-southeast and downgradient). The landfill has leachate collection and a full time attendant. It is currently used as a composting facility and model plane flyway.

6) PROXIMITY TO SENSITIVE RECEPTORS	SAT	UNSAT
	X	

Notes:

A few residences and commercial properties are located north and west of the facility; however, there are buffer zones on all four sides of the operational areas. The nearest residential neighbor is a quarter mile west of the site. There are 2,249 residents within one mile, and 14,998 residents within three miles of the site. Three schools are located within two miles.

A quarter mile south, east, and west, there are mainly undeveloped and forested areas.

The nearest surface water is Boggy Creek, which runs along the eastern boundary of the site (flows into Bayou De Loutre, located approximately two miles south). Non-contact stormwater is discharged to Boggy Creek.

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Site subsurface characteristics are known to facility personnel via groundwater monitoring reports and well boring data. The uppermost aquifer underlying the site is the Cockfield formation. The Cockfield formation extends to a depth of 150 to 200 feet beneath the site. Groundwater occurs throughout the Cockfield formation. General groundwater flow is to the southeast.

The shallow water-bearing zone within the Cockfield formation is generally unconfined over most of the site. Localized confined conditions exist in the immediate vicinity of the ditches and creek along the east side of the site. Hydraulic conductivity generally increases with depth within the Cockfield formation. The principal site aquifer is about 750 feet beneath the site; uppermost (shallow) groundwater is anywhere between 4 and 50 feet below ground surface (varies across the site).

El Dorado Water Utilities supplies area water. According to www.eldoradowater.com, 2018 annual drinking water report, "Our water sources are 9 wells that pump from the Sparta Sand Aquifer (Sparta is below the Cockfield and Cook formation) to one of four treatment plants: Mount Holly, Morning Star, Downtown, or Champagnolle".

7) SIGNIFICANT INCIDENTS		SAT _X	UNSAT
Notes:			
None			
	1		

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National Grid Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

Date of Review: <u>March 2019</u>	Date of Last Review: <u>Nov 2013, based on</u>	
	National Grid site visit on Nov. 8, 2013	
Prepared By: <u>David Thomp</u>	son	
Vendor Name: <u>Clean Harbors of E</u>	Braintree, Inc. (CHBI)	
Vendor Address: 1 Hill Avenue		
Braintree, Ma	ssachusetts 02184	
CHWMEG Report Evaluation Date o	of CHWMEG Audit:April 13, 2018	
BACKGROUND:		
List wastes National Grid is requesti	ng to send to this facility	
Various waste streams		
	<u> </u>	
List National Grid groups that use or Various SIR and others as ne	·	
	landfillincinerator _x_treatment facility RCRA storage, treatment, and transfer (i.e., a commercial e storage and bulking facility).	
RECOMMENDATION: Recommended for continued use by Clean Harbors accepts a wide variet to National Grid.	y National Grid. y of waste materials and has long provided excellent service	
VAG accepted for use: []Yes	5 []No DATE:	
APPROVED VENDOR LIST UPDATED:	DATE:	
VENDOR EVALUATION		
ASPECT REVIEWED		

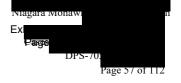
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5) EXISTING CONTAMINATION OF SITE	X
In January 1989, the EPA issued a RCRA Facility Assessment RCRA permitting process. In October 1989, EPA and Cle 3008(h) Consent Order that established requirements for RFI characterized site conditions for the purpose of eva potential corrective actions at 14 Areas of Concern (AO performed in 1991 and 1992 and, based on the findings Stabilization Plan which was submitted to the EPA in Julplan were implemented and a draft RFI Phase II Work Plantage of the Pl	an Harbors entered into a RCRA Section or a RCRA Facility Investigation (RFI). The luating the need for and the scope of Cs) identified in the RFA. The RFI was the facility developed a Site y 1994. The recommendations of this lan was submitted to the EPA in August
A draft Phase II report was submitted in October 2010. of No Significant Risk did not exist at the site, primarily in several locations. In addition, the full extent of Light 1,1,1-tetrachloroethane (TCA) have not been delineated complete the delineation and remediate the potential sthe EPA responded with comments to the draft Phase II determine the next steps. Remediation of contaminated have been capped. The resolution of the issues regarding site transitioning into the Massachusetts Contingency Pland/or remediation will continue under the MCP. Futur LNAPL and TCA in some areas of the site, and remediation	due to the presence of PCBs in site soils Non-Aqueous Phase Liquids (LNAPL) and d. Further assessment was proposed to ources to groundwater. In March 2016, report and discussions are ongoing to d soil in two areas is complete and these ng the Phase II report will result in the lan (MCP), and further assessment e actions will include delineation of
6) PROXIMITY TO SENSITIVE RECEPTORS	X
According to the CHWMEG report, the population is applied the facility and the nearest residence is located approxical closest school is located approximately 3,000 feet northwater body is the Weymouth Fore River which abuts to	mately 925 feet to the south. The nwest of the facility. The nearest surface
In regards to water supply, bottled water is utilized on- municipal water is supplied and utilized for non-potable Water in the surrounding area is also supplied by the m sources of the water are reservoirs located approximate	e purposes (sinks, showers, and toilets). unicipal drinking water system. The
7) SIGNIFICANT INCIDENTS	X
According to the CHWMEG report, fires, explosion, or o site during the last five years.	ther incidents have not occurred at the

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SUMMARY:

Considering that all of the aspects reviewed are satisfactory, CHBI is recommended for continued use and to be retained on the "Approved Disposal Facilities List."

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National Grid Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

Date of Review: <u>March 2019</u> Date of Last Review: <u>Nov 2013, based</u>	
National Grid site visit on Nov. 8, 2013	
Prepared By: David Thompson	
. ,	
Vendor Name: Clean Harbors of Braintree, Inc. (CHBI)	
Vendor Address: 1 Hill Avenue	
Braintree, Massachusetts 02184	
CHWMEG Report Evaluation Date of CHWMEG Audit:April 13, 2018	
BACKGROUND:	
List wastes National Grid is requesting to send to this facility	
Various waste streams	
List National Grid groups that use or potentially use this facility: Various SIR and others as needed	
various sin and stillers as needed	
FACILITY IS: (check all that apply):landfillincinerator _x_treatment facility	
<u>x</u> transfer facility <u>X</u> other (list): <u>RCRA storage, treatment, and transfer (i.e., a comme</u>	<u>rcial</u>
hazardous and non-hazardous waste storage and bulking facility).	
RECOMMENDATION:	
Recommended for continued use by National Grid.	
Clean Harbors accepts a wide variety of waste materials and has long provided excellent se	rvice
to National Grid.	
VAG accepted for use: []Yes []No DATE:	
APPROVED VENDOR LIST UPDATED: DATE:	
VENDOR EVALUATION	
ASPECT REVIEWED	
Pari i	· 0

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site during the last five years.

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

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DPS-705 Attachment 4

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5) EXISTING CONTAMINATION OF SITE	X
In January 1989, the EPA issued a RCRA Facility Assessment RCRA permitting process. In October 1989, EPA and Clean I 3008(h) Consent Order that established requirements for a RFI characterized site conditions for the purpose of evaluat potential corrective actions at 14 Areas of Concern (AOCs) performed in 1991 and 1992 and, based on the findings, the Stabilization Plan which was submitted to the EPA in July 1 plan were implemented and a draft RFI Phase II Work Plan 2006 in accordance with a Consent Order. The Work Plan v implementation has not yet been required.	Harbors entered into a RCRA Section RCRA Facility Investigation (RFI). The sing the need for and the scope of identified in the RFA. The RFI was e facility developed a Site 1994. The recommendations of this was submitted to the EPA in August
A draft Phase II report was submitted in October 2010. This of No Significant Risk did not exist at the site, primarily due in several locations. In addition, the full extent of Light Nor 1,1,1-tetrachloroethane (TCA) have not been delineated. F complete the delineation and remediate the potential sour the EPA responded with comments to the draft Phase II repute the next steps. Remediation of contaminated so have been capped. The resolution of the issues regarding the site transitioning into the Massachusetts Contingency Plan and/or remediation will continue under the MCP. Future at LNAPL and TCA in some areas of the site, and remediation	to the presence of PCBs in site soils and the proposed to provide the proposed to provide the proposed to provide the
6) PROXIMITY TO SENSITIVE RECEPTORS	X
According to the CHWMEG report, the population is approximation the facility and the nearest residence is located approximation closest school is located approximately 3,000 feet northwe water body is the Weymouth Fore River which abuts to the	tely 925 feet to the south. The st of the facility. The nearest surface
In regards to water supply, bottled water is utilized on-site municipal water is supplied and utilized for non-potable puwater in the surrounding area is also supplied by the muni sources of the water are reservoirs located approximately	rposes (sinks, showers, and toilets). cipal drinking water system. The
7) SIGNIFICANT INCIDENTS	<u>X</u>
According to the CHWMEG report, fires, explosion, or othe	r incidents have not occurred at the

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SUMMARY:

Considering that all of the aspects reviewed are satisfactory, CHBI is recommended for continued use and to be retained on the "Approved Disposal Facilities List."

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National Grid EI-180 Form 1 Template for Documenting Vendor Audits

Date of Review: _		_ Date of Last Review:	<u> March 2014</u>	
Prepared By:	Matthew Root			
Vendor Name <u>:</u>	Norlite LLC			
Vendor Address:_				
— CHWMEG Report	Cohoes, NY 12047 Evaluation: June 10, 2019			
Date of CHWMEG				

BACKGROUND:

The Norlite, LLC Cohoes facility (NC) is a wholly-owned subsidiary of Tradebe Treatment & Recycling, LLC, a private company based in Barcelona, Spain. The facility was purchased by Tradebe as part of their acquisition of United Oil Recovery in April 2011. The facility is located on 220 owned acres of which about 25 acres are active with the kiln and waste fuel management operations and roughly 70 acres used for mining with no waste operations. There is an unrelated 10-day transfer operation also occurring on the property.

NC operates a lightweight aggregate plant that fuels its two kilns with liquid waste-derived fuel (WDF) and used/off-spec oil. WDF and used oil are stored and blended (separately) in an onsite permitted fuels facility. More than 90% of the fuel used to heat the kilns is derived from WDF. The kilns are classified and permitted as both incinerators and as industrial furnaces.

The facility can accept both listed and characteristic wastes, but does not accept fuels with PCBs above 25 ppm, pH below 2 or above 12.5, highly reactive materials, or wastes containing pesticides, dioxins, or furans.

Due to the high temperatures achieved in the kiln furnace (3000 degrees Fahrenheit), Norlite achieves a 99.9997% destruction efficiency of the hazardous organic constituents. There are no residuals generated by the burning process. Solids from the baghouse and filter cake from the waste water treatment system have been issued beneficial use determinations (BUD's) and are incorporated into the finished aggregate product.

The facility has a total of forty-two tanks ranging in volume from 50 gallons (for diesel fuel) to approximately 28,000 gallons (for waste-derived fuels). There are 15 RCRA permitted tanks designated as "LGF" tanks (for "low-grade," or waste-derived fuels). The RCRA permitted tank capacity for all these tanks is 155,579 gallons.

NC also has 5 used oil tanks onsite with a total volume of about 105,000 gallons. The used oil is referred to as kiln oil and is generally off-spec material. "Pilot oil" is generally on-spec. The used oil tanks are not included in the RCRA Permit. Other tanks are used for diesel fuel; lube, transmission oil, and fuel oil; used oil; hydraulic fluid; methanol; ethylene glycol; hydrochloric acid; and sodium hydroxide.

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Revision Date: 5/17/2019

Niagara Mohawk Power Corporation

Exhibit__(SSIR\$\P\$b(3) National Grid

Page 201-E-01352 And 20-G-0381

DPS-705 Attachment 4

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EI-180 Form 1

Highlights and Noteworthy Items:

- The facility is located within the city limits of Cohoes, NY with residential properties located adjacent to the east of the site. Potable water is provided to all by the city. The Salt Kill Creek runs through the site, and there are wetlands located onsite as well as nearby. A forested buffer zone to the west extends offsite approximately 1/4 mile.
- There have been 4 fires in the past 5 years all were related to the quarry and production activities and none were related to the WDF operations. There were also several releases, all but one were not waste related; however, a 158 lb. release of methyl methacrylate in July 2013 resulted in activating the Contingency Plan.
- The facility reports to the Mine Safety and Health (MSHA) for occupational health and safety concerns as opposed to OSHA. DART rates for the facility for 2016, 2017, and 2018 were 3.3.

The facility is regulated by the NYSDEC and under the following permits:

- RCRA Part 373 Hazardous Waste Management Permit, which expires in December 2020.
- An SPDES wastewater and storm water permit expiring October 2022.
- Title V Air Permit, which expires in December 2020 (note that air regulations have been removed from the RCRA permit and included in the Title V permit);
- Petroleum Bulk Storage permit, which expires in December 2021;
- Mining Permit, which expired in September 2018 with a timely submission of the renewal on February 28, 2019.
- Chemical Bulk Storage Permit, which is a two year permit that expires in July 2019.

Because the kiln permitting process was undertaken prior to the enactment of the BIF regulations (the regulations for burning hazardous wastes in boilers and industrial furnaces, enacted in 1991), the kilns are permitted as "incinerators" under Subpart 0. This allows Norlite to conduct fuel blending operations onsite and to burn lean aqueous streams having heating values of less than 5,000 BTUs per pound. When the BIF rules became effective, the facility was also permitted as an industrial furnace.

List wastes National Grid is requesting to send to this facility:

Used Oils, Coal Tar, Haz/Non Haz Waste Waters (Drip and Condensate etc.), off-spec fuels, PCBs o	<u>il</u>
mixes less than 25 ppm only	
List National Grid groups that use or potentially use this facility:	
SIR, Gas Operations, Stations, Fleet, Facilities Electric operations	
FACILITY IS: (check all that apply):landfill _Xincineratortreatment facilitytransfer facilityother (list): RECOMMENDATION:	
The Norite Tradebe Cohoes facility is recommended to remain on the approved vendors list per the waste streams above.	isted
VAG accepted for use: []Yes []No DATE:	
APPROVED VENDOR LIST UPDATED: DATE:	

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EI-180 Form 1

VENDOR EVALUATION

ASPECT REVIEWED

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5) EXISTING CONTAMINATION OF SITE	SAT	UNSAT
5) EXISTING CONTAININATION OF SITE	X	———
Notes: 400 tons of old contaminated soils found during the stormwater project, 158 methacrylate released to the air, approximately 50 gallons of assumed seway estimated 30-50 gallons of off-road diesel fuel spilled onto the ground outside #27, and 5 gallons of compressor oil were spilled in the compressor room outproperly reported to NYSDEC.	ge to a water bo e of containmen	ody, an it by Tank
See Note Above.		
6) PROXIMITY TO SENSITIVE RECEPTORS	SAT X	UNSAT
The facility is located within the city limits of Cohoes, NY with residential p the east of the site. Potable water is provided to all by the city. The Salt Kil and there are wetlands located onsite as well as nearby. A forested buff offsite approximately 1/4 mile.	l Creek runs thr	ough the site,
7) SIGNIFICANT INCIDENTS	SAT _X	UNSAT
Notes:		
Nothing other than what has already been noted.		

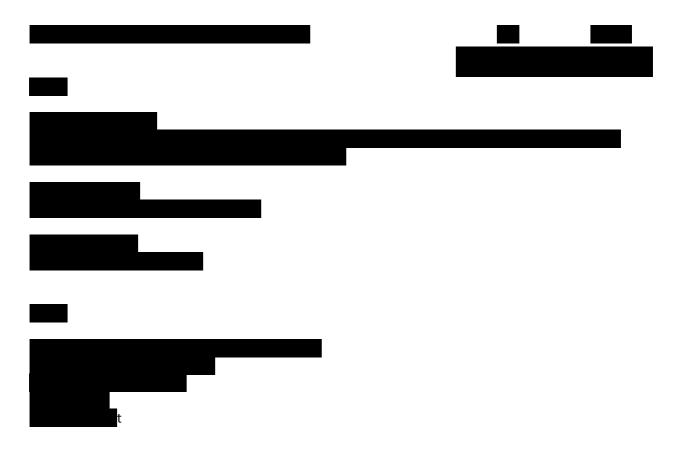
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National Grid Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

Date of Review:	December 2019	Date of Last Review: <u>October 10, 2014,</u>
		based on National Grid site visit on Dec. 17,
		2014
		_
Prenared Rv	David Thompson	
rrepared by	David Hiompson	
Vandar Nama, En	vironmental Cail Managament	Inc. /navant company is Close Forth a Harses
		Inc. (parent company is Clean Earth, a Harsco
Cor	<u>mpany)</u>	
Vendor Address:_	67 International Drive	
	Loudon, New Hampshire 0	
	•	
CHWMFG Report	Evaluation Date of CHWMEG A	Audit: July 30, 2019
		<u> </u>
BACKGROUND:		
BACKGROUND.		
	al Grid is requesting to send to	•
Coal tar co	ntaminated soils	
Oily soils /	urban fill	
List National Grid	groups that use or potentially ι	use this facility:
SIR NE	8. cape	
SINTINE		
EACULTY IC: /-bl		in air and an an V does the cost for all the (LTTD)
		incinerator <u>X</u> treatment facility (LTTD)
transfer facility	y <u>X</u> other (list): <u>recycling (</u>	soils and rock)
RECOMMENDATION	ON:	
Recommended fo	r continued use by National Gri	d.
Thermal treatmen	nt reduces long-term liability, ar	nd the reuse of treated soil is compatible with
corporate recyclin		
corporate recyclin	15 Sours.	
1/AC	[]V== []N.	DATE.
vag accepted for	use: []Yes []No	DATE:
APPROVED VENDO	OR LIST UPDATED:	DATE:

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VENDOR EVALUATION



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According to the CHWMEG report, facility personnel are not aware of any historic environmental issues at the site. Five groundwater monitoring wells were installed on the site circa 1990 and are sampled semi-annually for VOCs, specific conductance, and pH. In addition, groundwater samples are also analyzed once a year for metals. Concentrations of VOCs and metals were not detected above ambient groundwater quality standards in the most recent (2018) sampling event. In addition, concentrations of per- and polyfluoroalkyl substances (PFAS) were not detected during a 2017 sampling event.

A storm water detention pond is located on the northern portion of the active parcel. Water in the pond either evaporates or discharges through an oil/water separator to a wet-weather ditch. Water in the pond is tested annually for VOCs, specific conductance, and pH.

6) PROXIMITY TO SENSITIVE RECEPTORS X

According to the CHWMEG report, population is approximately 350 within one mile of the facility and the nearest residence is located approximately 0.25 miles to the west. Schools and/or playgrounds are not located within one mile of the site. The site is abutted by a greenhouse development to the north, vacant land to the east and south, and by a concrete manufacturer to the west.

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In regard to water supply, private wells are utilized in the Town of Loudon and at the site in particular. However, water from the on-site well is used for sanitary purposes only and not for drinking. In addition, two bedrock wells are used to supply water for baghouse cooling and an additional "dug" well is used to supply water for the pug mill to rehydrate soils for dust control. The nearest surface water body is the Soucook River, located approximately 1,500 feet to the southeast.

7) SIGNIFICANT INCIDENTS According to the CHWMEG report, fires, explosion, spills, or releases have not occurred at the site during the last five years.



Considering that all of the aspects reviewed are satisfactory, ESMI is recommended for continued use and to be retained on the "Approved Disposal Facilities List."

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EP-18 Form 5 VENDOR EVALUATION

National Grid

Vendor Audit Form for Documenting Audits conducted by CHWMEG

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Date of Review: 03/05/2019

Date of Last Review: 05/05/2013

Prepared By: R. Fox

Vendor Name: Clean Harbors Deer Park, LLC

Vendor Address: 2027 Independence Parkway South, Deer Park, NY

Date of CHWMEG Audit: 05/15/2018

CHWMEG Report Evaluation

BACKGROUND

List Wastes National Grid is requesting to send to this facility:

Hazardous waste for incineration

List National Grid groups that use or potentially use this facility:

All of US operations either do or could potentially use this facility, below is a history of shipments:

- 2013 15 shipments
- 2014 14
- 2015 38
- 2016 63
- 2017 50
- 2018 57

All the above shipments are from New England other than: Dewey Ave (UNY-West) used twice in 2013, and an UNY SIR Site (Wallace & Son) used once in 2013.

FACILITY IS: The facility's primary activity is incineration. The onsite landfill, storage, and wastewater treatment activities support incineration. The facility also conducts transfer operations for bulked batteries/lightbulbs, special mixed RCRA wastes for which treatment elsewhere is more appropriate and items such as naturally-occurring radioactive materials (NORM) waste, pesticides and certain metals.

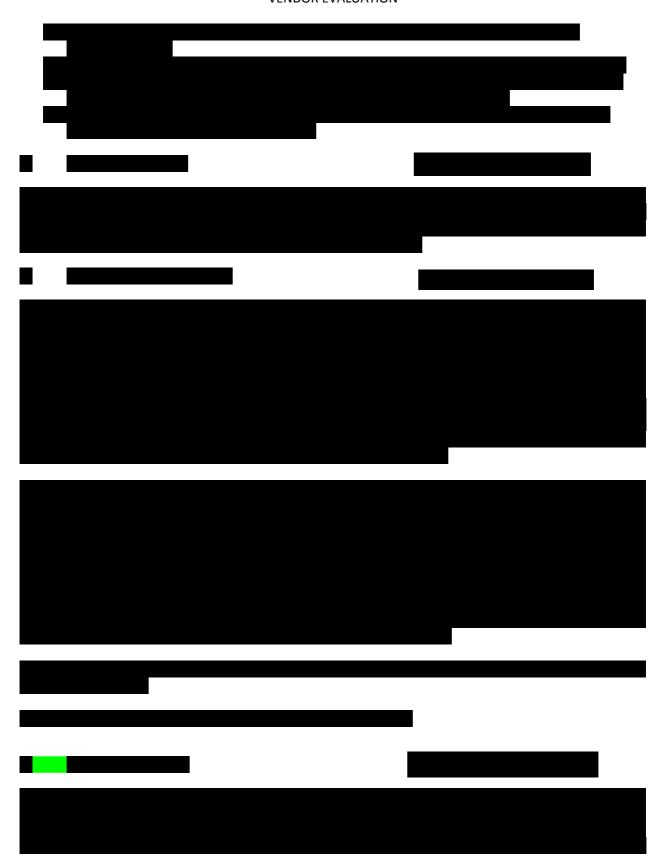
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EP-18 Form 5 VENDOR EVALUATION

RECOMMENDATION

Facility is recommended for	· cor	ntinued us	se (se	e Sumn	nary at end o	of review)
VAG accepted for use:	{	} Yes	{	} No	DATE:	
APPROVED VENDOR LIS	ΓUF	PDATED:			DATE:	
SITE LAYOUT and OPER/	ATIC	ONS				
Environmental Services, In (CHI), a publicly-traded of encompasses approximate. The facility is in the Deer Profession of and is operated by the refineries, petrochemical pland terminal facilities. There are the facility's primary activity activities support incineral batteries/lightbulbs, special appropriate and items such and certain metals. Example contains the facility also performs stability also performs stability also performs stability also performs stability. The facility does not exception of NORM). Thou	c. ((comply 14 ly	CHES), we pany with 45 acres, Industrial of Deer s, waste to e no tenar incineration. The finixed RC naturally-s of the ated soils ers. Transion and except munthe facility accepts due to the facilit	which in hear 136 or District Park. Teatment actions Tracility CRA coccurry types and sefer or procaps icipal or has ue to the control or the	is a whole departed the consideration of walludges, peration solid work more peration in the constant of the c	olly-owned sers in Norware active. In is within the industry disposal factor the propert te landfill, state conducts of for which disposals, di	orage, and wastewater treatment transfer operations for bulked treatment elsewhere is more terials (NORM) waste, pesticides ed at this site are isocyanates oxin-containing waste (stored builly treated drum in-drum out. The e and incinerator ash generated tos or radioactive waste (with the n on the acceptance of mercury mount of mercury that may be fee
ASPECT REVIEWED						
						X
					:	

EP-18 Form 5 VENDOR EVALUATION



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EP-18 Form 5 VENDOR EVALUATION

5)	EXISTING CONTAMINATION OF SITE	-	X	

Groundwater contamination exists at this site. Groundwater contamination originated from pre-RCRA lagoons. The lagoons were closed in 1987 in accordance with a United States Environmental Protection Agency (EPA) agreed order. The facility's Part B permit was issued in 1988 and included a compliance plan that has been revised five times. The most recent revision, in 2007, was to install new monitoring wells. Constituents of concern include chlorinated solvents (e.g., chlorobenzene) that have not migrated offsite. The facility is utilizing a pump and treat system that has been effective in reducing the contaminants in the groundwater. Contaminated groundwater is treated in the onsite wastewater treatment plant.

An environmental site assessment, likely a Phase I survey, was completed by CHI prior to the acquisition of the facility from Safety-Kleen. No additional significant issues were thought to have been found. Clean Harbors is responsible for funding ongoing groundwater remediation activities as part of a compliance plan.

The last underground storage tank, a 2,000-gallon diesel fuel tank, was removed in 1993.

On October 22, 2013, there was a discharge of an estimated 150,000 gallons of treated process water to Tucker Bayou due to the failure of a pump motor. There have been 10 incidents of excess opacity (due to mechanical or waste content issues and not to employee error) in the last 5 years (approximately two per year). There have been no other noteworthy spills, fires or explosions in the past five years.

PROXIMITY TO SENSITIVE RECEPTORS:

According to EPA's Enforcement and Compliance History Online (ECHO) database, there are no residents within one mile of the facility. The facility is bordered by a petroleum storage terminal to north and east and chemicals manufacturing facilities to the south and west. The closest residence is approximately 2.2 miles feet southwest of the facility. The closest school is located approximately 1.3 miles southwest of the facility. The closest surface waters are Tucker Bayou, which is adjacent to the facility to the west.

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EP-18 Form 5 VENDOR EVALUATION

7)	SIGNIFICANT INCIDENTS			X_		
There	have been no fires, explosions	s, spills	or releases in	the last five ye	ars at the f	acility.
_						

SUMMARY:

Based on the above detailed review and its historic use by National Gird, the facility is recommended to be retained on the "Approved Disposal Facilities List."

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National Grid Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5 Lehigh Cement Company (formerly ESSROC)

Date of Review: January - March, 2019 Date of Last Review: May 2013

Prepared By: Lisa Montesano

Vendor Name: Lehigh Cement Company (formerly ESSROC Cement Corporation)

Vendor Address: 3084 West County Road 225 South

Logansport, IN 46947

CHWMEG Report Evaluation Date of CHWMEG Audit: August 30, 2018

BACKGROUND:

Wastes National Grid sends or potentially sends to this facility:

Hazardous liquid materials and associated sludges, including paint thinners, solvents, off-specification oil, and aqueous mixtures that are acceptable for Waste Derivative Fuel (WDF) blending. (Wastes are typically batched with wastes derived by others at an approved Clean Harbors facility, and then shipped for fuel blending to Lehigh.)

Groups that have used this facility:

EACH ITY IC: /aback all that apply).

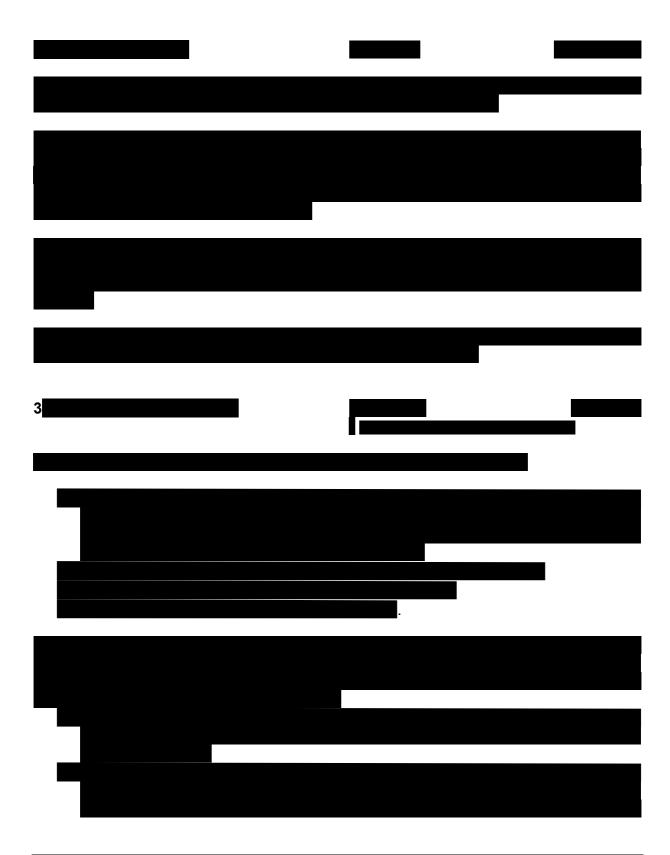
Various National Grid operating departments (Electric and Gas Operations, Property Services, Fleet Management, etc.), derived from routine operations and maintenance activities, emergency response activities, and project construction work.

ΓA	JILITY 15: (Check all that apply).
<u>X</u>	landfill
	incinerator
	treatment facility
	transfer facility
_X	other (list): WDF operations (to support cement manufacturing)

The Lehigh Cement Company facility is a wholly-owned subsidiary of Heidelberg Cement Group, and among the leading producers of bulk cement and cement products in North America. The Logansport facility is situated on 1,500 acres, of which 104 acres are active including 2.7 acres used for the WDF operations. The facility is a RCRA-permitted hazardous waste fuel blending and cement manufacturing facility, whereby WDF are blended and burned for BTU recovery in cement kilns.

RECOMMENDATION <u>Lehigh</u>					
vendor list. The facility provide					
blending, for which limited option					
approved vendor circa 2011-201					
numerous recent environmental			-		
five years, from the Indiana Depart					
and the Mine Safety and Healt					
subject to intensive, frequent re	-				
etc.). Although some regulator					
forward manner, others have resulted in monetary penalties and a Consent Decree.					
Lehigh should be expected to de				resolved	
impending enforcement activities	prior to the	<u>next VAG aι</u>	<u>ıdit.</u>		
		NO	DATE		
VAG accepted for use:	YES	NO	DATE:		
APPROVED VENDOR LIST UPI	DATED:		DATE		
ASPECT REVIEWED:					

Company Confidential Page 2



Company Confidential Page 3



5) EXISTING CONTAMINATION AT SITE SAT X

UNSAT

In 1993, the USEPA identified 5 Solid Waste Management Units (SWMU) at the facility as part of a RCRA Facility Investigation, which required further evaluation including: an in-ground concrete basin, two cement kiln pillars, four slurry settling basins, the oil shop, diesel tank sumps, and six USTs. These SWMUs were closed prior to 2006, except for the consequences associate with the in-ground concrete basin, which impacted the onsite groundwater supply well. However, no further actions have been required by USEPA or IDEM at this time based on the results of routine monitoring, indicating the absence of residual contamination migration.

Eight groundwater monitoring wells associated with the on-site CKD landfill are monitored routinely. No associated groundwater contamination has been identified.

6) PROXIMITY TO SENSITIVE RECEPTORS

SAT X

UNSAT

The facility spans 1,500 acres, of which 104 acres are active and 2.7 acres are for WDF operations. 33 residents are located within 1 mile and 2,617 residents within 3 miles of the facility. Adjacent facilities include a grain storage company, ethanol plant, and agricultural farms. Potable groundwater aquifers provide water supply to the site and surrounding residences and municipalities. Some rural, local residents use private wells for potable water. The nearest surface water is the Wabash River, located two miles to the north of the facility.

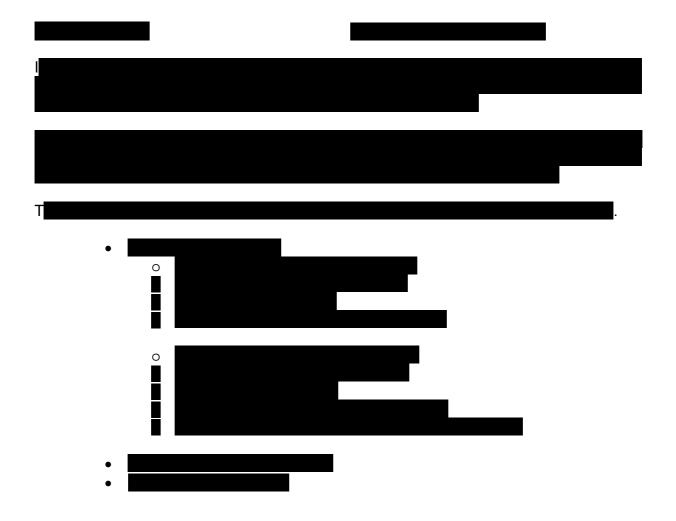
7) SIGNIFICANT INCIDENTS

SAT X

UNSAT

In addition to the above-described regulatory history, no additional significant incidents have occurred in the last five years, including no explosions.

Security at the facility is maintained using chain-link fencing (segregating the active cement plant and the waste fuel blending portions of the property). In addition, the entire 1,500 Lehigh property is fenced with chain-link and rural fencing. Security cameras are in use at the waste fuel blending portion of the facility. The facility is in operation 24 hours per day, 7 days per week.



DPS-705 Attachment 4
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Cases 20-E-0380 & 20-G-0381

National Grid

Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

Lehigh Cement Company (formerly ESSROC)

Date of Review: January - March, 2019 Date of Last Review: May 2013

Prepared By: Lisa Montesano

Vendor Name: Lehigh Cement Company (formerly ESSROC Cement Corporation)

Vendor Address: 3084 West County Road 225 South

Logansport, IN 46947

CHWMEG Report Evaluation Date of CHWMEG Audit: August 30, 2018

BACKGROUND:

Wastes National Grid sends or potentially sends to this facility:

Hazardous liquid materials and associated sludges, including paint thinners, solvents, off-specification oil, and aqueous mixtures that are acceptable for Waste Derivative Fuel (WDF) blending. (Wastes are typically batched with wastes derived by others at an approved Clean Harbors facility, and then shipped for fuel blending to Lehigh.)

Groups that have used this facility:

Various National Grid operating departments (Electric and Gas Operations, Property Services, Fleet Management, etc.), derived from routine operations and maintenance activities, emergency response activities, and project construction work.

FAC	CILITY IS: (check all that apply):
<u>X</u>	landfill
	incinerator
	treatment facility
	transfer facility
X	other (list): WDF operations (to support cement manufacturing)

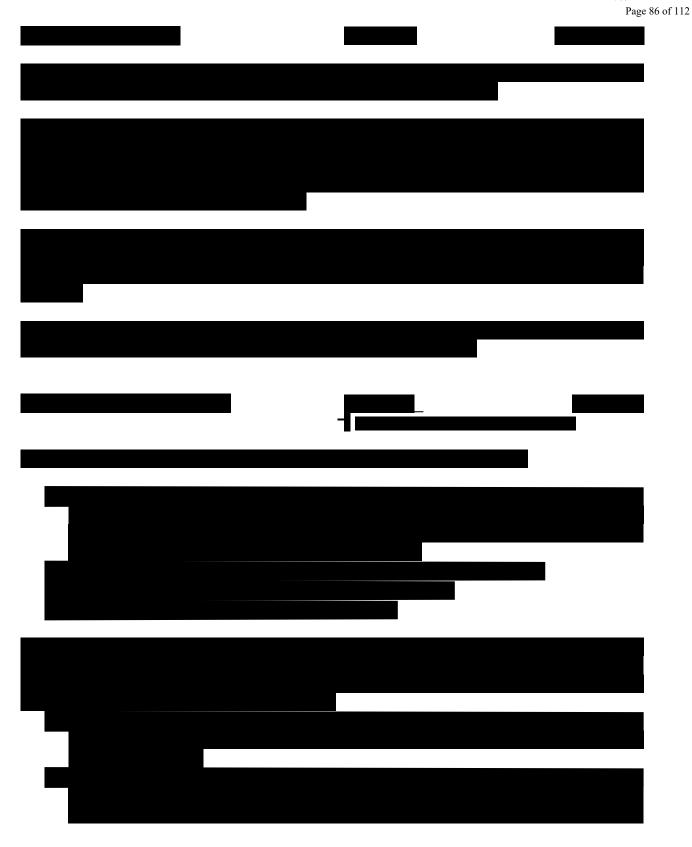
The Lehigh Cement Company facility is a wholly-owned subsidiary of Heidelberg Cement Group, and among the leading producers of bulk cement and cement products in North America. The Logansport facility is situated on 1,500 acres, of which 104 acres are active including 2.7 acres used for the WDF operations. The facility is a RCRA-permitted hazardous waste fuel blending and cement manufacturing facility, whereby WDF are blended and burned for BTU recovery in cement kilns.

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Cases 20-E-0380 & 20-G-0381

RECOMMENDATION Lehigh is recommended for retention on the approved VAGPS-705 Attachment 4 vendor list. The facility provides a disposal alternative for wastes eligible for WDF blending, for which limited options are available - thus the reason for its inclusion as an approved vendor circa 2011-2013. It should be noted that the CHWMEG audit revealed numerous recent environmental and safety regulatory compliance citations in the past five years, from the Indiana Department of Environmental Management (IDEM), USEPA and the Mine Safety and Health Administration (MSHA). The facility appears to be subject to intensive, frequent regulatory scrutiny (air, water, waste, limestone quarry, etc.). Although some regulatory discrepancies were resolved in a relatively straightforward manner, others have resulted in monetary penalties and a Consent Decree. Lehigh should be expected to demonstrate improved compliance and to have resolved impending enforcement activities prior to the next VAG audit.

VAG accepted for use:	YESNO	DATE:	
APPROVED VENDOR LIST (JPDATED:	DATE	
ASPECT REVIEWED:			





5) EXISTING CONTAMINATION AT SITE

UNSAT

In 1993, the USEPA identified 5 Solid Waste Management Units (SWMU) at the facility as part of a RCRA Facility Investigation, which required further evaluation including: an in-ground concrete basin, two cement kiln pillars, four slurry settling basins, the oil shop, diesel tank sumps, and six USTs. These SWMUs were closed prior to 2006, except for the consequences associate with the in-ground concrete basin, which impacted the onsite groundwater supply well. However, no further actions have been required by USEPA or IDEM at this time based on the results of routine monitoring, indicating the absence of residual contamination migration.

Eight groundwater monitoring wells associated with the on-site CKD landfill are monitored routinely. No associated groundwater contamination has been identified.

6) PROXIMITY TO SENSITIVE RECEPTORS SAT X

UNSAT

The facility spans 1,500 acres, of which 104 acres are active and 2.7 acres are for WDF operations. 33 residents are located within 1 mile and 2,617 residents within 3 miles of the facility. Adjacent facilities include a grain storage company, ethanol plant, and agricultural farms. Potable groundwater aguifers provide water supply to the site and surrounding residences and municipalities. Some rural, local residents use private wells for potable water. The nearest surface water is the Wabash River, located two miles to the north of the facility.

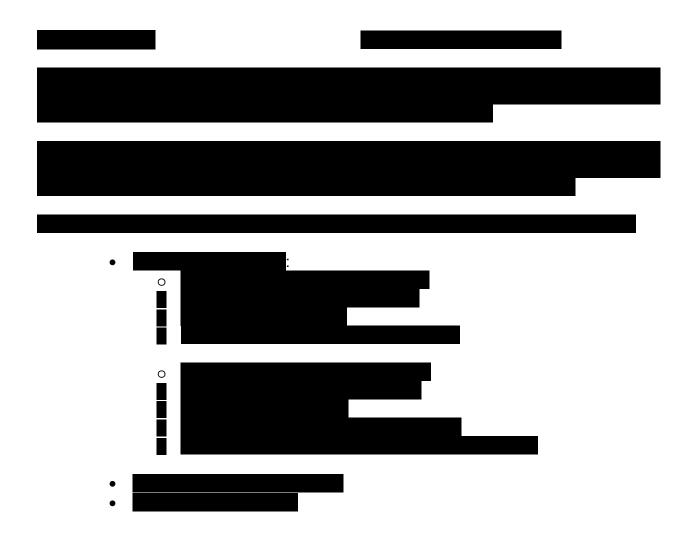
7) SIGNIFICANT INCIDENTS

SAT X

UNSAT

In addition to the above-described regulatory history, no additional significant incidents have occurred in the last five years, including no explosions.

Security at the facility is maintained using chain-link fencing (segregating the safetiment 4 cement plant and the waste fuel blending portions of the property). In addition, the safetiment 1,500 Lehigh property is fenced with chain-link and rural fencing. Security cameras are in use at the waste fuel blending portion of the facility. The facility is in operation 24 hours per day, 7 days per week.



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EP-18 Form 5 VENDOR EVALUATION

National Grid

Vendor Audit Form for Documenting Audits conducted by CHWMEG

EP - 18 Form 5

Date of Review: March 11, 2019

Date of Last Review: May 2013

Prepared By: Beverly Auxford-Paiva

Vendor Name: Veolia ES Technical Solutions, LLC

EPA ID: MAC300017498

Vendor Address: 90 Pleasant Street

West Bridgewater, MA 02379 Telephone: (774) 296-6030

Date of CHWMEG Audit: April 12, 2018

CHWMEG Report Evaluation

BACKGROUND

List Wastes National Grid is requesting to send to this facility:

Batteries, computers, televisions, fluorescent lights, fluorescent light ballasts, refrigerators, air conditioners, thermostats and spent or expired Clor-n-Oil test kits.

List National Grid groups that use or potentially use this facility:

Facility is used by Electric and Gas Operations, Facilities, Fleet and SIR.

FACILITY IS: The facility is permitted to reclaim mercury from mercury-contaminated materials and elemental mercury waste, to decontaminate polychlorinated biphenyl (PCB) fluorescent light ballasts and to store PCB contaminated materials. The facility accepts mercury-containing manufactured articles (MCMA) such as fluorescent lamps, high intensity discharge (HID) lamps, batteries, mercury regulators, switches, thermometers and thermostats. These manufactured articles may also contain cadmium or lead as underlying hazardous constituents and carry the corresponding waste codes. The facility also accepts elemental mercury classified as a discarded commercial chemical product, mercury compounds, debris, soil and phosphor that are contaminated with mercury, PCB and non-PCB lamp ballasts, small PCB capacitors (less than 9 pounds), non-flammable refrigerant gas and all types of batteries. The facility also accepts fluorescent lights bulbs for recycle. Computers and other electronic equipment are accepted for dismantling and consolidation.

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/g) National Grid

Page 244-E-67552 and 20-G-0381

DPS-705 Attachment 4

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EP-18 Form 5 VENDOR EVALUATION

RECOMMENDATION

Facility is recommended for approval ar	nd/or continued u	se (see Summary at end of review)
VAG accepted for use: { } Yes	{ } No	DATE:
APPROVED VENDOR LIST UPDATED):	DATE:

SITE LAYOUT AND OPERATIONS

Site Layout

The facility consists two parcels, Parcel A, which consists of approximately 7 acres and the currently developed portion of the site, and Parcel B, which is approximately 30 acres of undeveloped land. All waste storage and processing activities occur with the approximately 57,000 square-foot building on Parcel A. The active area of the facility is 100% paved. The building is divided into office space, 8 loading/unloading docks, a material receiving area, a material sorting area, an outgoing materials area, container storage, an operations area for the disassembly of electronic equipment, a mercury lamp processing room and a mercury distillation room.

Wastes are segregated upon arrival at the facility and sorted for treatment. Wastes are generally processed within 24 hours. Bar code labels are not used but "document labels" are affixed to each container or package received.

All container storage is indoors. Drums may be stacked two-high with two feet of aisle space. Drums in the ballast recycling area are within curbing as well as being on a pad indoors. There is no limitation, other than limitations of space, on the total number of drums the facility can store with the exceptions that the TSCA area is limited to 804 55-gallon drum equivalents and the Class C mercury storage area is limited to 234 pallets of waste. Both the TSCA and Class C areas have epoxy-coated floors. All transfers occur within the building.

The facility has no storage tanks and the facility does not generate wastewater. No waste liquids, with the exception of liquid elemental mercury (which is rarely received), are accepted into the facility. Any liquid mercury is generally contained in articles such as thermometers, manometers, and switches. Spills and leaks are otherwise prevented by operator attention during material handling.

HEPA filters and activated carbon beds are used on the lamp crusher/separation units. Activated carbon beds are used on the distillation units/retorts. Following air pollution controls, units exhaust to the atmosphere through two stacks outside the building.

The facility operates under a stormwater no-exposure exclusion.

Operations

There are six recycling/transfer activities conducted at the facility:

1. Fluorescent lamps: Lamps are fed individually into one of three crusher/separator units (HID, LSS1, and "C Machine"). Lamps are crushed and components of lamps are separated inside the sealed units. Glass shards are cleaned under vacuum, and sent to NC Minerals in Bloomington, Minnesota to be reused as a glass abrasive for blasting. Aluminum end caps are collected and transported offsite to a scrap dealer. Calcium phosphate (phosphor) powder, which contains mercury from crushed lamps, is collected in small containers and taken to one of three onsite distillation/retort units. Any airborne particles and mercury vapors from the light crushing units are collected in HEPA filters and activated carbon vessels through which air from the units is

DPS-705 Attachment 4 Page 91 of 112

EP-18 Form 5 VENDOR EVALUATION

vented. Phosphor powder in containers is placed in one of the three site retort units. A vacuum is established in the retort chamber by an external vacuum pump, and temperature is raised to between 550 and 850 degrees Celsius (electrically heated units, each 9.4 kilowatts). The high temperature is held from six hours to a maximum of twenty-four hours to vaporize mercury from powder. Mercury vapor is condensed, and the liquid elemental mercury produced is collected in 15-gallon containers. Three to four times a year, all mercury collected from retorting is consolidated into DOT-approved containers along with mercury collected directly from pour-off from devices and shipped for further refining and sale to the market. The remaining powder in the retort is cooled and removed from the unit and shipped for disposal. All components from the lamp recycling operations are tested quarterly for both TCLP and total mercury.

- 2. Mercury high intensity discharge (HID) lamps are automatically disassembled in an enclosed unit, which utilizes a series of conveyor belts, crushers, and magnetic separators to separate materials into mercury-containing and non-mercury-containing residuals and the volume is reduced. Glass is consolidated with processed fluorescent lamp glass for use as non-hazardous daily cover at the Waste Management non-hazardous landfill in Taunton, Massachusetts. Ampoules containing mercury are crushed, and the mercury is removed and processed in retorts onsite (much like the phosphor powder from the fluorescent lamp recycling process). The facility also operates a crusher for mercury-containing devices that hold non-pourable elemental mercury, such as thermometers, which is operated intermittently.
- 3. Fluorescent lamp ballasts typically consist of a steel housing unit which contains a small capacitor, a transformer, and an asphalt potting material to hold the components in place. Capacitors may be impregnated with PCBs, and the potting material may also contain PCBs. The ballast units containing PCBs are placed initially in a freezer compartment, which holds temperature below 32 degrees F. for at least 24 hours, and facilitates the subsequent separation of the ballast components. A hydraulic metal cutter is used to cut and remove the steel housing, which is boxed and sent off site as scrap along with any cuttings. Copper wire from internal transformers is cleaned in a proprietary device and recycled to a copper dealer. Spent wash solution is sent offsite for incineration. Potting compound and capacitors containing PCBs are transported offsite for treatment to a TSCA incinerator, or for disposal in a RCRA Subtitle C landfill. Non-PCB Ballasts (i.e., post 1979) do not require dismantling (however wires may be cut) and are scrapped for metals recovery. In some cases, non-PCB ballasts are disassembled similarly to PCB ballasts. However, no "soak and rinse" for PCB contaminant removal is required.
- 4. Old or obsolete electronic equipment, such as computers and peripherals, is transferred offsite for recycling. Some electronic equipment (with higher value components) is disassembled onsite, separating metals and plastics. Hard drives may be erased (military wipe) and/or shredded in a separate unit and shipped offsite for recycling.
- 5. All types of batteries are accepted onsite for sorting (no disassembly). Mercury batteries are segregated and sent to Veolia, Port Washington, Wisconsin. Units with no mercury are transferred offsite for recycling to various applicable facilities. All batteries have contacts taped over prior to further shipment, although they can be received non-taped.
- 6. Certain types of non-flammable refrigerant gases are recovered from air conditioners and refrigerators. Waste gas is sent to Veolia Flanders, New Jersey facility and ultimately to Veolia in Sauget, Illinois for incineration or to Interstate Refrigerant Recovery in Foxborough, Massachusetts for recycling. The facility received no equipment containing refrigerant in 2017.

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EP-18 Form 5 VENDOR EVALUATION

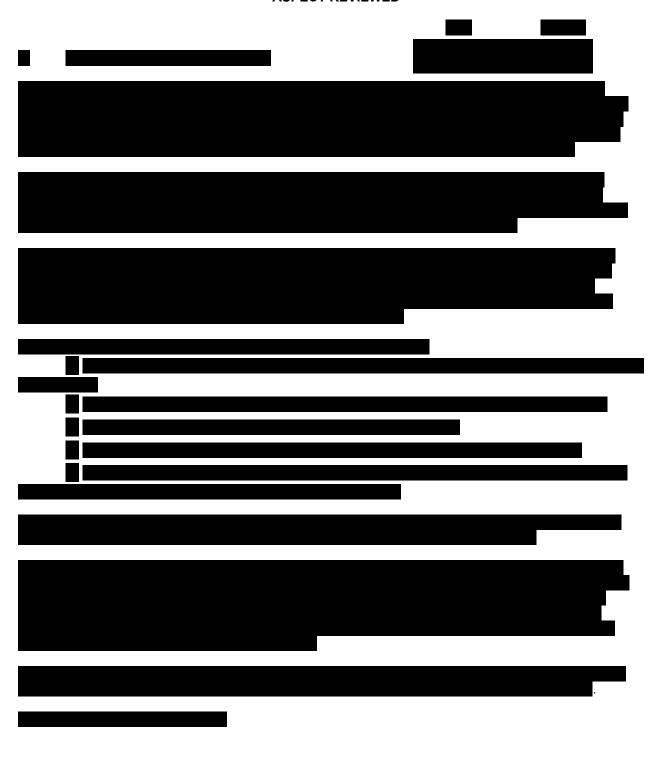
Waste Generation

- A. Wastes generated by the facility include:
- · Retorted phosphor powder is sent to the Waste Management landfill in Taunton, Massachusetts for landfill disposal.
- Ballast potting compounds and capacitors are sent to Veolia in Port Arthur, Texas or La Porte, Texas for incineration or to US Ecology Wayne Disposal in Belleville, Michigan for landfill disposal.
- Spent aqueous wash solution from ballast operations is sent to Veolia in Flanders, New Jersey or Phoenix, Arizona for incineration.
 - B. Materials that are sent offsite for reclamation or recycling include:
- Elemental mercury is sent to Veolia in Port Washington, Wisconsin to be sold on the mercury market.
- · Circuit boards and non-ferrous metals are shipped to Abington Reldan Metals in Fairless Hills, Pennsylvania and the Universal Scrap Metals Electronic Assets Recycling Division (USMe) in Chicago, Illinois for recycling.
- · Non-ferrous metals (copper windings from ballasts, etc.) are sent to Fortune Metal in Lincoln, Rhode Island and USMe in Chicago, Illinois for recycling.
 - · Scrap non-PCB ballasts are sent to USMe in Chicago, Illinois for recycling.
- Ferrous metal (sheet metal ballast casings, etc.) are sent to Eco Recycling Systems in Brockton, Massachusetts and Schnitzer Steel in Attleboro, Massachusetts for recycling.
 - · Cardboard containers are sent to Miller Recycling in Mansfield, Massachusetts for recycling.
- Plastic casings from electronic items are sent to Covanta in Holliston, Massachusetts for recycling.
- · Leaded glass from CRTs is sent to Universal Recycling Technologies (URT) in Dover, New Hampshire for recycling.
- · Scrap electronics are sent to JCM Computers in Abington, Massachusetts, PC Exchange in Framingham, Massachusetts and USMe in Chicago, Illinois for recycling.
- Batteries are sent to RSR Corporation in Middletown, New York, Raw Materials Company in Buffalo, New York, Retriev Technologies in Lancaster, Ohio and Inmetco in Ellwood City, Pennsylvania for recycling.
 - · Spent carbon is sent to Veolia in Port Washington, Wisconsin for recycling.
 - · Crushed lamp glass is sent to NC Minerals in Bloomington, Minnesota for recycling.
- · Mercury solids (amalgam, mercury-containing manufactured articles, elemental, mercury box liners) are sent to Veolia in Port Washington, Wisconsin for recycling.

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EP-18 Form 5 VENDOR EVALUATION

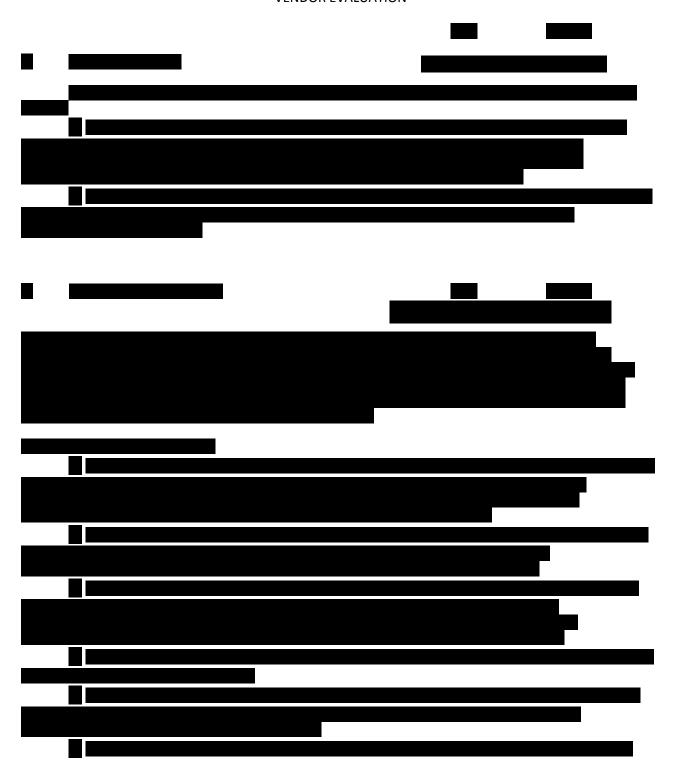
ASPECT REVIEWED



DPS-705 Attachment 4

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EP-18 Form 5 VENDOR EVALUATION



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EP-18 Form 5 **VENDOR EVALUATION**

NSAT
UNSAT
compliance Hockomock the facility to s, residential the facility on nd southwest ry border the acility. The s es of the
NSAT
5 years.

Cases 20-E-0380 & 20-G-0381

EP-18 Form 5 **VENDOR EVALUATION**

Niagara Mohawk Power Corporation Exhibit (SSIR 1) National Grid Page 204-E-6/3827 and 20-G-0381 DPS-705 Attachment 4 Page 96 of 112

SUMMARY:

The Veolia, West Bridgewater facility provides recycling services for several of our waste streams Clor-n-Oil test kits, batteries (especially lithium ion), TVs, refrigerators and other misc wastes which are hard to find homes for. Veolia is providing a valuable recycling service which helps in our environmental corporate goals.

In summary, the evaluation criteria identified in EP-18 and summarized above are satisfactory when measured jointly. Based on the above detailed review, the facility is recommended to continue used by National Grid.

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EP-18 Form 5 VENDOR EVALUATION

National Grid

Vendor Audit Form for Documenting Audits conducted by CHWMEG

EP - 18 Form 5

Date of Review: March 11, 2019

Date of Last Review: May 2013

Prepared By: Beverly Auxford-Paiva

Vendor Name: Veolia ES Technical Solutions, LLC

EPA ID: MAC300017498

Vendor Address: 90 Pleasant Street

West Bridgewater, MA 02379 Telephone: (774) 296-6030

Date of CHWMEG Audit: April 12, 2018

CHWMEG Report Evaluation

BACKGROUND

<u>List Wastes National Grid is requesting to send to this facility:</u>

Batteries, computers, televisions, fluorescent lights, fluorescent light ballasts, refrigerators, air conditioners, thermostats and spent or expired Clor-n-Oil test kits.

List National Grid groups that use or potentially use this facility:

Facility is used by Electric and Gas Operations, Facilities, Fleet and SIR.

FACILITY IS: The facility is permitted to reclaim mercury from mercury-contaminated materials and elemental mercury waste, to decontaminate polychlorinated biphenyl (PCB) fluorescent light ballasts and to store PCB contaminated materials. The facility accepts mercury-containing manufactured articles (MCMA) such as fluorescent lamps, high intensity discharge (HID) lamps, batteries, mercury regulators, switches, thermometers and thermostats. These manufactured articles may also contain cadmium or lead as underlying hazardous constituents and carry the corresponding waste codes. The facility also accepts elemental mercury classified as a discarded commercial chemical product, mercury compounds, debris, soil and phosphor that are contaminated with mercury, PCB and non-PCB lamp ballasts, small PCB capacitors (less than 9 pounds), non-flammable refrigerant gas and all types of batteries. The facility also accepts fluorescent lights bulbs for recycle. Computers and other electronic equipment are accepted for dismantling and consolidation.

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/g) National Grid

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DPS-705 Attachment 4

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EP-18 Form 5 VENDOR EVALUATION

RECOMMENDATION

Facility is recommended for approval a	nd/or continued	use (see Summary at end of review)
VAG accepted for use: { } Yes	{ } No	DATE:
APPROVED VENDOR LIST UPDATED	D:	DATE:

SITE LAYOUT AND OPERATIONS

Site Layout

The facility consists two parcels, Parcel A, which consists of approximately 7 acres and the currently developed portion of the site, and Parcel B, which is approximately 30 acres of undeveloped land. All waste storage and processing activities occur with the approximately 57,000 square-foot building on Parcel A. The active area of the facility is 100% paved. The building is divided into office space, 8 loading/unloading docks, a material receiving area, a material sorting area, an outgoing materials area, container storage, an operations area for the disassembly of electronic equipment, a mercury lamp processing room and a mercury distillation room.

Wastes are segregated upon arrival at the facility and sorted for treatment. Wastes are generally processed within 24 hours. Bar code labels are not used but "document labels" are affixed to each container or package received.

All container storage is indoors. Drums may be stacked two-high with two feet of aisle space. Drums in the ballast recycling area are within curbing as well as being on a pad indoors. There is no limitation, other than limitations of space, on the total number of drums the facility can store with the exceptions that the TSCA area is limited to 804 55-gallon drum equivalents and the Class C mercury storage area is limited to 234 pallets of waste. Both the TSCA and Class C areas have epoxy-coated floors. All transfers occur within the building.

The facility has no storage tanks and the facility does not generate wastewater. No waste liquids, with the exception of liquid elemental mercury (which is rarely received), are accepted into the facility. Any liquid mercury is generally contained in articles such as thermometers, manometers, and switches. Spills and leaks are otherwise prevented by operator attention during material handling.

HEPA filters and activated carbon beds are used on the lamp crusher/separation units. Activated carbon beds are used on the distillation units/retorts. Following air pollution controls, units exhaust to the atmosphere through two stacks outside the building.

The facility operates under a stormwater no-exposure exclusion.

Operations

There are six recycling/transfer activities conducted at the facility:

1. Fluorescent lamps: Lamps are fed individually into one of three crusher/separator units (HID, LSS1, and "C Machine"). Lamps are crushed and components of lamps are separated inside the sealed units. Glass shards are cleaned under vacuum, and sent to NC Minerals in Bloomington, Minnesota to be reused as a glass abrasive for blasting. Aluminum end caps are collected and transported offsite to a scrap dealer. Calcium phosphate (phosphor) powder, which contains mercury from crushed lamps, is collected in small containers and taken to one of three onsite distillation/retort units. Any airborne particles and mercury vapors from the light crushing units are collected in HEPA filters and activated carbon vessels through which air from the units is

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EP-18 Form 5 VENDOR EVALUATION

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- 2. Mercury high intensity discharge (HID) lamps are automatically disassembled in an enclosed unit, which utilizes a series of conveyor belts, crushers, and magnetic separators to separate materials into mercury-containing and non-mercury-containing residuals and the volume is reduced. Glass is consolidated with processed fluorescent lamp glass for use as non-hazardous daily cover at the Waste Management non-hazardous landfill in Taunton, Massachusetts. Ampoules containing mercury are crushed, and the mercury is removed and processed in retorts onsite (much like the phosphor powder from the fluorescent lamp recycling process). The facility also operates a crusher for mercury-containing devices that hold non-pourable elemental mercury, such as thermometers, which is operated intermittently.
- 3. Fluorescent lamp ballasts typically consist of a steel housing unit which contains a small capacitor, a transformer, and an asphalt potting material to hold the components in place. Capacitors may be impregnated with PCBs, and the potting material may also contain PCBs. The ballast units containing PCBs are placed initially in a freezer compartment, which holds temperature below 32 degrees F. for at least 24 hours, and facilitates the subsequent separation of the ballast components. A hydraulic metal cutter is used to cut and remove the steel housing, which is boxed and sent off site as scrap along with any cuttings. Copper wire from internal transformers is cleaned in a proprietary device and recycled to a copper dealer. Spent wash solution is sent offsite for incineration. Potting compound and capacitors containing PCBs are transported offsite for treatment to a TSCA incinerator, or for disposal in a RCRA Subtitle C landfill. Non-PCB Ballasts (i.e., post 1979) do not require dismantling (however wires may be cut) and are scrapped for metals recovery. In some cases, non-PCB ballasts are disassembled similarly to PCB ballasts. However, no "soak and rinse" for PCB contaminant removal is required.
- 4. Old or obsolete electronic equipment, such as computers and peripherals, is transferred offsite for recycling. Some electronic equipment (with higher value components) is disassembled onsite, separating metals and plastics. Hard drives may be erased (military wipe) and/or shredded in a separate unit and shipped offsite for recycling.
- 5. All types of batteries are accepted onsite for sorting (no disassembly). Mercury batteries are segregated and sent to Veolia, Port Washington, Wisconsin. Units with no mercury are transferred offsite for recycling to various applicable facilities. All batteries have contacts taped over prior to further shipment, although they can be received non-taped.
- 6. Certain types of non-flammable refrigerant gases are recovered from air conditioners and refrigerators. Waste gas is sent to Veolia Flanders, New Jersey facility and ultimately to Veolia in Sauget, Illinois for incineration or to Interstate Refrigerant Recovery in Foxborough, Massachusetts for recycling. The facility received no equipment containing refrigerant in 2017.

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EP-18 Form 5 VENDOR EVALUATION

Waste Generation

A. Wastes generated by the facility include:
☐ Retorted phosphor powder is sent to the Waste Management landfill in Taunton, Massachusetts for landfill disposal.
☐ Ballast potting compounds and capacitors are sent to Veolia in Port Arthur, Texas or La Porte, Texas for incineration or to US Ecology Wayne Disposal in Belleville, Michigan for landfill disposal.
□ Spent aqueous wash solution from ballast operations is sent to Veolia in Flanders, New Jersey or Phoenix, Arizona for incineration.
B. Materials that are sent offsite for reclamation or recycling include:
☐ Elemental mercury is sent to Veolia in Port Washington, Wisconsin to be sold on the mercury market.
☐ Circuit boards and non-ferrous metals are shipped to Abington Reldan Metals in Fairless Hills, Pennsylvania and the Universal Scrap Metals Electronic Assets Recycling Division (USMe) in Chicago, Illinois for recycling.
☐ Non-ferrous metals (copper windings from ballasts, etc.) are sent to Fortune Metal in Lincoln, Rhode Island and USMe in Chicago, Illinois for recycling.
☐ Scrap non-PCB ballasts are sent to USMe in Chicago, Illinois for recycling.
☐ Ferrous metal (sheet metal ballast casings, etc.) are sent to Eco Recycling Systems in Brockton, Massachusetts and Schnitzer Steel in Attleboro, Massachusetts for recycling.
☐ Cardboard containers are sent to Miller Recycling in Mansfield, Massachusetts for recycling.
☐ Plastic casings from electronic items are sent to Covanta in Holliston, Massachusetts for
recycling.
☐ Leaded glass from CRTs is sent to Universal Recycling Technologies (URT) in Dover, New Hampshire for recycling.
☐ Scrap electronics are sent to JCM Computers in Abington, Massachusetts, PC Exchange in Framingham, Massachusetts and USMe in Chicago, Illinois for recycling.
☐ Batteries are sent to RSR Corporation in Middletown, New York, Raw Materials Company in Buffalo, New York, Retriev Technologies in Lancaster, Ohio and Inmetco in Ellwood City, Pennsylvania for recycling.
☐ Spent carbon is sent to Veolia in Port Washington, Wisconsin for recycling.
☐ Crushed lamp glass is sent to NC Minerals in Bloomington, Minnesota for recycling.
☐ Mercury solids (amalgam, mercury-containing manufactured articles, elemental, mercury box liners) are sent to Veolia in Port Washington, Wisconsin for recycling.

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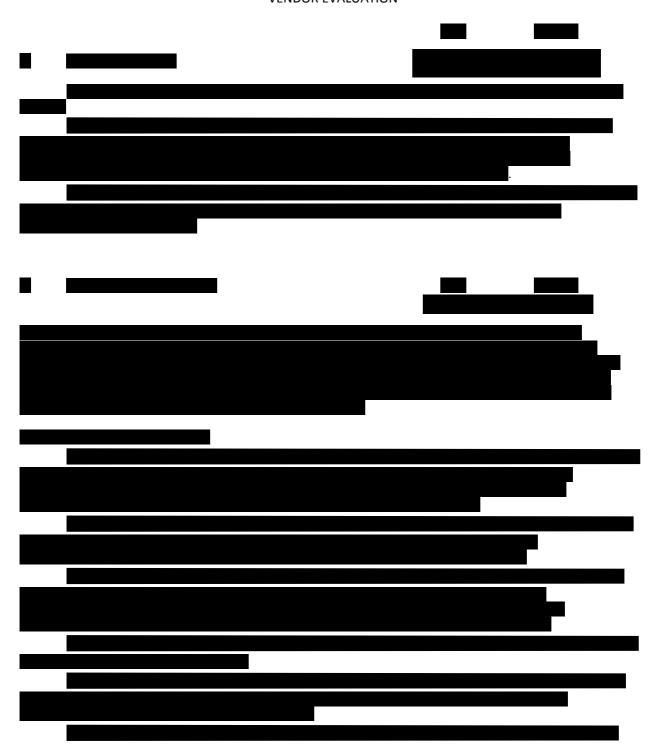
EP-18 Form 5 VENDOR EVALUATION

ASPECT REVIEWED



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EP-18 Form 5 VENDOR EVALUATION





EP-18 Form 5 VENDOR EVALUATION

				_
5)	EXISTING CONTAMINATION OF SITE	SAT _X	UNSA	хт —
There i	s no existing contamination of the Site.			
6)	PROXIMITY TO SENSITIVE RECEPTORS:		SAT _X	UNSAT
History Swamp the wes areas a the eas (the wid facility Hockor	ing to the United States Environmental Protection Agency (EPA). Online (ECHO) database, there are 741 residents within one miles borders the facility on the south. There are residences across Plat. An electronics manufacturer is also adjacent to the facility on the and undeveloped properties are located across State Route 24, west. The closest residence to the facility is located approximately 30 dth of the Pleasant Street right-of-way). A cellular telephone tower on the north. The closest school is located approximately 1.2 miles mock River is approximately 2,800 feet west of the facility and Westmately 3,100 feet east of the facility. There are also various small	e of the fa leasant St he west. E rhich is ad 0 feet to th r site and es northea est Meado	cility. The Hoc reet from the f Businesses, re jacent to the fa he west and so a cemetery bo ist of the facilit w Brook is	ckomock facility to sidential acility on outhwest order the ty. The
7)	SIGNIFICANT INCIDENTS	SAT _X	UNSA	хт —
There I	nave been no noteworthy fires, spills, explosions or releases at th	e facility ir	n the past 5 ye	ears.
_				
		_x		_

Niagara Mohawk Power Corporation Exhibit__(SSIR#b/g) National Grid Page 25至67527 and 20-G-0381 DPS-705 Attachment 4

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Cases 20-E-0380 & 20-G-0381

EP-18 Form 5 VENDOR EVALUATION

SUMMARY:

The Veolia, West Bridgewater facility provides recycling services for several of our waste streams Clor-n-Oil test kits, batteries (especially lithium ion), TVs, refrigerators and other misc wastes which are hard to find homes for. Veolia is providing a valuable recycling service which helps in our environmental corporate goals.

In summary, the evaluation criteria identified in EP-18 and summarized above are satisfactory when measured jointly. Based on the above detailed review, the facility is recommended to continue used by National Grid.

National Grid Vendor Audit Form for Documenting Audits conducted by CHWMEG EP-18 Form 5

Date of Review: _	December 2019	Date of Last Review: <u>December 17, 2014</u>
Prepared By:	Megan Behm	
Vendor Name: <u>W</u>	<u> /aste Management – Mercu</u>	ry Waste Inc.
Vendor Address:	21211 Durand Avenue	
_	Union Grove, WI 5321	7
CHWMEG Report	Evaluation Date of CHWM	IEG Audit: September 11, 2019
Waste Managemel holding company a or operate 247 soli America), manage List wastes Natio	nt, Inc. (WM), which has its co and all operations are conducted	•
LIVI SWILE	ii boaras, ivicicary vvaste k	or over rumps
	groups that use or potentian	ally use this facility:
		illincinerator <u>X</u> treatment facility (LTTD) ling, Mercury Recovery Retort Ovens
RECOMMENDATI Recommended fo	ON: or continued use by Nationa	al Grid.
VAG accepted for	ruse: []Yes []N	o DATE:
APPROVED VEND	OOR LIST UPDATED:	DATE:

Revision 0

Revision Date: 1/14/16 Page **1** of **4**

EP-18 Form 5

VENDOR EVALUATION



Revision 0
Revision Date: 1/14/16

Page **2** of **4**

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threshold quantities.

EP-18 Form 5

5) EXISTING CONTAMINATION OF SITE	X
Soil sampling was conducted in October 2012, as requisamples from this event were found to be below the 10 standard established by WDNR. The hazardous waste license requires site-wide soil sar sampling also revealed all locations sampled to be belowas at 9 ppm. The 2016 sampling revealed all locations sampled to be sampling is scheduled for August.	ppm mercury site-specific clean-up mpling every other year. The 2014 ow 10 ppm mercury, although one location
6) PROXIMITY TO SENSITIVE RECEPTORS	X
7) SIGNIFICANT INCIDENTS	X
In the spill report submitted to WDNR on January 26, 20, 2015; 70 gallons blowdown liquid was released from spills were also logged during the fourth quarter of 2015	a WWTP process tank. Four other small

A spill of 12 gallons of wastewater occurred in the yard area in February 2015. The spilled material froze almost immediately on the paved surface and was shoveled up and the area pressure washed. The recovered material and washwater were retorted onsite. No incidents were reported in 2014.

During the third quarter 2015, three spills were logged; none were reportable releases based on

According to the CHWMEG report, fires, explosion, spills, or releases have not occurred at the site during the last five years.

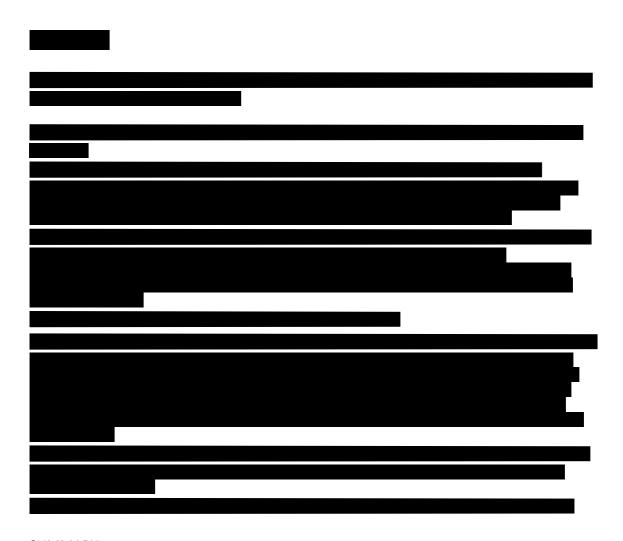


Revision 0 Revision Date: 1/14/16

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EP-18 Form 5



SUMMARY:

Considering that all the aspects reviewed are satisfactory, WM-Mercury Waste Inc. is recommended for continued use and to be retained on the "Approved Disposal Facilities List."

Revision 0 Revision Date: 1/14/16

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Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

Page 466-67827 and 20-G-0381

DPS-705 Attachment 4

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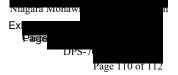
National Grid EI-180 Form 1 Template for Documenting Vendor Audits

Date of Review:	10/01/2019	Date of Last Review: n/a	
Prepared By:	Nicholas Calabro		
Vendor Name:	Waste Managemen	nt of Fairless LLC	
Vendor Address:	1513 Bordentown F	Road, Morrisville, PA 19067	
	aluation: 10/01/2019 udit: 04/10/2019		
Background:			
waste and Pennsylva asbestos; contamina adjacent related land disposal. Non-hazaro landfills, which are o landfill that operated being evaluated at the Highlights and Note The site as a whole haste was formerly a contact	ted soil, etc. No solidifications and service of the soil, etc. No solidifications is also accepted or dous leachate is received in the same general produced from 1970 until Januaris time for VAG considerations worthy Items: The same of the same service of the same general produce	itle D Non Hazardous Waste Landfill accepting non-cresidual wastes include wastewater treatment fication or stabilization is conducted onsite. Lead on the same general site at the WM WWTP for the definition of the closed Tullytown, GROWS North, are operty. A stream of hazardous leachate from the lary 1983 is also received for treatment. The WM deration, as they only accept landfill leachate from the landfill leachate collected on the lan	sludge; chate from reatment and nd GROWS e Old GROWS M WWTP is not om onsite.
	Grid is requesting to s		
Construction & Dem	olition debris (concrete	e from the Citizens MGP site).	
List National Grid gr	oups that use or poten	ntially use this facility:	
Site Investigation & I requested.	Remediation. Potential	al use by Facilities Management (MSW & office v	vaste) if
Facility is: (check all x Landfill		eatment facilitytransfer facilityother (list):
Recommendation:			
WM Fairless Landfill	to be added to the app	proved vendor list.	

Revision 0 Revision Date: 5/17/2019

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EI-180 Form 1



VAG accepted for use: []Yes []No	DATE:	
Approved Vendor List Updated:	DATE:	
,	VENDOR EVALUATION	
ASPECT REVIEWED		
ASPECT REVIEWED	<u></u>	

Revision 0

Revision Date: 5/23/2019

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EI-180 Form 1

Niagara Mohawk Power Corporation

Exhibit__(SSIR#b/a) National Grid

Page 462-66362 and 20-G-0381

DPS-705 Attachment 4

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5) EXISTING CONTAMINATION OF SITE	SAT x	UNSAT

Notes:

The facility is considered a Brownfield site. Studies conducted prior to development found evidence of groundwater impacts from historic activities at the US Steel Fairless Coke Works. There is no evidence of groundwater impacts from the WMF facility. Currently, the entire 2,500-acre former USS Fairless Works facility is subject to RCRA Corrective Action under an Administrative Order on Consent (AOC) between USEPA and USS dated April 20, 1993. These reports have served as the technical basis to develop the understanding of the Site background with a principal focus of the Corrective Action requirements of the AOC and former borrow pits (for tar) at the Site that were used for disposal by USS. In March 2004, USEPA determined that, based on USS's intention to restrict future land use to "industrial scenarios only", the RCRA Corrective Action Human Exposure Under Control environmental indicator had been met. WMF has 16 groundwater monitoring wells surrounding the landfill in all gradient directions on a quarterly basis. The results of the third quarter 2018 sampling indicate:

- VOCs have been reported in wells at the site, but these VOCs were reported in the background sampling and analysis report (prior to waste placement) and likely represent historical activities at the site.
- <u>Chloride and ammonia have also been detected and will be reviewed in future evaluation of</u> potential leachate impacts in the Upper Aguifer.
- One well in the Confined Aquifer is impacted by road salt, ammonia, and Chemical Oxygen Demand from prior salt storage and steel making activities at the site that predate the landfill construction.

The current monitoring program provides for analysis of the Subtitle D Add-on list of analytes during the annual sampling events.

6) PROXIMITY TO SENSITIVE RECEPTORS SAT UNSAT _______

Notes:

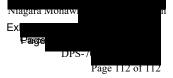
There are no residents within one mile of the facility, and about 43,303 between one and three miles. The Delaware River is a major river in the region and is used for recreation, navigation, and water supply. Other surface water bodies within one to two miles include man made recreational lakes created from former sand, clay, and gravel quarries that mined sediments deposited by the Delaware River, and tidal wetlands, and estuaries also associated with the river. The nearest schools are located three miles west and northwest and 2.3 miles southeast. Although located in an area in close proximity to abundant wetlands and surface water, as well as a very shallow uppermost groundwater zone, the area has been historically used for heavy industry and waste disposal purposes, including three closed landfills nearby and adjacent. The uppermost groundwater unit is roughly 10 to 15 feet below ground surface (bgs) and the first useable groundwater unit is found between 50 to 100 feet bgs. Studies conducted by WM have shown that a catastrophic leachate release into the Delaware River would not contaminate the water

Revision 0

Revision Date: 5/23/2019

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EI-180 Form 1

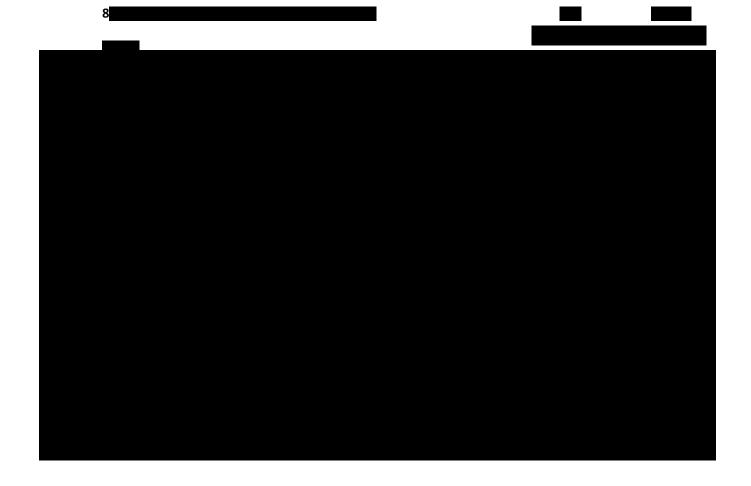


sources above drinking water standards due to the significant dilution from the Delaware River flow between the facility and the drinking water intakes along the River.

7) SIGNIFICANT INCIDENTS	SAT	UNSAT
	X	

Notes:

No significant incidents have been observed at the facility. Employee training follows a comprehensive corporate training system that covers environmental, safety, and site-specific operations. Emergency drills and tabletop discussions are conducted at the facility with the most recent occurrence in the 1st quarter 2019. The facility SPCC and PPC plans were last updated March 2018. Fire protection equipment consists of two water trucks with a water cannon on each, operated by trained facility personnel. Radio communications and alarms are also in place. In-house inspections are conducted daily, weekly, and monthly. Regular corporate audits are also conducted.



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Revision Date: 5/23/2019

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Niagara Mohawk Power Corporation Exhibit__(SSIRP-1) National Grid Page 464 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 1 of 20

National Grid Template for Documenting Vendor Audits

Date of Review:	Date of	f Last Review:	 _
Prepared By:			_
Vendor Name:			_
Vendor Address:			_
CHWMEG Report Evaluation	n Date of CHWM	EG Audit:	_
BACKGROUND:			
List wastes National Grid is	requesting to send t	to this facility	
	· ·		
FACILITY IS: (check all thatotl			
RECOMMENDATION:			
VAG accepted for use: []Yes []No	DATE:	_
APPROVED VENDOR LIST U	PDATED:	DATE:	 _

Niagara Mohawk Power Corporation Exhibit__(SSIRP-1) National Grid Page 465 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 2 of 20

VENDOR EVALUATION

ASPECT REVIEWED			
		'	
		·	
-			
-			
_ _ _			
5) EXISTING CONTAMINATION O	F SITE		
Notes:			

Niagara Mohawk Power Corporation Exhibit__(SSIRP-1) National Grid Page 466 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 3 of 20

6) PROXIMITY TO SENSITIVE RECEPTORS	
Notes:	
7) SIGNIFICANT INCIDENTS	
Notes:	
- - -	
SUMMARY:	

Niagara Mohawk Power Corporation Exhibit (SSIRP-1) Page 467 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 4 of 20

National Grid Vendor Audit Form El-180 Form 1 <u>American Recyclers Company, Inc.</u>

 Date of Review:	March 2020	Date of Last Review:	N/A
Date of Review:	March 2020	Date of Last Review:	N/.

Prepared By: Lisa Montesano

Vendor Name: American Recyclers Company, Inc.

(subsidiary company of The Environmental Service Group (NY), Inc. (ESG)

Vendor Address: 177 Wales Avenue (ARC and ESG)

Tonawanda, NY 14150

CHWMEG Report Evaluation: Not Available Date of CHWMEG Audit: N/A

On-Site Audit Completed: December 17, 2019

BACKGROUND:

Wastes National Grid is requesting to send to this facility:

Non-hazardous (non-RCRA, non-PCB) wastes including, but not limited to, petroleum-contaminated debris, soil, waters; oils; automotive coolants; gasoline; and diesel.

National Grid groups that use or potentially use this facility:

Various National Grid operating departments (Electric and Gas Operations, Property Services, Fleet Management, etc.), derived from routine operations and maintenance activities, emergency response activities, and project construction work. Approximately 150,000 gallons of non-hazardous bulk liquids/sludges per year require management in the Western Division – NY alone. Non-hazardous bulk wastes are primarily derived from oil-water separators, trenches, catch basins, electric vaults and manholes, and construction dewatering.

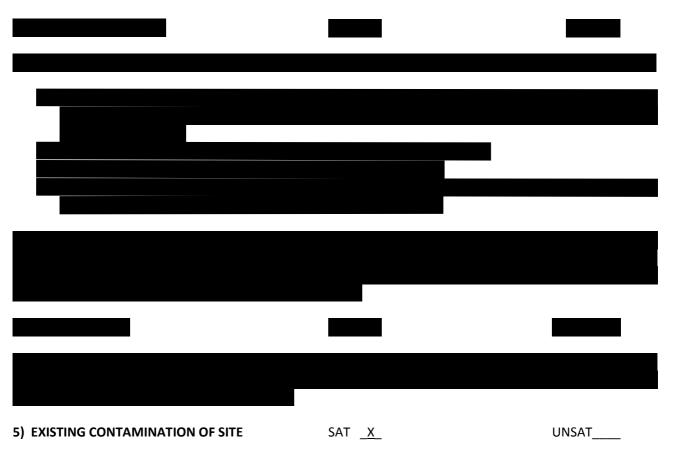
FAC	CILITY IS: (check all that apply)
	landfill
	incinerator
	treatment facility
X	transfer facility
	_other (list):
X	treatment facility transfer facility

Important notation: Existing vendor who accepts these non-hazardous waste streams (Covanta Environmental – Niagara) is shut down indefinitely due to a fire. A replacement facility is needed to avoid transferring material to smaller containers or shipment to distant facilities that have capacity constraints (e.g., Covanta Environmental – Oriskany). Similar to Covanta-Environmental, ARC batches and transfers bulk non-hazardous waste to Covanta – Niagara (waste-to-energy facility, approved by the VAG). Waste profiling is required by their NYSDEC Solid Waste Permit to document waste streams are non-hazardous and meet Covanta's criteria and environmental permits.

Niagara Mohawk Power Corporation Exhibit__(SSIRP1) A National Grid Page 468 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 5 of 20

ist as a non-hazardous waste vendor.			
/AG accepted for use:	YES	NO	DATE:
APPROVED VENDOR LIST UPDATED:		DATE	
SPECT REVIEWED:			

Niagara Mohawk Power Corporation EXHIDIT_(SSIRP-1) Page 469 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 6 of 20



According to the NYSDEC Environmental GIS website (DECinfo Locator), the facility is not located on a site with environmental cleanup requirements or monitoring. ARC reported the absence of contamination at the site. The property is located adjacent to a NYSDEC Superfund Site (Tonawanda City Landfill Site), which has been remediated and is subject to post-closure monitoring.

6) PROXIMITY TO SENSITIVE RECEPTORS

SAT X

UNSAT____

The facility does not have any state or federal natural resources on site. Also, the facility property is located outside the 100-year flood zone. The building is connected to public sewer and water systems. The nearest sensitive receptor is Ellicott Creek, located approximately one half a mile to the north. The municipal stormwater system discharges to Ellicott Creek. Therefore, the operational and warehouse areas were constructed with a secondary containment system to prevent the discharge of spills to stormwater. (As noted above, this system was enhanced following the 2019 spill.)

7) SIGNIFICANT INCIDENTS

SAT X

UNSAT___

No significant safety or environmental incidents have been reported at the facility. The facility has formal plans that document spill response, contingency, and evacuation procedures.

Security is maintained via an active security system that monitors the entire facility, which is locked outside of normal business hours. The facility is in operation Monday through Friday (0700 – 1800 hours).

Niagara Mohawk Power Corporation Exhibit__(SSIRP-1) National Grid Page 470 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 7 of 20

National Grid Template for Documenting Vendor Audits

Date of Review:	Date of	Last Review:	 _
Prepared By:			_
Vendor Name:			 _
Vendor Address:			 _
CHWMEG Report Evaluati	on Date of CHWM	EG Audit:	-
BACKGROUND:			
List wastes National Grid i	s requesting to send t	o this facility	
		<u>, </u>	
FACILITY IS: (check all that			
RECOMMENDATION:			
VAG accepted for use: []Yes []No	DATE:	 _
APPROVED VENDOR LIST	JPDATED:	DATE:	

Niagara Mohawk Power Corporation Exhibit__(SSIRP-1) National Grid Page 471 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 8 of 20

VENDOR EVALUATION

ASPECT REVIEWED		-	
-			
-			
5) EXISTING CONTAMINATION OF	SITE		
Notes:			

Niagara Mohawk Power Corporation Exhibit__(SSIRP-1)4 National Grid Page 472 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 9 of 20

6) PROXIMITY TO SENSITIVE RECEPTORS	
Notes:	
7) SIGNIFICANT INCIDENTS	
Notes:	
SUMMARY:	
SUIVIIVIARY:	

Niagara Mohawk Power Corporation Exhibit__(SSIRP1) National Grid Page 473 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 10 of 20

National Grid Template for Documenting Vendor Audits

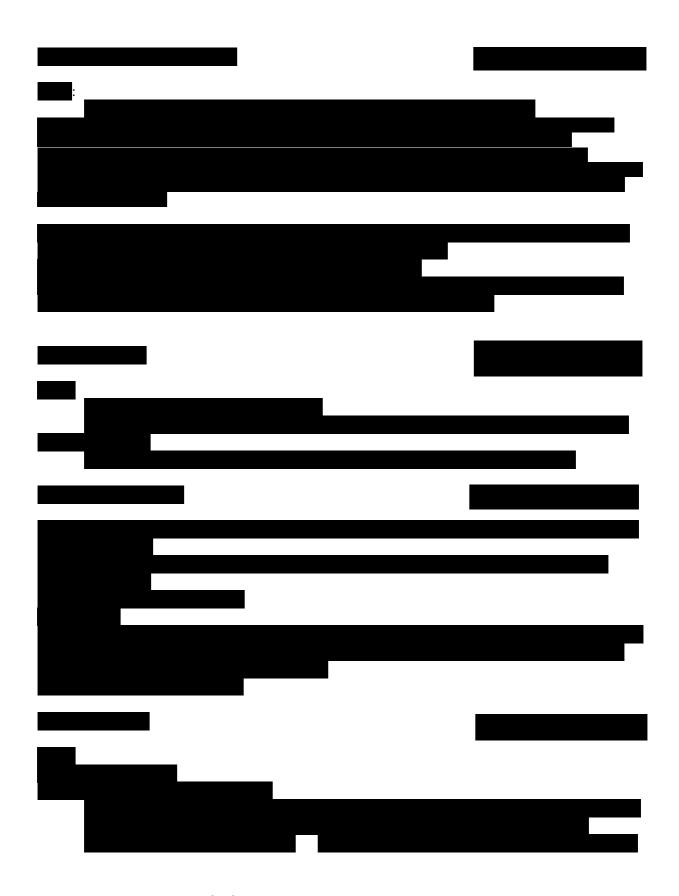
Date of Review:3/30/20 Date of Last Review:9/11/14
Prepared By: Steven DiLella
Vendor Name: - Clean Harbors - Bristol, CT
Vendor Address: - 51 Broderick Road Bristol, Connecticut, USA 06010
CHWMEG Report Evaluation Date of CHWMEG Audit:9/18/19
BACKGROUND:
List wastes National Grid is requesting to send to this facility Wastewater
List National Grid groups that use or potentially use this facility: Primarily used by DNY and NE for waste water treatment. All regions can use this site for WWT as well as a transfer station for hazardous and nonhazardous waste
FACILITY IS: (check all that apply):landfillincinerator _X_treatment facility Stransfer facility other (list): The facility provides wastewater treatment, stabilization/fixation of sludge/solids intended for land disposal and truck to truck transfer of containerized waste. The facility also accepts hazardous and non-hazardous wastes for storage, consolidation, and transfer to other company-owned facilities or offsite treatment and disposal facilities.
RECOMMENDATION: Keep this facility on the approved vendor list
VAG accepted for use: []Yes []No DATE:
APPROVED VENDOR LIST UPDATED: DATE:

VENDOR EVALUATION

ASPECT REVIEWED

EI-180_Form1; Rev 0 dated 5/24/2019

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Niagara Mohawk Power Corporation Exhibit__(SSIRP1) National Grid Page 475 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 12 of 20

5) EXISTING CONTAMINATION OF SITE	x	
Notes: 25 years of extensive GW and soil sampling indicate no contamination.		
6) PROXIMITY TO SENSITIVE RECEPTORS	X	
Notes: Ground water is at a depth of about 10 feet at the sight. Drinking water for the area is from surface reservoirs. The closest reservoir is 3. The report does not give any indication of where any drinking water wells are I there are no wells for at least 2/3 of a mile from the site. A wetland and small stream are adjacent to the property Hospital 2.25 miles from the site School 1.1 miles from the site Daycare 1,300 feet from the site Nearest residence is 900 feet from the site	•	states that
7) SIGNIFICANT INCIDENTS	_X	
Notes: Two in the last 5 years – 1) 7/20/1919 - Chrome and lead acid wastewa that drained to a gravel lot. The spill was cleaned up and reported. The report volume that was spilled. 2) on 6/9/17 a 55-gallon drum containing potassium o ~50 gallons onto an asphalt surface. Spill was cleaned up and reported.	did not indicate	the

SUMMARY:

The CHWMEG report does not indicate any major issues related to the potential liability of continuing to use this facility. It is recommended that this facility remain on the VAG approved vendor list.

EP-18 Form 5 VENDOR EVALUATION

Niagara Mohawk Power Corporation Exhibit (SSIRP-1) Page 476 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 13 of 20

National Grid

Vendor Audit Form for Documenting Audits conducted by CHWMEG

EP - 18 Form 5

Date of Review: March 6, 2020

Date of Last Review: September 3, 2014

Prepared By: Beverly Auxford-Paiva

Vendor Name: Murphy's Waste Oil Service, Inc.

Vendor Address: 252 Salem Street

Woburn, MA 01801

Telephone: (774) 296-6030

Date of CHWMEG Audit: June 13, 2019

CHWMEG Report Evaluation

BACKGROUND

List Wastes National Grid is requesting to send to this facility:

Waste oil, oil filters and waste anti-freeze.

List National Grid groups that use or potentially use this facility:

Facility is used by Electric and Gas Operations, LNGs, Fleet and Transgas.

FACILITY IS: Murphy's Waste Oil Service, Inc. ("Murphy's" or the "Facility") is a wholly-owned subsidiary of Clean Harbors, Inc. Clean Harbors, Inc. and its subsidiaries are a leading provider of environmental, energy and industrial services throughout North America. They are also the largest re-refiner and recycler of used oil in the world and the largest provider of parts cleaning and related environmental services to commercial, industrial and automotive customers in North America. In 2018 they reorganized their businesses into two operating segments: 1) Environmental Services (historically Technical Services, Industrial Services, Field Services, Oil and Gas, and Lodging Services) and 2) Safety-Kleen. An element of their business strategy continues to involve expansion through the acquisition of businesses. In 2018, they completed the purchase of Veolia's US Industrial Cleaning Division, for a preliminary price of \$124 million and acquired a privately-owned company (not identified) for \$27 million.

Murphy's is located on 3.4 acres of leased property, 1 acre of which is actively used for waste management, in a mixed commercial, residential and industrial area of Woburn, Middlesex County, MA, approximately 10 miles northwest of Boston. There are no related or unrelated tenant activities occurring on the property. The Facility operates from 0500-2100, Monday through Friday and personnel are on call in the event of an environmental emergency requiring the Facility to open during other hours. At the time of the site visit, the Facility employed 15 personnel. According to EPA's ECHO Database, 9,925 people reside within 1 mile of the Facility. Wells G & H, associated with the 330-acre superfund site of the same name, are located approximately 300 feet to the north of the Facility and the Facility is located on what is known as the "Southwest Properties" of that Superfund site. Northeast Tree Service is located about 75

EP-18 Form 5 VENDOR EVALUATION

Niagara Mohawk Power Corporation Exhibit (SSIRP-1) Page 477 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 14 of 20

feet to the south of the Facility. A Massachusetts Bay Transportation Authority rail line is located about 100 feet to the west of the Facility and Middlesex Tree Service adjoins the Facility to the east. The Industri-Plex Superfund site, located in North Woburn, is about a mile upstream. There are wetlands in non-active areas on the north and northeast portion of the property that extend off-site. The Aberjona River is approximately 800 ft northeast of the Facility, Horn Pond is about 8,000 ft to southwest, Walker Pond is approximately 2,900 feet to the southeast, North Reservoir is approximately 1.9 miles to the south/southeast, Middle Reservoir is about 2.4 miles to the south/southeast) and South Reservoir is about 3 miles to the south/southeast. There are about 17 schools within 3 miles of the Facility in multiple directions.

The Facility is a primarily a waste oil recycler. Waste oils are recycled and either sold as spec used oil fuel to industrial furnaces/boilers to burn as fuel or are sent to a re-refinery to be re-refined into base oil. Punctured and drained used oil filters are accepted for storage and transfer only. Oily waters are also accepted for recycling via gravity separation.

In 2018, the Facility received 1,100,431 gallons was waste oil, 563 drums of oil filters, 911,702 gallons of oily water and 10,000 gallons of antifreeze. Murphy's is authorized to accept Massachusetts Department of Environmental Protection (MassDEP) Hazardous Wastes MA01, MA97, MA98, MA99 and waste oil containing MassDEP/USEPA F001 and F002 chlorinated solvents. The Facility typically will not accept wastes bearing the F001 and F002 codes due to the decontamination of tankage and piping required to return to waste oil services. The Facility also will not accept wastes containing a detectable concentration of PCBs with a minimum detection limit of 2 ppm. The Facility also will not accept biological/etiological waste, radiological waste, mixed waste, including radioactive oil, dioxin containing waste or flammable liquids with a flash point less than 100°F. Oil filters, which must be punctured and drained prior to receipt, are transferred to Safety-Kleen in Cranston, RI for crushing prior to being shipped to a scrap recycler.

Wastes arrive at the Facility in company owned trucks, including Clean Harbors and Safety-Kleen trucks, (95+%) and third-party transporters (<5%). Liquid wastes arrive in bulk liquid containers, vacuum trucks and tank truck. Occasionally drummed shipments are received in trailers and box vans and pumped immediately to the tank farm. Used oil filters may also be received in containers transported in trailers and box vans. The Facility operates a top-loading garbage truck fused for the collection of used oil filters in bulk; however, filters collected in that manner are shipped directly to Safety-Kleen in Cranston RI without arriving at the Facility. The on-site staging is a 3-bay contained pad located adjacent to the tank farm. That area is paved and sloped to collect releases.

Residual wastes include:

Oily water and truck wash water are shipped to Clean Harbors Environmental Services in South Portland, ME for treatment.

Oily debris and solids from phase separation of oils are shipped to Clean Harbors Environmental Services in South Portland, ME for solidification.

Oily wipes and pads are shipped to Clean Harbors Environmental Services in South Portland, ME for consolidation prior to shipment off-site to landfill.

Groundwater monitoring well water is shipped to Clean Harbors Deer Park in Deer Park TX for incineration.

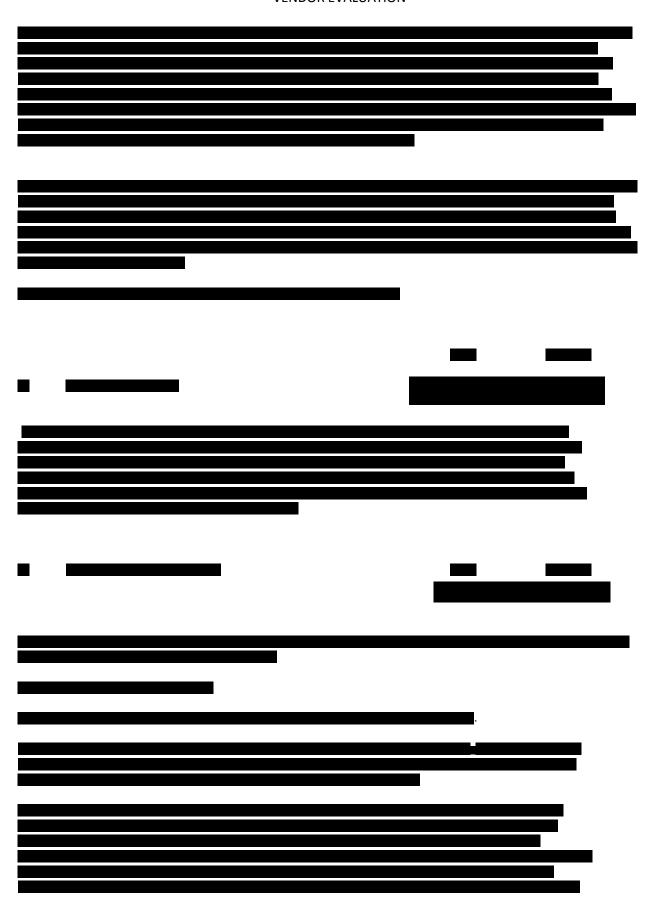
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EP-18 Form 5 VENDOR EVALUATION

RECOMMENDATION

Facility is recommended for appro	oval and/or continue	ed use (see Summary at	end of review)
VAG accepted for use: { } Yes	{ } No	DATE:	
APPROVED VENDOR LIST UPD	ATED:	DATE:	
	ASPECT	REVIEWED	
			_
			_

EP-18 Form 5 VENDOR EVALUATION



Niagara Mohawk Power Corporation Exhibit__(SSIRP-1) National Grid Page 480 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 17 of 20

EP-18 Form 5 VENDOR EVALUATION

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EP-18 Form 5 VENDOR EVALUATION

Niagara Mohawk Power Corporation Exhibit (SSIRP-1) Page 481 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 18 of 20

		SAT	UNSAT
5)	EXISTING CONTAMINATION OF SITE	X	

Wells G & H, associated with the 330-acre superfund site of the same name, are located approximately 300 feet to the north of the Facility and the Facility is located on what is known as the "Southwest Properties" of that Superfund site. There are five (5) groundwater monitoring well on-site that are being gauged monthly by the Facility to determine thickness of free product, which, if present, is removed and disposed of. The most recent response action (i.e. removal of oil layer) was in July 2016. Presently, no other action (i.e., sampling and analysis) is required of the Facility relevant to those wells.

Groundwater and soils at the Facility are contaminated from operations conducted prior to Murphy's leasing of the property. Contaminants include low concentrations of organic chemicals, including PCBs, and chromium and lead. Groundwater contamination extends off-site and remediation is pending USEPA's further investigation.

The Facility is located on what it known as the "Southwest Properties" of the Wells G&H Superfund Site. That site was added to the National Priorities List in 1982 and is contaminated with chlorinated solvents, primarily, trichloroethylene, as well as heavy metals.

In 1989 EPA issued a Records of Decision (ROD) for the first operable unit of the Wells G&H Superfund site to address five properties, not including the Facility, identified as sources of contamination to the Wells G&H aquifer. The ROD also called for a study of the central area of the Site and of the Aberjona River sediments. Remediation of the Aberjona River sediments were completed in 2017.

Subsequent to the 1989 ROD, EPA identified 3 properties located along Salem Street, including Murphy's property and collectively known as the Southwest Properties, and included the Southwest Properties as a component of the Central Area.

Between 1987 and 1990, Clean Harbors performed a series of investigations in preparation for the property becoming an updated waste oil handling facility. All of the ASTs in the northern portion of the property were removed prior to 1989, and approximately 1,100 cubic yards of petroleum-impacted soils were excavated from the former "oil pit" area in the central portion of the property where new facility structures were built.

Under CERCLA, EPA issued Murphy's a 2014 General Notice Letter outlining potential responsibility for contamination at the Southwest Properties, Operable Unit 4 (OU4) of the Site.

A ROD was issued for OU4 in September 2017 detailing selected cleanup methods. USEPA is in the process of negotiating a global settlement with various parties, including Clean Harbors and Old Oil Realty Trust, the property owner.

On March 22, 2018, EPA issued Murphy's a Special Notice Letter with respect to OU4. EPA has determined that use of the Special Notice may facilitate a settlement between Murphy's, other Potentially Responsible Parties, and EPA for implementation of the OU4 response action. Until determined to be complete, Murphy's will continue to implement the ongoing Immediate Response Action being conducted under the Massachusetts Contingency Plan, which is currently limited to the gauging and purging of monitoring wells, inspection of surface water and submission of Immediate Response Action (IRA) Status Reports.

EP-18 Form 5 VENDOR EVALUATION

Niagara Mohawk Power Corporation Exhibit (SSIRP-1) Page 482 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 19 of 20

		SAT	UNSAT
6)	PROXIMITY TO SENSITIVE RECEPTORS:	_X	

There are wetlands in non-active areas on the north and northeast portion of the property that extend off-site. The Aberjona River is approximately 800 ft northeast of the Facility, Horn Pond is about 8,000 ft to southwest, Walker Pond is approximately 2,900 feet to the southeast, North Reservoir is approximately 1.9 miles to the south/southeast, Middle Reservoir is about 2.4 miles to the south/southeast) and South Reservoir is about 3 miles to the south/southeast. There are about 17 schools within 3 miles of the Facility in multiple directions.

7) SIGNIFICANT INCIDENTS SAT UNSAT __X___

There have been no fires or explosions at the Facility in the past five years.

On April 16, 2017, a release of approximately 450 gallons of firefighting foam, less than 10 gallons waste oil and 108,000 gallons of fire suppression water was discovered at the Facility. Most of the foam was contained on the pavement, but visual evidence of the foam was identified on the soil surface around the pavement after the water abated. In addition, some of the water released from the fire suppression system flowed into a wetland north of the site. Response actions were taken to remove the released material along with impacted soil.

The Facility had one injury resulting in job restriction/job transfer in 2016. In 2017, the Facility experience one lost-time injury and one injury resulting in job restriction/job transfer. There were no recordable injuries of illnesses in 2018. The DART Incident rates for 2016, 2017 and 2018 were 3.50, 6.29 and 0, respectively. The 2017 Industry Average DART Incident Rate for 3-digit NAICS Code 562 was 2.7. 2017 Industry Average DART Incident Rates for NAICS Code 423930 and 4-digit NAICS Code 5629 are not available.



Cases 20-E-0380 & 20-G-0381

EP-18 Form 5 VENDOR EVALUATION Niagara Mohawk Power Corporation Exhibit__(SSIRP_1) Page 483 of 527 Cases 20-E-0380 and 20-G-0381 DPS-705 Attachment 5 Page 20 of 20

SUMMARY:

Murphy's Waste Oil Service, Inc. located in Woburn, MA provides recycling services for several of our waste streams: waste oil, waste oil filters and waste anti-freeze. Murphy's is providing a valuable recycling service which helps in our environmental corporate goals.

In summary, the evaluation criteria identified in EP-18 and summarized above are satisfactory when measured jointly. Based on the above detailed review, the facility is recommended to continue used by National Grid.

Date of Request: September 18, 2020 Request No. DPS-707

Due Date: September 28, 2020 NMPC Req. No. NM-780

NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID

Case Nos. 20-E-0380 and 20-G-0381 Electric and Gas Rates

Request for Information

FROM: DPS Staff, Jeremy D. Flaum

TO: National Grid

SUBJECT: SIR Property Sales

Request:

Note: In all interrogatories, all requests for workpapers or supporting calculations shall

be construed as requesting any Word, Excel or other computer spreadsheet models in original electronic format with all formulae intact and unlocked.

- 1. Has the Company sold any property where SIR activities have occurred? If yes, then:
 - a. Identify each property sold;
 - b. Specify the proceeds received from each sale; and
 - c. Describe how the proceeds are applied to reduce the impacts of the Company's SIR expenses on its ratepayers.
- 2. Does the Company plan to sell any property where SIR activities have occurred? If yes, then:
 - a. Identify each property that will be sold; and
 - b. Describe how the proceeds from these sales will be applied to reduce the impacts of the Company's SIR expenses on its ratepayers.
- 3. When negotiating the purchase or sale of real property or other assets, does the Company attempt to transfer environmental liabilities for future remediation costs in agreements with third-parties and seek indemnities for such future liabilities? If yes, provide specific examples where the Company has successfully achieved such a transfer of environmental liability.

Response:

1. a. and b. A list of Company properties that have been sold where SIR activities have occurred, along with the proceeds received from each sale, is provided below:

Site (a)	Amount (b)	Date
Canajoharie	\$189,800	May 1997

Oswego Holder	\$337,500	Sept 2001
Buffalo Electric bldg	\$2.35M	Mar 2004
Oswego Fire School	\$20	July 2008
Hiawatha Blvd	\$300,000	June 2001
Gratwick Park	\$1	2009

Please note to comply with a DEC decision mandating remediation of part of the Mohican Street Former MGP site, the Company entered into a property exchange agreement with the City of Glens Falls. Niagara Mohawk planned to address contamination, in part, by acquiring the City Property, and making a payment to the City of \$1.1 million for the relocation of an existing sanitary sewer pump station. The land swap was completed to achieve cost savings on the implementation of the remedy prescribed by DEC. Pursuant to the Commission's order dated July 15, 2010 in Case 08-M-0407, the Company removed the \$1.1 million cost for relocation of the sewer pump station from the SIR deferral account.

- c. The proceeds from the gain on a sale of SIR property are credited back to the SIR deferral account. Therefore, there is an adjusting entry that credits the environmental SIR regulatory liability account (C2540586/37), thus increasing the regulatory liability balance.
- 2. The Company does not currently have plans to sell properties where SIR activities have occurred.
- 3. When the Company negotiates the purchase or sale of real property, the transfer of environmental liability is specific to the individual property or remediation site and the purchase and sale agreement that is entered into. Specific examples where environmental liability was transferred include: 1) the sale of the former Buffalo Electric Building where upon closing, the purchaser assumed the risk regarding environmental conditions and 2) during the transfer of the Oswego Fire School Facility, the purchaser indemnified Niagara Mohawk for up to one million dollars in future environmental liabilities.

Name of Respondent: Brian Stearns

Date of Reply: September 28, 2020 Date of Request: October 13, 2020 Request No. DPS-907 Due Date: October 23, 2020 NMPC Req. No. NM-1196

NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID

Case Nos. 20-E-0380 and 20-G-0381 Electric and Gas Rates

Request for Information

FROM: DPS Staff, Jeremy D. Flaum

TO: National Grid

SUBJECT: SIR Third-Party Contributions

Request:

<u>Note:</u> In all interrogatories, all requests for workpapers or supporting calculations shall be construed as requesting any Word, Excel or other computer spreadsheet

models in original electronic format with all formulae intact and unlocked.

1. According to the Company's response to IR DPS-091, Question C, New York State Electric & Gas (NYSEG) was identified as a potentially responsible party (PRP) for the former Albion MGP site. The Company's response to IR DPS-091 further states that "An equitable contribution by NYSEG to Niagara Mohawk's past and future costs was reached in 2018."

- a. Specify the total amount of the contribution by NYSEG and whether the full amount of the contribution has been provided to NMPC. If the full contribution has not yet been provided to NMPC, indicate the anticipated dates by which future payments will be made.
- b. Explain how NMPC accounts for the contribution from NYSEG in its SIR deferral.
- c. Explain how the equitable contribution by NYSEG was determined (e.g., settlement, litigation, etc.). If forensic studies were performed to identify sources of contamination at the Albion MGP site that were not associated with NMPC's former operations, describe the scope and results of those studies.
- d. Identify all expenses incurred by NMPC in its attempts to recover costs from NYSEG, including legal fees associated with settlement negotiations or litigation with NYSEG.
- e. Identify all other PRPs associated with the Albion MGP site and the status of cost recovery efforts with each of those parties.

- 2. According to the Company's response to DPS-091, Question C, "The Company along with other participating parties, entered into an Administrative Order on Consent to conduct remedial design activities" for the Lower Ley Creek operable unit of the Onondaga Lake Superfund site.
 - a. Indicate the date on which the Company entered into the Administrative Order on Consent (AOC) and provide a copy of the AOC.
 - b. Specify NMPC's share of the liabilities for the Lower Ley Creek site and describe how that share was determined.
 - c. Identify all other participating parties to the AOC and indicate their respective share of the liabilities for the Lower Ley Creek site.
 - d. Has NMPC identified any other potentially responsible parties that have not yet entered into an Order on Consent? If yes, describe all former, current and planned efforts by the Company to recover costs from those PRPs.
 - e. Clarify whether the shares of liabilities indicated in response to Questions 2b and 2c, above, are applicable to remedial design and construction activities, or only remedial design activities. If a separate process for determining shares of liabilities is anticipated for remedial construction, describe the timing and anticipated processes for determining those future shares of liability.

Response:

- 1.
- a. NYSEG's contribution was \$147,913.98 and was paid in full.
- b. The NYSEG contribution was accounted for in the Company's SIR deferral by crediting to the Albion site order as a spending offset.
- c. The NYSEG contribution was determined by a settlement agreement between the parties and took into account past and future costs. In general, the contribution claim was calculated based on the timeframe of ownership and operation of the MGP site. Niagara Mohawk's predecessor, Albion Gas Light Co., owned and operated the MGP from 1887 to 1928. NYSEG's predecessor company, Lockport Light, Heat & Power Co. acquired the eastern parcel in 1928 and operated the site until sometime between 1938 and 1941, when the MGP was decommissioned and dismantled.
- d. The expenses incurred by the Company associated with the settlement negotiations were related to legal fees and were \$12,382.70.
- e. There were no other PRPs associated with the Albion MGP site.

2.

- a. The Company entered into the AOC on July 5, 2016. The AOC is provided as Attachment 1.
- b. The Company's share of the liabilities for the remedial design of the Lower Ley Creek site is on a per capita basis. This allocation was intended to provide a basis for immediate and necessary funding by the parties for the remedial design phase only. A separate allocation process is anticipated for remedial construction if the costs exceed \$26 million, which is the amount of the General Motors bankruptcy settlement funds received by USEPA for this site. This will be determined after the remedial design is approved by the regulator and a remedial construction cost estimate is generated. The approach to calculating future shares of liability is not known at this time.
- c. The other named parties of the Lower Ley Creek site are Carrier Corporation, Onondaga County, Cooper Crouse-Hinds, LLC., Town of Salina, Syracuse China Company, and City of Syracuse. Each party's share of liability is discussed above in response to Question 2b above. Syracuse China Company is currently in a bankruptcy proceeding and the PRP group and Niagara Mohawk have each submitted a proof of claim. It is unknown at this time how this proceeding will impact Syracuse China's ability to pay for its current or future share of liability.
- d. The Company has identified other PRPs that have not entered into the AOC. The PRP group has received tolling agreements from the other PRPs and will evaluate potential cost recovery strategies once the remedial design is approved by the regulator and the remedial construction cost estimate has been prepared.
- e. See response to Question 2b above.

Name of Respondent: Brian Stearns

Date of Reply: October 21, 2020

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 2

IN THE MATTER OF:)
LOWER LEY CREEK OPERABLE UNIT OF THE ONONDAGA LAKE SUPERFUND SITE)
) Index No.
Carrier Corporation,) CERCLA 02-2016-2014
Onondaga County, New York,	
Cooper Crouse-Hinds, LLC,)
Niagara Mohawk Power Corporation d/b/a National Grid,)
Town of Salina, New York,)
Syracuse China Company,)
City of Syracuse, New York,)
Respondents.)
Proceeding under Sections 104, 106, 107, and 122 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. §§ 9604, 9606, 9607, and 9622.)))))
	1

ADMINISTRATIVE ORDER ON CONSENT FOR REMEDIAL DESIGN

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I. JURISDICTION AND GENERAL PROVISIONS

- 1. This Administrative Order on Consent ("AOC") is entered into voluntarily by the United States Environmental Protection Agency ("EPA") and Carrier Corporation; Onondaga County, New York; Cooper Crouse-Hinds, LLC; Niagara Mohawk Power Corporation d/b/a National Grid; the Town of Salina, New York; Syracuse China Company; and the City of Syracuse, New York (collectively "Respondents"). This AOC provides that Respondents shall undertake a Remedial Design ("RD"), including various pre-RD activities, to produce a detailed set of plans and specifications for implementation of the remedy selected in EPA's September 30, 2014 Record of Decision for the Lower Ley Creek Operable Unit ("Lower Ley Creek OU") of the Onondaga Lake Superfund Site ("Site") in Onondaga County, New York. In addition, Respondents shall reimburse the United States for Future Response Costs that it incurs, as provided herein.
- 2. This AOC is issued under the authority vested in the President of the United States by Sections 104, 106, 107, and 122 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), as amended, 42 U.S.C. §§ 9604, 9606, 9607, and 9622. This authority was delegated to the EPA Administrator by Executive Order 12580 (52 Fed. Reg. 2923, Jan. 29, 1987). This authority was further delegated to the Regional Administrators of EPA by EPA Delegation Nos. 14-14-C and 14-14-D and redelegated within Region 2 to the Director of the Emergency and Remedial Response Division by Regional Order No. R-1200, dated November 23, 2004.
- 3. EPA and Respondents recognize that this AOC has been negotiated in good faith and that the actions undertaken by Respondents in accordance with this AOC do not constitute an admission of any liability, or an admission as to the Findings of Fact or Conclusions of Law and Determinations set forth in Section IV and V, below. Respondents retain the right to controvert in any subsequent proceeding other than a proceeding to implement or enforce this AOC the validity of the Findings of Fact, Conclusions of Law, and Determinations in Section IV and V of this AOC. Respondents agree to undertake all actions required by the terms and conditions of this AOC and also agree not to contest the validity or terms of this AOC in any action to enforce its provisions.
- 4. The objectives of EPA and Respondents in entering into this AOC are to perform the design of a response action for the Lower Ley Creek OU, reimburse EPA's Future Response Costs, and resolve EPA's claims against Respondents as provided in this AOC.
- 5. In accordance with the National Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R. Part 300 ("NCP"), and Section 121(f)(1)(F) of CERCLA, 42 U.S.C. § 9621(f)(1)(F), EPA notified the State of New York (the "State") on November 18, 2014 of negotiations with potentially responsible parties ("PRPs") regarding the implementation of the remedial design for the Lower Ley Creek OU. Pursuant to a consultation agreement between EPA and the Onondaga Nation, EPA notified the Onondaga Nation of negotiations with PRPs concerning the remedial design at this OU on September 17, 2015.

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6. In accordance with Section 122(j)(1) of CERCLA, 42 U.S.C. § 9622(j)(1), EPA notified the federal natural resource trustees on September 23, 2015 of negotiations with potentially responsible parties regarding the release of hazardous substances that may have resulted in injury to the natural resources under federal trusteeship and encouraged the trustees to participate in the negotiation of this AOC.

II. PARTIES BOUND

- 7. This AOC applies to and is binding upon EPA and upon Respondents and their successors and assigns. Any change in ownership or corporate status of a Respondent including, but not limited to, any transfer of assets or real or personal property shall not alter such Respondent's responsibilities under this AOC. The signatories to this AOC certify that they are authorized to execute and legally bind the parties they represent.
- 8. Respondents are jointly and severally liable for carrying out all activities required by this AOC. In the event of the insolvency or other failure of any one or more Respondents to implement the requirements of this AOC, the remaining Respondents shall complete all such requirements.
- 9. Respondents shall provide a copy of this AOC to all contractors, subcontractors, laboratories, and consultants that are retained to conduct any Work, as defined below, to be performed under this AOC, within fourteen (14) days after the Effective Date of this AOC or after the date of such retention. Respondents shall condition any such contracts upon satisfactory compliance with this AOC, and all applicable laws and regulations. Notwithstanding the terms of any contract, Respondents are responsible for compliance with this AOC and for ensuring that their employees, contractors, consultants, subcontractors, and agents comply with this AOC.

III. DEFINITIONS

- 10. Unless otherwise expressly provided herein, terms used in this AOC that are defined in CERCLA or in regulations promulgated under CERCLA shall have the meaning assigned to them in CERCLA or its implementing regulations. Whenever terms listed below are used in this AOC, in the documents attached to this AOC, or incorporated by reference into this AOC, the following definitions shall apply:
 - a. "AOC" shall mean this Administrative Order on Consent and all appendices attached hereto. In the event of conflict between this AOC and any appendix, this AOC shall control.
 - b. "CERCLA" shall mean the Comprehensive Environmental Response,
 Compensation, and Liability Act of 1980, as amended, 42 U.S.C. §§ 9601-9675.
 - c. "Day" shall mean a calendar day. In computing any period of time under this AOC, where the last day would fall on a Saturday, Sunday, or federal holiday, this period shall run until the close of business of the next working day.

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- d. "Effective Date" shall be the effective date of this AOC as provided in Section XXVIII (Effective Date and Subsequent Modification).
- e. "EPA" shall mean the United States Environmental Protection Agency and any successor departments or agencies of the United States.
- f. "Future Response Costs" shall mean all costs, including, but not limited to, direct and indirect costs, that the United States incurs in reviewing or developing plans, reports, and other items pursuant to this AOC, including verifying the Work, or otherwise implementing, overseeing, or enforcing this AOC, including, but not limited to, payroll costs, contractor costs, travel costs, laboratory costs, the costs incurred pursuant to Paragraph 49 (costs and attorneys' fees and any monies paid to secure access, including the amount of just compensation) and Paragraph 85 (Work Takeover). Future Response Costs are limited to those costs relating to remedial design activities, as described above, and shall not include any remedial action activities.
- g. "Interest" shall mean interest at the rate specified for interest on investments of the EPA Hazardous Substance Superfund established by 26 U.S.C. § 9507, compounded annually on October 1 of each year, in accordance with Section 107(a) of CERCLA, 42 U.S.C. § 9607(a). The applicable rate of interest shall be the rate in effect at the time the interest accrues. The rate of interest is subject to change on October 1 of each year,
- h. "Lower Ley Creek OU" shall mean the lower two miles of Ley Creek (including the Creek channel and adjacent floodplains), including (i) that portion of Ley Creek beginning at and under the Route 11 bridge (a.k.a. Brewerton Road Bridge) and ending downstream where it empties into Onondaga Lake ("Lake"), (ii) a 3.7-acre wetland situated on the southern bank of the Creek adjacent to the Cooper/Crouse-Hinds North Landfill, (iii) "Old Ley Creek Channel," an original section of the Creek before Ley Creek was widened and its path was reconfigured during a flood control project in the 1970s, and (iv) several sections along the banks of the Creek where dredged sediments were placed during a flood control project.
- "National Contingency Plan" or "NCP" shall mean the National Oil and Hazardous Substances Pollution Contingency Plan promulgated pursuant to Section 105 of CERCLA, 42 U.S.C. § 9605, and codified at 40 C.F.R. Part 300, including any amendments thereto.
- "NYSDEC" shall mean the New York State Department of Environmental Conservation and any successor departments or agencies of the State, defined below.
- k. "Paragraph" shall mean a portion of this AOC identified by an Arabic numeral.

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- "RA Settling Defendants" shall mean those parties that execute a consent decree, which is entered by the court, to implement the Remedial Action at the Lower Ley Creek OU.
- m. "Record of Decision" or "2014 ROD" shall mean the EPA Record of Decision dated September 30, 2014 by which the Director of the Emergency Remedial Response Division, EPA Region 2, selected a remedy for the Lower Ley Creek OU, including all attachments thereto, attached hereto as Appendix B.
- n. "Remedial Action" or "RA" shall mean those activities performed to implement the remedy selected in the 2014 ROD, except for operation and maintenance activities which are required to maintain the effectiveness of the implemented remedy, in accordance with the final Remedial Design.
- o. "Remedial Design" or "RD" shall mean those activities to be undertaken by Respondents to develop the final plans and specifications for the Remedial Action for the Lower Ley Creek OU pursuant to the RD Work Plan, as defined below.
 - p. "Remedial Design Work Plan" or "RD Work Plan" shall mean the document developed pursuant to Section 3 of the RD SOW and approved by EPA, and any amendments thereto.
 - q. "Remedial Design SOW" or "RD SOW" shall mean the Statement of Work for the remedial design of the Lower Ley Creek OU, attached hereto as Appendix A.
- r. "Respondents" shall mean Carrier Corporation; Onondaga County, New York; Cooper Crouse-Hinds, LLC; Niagara Mohawk Power Corporation d/b/a National Grid; the Town of Salina, New York; Syracuse China Company; and the City of Syracuse, New York.
 - s. "Section" shall mean a portion of this AOC identified by an upper-case Roman numeral and includes one or more Paragraphs.
 - "Site" shall mean the Onondaga Lake Superfund Site in Onondaga County, New York.
 - u. "State" shall mean the State of New York.
 - v. "United States" shall mean the United States of America.
 - w. "Waste Material" shall mean (i) any "hazardous substance" under Section 101(14) of CERCLA, 42 U.S.C. § 9601(14); (ii) any "pollutant or contaminant" under Section 101(33) of CERCLA, 42 U.S.C. § 9601(33); and (iii) any "solid waste" under Section 1004(27) of the Solid Waste Disposal Act, as amended, 42 U.S.C. § 6903(27).

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x. "Work" shall mean all activities that Respondents are required to perform under this AOC, except those required by Section XIII (Record Retention).

IV. EPA'S FINDINGS OF FACT

- 11. The Site, which includes Onondaga Lake itself, six major and minor tributaries and various upland sources of contamination, was placed on EPA's National Priorities List ("NPL") on December 16, 1994. EPA has, to date, organized response activities for the Site into multiple operable units. The Lower Ley Creek OU became part of the Site in 2009.
- 12. The Lower Ley Creek OU consists of the lower two miles of Ley Creek (including the Creek channel and adjacent floodplains), including (i) that portion of Ley Creek beginning at and under the Route 11 bridge (a.k.a. Brewerton Road Bridge) and ending downstream where it empties into Onondaga Lake ("Lake"), (ii) a 3.7-acre wetland situated on the southern bank of the Creek adjacent to the Cooper/Crouse-Hinds North Landfill, (iii) "Old Ley Creek Channel," an original section of the Creek before Ley Creek was widened and its path was reconfigured during a flood control project in the 1970s, and (iv) several sections along the banks of the Creek where dredged sediments were placed during a flood control project.
- 13. Several entities have owned property or operated facilities near Ley Creek and its branches since the late 19th and early 20th centuries. The industrial nature of this area influenced the Lower Ley Creek OU and contributed to its current condition.
- 14. There are a number of upland sources that have contributed contamination to Ley Creek, including the General Motors ("GM") Inland Fisher Guide Facility/Ley Creek Deferred Media subsite; Ley Creek PCB Dredgings subsite; and Salina Landfill subsite, which are also part of the Site. GM is documented to have released large volumes of polychlorinated biphenyls ("PCBs") into Ley Creek from its Inland Fisher Guide facility.
- On June 1, 2009, GM filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code.
- 16. On October 30, 2009, EPA sent general notice letters to Cooper Crouse-Hinds, LLC ("Cooper Crouse-Hinds"), Niagara Mohawk Power Corporation d/b/a National Grid ("National Grid"), the Town of Salina, Onondaga County, GM, Carrier Corporation ("Carrier"), Oberdorfer LLC, and Syracuse China Company ("Syracuse China") informing the parties that EPA considered them to be PRPs at the Lower Ley Creek OU and to determine whether they would volunteer to conduct or fund a remedial investigation and feasibility study ("RI/FS") for the Lower Ley Creek OU. Subsequently, on April 8, 2014, EPA sent a general notice letter to Plaza East a/k/a East Plaza informing it that EPA considered it to be a PRP with respect to the Lower Ley Creek OU.
- 17. Because none of the PRPs which received the October 30, 2009 notice letter agreed to perform the RI/FS, EPA conducted the field investigations at the Lower Ley Creek OU from 2009 through 2011, which culminated in the completion of an RI/FS report in January 2014.

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- 18. On November 28, 2009, the United States filed a timely proof of claim asserting environmental liabilities against GM, including claims for environmental liability at the Lower Ley Creek OU. On June 29, 2012, the United States Bankruptcy Court for the Southern District of New York approved a settlement agreement resolving the United States' claims against GM at the Lower Ley Creek OU. Pursuant to that settlement, the United States, on behalf of EPA, received an allowed general unsecured claim totaling \$38,344,177. Ultimately, EPA received \$21,032,202.98 from this settlement, which was put into the special account for the Lower Ley Creek OU ("Special Account"). Pursuant to paragraphs 4 and 11 of the approved bankruptcy settlement, those settlement funds, "shall be used to conduct or finance response actions at or in connection with the Lower Ley Creek [OU]," and, "shall reduce the liability of non-settling [PRPs] for that site by the amount of the credit."
- 19. On September 30, 2014, EPA issued a record of decision ("2014 ROD") wherein it selected a remedy to address soil and sediment contamination at the Lower Ley Creek OU and which included the following components:
 - Excavation of PCB-contaminated soils located along the upland areas adjacent to the Creek to meet soil cleanup objectives;
 - Excavation of PCB-contaminated sediment within the Creek exceeding sediment criteria;
 - Excavation of PCB-contaminated sediment from the adjacent wetlands to meet sediment criteria;
 - d. Transport of the excavated contaminated soils and sediments containing greater than 50 milligrams per kilogram (mg/kg) of PCBs to a Toxic Substances Control Act ("TSCA")-compliant facility;
 - e. Transport of those soils and sediments which fail Toxic Characteristic Leaching Procedure testing and are determined to be characteristic hazardous waste and are non-TSCA waste (i.e., less than 50 mg/kg PCBs) to an off-site, Resource Conservation and Recovery Act ("RCRA")-compliant facility;
 - f. Proper disposal of those soils and sediments that are not TSCA-regulated (less than 50 mg/kg of PCBs) and are not characteristic hazardous waste at a local disposal facility, if available. If a local disposal facility is not a feasible option, these soils and sediments will be transported to a non-local facility for disposal;
 - g. The excavated wetland areas will be backfilled with soil that meets the unrestricted soil cleanup objectives;
 - Excavated soil areas will be restored with clean substrate and vegetation consistent with an approved habitat restoration plan;

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- Habitat restoration of Ley Creek will include the placement of at least one foot of substrate similar to the existing sediments over disturbed areas and restoration of vegetation;
 - j. Institutional controls in the form of environmental easements/restrictive covenants will be filed in the property records of Onondaga County that will, at a minimum, restrict the use of the properties within the Lower Ley Creek OU to commercial and industrial uses and restrict intrusive activities in areas where residual contamination remains above unacceptable, risk-based levels unless the activities are in accordance with an EPA-approved Site Management Plan ("SMP");
 - Development of an SMP that will provide for the proper management of all postconstruction remedy components.
 - Performance of a detailed hydrologic analysis to determine the effect of the remedy on stream flow, flooding, and dynamics and to identify the appropriate materials and bathymetry for restoration and long-term sustainability;
 - m. Performance of a Phase 1 Cultural Resources Survey to document the Lower Ley Creek OU's historic resources; and
 - n. Capping of contaminated soil and sediment areas which are determined to be areas that cannot be safely excavated to ensure protectiveness.
- 20. On March 3, 2015, EPA sent general notice letters to Carrier, Onondaga County, Cooper Crouse-Hinds, National Grid, Plaza East, Town of Salina, Syracuse China, and the City of Syracuse to provide notice of liability at the Lower Ley Creek OU and requesting that they volunteer to perform the remedial design for the remedy selected in the 2014 ROD.
- 21. A remedy was selected for the General Motors Inland Fisher Guide Operable Unit 2 of the Site on March 31, 2015.

V. EPA'S CONCLUSIONS OF LAW AND DETERMINATIONS

- 22. The Lower Ley Creek OU is a "facility" within the meaning of Section 101(9) of CERCLA, 42 U.S.C. § 9601(9).
- The contamination found at the Lower Ley Creek OU, as identified in the Findings of Fact above, includes hazardous substances as defined in Section 101(14) of CERCLA, 42 U.S.C. § 9601(14).
- The conditions described in the Findings of Fact above constitute an actual or threatened "release" of a hazardous substance from a facility as defined by Section 101(22) of CERCLA, 42 U.S.C. § 9601(22).

- Respondents Carrier; Cooper-Crouse Hinds; National Grid; and Syracuse China are corporations and therefore are "persons" within the meaning of Section 101(21) of CERCLA, 42 U.S.C. § 9601(21).
- Respondents Onondaga County; the Town of Salina; and the City of Syracuse are
 political subdivisions of the State and therefore are "persons" within the meaning of Section
 101(21) of CERCLA, 42 U.S.C. § 9601(21).
- 27. Each Respondent is a responsible party as defined in Section 107(a) of CERCLA, 42 U.S.C. § 9607(a), and is subject to this AOC under Section 106(a) of CERCLA, 42 U.S.C. § 9606(a). Respondents are jointly and severally liable for performance of response action under this AOC and for reimbursement of Future Response Costs to be incurred at the Lower Ley Creek OU.
 - 28. Respondents have discussed with EPA the basis for this AOC and its terms.
- 29. In accordance with Section 126 of CERCLA, 42 U.S.C. § 9626, and pursuant to Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments, November 2000) and the EPA Policy on Consultation and Coordination with Indian Tribes (May 4, 2011), EPA has determined that consultation with the Onondaga Nation related to the Work is required under this AOC.

VI. ORDER

30. Based upon the foregoing Findings of Fact, Conclusions of Law and Determinations, and the Administrative Record for the 2014 ROD, it is hereby ordered and agreed that Respondents shall comply with all provisions of this AOC, including, but not limited to, all attachments to this AOC and all documents incorporated by reference into this AOC. Respondents shall make best efforts to coordinate in the performance of the Work required by this AOC with any person not a party to this AOC who offers to perform or, in lieu of performance to pay for, in whole or in part, the Work required by this AOC.

VII. DESIGNATED PROJECT MANAGER AND COORDINATOR

31. Within ten (10) days after the Effective Date, Respondents shall designate a Project Coordinator who shall be responsible for administration of all actions required by Respondents pursuant to this AOC and shall submit to EPA the designated Project Coordinator's name, address, telephone number, and qualifications. To the greatest extent possible, the Project Coordinator shall be present on-site, or readily available, during performance of the Work. EPA retains the right to disapprove of the designated Project Coordinator. If EPA disapproves of the designated Project Coordinator, Respondents shall retain a different Project Coordinator and shall notify EPA of that person's name, address, telephone number, and qualifications within ten (10) days following EPA's disapproval. Receipt by Respondents' Project Coordinator of any notice or communication from EPA relating to this AOC shall constitute receipt by all Respondents.

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- 32. Respondents shall retain one or more contractor(s) to perform the Work and shall notify EPA of the name(s) and qualifications of such contractor(s) within thirty (30) days of the Effective Date. Respondents shall also notify EPA of the name(s) and qualification(s) of any other contractor(s) or subcontractor(s) retained to perform the Work at least ten (10) days prior to commencement of such Work. EPA retains the right to disapprove of any or all of the contractors and/or subcontractors retained by Respondents. If EPA disapproves of a selected contractor, Respondents shall propose a different contractor and shall notify EPA of that contractor's name and qualifications within ten (10) days of EPA's disapproval. With respect to any contractor proposed to be Supervising Contractor, Respondents shall demonstrate that the proposed contractor has a quality system that complies with the Uniform Federal Policy for Implementing Quality Systems ("UFP-QS"), (EPA/505/F-03/001, March, 2005), by submitting a copy of the proposed contractor's Quality Management Plan ("QMP"). EPA will issue a notice of disapproval or an authorization to proceed. Any decision not to require submission of the contractor's QMP should be documented in a memorandum from the EPA remedial project manager ("RPM") and Regional Quality Assurance personnel to the Lower Ley Creek OU file.
- 33. EPA has designated Pamela Tames of EPA Region 2's Emergency and Remedial Response Division as its RPM. Except as otherwise provided in this AOC, Respondents shall direct all submissions required by this AOC to her at:

Pamela Tames, P.E. U.S. EPA, Region 2 290 Broadway, 20th Floor New York, NY 10007 tames.pam@epa.gov.

- 34. EPA's RPM shall have the authority lawfully vested in a RPM by the NCP. In addition, EPA's RPM shall have the authority, consistent with the NCP, to halt any Work required by this AOC and to take any necessary response action when the RPM determines that conditions at the Lower Ley Creek OU may present an immediate endangerment to public health, welfare, or the environment. The absence of the RPM from the area under study pursuant to this AOC shall not be cause for the stoppage or delay of Work.
- 35. EPA and Respondents shall have the right, subject to Paragraph 31, to change their respective designated RPM and Project Coordinator. Respondents shall notify EPA fourteen (14) days before such a change is made. The initial notification may be made orally, but shall be promptly followed by a written notice.

VIII. WORK TO BE PERFORMED

36. Respondents shall perform all actions necessary to implement the RD SOW, which is incorporated into and an enforceable part of this AOC. Respondents shall perform the Work in accordance with the schedules, standards, specifications, and other requirements of the Pre-Design Investigation ("PDI") Work Plan (hereinafter, "PDI Work Plan"), the RD Work Plan, and any other deliverables of the RD SOW, both as initially approved by EPA and as they may be amended or modified by EPA prior to completion of the RD, and shall comply with all other

requirements of this AOC. The funding of the Work shall be entirely provided by Respondents, consistent with Paragraph 65 below.

37. Emergency Response and Notification of Releases.

- a. In the event of any action or occurrence during performance of the Work which causes or threatens a release of Waste Material from the Lower Ley Creek OU that constitutes an emergency situation or may present an immediate threat to public health or welfare or the environment, Respondents shall immediately take all appropriate action to prevent, abate, or minimize such release or endangerment caused or threatened by the release. Respondents shall take these actions in accordance with all applicable provisions of this AOC and RD SOW, including, but not limited to, the Health and Safety Plan. Respondents shall also immediately notify the EPA RPM at (212) 637-4255 or, in the event of her unavailability, Respondents shall immediately notify her supervisor, the Chief of the Central New York Remediation Section, at (212) 637-4258, of the incident or conditions at the OU. If neither of these persons is available, Respondents shall notify the EPA Response and Prevention Branch, Emergency and Remedial Response Division, Region 2, at (732) 548-8730. In the event that Respondents fail to take appropriate response action as required by this Paragraph, and EPA takes such action instead, these costs incurred by EPA shall fall within the definition of Future Response Costs, and Respondents shall reimburse EPA for those costs which are not inconsistent with the NCP pursuant to Section XV (Payment of Future Response Costs).
- b. Nothing in the preceding subparagraph shall be deemed to limit any authority of the United States to take, direct, or order all appropriate action to protect human health and the environment or to prevent, abate, or minimize an actual or threatened release of hazardous substances on, at, or from the Lower Ley Creek OU.
- c. Upon the occurrence of any event during performance of the Work required hereunder which, pursuant to Section 103 of CERCLA, requires reporting to the National Response Center, telephone number 1-800-424-8802, Respondents shall also immediately orally notify the EPA RPM at (212) 637-4255 or, in the event of her unavailability, Respondents shall immediately notify her supervisor, the Chief of the Central New York Remediation Section at (212) 637-4258 of the incident or conditions at the OU in addition to the reporting required by Section 103 of CERCLA, 42 U.S.C. § 9603. Within fourteen (14) days of the onset of such an event, Respondents shall also furnish EPA with a written report setting forth the events which occurred and the measures taken, and to be taken, in response thereto. The reporting requirements of this subparagraph are in addition to, not in lieu of, reporting under Section 103 of CERCLA, 42 U.S.C. § 9603, and Section 304 of the Emergency Planning and Community Right-To-Know Act of 1986, 42 U.S.C. § 11004.

IX. EPA APPROVAL OF PLANS AND OTHER SUBMISSIONS

- 38. After review of any plan, report, or other item that is required to be submitted for approval pursuant to this AOC, in a notice to Respondents, EPA shall: (a) approve, in whole or in part, the submission; (b) approve the submission upon specified conditions; (c) modify the submission to cure the deficiencies; (d) disapprove, in whole or in part, the submission, directing that Respondents modify the submission; or (e) any combination of the above. However, EPA shall not modify a submission without first providing Respondents at least one notice of deficiency and an opportunity to cure within thirty (30) days or other time frame as determined by EPA, except where to do so would cause serious disruption to the Work or where previous submission(s) have been disapproved because of material defects.
- 39. In the event of approval, approval upon conditions, or modification by EPA, pursuant to Subparagraphs 38 (a), (b) or (c) above, Respondents shall proceed to take any action required by the plan, report, or other deliverable, as approved or modified by EPA subject only to their right to invoke the Dispute Resolution procedures set forth in Section XVI (Dispute Resolution) with respect to the modifications or conditions made by EPA. Following EPA approval or modification of a submission or portion thereof, Respondents shall not thereafter alter or amend such submission or portion thereof unless directed by EPA. In the event that EPA modifies the submission to cure the deficiencies pursuant to Paragraph 38 and the submission had a material defect, EPA retains the right to seek stipulated penalties, as provided in Section XVIII (Stipulated Penalties).

Resubmission of Plans.

- a. Upon receipt of a notice of disapproval pursuant to Paragraph 38, Respondents shall, within thirty (30) days or such longer time as specified by EPA in such notice, correct the deficiencies and resubmit the plan, report, or other deliverable for approval. Any stipulated penalties applicable to the submission, as provided in Section XVIII, shall accrue during the 30-day or otherwise specified period, but such penalties shall not be payable unless the resubmission is disapproved or modified because of a material defect as provided in Paragraphs 41 and 42.
- b. Notwithstanding any receipt of a notice of disapproval, Respondents shall proceed, at the direction of EPA, to take any action required by any non-deficient portion of the submission, subject to Subparagraphs 40(c) and (d) below. Implementation of any non-deficient portion of a submission shall not relieve Respondents of any liability for stipulated penalties under Section XVIII (Stipulated Penalties).
- c. Respondents shall not proceed further with any subsequent activities or tasks as they relate to the PDI Work Plan, PDI Data Evaluation Report, or the RD Work Plan, respectively, until receiving EPA approval, approval on condition, or a modified version of these documents.

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- d. EPA reserves the right to stop Respondents from proceeding further, either temporarily or permanently, on any task, activity, or deliverable at any point.
- 41. If EPA disapproves a resubmitted plan, report, or other deliverable, or portion thereof, EPA may again direct Respondents to correct the deficiencies. EPA also retains the right to modify or develop the plan, report, or other deliverable. Respondents shall implement any such plan, report, or deliverable as corrected, modified, or developed by EPA, subject only to Respondents' right to invoke the procedures set forth in Section XVI (Dispute Resolution).
- 42. If upon resubmission, a plan, report, or other deliverable is disapproved or modified by EPA because of a material defect, Respondents shall be deemed to have failed to submit such plan, report, or other deliverable timely and adequately, unless EPA, in its sole discretion, authorizes that a further resubmission is appropriate or Respondents invoke the dispute resolution procedures in accordance with Section XVI (Dispute Resolution) and EPA's disapproval is revoked or substantially modified pursuant to a Dispute Resolution decision issued by EPA or superseded by an agreement reached pursuant to that Section. The provisions of Section XVI (Dispute Resolution) and Section XVIII (Stipulated Penalties) shall govern the implementation of the Work and accrual and payment of any stipulated penalties during Dispute Resolution. If EPA's disapproval or modification is not otherwise revoked, substantially modified, or superseded as a result of a decision or agreement reached pursuant to the Dispute Resolution process set forth in Section XVI, stipulated penalties shall accrue for such violation from the date on which the initial submission was originally required, as provided in Section XVIII.
- 43. In the event that EPA takes over some of the tasks, Respondents shall incorporate and integrate information supplied by EPA into the final reports.
- 44. All plans, reports, and other deliverables submitted to EPA under this AOC shall, upon approval or modification by EPA, be incorporated into and enforceable under this AOC. In the event EPA approves or modifies a portion of a plan, report, or other deliverable submitted to EPA under this AOC, the approved or modified portion shall be incorporated into and become enforceable under this AOC.

X. SUBMISSION OF PLANS AND REPORTING REQUIREMENTS

45. Reporting

- a. Respondents shall submit written progress reports to EPA concerning actions undertaken pursuant to this AOC and pursuant to the schedules provided in the RD SOW until termination of this AOC, unless otherwise directed in writing by EPA.
- b. Respondents shall submit electronic copies of all plans, reports, or other submissions required by this AOC, the RD SOW, or any approved work plans as set forth below. All electronic submissions must be in a format that is

compatible with EPA software and in database files and sizes to be specified by EPA. Reports should be submitted to the following:

Pamela Tames, P.E. Emergency and Remedial Response Division U.S. Environmental Protection Agency Region 2 tames.pam@epa.gov

Lauren Charney
Office of Regional Counsel
United States Environmental Protection Agency Region 2
charney.lauren@epa.gov

Richard Mustico, P.E. New York State Department of Environmental Conservation richard.mustico@dec.ny.gov

Alma Lowry Law Office of Joseph Heath alowry@hamilton.edu

In addition to an electronic submission, the final design document shall also be submitted in hard copy to:

Pamela Tames, P.E.

Emergency and Remedial Response Division
U.S. Environmental Protection Agency Region 2
290 Broadway, 20th Floor
New York, New York 10007
Attention: Lower Ley Creek Remedial Project Manager

XI. SITE ACCESS

- 46. If any Respondent owns or controls any part of the Lower Ley Creek OU, or any other property where access is needed to implement this AOC, such Respondent shall, commencing on the Effective Date, provide EPA and its representatives, including contractors, with access at all reasonable times to the Lower Ley Creek OU, or such other property, to conduct any activity related to this AOC. Respondents who own or control property at the Lower Ley Creek OU shall, at least thirty (30) days prior to the conveyance of any interest in real property at the Lower Ley Creek OU, give written notice to the transferee that the property is subject to this AOC and written notice to EPA and all other Respondents of the proposed conveyance, including the name and address of the transferee. Respondents also agree to use best efforts to require that their successors comply with the immediately preceding sentence, this Section, and Section XII (Access to Information).
- 47. Where any action under this AOC is to be performed in areas owned by, or in possession of, someone other than Respondents, Respondents shall use their best efforts to obtain all necessary access agreements within thirty (30) days after the Effective Date, or as otherwise

specified in writing by EPA. Respondents shall immediately notify EPA if, after using their best efforts, they are unable to obtain such agreements. For purposes of this Paragraph, "best efforts" includes the payment of reasonable sums of money in consideration of access. Respondents shall describe in writing their efforts to obtain access. EPA may then assist Respondents in gaining access, to the extent necessary to effectuate the response actions described herein, using such means as EPA deems appropriate. Any costs incurred by EPA in obtaining access shall fall within the definition of Future Response Costs, and Respondents shall reimburse EPA for all costs and attorney's fees incurred by the United States in obtaining such access, in accordance with the procedures in Section XV (Payment of Future Response Costs).

- 48. Notwithstanding any provision of this AOC, EPA retains all of its access authorities and rights, including enforcement authorities related thereto, under CERCLA, RCRA, and any other applicable statutes or regulations.
- 49. If Respondents cannot obtain access agreements, EPA may obtain access for Respondents, perform those tasks or activities with EPA contractors, or terminate this AOC. If EPA performs those tasks or activities with EPA contractors and does not terminate this AOC, Respondents shall perform all other activities not requiring access to such property. Any costs incurred by EPA in performing these activities shall fall within the definition of Future Response Costs, and Respondents shall reimburse EPA for all costs incurred in performing such activities. Respondents shall integrate the results of any such tasks undertaken by EPA into its reports and deliverables.

XII. ACCESS TO INFORMATION

- 50. Subject to Paragraphs 51 and 52, Respondents shall provide to EPA, upon request, copies of all documents and information within their possession or control or that of their contractors or agents relating to activities at the Lower Ley Creek OU or to the implementation of Work pursuant to this AOC, including, but not limited to, sampling, analysis, chain of custody records, manifests, trucking logs, receipts, reports, sample traffic routing, correspondence, or other documents or information related to the Work. Respondents shall also make available to EPA, for purposes of investigation, information gathering, or testimony, their employees, agents, or representatives with knowledge of relevant facts concerning the performance of the Work.
- 51. Respondents may assert business confidentiality claims covering part or all of the documents or information submitted to EPA under this AOC to the extent permitted by and in accordance with Section 104(e)(7) of CERCLA, 42 U.S.C. § 9604(e)(7), and 40 C.F.R. § 2.203(b). Documents or information determined to be confidential by EPA will be afforded the protection specified in 40 C.F.R. Part 2, Subpart B. If no claim of confidentiality accompanies documents or information when it is submitted to EPA, or if EPA has notified Respondents that the documents or information are not confidential under the standards of Section 104(e)(7) of CERCLA or 40 C.F.R. Part 2, Subpart B, the public may be given access to such documents or information without further notice to Respondents. Respondents shall segregate and clearly identify all documents or information submitted under this AOC for which Respondents assert business confidentiality claims.
- 52. Respondents may assert that certain documents, records, and other information are privileged under the attorney-client privilege or any other privilege recognized by federal law. If Respondents assert such a privilege in lieu of providing documents, they shall provide EPA with the

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following: a) the title of the document, record, or information; b) the date of the document, record, or information; c) the name and title of the author of the document, record, or information; d) the name and title of each addressee and recipient; e) a general description of the contents of the document, record, or information; and f) the privilege asserted by Respondents. However, no documents, reports, or other information created or generated for submission to EPA pursuant to the requirements of this AOC shall be withheld on the grounds that they are privileged.

53. No claim of confidentiality shall be made with respect to any data, including, but not limited to, all sampling, analytical, monitoring, hydrogeologic, scientific, chemical, or engineering data, or any other documents or information evidencing conditions at, or around, the Lower Ley Creek OU generated pursuant to the requirements of this AOC.

XIII. RECORD RETENTION

- 54. During the pendency of this AOC and until 10 years after Respondents' receipt of EPA's notification that the Work has been completed, each Respondent shall preserve and retain all non-identical copies of documents, records, and other information (including documents, records, or other information in electronic form) now in its possession or control or which come into its possession or control that relate in any manner to the performance of the Work or the liability of any person under CERCLA with respect to the Lower Ley Creek OU, regardless of any corporate retention policy to the contrary. Until ten (10) years after notification that the Work has been completed, Respondents shall also instruct their contractors and agents to preserve all documents, records, and other information of whatever kind, nature, or description relating to performance of the Work.
- 55. At the conclusion of this document retention period, Respondents shall notify EPA at least ninety (90) days prior to the destruction of any such documents, records, or other information and, upon request by EPA, Respondents shall deliver any such documents, records, or other information to EPA. Consistent with the requirements set forth in Paragraph 52, above, Respondents may assert that certain documents, records, and other information are privileged under the attorney-client privilege or any other privilege recognized by federal law.
- 56. Each Respondent hereby certifies individually that to the best of its knowledge and belief, after thorough inquiry, it has not altered, mutilated, discarded, destroyed, or otherwise disposed of any records, documents, or other information (other than identical copies) relating to its potential liability regarding the Lower Ley Creek OU since notification of potential liability by EPA or the State, and that it has fully complied with any and all EPA requests for information pursuant to Sections 104(e) and 122(e) of CERCLA, 42 U.S.C. § 9604(e) and 9622(e), and Section 3007 of RCRA, 42 U.S.C. § 6927.

XIV. COMPLIANCE WITH OTHER LAWS

57. Respondents shall undertake all action that this AOC requires in accordance with the requirements of all applicable local, state, and federal laws and regulations, unless an exemption from such requirements is specifically provided by law or in this AOC. The activities conducted pursuant to this AOC, if approved by EPA, shall be considered consistent with the NCP.

- 58. As provided in Section 121(e) of CERCLA, 42 U.S.C. § 9621(e), and the NCP, no permit shall be required for any portion of the Work conducted entirely on-site. Where any portion of the Work requires a federal or state permit or approval, Respondents shall submit timely applications and take all other actions necessary to obtain and to comply with all such permits or approvals.
- 59. This AOC is not, and shall not be construed to be, a permit issued pursuant to any federal or state statute or regulation.

XV. PAYMENT OF FUTURE RESPONSE COSTS

- 60. Respondents hereby agree to reimburse EPA for Future Response Costs. EPA will periodically send billings to Respondents for Future Response Costs. The billings will be accompanied by a printout of cost data from EPA's financial management system. Respondents shall remit payment to EPA via electronic funds transfer ("EFT") within thirty (30) days of receipt of each such billing.
- 61. To effect payment via EFT, Respondents shall instruct their bank to remit payment in the required amount via EFT using the following information, or such other updated EFT information that EPA may subsequently provide to Respondents:
 - . Amount of payment
 - . Bank: Federal Reserve Bank of New York
 - . Account code for Federal Reserve Bank account receiving the payment; 68010727
 - . Federal Reserve Bank ABA Routing Number: 021030004
 - . SWIFT Address: FRNYUS33

33 Liberty Street

New York, NY 10045

- . Field Tag 4200 of the Fedwire message should read:
 - D 68010727 Environmental Protection Agency
 - Name of remitter:
- AOC Index number: CERCLA 02-2016-2014
- . Site/spill identifier: 024Q

At the time of payment, Respondents shall send notice that such payment has been made by email to:

Elizabeth McGuffey Cincinnati Finance Office U.S. Environmental Protection Agency AcctsReceivable.CINWD@epa.gov and McGuffey.Elizabeth@epa.gov

Pamela Tames, Remedial Project Manager Emergency and Remedial Response Division U.S. Environmental Protection Agency, Region 2 Tames.pam@epa.gov

Lauren Charney
Assistant Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
Charney.lauren@epa.gov

Such notice shall reference the date of the EFT, the payment amount, the "Lower Ley Creek OU of the Onondaga Lake Site" and the AOC index number.

The total amounts to be paid by Respondents pursuant to this Paragraph shall be deposited into the Lower Ley Creek OU Special Account within the EPA Hazardous Substance Superfund to be retained and used to conduct or finance response actions at or in connection with the Lower Ley Creek OU, or to be transferred by EPA to the EPA Hazardous Substance Superfund.

- 62. In the event that any payments for Future Response Costs are not made within thirty (30) days of Respondents' receipt of a bill, Respondents shall pay Interest on the unpaid balance. The Interest on Future Response Costs shall begin to accrue on the date of the bill and shall continue to accrue until the date of payment. Payments of Interest made under this Paragraph shall be in addition to such other remedies or sanctions available to the United States by virtue of Respondents' failure to make timely payments under this Section, including but not limited to payment of stipulated penalties pursuant to Section XVIII.
- Respondents may contest payment of any billed Future Response Costs under Paragraph 60, if they determine that EPA has made an accounting error, or if they allege that a cost item that is included represents costs that are inconsistent with the NCP. Such objection shall be made in writing within thirty (30) days of receipt of the bill and must be sent to the EPA RPM. Any such objection shall specifically identify the contested Future Response Costs and the basis for objection. In the event of an objection, Respondents shall, within the thirty (30)-day period, pay all uncontested Future Response Costs to EPA in the manner described in Paragraph 61. Simultaneously, Respondents shall establish an interest-bearing escrow account in a federally-insured bank duly chartered in the State of New York and remit to that escrow account funds equivalent to the amount of the contested Future Response Costs. Respondents shall send to the EPA RPM a copy of the correspondence that establishes and funds the escrow account, including, but not limited to, information containing the identity of the bank and bank account under which the escrow account is established as well as a bank statement showing the initial balance of the escrow account. Simultaneously with establishment of the escrow account. Respondents shall initiate the Dispute Resolution procedures in Section XVI (Dispute Resolution). If EPA prevails in the dispute, within five (5) days of the resolution of the dispute, Respondents shall pay the sums due (with accrued interest) to EPA in the manner described in Paragraph 61. If Respondents prevail concerning a portion of the contested costs, Respondents shall pay to EPA in the manner described in Paragraph 61 that portion of the costs (plus associated accrued interest) for which they did not prevail. Respondents shall be disbursed those funds in the escrow account if they prevail entirely or any balance of the escrow account if they partially prevail. The dispute resolution procedures set forth in this Paragraph in conjunction

a.

with the procedures set forth in Section XVI (Dispute Resolution) shall be the exclusive mechanisms for resolving disputes regarding Respondents' obligation to reimburse EPA for Future Response Costs.

64. As set forth above in Paragraph 18, EPA received \$21,032,202.98 as a result of its allowed general unsecured claim in the GM bankruptcy proceeding. Those funds have been deposited in the Special Account designated for conducting or financing the Remedial Action at the Lower Ley Creek OU. EPA anticipates that these monies will become available to any party or parties that implement the Remedial Action selected for the Lower Ley Creek OU, whether to fund the Remedial Action directly should EPA perform that work or through a reimbursement of expenditures if one or more of Respondents or any other party(ies) agree to implement the Remedial Action.

65. Disbursement of Special Account Funds.

Timing and Request for Reimbursement. Respondents shall be responsible for funding all of their obligations under this AOC, including performance of the Work and reimbursement of Future Response Costs. Upon entry of a judicially-approved consent decree that embodies an obligation by one or more of Respondents to this AOC to implement the Remedial Action for the Lower Ley Creek OU, those Respondents that are settlors in any such consent decree (RA Settling Defendants) may submit a request for reimbursement of the costs that all Respondents incurred in performance or funding of the Work under this AOC, including for Future Response Costs that have been reimbursed to EPA. That request must be jointly submitted to the extent there are multiple RA Settling Defendants. Respondents agree that any reimbursed funds shall be used exclusively for advance-funding of the Remedial Action, pursuant to the terms of any such judicially-approved consent decree. Any such request for reimbursement shall include (a) a complete and accurate written cost summary; (b) a detailed, itemized accounting of the costs incurred in performing the Work under this AOC, including Future Response Costs reimbursed to EPA; and (c) certification of the costs incurred and paid by Respondents for the Work related to the RD for which reimbursement is sought. The basis for and the amount of any reimbursement to the RA Settling Defendants will be dependent on (a) the availability of funds in the Special Account; (b) the Work's consistency with the NCP, which EPA agrees can be demonstrated by EPA's written approval of the Work; (c) EPA's acceptance of the cost documentation set forth in support of a cost summary and certification, subject to any costs excluded from the disbursement; and (d) the aforementioned precondition of the participation of one or more of the Respondents to this AOC in a future, judicially-approved settlement to implement the Remedial Action selected for the Lower Ley Creek OU. EPA intends to memorialize these criteria for reimbursement of one or more RA Settling Defendants in a future, judiciallyapproved consent decree that embodies an obligation by one or more of Respondents to this AOC to implement the Remedial Action for the Lower Ley Creek OU. The Parties to this AOC acknowledge that EPA intends to reimburse itself for its past response costs incurred at the Lower Ley Creek OU from the

Special Account. Respondents agree not to object to or challenge such reimbursement of EPA's past response costs whether such reimbursement occurs in advance of or subsequent to any reimbursement(s) to the RA Settling Defendants consistent with this Paragraph and pursuant to any future, judicially-approved settlement to implement the Remedial Action selected for the Lower Ley Creek OU. Any reimbursement of EPA's past response costs from the Special Account shall reduce the potential liability of the Respondents to the United States by the amount of such reimbursement.

- Costs Excluded from Reimbursement. The following costs are excluded from, and b. shall not be sought by Respondents for, reimbursement: (a) any payments of Interest or Stipulated Penalties made by Respondents to the United States pursuant to Section XV (Payment of Future Response Costs) or XVIII (Stipulated Penalties) of this AOC; (b) attorneys' fees and costs, except for reasonable attorneys' fees and costs necessarily related to obtaining access pursuant to Section XI of this AOC; (c) costs of any response activities Respondents perform that are not required under, or approved by EPA pursuant to, this AOC; (d) costs related to a Respondent or Respondents' litigation against, settlement with. development of potential contribution claims against, or identification of other potentially liable parties; (e) internal costs of Respondents, including but not limited to salaries, travel costs, or in-kind services, except for those costs that represent the work of employees of Respondents directly performing the Work; (f) any costs incurred by Respondents prior to the Effective Date other than costs related to the preparation of the PDI Work Plan; or (g) any costs incurred by Respondents pursuant to Section XVI (Dispute Resolution).
- C. Termination and Recapture of Special Account Reimbursement. In any future, judicially-approved consent decree that embodies an obligation by one or more of Respondents to this AOC to implement the Remedial Action for the Lower Lev Creek OU, EPA intends to memorialize its obligation to reimburse the RA Settling Defendants from the Special Account, consistent with this Paragraph. EPA intends to include provisions in any such consent decree regarding that future obligation to reimburse the RA Settling Defendants that the obligation shall terminate and/or EPA may recapture any funds that have been reimbursed to the RA Settling Defendants if EPA determines that the RA Settling Defendants have (a) knowingly submitted a materially false or misleading cost summary and certification or (b) submitted a materially inaccurate or incomplete cost summary and certification, and have failed to correct the materially inaccurate or incomplete cost summary and certification within 45 days after being notified of, and given the opportunity to cure, the deficiency. EPA intends that any such future obligation to reimburse funds shall also be memorialized so as to terminate upon EPA's assumption of performance of work under any such future consent decree, but EPA acknowledges that the final terms of any such decree remain subject to negotiation with the RA Settling Defendants and the approval of the court.

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XVI. DISPUTE RESOLUTION

- 66. Unless this AOC expressly provides otherwise, the dispute resolution procedures of this Section shall be the exclusive mechanism for resolving disputes arising under this AOC. The Parties shall attempt to resolve any disagreements concerning this AOC expeditiously and informally.
- Notwithstanding any other provision of this AOC, Respondents may not invoke dispute resolution procedures more than once regarding the same issue.
- 68. If Respondents object to any EPA action taken pursuant to this AOC, including billings for Future Response Costs, they shall notify EPA in writing of their objection(s) within thirty (30) days of such action, or in the case of billings for Future Response Costs, within thirty (30) days of receipt of each such bill, unless the objection(s) has/have been resolved informally or unless EPA has agreed to extend the period of informal negotiations beyond the thirty (30) days. EPA and Respondents shall have twenty (20) days from EPA's receipt of Respondents' written objection(s) to resolve the dispute through formal negotiations (the "Negotiation Period"). The Negotiation Period may be extended at the sole discretion of EPA. Such extension may be granted verbally but must be confirmed in writing.
- 69. Any agreement reached by the Parties pursuant to this Section shall be in writing and shall, upon signature by both Parties, be incorporated into and become an enforceable part of this AOC. If the Parties are unable to reach an agreement within the Negotiation Period, an EPA management official at the Deputy Division Director level will issue a written decision on the dispute to Respondents. EPA's decision shall be incorporated into and become an enforceable part of this AOC. Respondents' obligations under this AOC for matters not directly in dispute shall not be tolled by submission of any objection for dispute resolution under this Section. Following resolution of the dispute, as provided by this Section, Respondents shall fulfill the requirement that was the subject of the dispute in accordance with the agreement reached or with EPA's decision, whichever occurs. Respondents shall proceed in accordance with EPA's final decision regarding the matter in dispute, regardless of whether Respondents agree with the decision.

XVII. FORCE MAJEURE

70. Respondents agree to perform all requirements of this AOC within the time limits established under this AOC, unless the performance is delayed by a *force majeure* event. For purposes of this AOC, a *force majeure* event is defined as any event arising from causes beyond the control of Respondents, or of any entity controlled by Respondents, including, but not limited to, their contractors and subcontractors, that delays or prevents performance of any obligation under this AOC despite Respondents' best efforts to fulfill the obligation. The requirement that Respondents exercise "best efforts to fulfill the obligation" includes using best efforts to anticipate any potential *force majeure* event: (a) as it is occurring; and (b) following the potential *force majeure* event, such that the delay is minimized to the greatest extent possible. A *force*

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majeure event does not include financial inability to complete the Work or increased cost of performance.

- 71. If any event occurs or has occurred that may delay the performance of any obligation under this AOC, whether or not caused by a force majeure event, Respondents shall notify EPA orally within seven (7) days of when Respondents first knew that the event might cause a delay. Within five (5) days thereafter, Respondents shall provide to EPA in writing; an explanation and description of the reasons for the delay; the anticipated duration of the delay; all actions taken or to be taken to prevent or minimize the delay; a schedule for implementation of any measures to be taken to prevent or mitigate the delay or the effect of the delay; Respondents' rationale for attributing such delay to a force majeure event if they intend to assert such a claim; and a statement as to whether, in the opinion of Respondents, such event may cause or contribute to an endangerment to public health, welfare, or the environment. Failure to comply with the above requirements shall preclude Respondents from asserting any claim of a force majeure event for that event for the period of time of such failure to comply and for any additional delay caused by such failure. Respondents shall be deemed to know of any circumstance of which Respondents, any entity controlled by Respondents, or Respondents' contractors knew or should have known.
- 72. If EPA agrees that the delay or anticipated delay is attributable to a force majeure event, the time for performance of the obligations under this AOC that are affected by the force majeure event will be extended by EPA for such time as is necessary to complete those obligations. An extension of the time for performance of the obligations affected by the force majeure event shall not, of itself, extend the time for performance of any other obligation. If EPA does not agree that the delay or anticipated delay has been or will be caused by a force majeure event, EPA will notify Respondents in writing of its decision. If EPA agrees that the delay is attributable to a force majeure event, EPA will notify Respondents in writing of the length of any extension for performance of the obligations affected by the force majeure event.

XVIII. STIPULATED PENALTIES

- 73. If Respondents fail to comply with any of the requirements or time limits set forth in or established pursuant to this AOC, without prior EPA approval, and such failure is not excused under the terms of Paragraphs 70 through 72 above (Force Majeure), Respondents shall, upon demand by EPA, pay a stipulated penalty to EPA in the amount indicated below:
 - a. For all requirements of this AOC, other than the timely provision of progress reports required by Section 4 of the RD SOW and Subparagraph 45(a), stipulated penalties shall accrue in the amount of \$500 per day, per violation, for the first seven days of noncompliance, \$1,000 per day, per violation, for the 8th through 15th day of noncompliance, \$2,000 per day, per violation, for the 16th through 25th day of noncompliance, and \$4,000 per day, per violation, for the 26th day of noncompliance and beyond.
 - For the progress reports required by Section 4 of the RD SOW and Subparagraph 45.a), stipulated penalties shall accrue in the amount of \$250 per day, per

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violation, for the first seven days of noncompliance, \$500 per day, per violation, for the 8th through 15th day of noncompliance, \$1,000 per day, per violation, for the 16th through 25th day of noncompliance, and \$2,000 per day, per violation, for the 26th day of noncompliance and beyond.

- 74. In the event that EPA assumes performance of remaining Work pursuant to Paragraph 85, Respondents shall be liable for a stipulated penalty in the amount of \$250,000.
- 75. All penalties shall begin to accrue on the day after the complete performance is due, or the day a violation occurs, and shall continue to accrue through the final day of the correction of the noncompliance or completion of the activity. However, stipulated penalties shall not accrue: a) with respect to a deficient submission under Section VIII (Work to be Performed), during the period, if any, beginning on the 31st day after EPA's receipt of such submission until the date that EPA notifies Respondents of any deficiency; and b) with respect to a decision by the EPA management official at the Deputy Division Director level, or his or her designee, under Paragraph 69 of Section XVI (Dispute Resolution), during the period, if any, beginning on the 21st day after the Negotiation Period begins until the date that the EPA management official issues a final decision regarding such dispute. Nothing herein shall prevent the simultaneous accrual of separate penalties for separate violations of this AOC.
- 76. Following EPA's determination that Respondents have failed to comply with a requirement of this AOC, EPA may give Respondents written notification of the failure and describe the noncompliance. EPA may send Respondents a written demand for payment of the penalties. However, penalties shall accrue as provided in the preceding Paragraph regardless of whether EPA has notified Respondents of a violation.
- 77. Respondents shall pay EPA all penalties accruing under this Section within thirty (30 days) of Respondents' receipt from EPA of a demand for payment of the penalties, unless Respondents invoke the dispute resolution procedures under Section XVI (Dispute Resolution). All payments to EPA under this Section shall be made via EFT in accordance with the payment procedures in Paragraph 61, above.
- 78. The payment of penalties shall not alter in any way Respondents' obligation to complete performance of the Work required under this AOC.
- 79. Penalties shall continue to accrue during any dispute resolution period but need not be paid until fifteen (15) days after the dispute is resolved by agreement or by receipt of EPA's decision.
- 80. If Respondents fail to pay stipulated penalties when due, EPA may institute proceedings to collect the penalties, as well as Interest. Respondents shall pay Interest on the unpaid balance, which shall begin to accrue on the date of demand made pursuant to Paragraph 76.
- 81. Nothing in this AOC shall be construed as prohibiting, altering, or in any way limiting the ability of EPA to seek any other remedies or sanctions available by virtue of

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Respondents' violation of this AOC or of the statutes and regulations upon which it is based, including, but not limited to, penalties pursuant to Sections 106(b) and 122(l) of CERCLA, 42 U.S.C. §§ 9606(b) and 9622(l), and punitive damages pursuant to Section 107(c)(3) of CERCLA, 42 U.S.C. § 9607(c)(3); however, EPA shall not seek civil penalties pursuant to Section 106(b) or 122(l) of CERCLA or punitive damages pursuant to Section 107(c) (3) of CERCLA for any violation for which a stipulated penalty is provided herein, except in the case of a willful violation of this AOC or in the event that EPA assumes performance of a portion or all of the Work pursuant to Section XX (Reservation of Rights by EPA), Paragraph 85. Notwithstanding any other provision of this Section, EPA may, in its unreviewable discretion, waive any portion of stipulated penalties that have accrued pursuant to this AOC.

XIX. COVENANT NOT TO SUE BY EPA

82. In consideration of the actions that Respondents will perform and the payments that Respondents will make under the terms of this AOC, and except as otherwise specifically provided in this AOC, EPA covenants not to sue or to take administrative action against Respondents pursuant to Sections 106 and 107(a) of CERCLA, 42 U.S.C. §§ 9606 and 9607(a), for the Work and Future Response Costs. This covenant not to sue is conditioned upon Respondents' complete and satisfactory performance of all obligations under this AOC, including, but not limited to, the satisfactory performance of the Work and the payment of Future Response Costs pursuant to Section XV. This covenant not to sue extends only to Respondents and does not extend to any other person.

XX. RESERVATION OF RIGHTS BY EPA

- 83. Except as specifically provided in this AOC, nothing herein shall limit the power and authority of EPA or the United States to take, direct, or order all actions necessary to protect public health, welfare, or the environment or to prevent, abate, or minimize an actual or threatened release of hazardous substances, pollutants or contaminants, or hazardous or solid waste on, at, or from the Lower Ley Creek OU. Further, except as specifically provided in this AOC, nothing herein shall prevent EPA from seeking legal or equitable relief to enforce the terms of this AOC, from taking other legal or equitable action as it deems appropriate and necessary, or from requiring Respondents in the future to perform additional activities pursuant to CERCLA or any other applicable law.
- 84. The covenant not to sue set forth in Section XIX above does not pertain to any matters other than those expressly identified therein. EPA reserves, and this AOC is without prejudice to, all rights against Respondents with respect to all other matters, including, but not limited to:
 - a. claims based on a failure by Respondents to meet a requirement of this AOC;
 - liability for the United States' costs not included within the definition of Future Response Costs;

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- liability for performance of response action other than the Work, which includes but is not limited to the pre-design and design of the remedy selected in the 2014 ROD;
- d. criminal liability;
- liability for damages for injury to, destruction of, or loss of natural resources, and for the costs of any natural resource damage assessments; and
- liability arising from the past, present, or future disposal, release, or threat of release of Waste Materials outside of the Site.
- 85. Work Takeover. In the event EPA determines that Respondents have ceased implementation of any portion of the Work, are seriously or repeatedly deficient or late in their performance of the Work, or are implementing the Work in a manner that may cause an endangerment to human health or the environment, EPA may assume the performance of any or all portion(s) of the Work as EPA determines necessary. Respondents may invoke the procedures set forth in Section XVI (Dispute Resolution) to dispute EPA's determination that takeover of the Work is warranted under this Paragraph. Costs that EPA incurs in performing the Work pursuant to this Paragraph shall be considered Future Response Costs that Respondents shall pay pursuant to Section XV (Payment of Future Response Costs). Notwithstanding any other provision of this AOC, EPA retains all authority and reserves all rights to take any and all response actions authorized by law.

XXI. COVENANT NOT TO SUE BY RESPONDENTS

- 86. Except as provided herein, Respondents covenant not to sue and agree not to assert any claims or causes of action against the United States, or its contractors or employees, with respect to the Work, Future Response Costs, or this AOC, including, but not limited to:
 - a. any direct or indirect claim for reimbursement from the Hazardous Substance Superfund established by 26 U.S.C. § 9507, based on Sections 106(b)(2), 107, 111, 112, or 113 of CERCLA, 42 U.S.C. §§ 9606(b)(2), 9607, 9611, 9612, or 9613, or any other provision of law;
 - b. any claim arising out of response actions at, or in connection with, the Lower Ley Creek OU, including any claim under the United States Constitution, the State Constitution, the Tucker Act, 28 U.S.C. § 1491, the Equal Access to Justice Act, 28 U.S.C. § 2412, as amended, or at common law; or
 - c. any claim against the United States pursuant to Sections 107 and 113 of CERCLA, 42 U.S.C. §§ 9607 and 9613, relating to the Work under this AOC or payment of Future Response Costs as defined under this AOC.
 - Notwithstanding Subparagraphs 86(a) (c), nothing in this provision shall

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preclude Respondents from asserting a request for reimbursement from the Special Account for eligible costs.

- 87. Respondents reserve, and this AOC is without prejudice to, claims against the United States subject to the provisions of Chapter 171 of Title 28 of the United States Code, for money damages for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the United States while acting within the scope of his or her office or employment under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred. However, any such claim shall not include a claim for any damages caused, in whole or in part, by the act or omission of any person, including any contractor, who is not a federal employee as that term is defined in 28 U.S.C. § 2671, nor shall any such claim include a claim based on EPA's selection of response actions, or the oversight or approval of Respondents' plans or activities. The foregoing applies only to claims that are brought pursuant to any statute other than CERCLA and for which the waiver of sovereign immunity is found in a statute other than CERCLA.
- 88. Nothing in Paragraph 86 above or in this AOC shall be construed to be a waiver by Respondents of any claims or causes of action against the United States, or its contractors or employees, relating to any future settlement regarding future performance of the Remedial Action or subsequent operation and maintenance activities necessary to maintain the effectiveness of the implemented remedy.
- 89. Nothing in this Agreement shall be deemed to constitute approval or preauthorization of a claim within the meaning of Section 111 of CERCLA, 42 U.S.C. § 9611, or 40 C.F.R. § 300.700(d).

XXII. OTHER CLAIMS

- 90. By issuance of this AOC, the United States and EPA assume no liability for injuries or damages to persons or property resulting from any acts or omissions of Respondents. The United States or EPA shall not be deemed a party to any contract entered into by Respondents or their directors, officers, employees, agents, successors, representatives, assigns, contractors, or consultants in carrying out actions pursuant to this AOC.
- 91. Nothing in this AOC shall be construed to create any rights in, or grant any cause of action to, any person not a party to this AOC. Respondents expressly reserve any and all rights (including, but not limited to, pursuant to Section 113 of CERCLA 42 U.S.C. § 9613), defenses, claims, demands, and causes of action which Respondents may have with respect to any matter, transaction, or occurrence relating in any way to the Lower Ley Creek OU against any person not a party hereto, except as provided in Section XXI (Covenant Not to Sue by Respondents). Nothing in this AOC diminishes the right of the United States, pursuant to Section 113(f)(2) and (3) of CERCLA, 42 U.S.C. § 9613(f)(2) and (3), to pursue any such persons to obtain additional response costs or response action and to enter into settlements that give rise to contribution protection pursuant to Section 113(f)(2). The "matters addressed" in this AOC are the Work and Future Response Costs.

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92. No action or decision by EPA pursuant to this AOC shall give rise to any right to judicial review, except as set forth in Section 113(h) of CERCLA, 42 U.S.C. § 9613(h).

XXIII. CONTRIBUTION PROTECTION

93. The Parties agree that this settlement constitutes an administrative settlement for purposes of Sections 113(f)(2) and 122(h)(4) of CERCLA, 42 U.S.C. §§ 9613(f)(2) and 9622(h)(4), and that Respondents are entitled, as of the Effective Date, to protection from contribution actions or claims as provided by Sections 113(f)(2) and 122(h)(4) of CERCLA, 42 U.S.C. §§ 9613(f)(2) and 9622(h)(4), or as may be otherwise provided by law, for "matters addressed" in this Settlement Agreement. The "matters addressed" in this Settlement Agreement are the Work and Future Response Costs. The Parties further agree that this Settlement Agreement constitutes an administrative settlement for purposes of Section 113(f)(3)(B), pursuant to which Respondents have, as of the Effective Date, resolved their liability to the United States for the Work and Future Response Costs.

XXIV. INDEMNIFICATION

- 94. Respondents shall indemnify, save, and hold harmless the United States, its officials, agents, contractors, subcontractors, employees, and representatives from any and all claims or causes of action arising from, or on account of, negligent or other wrongful acts or omissions of Respondents, their officers, directors, employees, agents, contractors, or subcontractors, in carrying out actions pursuant to this AOC. In addition, Respondents agree to pay the United States all costs incurred by the United States, including, but not limited to, attorneys' fees and other expenses of litigation and settlement, arising from, or on account of, claims made against the United States based on negligent or other wrongful acts or omissions of Respondents, their officers, directors, employees, agents, contractors, subcontractors, and any persons acting on its behalf or under its control, in carrying out activities pursuant to this AOC. The United States shall not be held out as a party to any contract entered into, by or on behalf of Respondents in carrying out activities pursuant to this AOC. Neither Respondents nor any such contractor shall be considered an agent of the United States. With respect to Respondents which are State or local governmental entities, the indemnity obligations under this Paragraph shall only apply to the extent permitted by and consistent with State law.
- 95. The United States shall give Respondents notice of any claim for which the United States plans to seek indemnification pursuant to this Section and shall consult with Respondents prior to settling any such claim.
- 96. Respondents waive all claims against the United States for damages or reimbursement or for set-off of any payments made, or to be made, to the United States, arising from, or on account of, any contract, agreement, or arrangement between Respondents and any person for performance of Work on, or relating to, the Lower Ley Creek OU, including, but not limited to, claims on account of construction delays. In addition, Respondents shall indemnify and hold harmless the United States with respect to any and all claims for damages or reimbursement arising from, or on account of, any contract, agreement, or arrangement between

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Respondents and any person for performance of Work on, or relating to, the Lower Ley Creek OU.

XXV. INSURANCE

97. At least seven (7) days prior to commencing any Work at the Lower Ley Creek OU, Respondents shall submit to EPA certificates demonstrating that Respondents or their contractors and subcontractors have adequate comprehensive general liability and automobile insurance coverage in the amount of \$5 million or have indemnification for liabilities for injuries or damages to persons or property which may result from the activities to be conducted by or on behalf of Respondents pursuant to this AOC. Respondents shall ensure that such insurance or indemnification is maintained for the duration of the Work required by this AOC.

XXVI. FINANCIAL ASSURANCE

- 98. Within 30 days of the Effective Date, Respondents shall establish and maintain financial security for the benefit of EPA in the amount of \$1.3 million in one or more of the following forms, to secure the full and final completion of Work by Respondents:
 - a surety bond unconditionally guaranteeing payment and/or performance of the Work;
 - one or more irrevocable letters of credit, payable to or at the direction of EPA, issued by financial institution(s) acceptable in all respects to EPA equaling the total estimated cost of the Work;
 - c. a trust fund administered by a trustee acceptable in all respects to EPA;
 - a policy of insurance issued by an insurance carrier acceptable in all respects to EPA, which ensures the payment and/or performance of the Work;
 - e. a corporate guarantee to perform the Work provided by one or more parent corporations or subsidiaries of Respondents, or by one or more unrelated corporations that have a substantial business relationship with at least one of Respondents; including a demonstration that any such company satisfies the financial test requirements of 40 C.F.R. Part 264.143(f); and/or
 - f. a corporate guarantee to perform the Work by one or more of Respondents, including a demonstration that any such Respondent satisfies the requirements of 40 C.F.R. Part 264.143(f).

With respect to Respondents which are State or local governmental entities, the financial assurance obligations under this Paragraph shall only apply to the extent permitted by and consistent with State law. All costs paid by Respondents, individually or jointly, to secure financial assurance under this Section XXVI shall be eligible for reimbursement pursuant to the terms and conditions of Paragraph 65. The original of any financial assurance document secured

pursuant to this Paragraph shall be sent to the following address, with copies to the EPA addressees listed in Subparagraph 45(b) of this AOC:

Chief, Resource Management/Cost Recovery Section Program Support Branch Emergency and Remedial Response Division U.S. Environmental Protection Agency, Region 2 290 Broadway, 18th Floor New York, NY 10007-1866

- 99. Any and all financial assurance instruments provided pursuant to this Section shall be in form and substance satisfactory to EPA, determined in EPA's sole discretion. In the event that EPA determines at any time that the financial assurances provided pursuant to this Section (including, without limitation, the instrument(s) evidencing such assurances) are inadequate, Respondents shall, within 30 days of receipt of notice of EPA's determination, obtain and present to EPA for approval one of the other forms of financial assurance listed in Paragraph 98, above. In addition, if at any time EPA notifies Respondents that the anticipated cost of completing the Work has increased, then, within 30 days of such notification, Respondents shall obtain and present to EPA for approval a revised form of financial assurance (otherwise acceptable under this Section) that reflects such cost increase. Respondents' inability to demonstrate financial ability to complete the Work shall in no way excuse performance of any activities required under this AOC.
- 100. If Respondents seek to ensure completion of the Work through a guarantee pursuant to Subparagraph 98(e) or 98(f) of this AOC, Respondents shall: (i) demonstrate to EPA's satisfaction that the guarantor satisfies the requirements of 40 C.F.R. Part 264.143(f); and (ii) resubmit sworn statements conveying the information required by 40 C.F.R. Part 264.143(f) annually, on the anniversary of the Effective Date, to EPA. For the purposes of this AOC, wherever 40 C.F.R. Part 264.143(f) references "sum of current closure and post-closure costs estimates and the current plugging and abandonment costs estimates," the current cost estimate of \$1.3 million for the Work at the Lower Ley Creek OU shall be used in relevant financial test calculations.
- 101. If, after the Effective Date, Respondents can show that the estimated cost to complete the remaining Work has diminished below the amount set forth in Paragraph 98 of this Section, Respondents may, on any anniversary date of the Effective Date, or at any other time agreed to by the Parties, reduce the amount of the financial security provided under this Section to the estimated cost of the remaining Work to be performed. Respondents shall submit a proposal for such reduction to EPA, in accordance with the requirements of this Section, and may reduce the amount of the security after receiving written approval from EPA.
- 102. Respondents may change the form of financial assurance provided under this Section at any time, upon notice to and prior written approval by EPA, provided that EPA determines that the new form of assurance meets the requirements of this Section. In the event of a dispute, Respondents may change the form of financial assurance required hereunder only in

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accordance with a final decision resolving such dispute pursuant to Section XVI (Dispute Resolution).

XXVII. INTEGRATION/APPENDICES

- 103. This AOC, its appendices, and any deliverables, technical memoranda, specifications, schedules, documents, plans, or reports (other than progress reports) that will be developed pursuant to this AOC and become incorporated into, and enforceable under, this AOC constitute the final, complete, and exclusive agreement and understanding among the Parties with respect to the settlement embodied in this AOC. The parties acknowledge that there are no representations, agreements, or understandings relating to the settlement other than those expressly contained in this AOC.
- 104. In the event of a conflict between any provision of this AOC and the provisions of any document attached to this AOC or submitted or approved pursuant to this AOC, the provisions of this AOC shall control.
 - 105. The following documents are attached to and incorporated into this AOC: Appendix A is the RD SOW Appendix B is the 2014 ROD Appendix C is a map that generally depicts the Lower Ley Creek OU.

XXVIII. EFFECTIVE DATE AND SUBSEQUENT MODIFICATION

- 106. This AOC shall be effective upon receipt by counsel for Respondents after the AOC is signed by the Director of the Emergency and Remedial Response Division or his designee.
- 107. This AOC may be amended by mutual agreement of EPA and Respondents. Amendments shall be in writing and shall be effective when signed by EPA. EPA's RPM does not have the authority to sign amendments to the AOC.
- 108. No informal advice, guidance, suggestion, or comment by EPA's RPM or other EPA representatives regarding reports, plans, specifications, schedules, or any other writing submitted by Respondents shall relieve Respondents of their obligation to obtain any formal approval required by this AOC, or to comply with all requirements of this AOC, unless it is formally modified.

XXIX. NOTICE OF COMPLETION OF WORK

109. When EPA determines that all Work has been fully performed in accordance with the other requirements of this AOC, with the exception of any continuing obligations required by this AOC, including payment of Future Response Costs or record retention, EPA will provide written notice to Respondents. If EPA determines that any such Work has not been completed in accordance with this AOC, EPA will notify Respondents, provide a list of the deficiencies, and require that Respondents modify the applicable work plan(s), if appropriate, to correct such

< p	Un (K		7/18/16
for By:	Walter E. Mugda	n. Director	Date
		Remedial Response Division	1
		ek Operable Unit of the Ond nt, Index No. 02-2016-2014	ondaga Lake Superfund Site,
Agreed this	day of	, 2016.	
For Respond	dent		

By:	Date
Emergency and Remedial Response Division EPA, Region 2	Dave .
In the Matter of Lower Ley Creek Operable Unit of the Onondaga L Administrative Order on Consent, Index No. 02-2016-2014	ake Superfund Site,
Agreed this Gh day of July , 2016.	
For Respondent Carrier Corporation	
Signature:	
Name (print): James O'Connor	
Title: Deputy General Counsel	
Address:	
One Carrier Place	

By:	
Walter E. Mugdan, Director Emergency and Remedial Response Division EPA, Region 2	Date
In the Matter of Lower Ley Creek Operable Unit of the Onondaga I	Lake Superfund Site,
Administrative Order on Consent, Index No. 02-2016-2014	
Agreed this 2 day of July, 2016.	
For Respondent: Onondaga County	
Signature: M. Mahoney	
Name (print): Joanne M. Mahoney	
Title: County Executive	
Address: John H. Mulroy Civic Center	
421 Montgomery Street, 14 th Floor	
Syracuse, New York 13202	

By:

deficiencies. Respondents shall implement the modified and approved work plan(s) and shall submit the required deliverables. Failure by Respondents to implement the approved modified work plan(s) shall be a violation of this AOC.

Walter E. Mugdan, Director	Date
Emergency and Remedial Response Division EPA, Region 2	
In the Matter of Lower Ley Creek Operable Unit of the Onondaga Lake Administrative Order on Consent, Index No. 02-2016-2014	Superfund Site,
Agreed this gth day of July, 2016.	
For Respondent Cooper Crouse - Hinds, LLC	
Signature: Off Pall	
Name (print): Jeffrey P.Allen	
Title: Managen, Remodialin	
Address: 1000 Eaton Blud	
Mail Code 95	
Cleveland OH 44122	

Walter E. Mugdan, Director

By:

deficiencies. Respondents shall implement the modified and approved work plan(s) and shall submit the required deliverables. Failure by Respondents to implement the approved modified work plan(s) shall be a violation of this AOC.

Walter E. Mugdan, Director	Date
Emergency and Remedial Response Division EPA, Region 2	7.77
In the Matter of Lower Ley Creek Operable Unit of the Onondaga La Administrative Order on Consent, Index No. 02-2016-2014	ake Superfund Site,
Agreed this 5 day of July , 2016.	
For Respondent Notional Band	
Signature:	
Name (print): BRIAN Stenam	
Title: Manage, Site Investigator & Remodiation - Upstato NY	
Address: 300 Gas Blud West	
Syracuso, NY 13202	

Walter E. Mugdan, Director

Date

By: _

Walter E. Mugdan, Director	Date
Emergency and Remedial Response Division	
EPA, Region 2	
In the Matter of Lower Ley Creek Operable Unit of the Onondaga Lake	Superfund Site
Administrative Order on Consent, Index No. 02-2016-2014	Superfund Site,
. 73	
Agreed this $1/7$ day of $30/9$, 2016.	
For Respondent Town of Salina	
For Respondent 1000 of -AINA	
Signature: Mant. Justo	
Signature. / unit (. /u.o.)	
Name (print): MARK A. Nicotra	
7. ('040	
Title: Town Supervisor	
Address: 201 School Road	
Liverpool, NY 13088	

By:			
	Walter E. Mugdan, Director	Date	
	Emergency and Remedial Response Division		
	EPA, Region 2		

In the Matter of Lower Ley Creek Operable Unit of the Onondaga Lake Superfund Site, Administrative Order on Consent, Index No. 02-2016-2014

Agreed this 15 day of July

For Respondent SYRACUSE CHINA COMPANY

Name (print): Susan A. Kovach

Title: Vice President, General Counsel & Secretary

Address: 300 Madison Avenue

Toledo, Ohio 43604

Walter E. Mugdan, Director	Date
Emergency and Remedial Response Division EPA, Region 2	240
In the Matter of Lower Ley Creek Operable Unit of the Onondaga La Administrative Order on Consent, Index No. 02-2016-2014	ake Superfund Site,
Agreed this gthe day of July , 2016.	
For Respondent City of Syracuse	
Signature:	
Name (print): Rebert Starney	
Title: Componentum Counsel	
Address: 233 E. Washington ST Rn 300	
Syracuse, N.Y. 13202	