

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF INGHAM

Michael A. Cox, Attorney General
of the State of Michigan, and
Michigan Department of
Environmental Quality,
Plaintiffs,

File No. 03-1362-CE

v

Honorable Beverley Nettles-Nickerson

3M Company, f/k/a Minnesota Mining and Manufacturing Company; American Seating Company; Ameriwood Industries International, Inc. (Ameriwood Industries, Inc. and Ameriwood Industries International, Inc., on behalf of Rospatch Corporation and Jessco, Inc.); Amstore Corporation; A. M. Todd Company; Appleton Papers Inc. (Appleton Papers Inc., successor by merger to Pine, Inc., f/k/a East Shore Chemical Company); Atco Rubber Products, Inc.; Atlantic Richfield Company (Atlantic Richfield Company, for itself and Anaconda Company); Aventis, formerly AgrEvo USA; BASF Corporation (BASF Corporation, on behalf of itself and Inmont Corporation); BP Products North America Inc., f/k/a Amoco Oil Company; Bayer Pharmaceutical Corporation (on behalf of Miles, Inc.); Borden Chemical, Inc.; Bradford White Corporation; Bronson Methodist Hospital; Brunswick Corporation (Brunswick Corporation, on its own behalf and on behalf of its wholly-owned subsidiary, Bowling and Billiards Corporation); Cardinal Health 200, Inc. (f/k/a Allegiance Healthcare Corporation), on behalf of itself and Baxter Healthcare Corporation; Cargo Heavy Duty, Inc.; Champion International; City of Otsego; City of Wyoming; Clark Equipment Company (Ingersoll-Rand for Clark Equipment Company); Consolidated Rail Corporation; CSX Transportation, Inc.; David Brown Union Pumps Company; Du-Wel Products, Inc.; Eagle Ottawa, LLC; Eaton Corporation; E. I. du Pont de Nemours and Company, Inc.; Electrolux North America, Inc.; Extruded Metals, Inc.; Ferro Corporation; General Formulations, Inc.; General Motors Corporation; George Belfer Drum & Barrel Company; Grand Transformers Incorporated; Grand Trunk Western Railroad, Inc.; Hamilton Sundstrand Dowagiac, Inc. (Hamilton Sundstrand Corporation); Hastings Manufacturing Company; Haworth, Inc.; H. B. Fuller Company; H. C. Starck GmbH & Company; H. E. One Corporation; Herald Company, Inc. (The); Hercules Incorporated; Honeywell International, Inc. (f/k/a AlliedSignal, Inc. and successor to the Bendix Corporation); Howard Miller Clock Company; Humphrey Products Company; IdraPrince, Inc. (f/k/a Prince Machine Corporation, f/k/a Prince Die Cast); Illinois Tool Works Inc. (Illinois Tool Works Inc./Medalist); Kayo Oil Company (ConocoPhillips Company, on behalf of Kayo Oil Company, a wholly-owned subsidiary of ConocoPhillips Company); Kent County Health Department (Kent County); Kimberly-Clark Tissue Company (Kimberly-Clark Corporation/Kimberly-Clark Tissue Company, on behalf of S.D. Warren Company); Kirsch Division of Newell Window Furnishings, Inc.; Knight Refrigeration; Knoll North America, Inc.; Kraft Foods North America,

**CONSENT
DECREE**

Inc., on behalf of Kraft (General Foods); Kraft Foods North America, Inc., on behalf of Nabisco (Life-Savers); Lawrence Industries, Inc.; Lear Corporation Mendon; Lear Siegler, Inc. (Sturgis); Leedy Manufacturing Company; Magna Donnelly Corporation (f/k/a Donnelly Corporation); Mead Corporation; Menasha Packaging Company, LLC; Meridian, Inc.; Michigan State Industries Bureau of Correctional Industries – Michigan Department of Corrections; Michigan State University; Millennium Petrochemicals, Inc. (Millennium Petrochemicals, Inc., f/k/a Northern Petrochemical Company); Nestlé USA, Inc.; Orkin Exterminating Company, Inc. (Orkin Pest Control); Owens-Illinois, Inc.; Parker-Hannifin Corporation; Peerbolt's, Inc.; Pharmacia Corporation (Pharmacia & Upjohn Company for Upjohn Company); Prab, Inc.; Reid Tool Supply Company; Repco Lite Paints, Inc.; Ronnigen-Petter Division of Dover Corporation; Shakespeare Company (Shakespeare Company/K2 Inc.); SmithKline Beecham Corporation, on behalf of Roberts Consolidated Industries Incorporated; SPX Corporation; Stryker Corporation; Sunoco, Inc., f/k/a Sun Oil Company; TDY Industries, Inc.; Therm-O-Disc, Inc. (Midwest Components, Inc.); Tyler Refrigeration Corporation (American Standard Inc., on behalf of Tyler Refrigeration Corporation); The Valspar Corporation, on behalf of itself and its predecessors, including, but not limited to, Lilly Industries (USA), Inc., f/k/a American Aerosols; The W-L Molding Company; Yale Materials Handling, f/k/a Lakeshore Materials Handling,
Defendants,

**CONSENT DECREE FOR PAYMENT
OF PAST RESPONSE ACTIVITY COSTS**

The Plaintiffs are Michael A. Cox, Attorney General of the State of Michigan, and the Michigan Department of Environmental Quality (MDEQ).

The Defendants are 3M Company, f/k/a Minnesota Mining and Manufacturing Company; American Seating Company; Ameriwood Industries International, Inc. (Ameriwood Industries, Inc. and Ameriwood Industries International, Inc., on behalf of Rospatch Corporation and Jessco, Inc.); Amstore Corporation; A. M. Todd Company; Appleton Papers Inc. (Appleton Papers Inc., successor by merger to Pine, Inc., f/k/a East Shore Chemical Company); Atco Rubber Products, Inc.; Atlantic Richfield Company (Atlantic Richfield Company, for itself and Anaconda Company); Aventis, formerly AgrEvo USA; BASF Corporation (BASF Corporation, on behalf of itself and Inmont Corporation); BP Products North America Inc., f/k/a Amoco Oil Company; Bayer Pharmaceutical Corporation (on behalf of Miles, Inc.); Borden Chemical, Inc.; Bradford

White Corporation; Bronson Methodist Hospital; Brunswick Corporation (Brunswick Corporation, on its own behalf and on behalf of its wholly-owned subsidiary, Bowling and Billiards Corporation); Cardinal Health 200, Inc. (f/k/a Allegiance Healthcare Corporation), on behalf of itself and Baxter Healthcare Corporation; Cargo Heavy Duty, Inc.; Champion International; City of Otsego; City of Wyoming; Clark Equipment Company (Ingersoll-Rand for Clark Equipment Company); Consolidated Rail Corporation; CSX Transportation, Inc.; David Brown Union Pumps Company; Du-Wel Products, Inc.; Eagle Ottawa, LLC; Eaton Corporation; E. I. du Pont de Nemours and Company, Inc.; Electrolux North America, Inc.; Extruded Metals, Inc.; Ferro Corporation; General Formulations, Inc.; General Motors Corporation; George Belfer Drum & Barrel Company; Grand Transformers Incorporated; Grand Trunk Western Railroad, Inc.; Hamilton Sundstrand Dowagiac, Inc. (Hamilton Sundstrand Corporation); Hastings Manufacturing Company; Haworth, Inc.; H. B. Fuller Company; H. C. Starck GmbH & Company; H. E. One Corporation; The Herald Company, Inc.; Hercules Incorporated; Honeywell International, Inc. (f/k/a AlliedSignal, Inc. and successor to the Bendix Corporation); Howard Miller Clock Company; Humphrey Products Company; IdraPrince, Inc. (f/k/a Prince Machine Corporation, f/k/a Prince Die Cast); Illinois Tool Works Inc. (Illinois Tool Works Inc./Medalist); Kayo Oil Company (ConocoPhillips Company, on behalf of Kayo Oil Company, a wholly-owned subsidiary of ConocoPhillips Company); Kent County Health Department (Kent County); Kimberly-Clark Tissue Company (Kimberly-Clark Corporation/Kimberly-Clark Tissue Company, on behalf of S.D. Warren Company); Kirsch Division of Newell Window Furnishings, Inc.; Knight Refrigeration; Knoll North America, Inc.; Kraft Foods North America, Inc., on behalf of Kraft (General Foods); Kraft Foods North America, Inc., on behalf of Nabisco (Life-Savers); Lawrence Industries, Inc.; Lear Corporation Mendon; Lear Siegler, Inc. (Sturgis); Leedy Manufacturing Company; Magna Donnelly Corporation (f/k/a Donnelly Corporation); Mead

Corporation; Menasha Packaging Company, LLC; Meridian, Inc.; Michigan State Industries Bureau of Correctional Industries – Michigan Department of Corrections; Michigan State University; Millennium Petrochemicals, Inc. (Millennium Petrochemicals, Inc., f/k/a Northern Petrochemical Company); Nestlé USA, Inc.; Orkin Exterminating Company, Inc. (Orkin Pest Control); Owens-Illinois, Inc.; Parker-Hannifin Corporation; Peerbolt's, Inc.; Pharmacia Corporation (Pharmacia & Upjohn Company for Upjohn Company); Prab, Inc.; Reid Tool Supply Company; Repco Lite Paints, Inc.; Ronnigen-Petter Division of Dover Corporation; Shakespeare Company (Shakespeare Company/K2 Inc.); SmithKline Beecham Corporation, on behalf of Roberts Consolidated Industries Incorporated; SPX Corporation; Stryker Corporation; Sunoco, Inc., f/k/a Sun Oil Company; TDY Industries, Inc.; Therm-O-Disc, Inc. (Midwest Components, Inc.); Tyler Refrigeration Corporation (American Standard Inc., on behalf of Tyler Refrigeration Corporation); The Valspar Corporation, on behalf of itself and its predecessors, including, but not limited to, Lilly Industries (USA), Inc., f/k/a American Aerosols; The W-L Molding Company; Yale Materials Handling, f/k/a Lakeshore Materials Handling, and their respective successors and assigns.

The Consent Decree concerns the payment by the Defendants of past response activity costs incurred by the State of Michigan (the State) at the Sunrise Landfill, Allegan County, Michigan (hereinafter Facility). Pursuant to Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as amended, and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, 42 USC § 9601 *et seq*, the State has incurred response activity costs in responding to a release or threat of release of hazardous substances at the Facility. The Defendants agree not to contest (a) the authority or jurisdiction of the Court to enter this Consent Decree or (b) any terms or conditions set forth herein.

The entry of this Consent Decree by the Defendants is neither an admission of liability with respect to any issue covered under this Consent Decree nor is it an admission or denial of any factual allegations or legal conclusions stated or implied herein.

The Parties agree, and the Court by entering this Consent Decree finds, that the terms and conditions of the Consent Decree are fair, reasonable, and consistent with the public interest and the doctrines of applicable law.

NOW, THEREFORE, before the taking of any testimony, and without this Consent Decree constituting an admission of any of the allegations in the Complaint or as evidence of the same, and upon the consent of the Parties, by their attorneys, it is hereby ORDERED, ADJUDGED, AND DECREED:

I. JURISDICTION

1.1 This Court has jurisdiction over the subject matter of this action pursuant to MCL 324.20137. This Court also has personal jurisdiction over the Defendants. The Defendants waive all objections and defenses that they may have to the jurisdiction of this Court or to venue in this District.

1.2 The Court shall retain jurisdiction over the Parties and subject matter of this action to enforce this Consent Decree.

II. PARTIES BOUND

2.1 This Consent Decree shall apply to and be binding upon Plaintiffs and the Defendants and their successors and assigns. No change or changes in the ownership or corporate status of the Defendants shall in any way alter the Defendants' responsibilities under this Consent Decree.

2.2 All of the Defendants shall be jointly and severally liable for the payments specified in this Consent Decree. The signatories to this Consent Decree certify that they are authorized to execute this Consent Decree and to legally bind the parties they represent.

III. STATEMENT OF PURPOSE

In entering into this Consent Decree, the mutual objective of the Plaintiffs and the Defendants is to resolve, without litigation, Plaintiffs' claims against the Defendants for the recovery of past response activity costs that the State has incurred at the Facility.

IV. DEFINITIONS

- 4.1 "Consent Decree" means this Consent Decree and any attachment hereto.
- 4.2 "Defendants" means the following companies and their respective predecessors, successors, and assigns, individually and jointly: 3M Company, f/k/a Minnesota Mining and Manufacturing Company; American Seating Company; Ameriwood Industries International, Inc. (Ameriwood Industries, Inc. and Ameriwood Industries International, Inc., on behalf of Rospatch Corporation and Jessco, Inc.); Amstore Corporation; A. M. Todd Company; Appleton Papers Inc. (Appleton Papers Inc., successor by merger to Pine, Inc., f/k/a East Shore Chemical Company); Atco Rubber Products, Inc.; Atlantic Richfield Company (Atlantic Richfield Company, for itself and Anaconda Company); Aventis, formerly AgrEvo USA; BASF Corporation (BASF Corporation, on behalf of itself and Inmont Corporation); BP Products North America Inc., f/k/a Amoco Oil Company; Bayer Pharmaceutical Corporation (on behalf of Miles, Inc.); Borden Chemical, Inc.; Bradford White Corporation; Bronson Methodist Hospital; Brunswick Corporation (Brunswick Corporation, on its own behalf and on behalf of its wholly-owned subsidiary, Bowling and Billiards Corporation); Cardinal Health 200, Inc. (f/k/a Allegiance Healthcare Corporation), on behalf of itself and Baxter Healthcare Corporation;

Cargo Heavy Duty, Inc.; Champion International; City of Otsego; City of Wyoming; Clark Equipment Company (Ingersoll-Rand for Clark Equipment Company); Consolidated Rail Corporation; CSX Transportation, Inc.; David Brown Union Pumps Company; Du-Wel Products, Inc.; Eagle Ottawa, LLC; Eaton Corporation; E. I. du Pont de Nemours and Company, Inc.; Electrolux North America, Inc.; Extruded Metals, Inc.; Ferro Corporation; General Formulations, Inc.; General Motors Corporation; George Belfer Drum & Barrel Company; Grand Transformers Incorporated; Grand Trunk Western Railroad, Inc.; Hamilton Sundstrand Dowagiac, Inc. (Hamilton Sundstrand Corporation); Hastings Manufacturing Company; Haworth, Inc.; H. B. Fuller Company; H. C. Starck GmbH & Company; H. E. One Corporation; The Herald Company, Inc.; Hercules Incorporated; Honeywell International, Inc. (f/k/a AlliedSignal, Inc. and successor to the Bendix Corporation); Howard Miller Clock Company; Humphrey Products Company; IdraPrince, Inc. (f/k/a Prince Machine Corporation, f/k/a Prince Die Cast); Illinois Tool Works Inc. (Illinois Tool Works Inc./Medalist); Kayo Oil Company (ConocoPhillips Company, on behalf of Kayo Oil Company, a wholly-owned subsidiary of ConocoPhillips Company); Kent County Health Department (Kent County); Kimberly-Clark Tissue Company (Kimberly-Clark Corporation/Kimberly-Clark Tissue Company, on behalf of S.D. Warren Company); Kirsch Division of Newell Window Furnishings, Inc.; Knight Refrigeration; Knoll North America, Inc.; Kraft Foods North America, Inc., on behalf of Kraft (General Foods); Kraft Foods North America, Inc., on behalf of Nabisco (Life-Savers); Lawrence Industries, Inc.; Lear Corporation Mendon; Lear Siegler, Inc. (Sturgis); Leedy Manufacturing Company; Magna Donnelly Corporation (f/k/a Donnelly Corporation); Mead Corporation; Menasha Packaging Company, LLC; Meridian, Inc.; Michigan State Industries Bureau of Correctional Industries – Michigan Department of Corrections; Michigan State University; Millennium Petrochemicals, Inc. (Millennium Petrochemicals, Inc., f/k/a Northern

Inc.; Orkin Exterminating Company, Inc. (Orkin Pest Control); Owens-Illinois, Inc.; Parker-Hannifin Corporation; Peerbolt's, Inc.; Pharmacia Corporation (Pharmacia & Upjohn Company for Upjohn Company); Prab, Inc.; Reid Tool Supply Company; Repco Lite Paints, Inc.; Ronnigen-Petter Division of Dover Corporation; Shakespeare Company (Shakespeare Company/K2 Inc.); SmithKline Beecham Corporation, on behalf of Roberts Consolidated Industries Incorporated; SPX Corporation; Stryker Corporation; Sunoco, Inc., f/k/a Sun Oil Company; TDY Industries, Inc.; Therm-O-Disc, Inc. (Midwest Components, Inc.); Tyler Refrigeration Corporation (American Standard Inc., on behalf of Tyler Refrigeration Corporation); The Valspar Corporation, on behalf of itself and its predecessors, including, but not limited to, Lilly Industries (USA), Inc., f/k/a American Aerosols; The W-L Molding Company; Yale Materials Handling, f/k/a Lakeshore Materials Handling.

4.3 "Facility" means the Property identified in Attachment A and any area, place, or property where a hazardous substance, which originated at and emanates from the Property and is present at concentrations that exceed the requirements of Section 20120a(1)(a) or (17) of the NREPA, MCL 324.20120a(1)(a) or (17), or the cleanup criteria for unrestricted residential use under Part 213 of the NREPA, has been released, deposited, or disposed of, or otherwise has come to be located.

4.4 "Plaintiffs" means, individually and jointly, Michael A. Cox, Attorney General of the State of Michigan, and the Michigan Department of Environmental Quality, its successor entities, and those authorized persons or entities acting on their behalf.

4.5 "Party" means the Plaintiffs or Defendants. "Parties" means the Plaintiffs and Defendants.

4.6 All other terms used in this Consent Decree and which are defined in Part 201 of NREPA, MCL 324.20101 *et seq*, or the Part 201 Administrative Rules, 1990 AACRS 299.5101 *et seq*, shall have the same meaning in the Consent Decree as in Part 201 and its rules.

V. REIMBURSEMENT OF PAST RESPONSE ACTIVITY COSTS

5.1 On or before September 15, 2003, the Defendants shall pay to the MDEQ the sum of \$4,800,000.00 to resolve all claims for past response activity costs. For purposes of this Consent Decree, the term "past response activity costs" shall mean all costs that the State has incurred to perform response activities at the Facility from April 1, 1999, through the dates set forth in the attached Summary of Costs (Attachment B), and all interest and penalties that may be applicable to those costs. Payment is to be made by check payable to the "State of Michigan – Environmental Response Fund" and sent to:

Financial & Business Services Division
Revenue Control Unit
Michigan Department of Environmental Quality
P.O. Box 30657
Lansing, Michigan 48909-8157

(Via Courier)
525 West Allegan
Constitution Hall
South Tower, 5th Floor
Lansing, Michigan 48913

To ensure proper credit, payments made pursuant to this Consent Decree must be made by check referencing the Sunrise Landfill name, the Ingham County Circuit Court Case Number, and the Remediation and Redevelopment Division Account Number RRD2163.

5.2 If the Defendants fail to pay the amount indicated in Paragraph 5.1 by the date specified, the Defendants shall pay the MDEQ \$5,000,000 by October 31, 2003 to resolve all claims against the Defendants for past response activity costs.

5.3 If Paragraph 5.2 is applicable and the Defendants fail to pay the amount indicated therein by the date specified, this Consent Decree is terminated and all Parties are left to their respective rights and defenses regarding the subject of this action.

5.4 Costs recovered pursuant to this Consent Decree shall be deposited in the Environmental Response Fund in accordance with the provisions of Section 20108(3) of the NREPA, MCL 324.20108(3).

VI. COVENANT NOT TO SUE AND RESERVATION OF RIGHTS BY PLAINTIFFS

6.1 In consideration of the payments to be made by the Defendants under the terms of this Consent Decree, except as specifically provided in this Section, Plaintiffs covenant not to sue or to take administrative action against the Defendants for past response activity costs as defined in Paragraph 5.1. This covenant not to sue shall take effect upon the MDEQ's receipt of the payment required by either Paragraph 5.1 or 5.2, as applicable. This covenant not to sue applies only to past response activity costs and shall not be construed as a covenant not to sue for any other liability that the Defendants may have to the State for the Facility. This covenant not to sue extends only to the Defendants and does not extend to any other person.

6.2 The covenant not to sue applies only to those matters specified in Paragraph 6.1. Plaintiffs reserve the right to bring an action against the Defendants under any applicable authority for any matters that are not set forth in Paragraph 6.1. Plaintiffs reserve, and this Consent Decree is without prejudice to, all rights to take administrative action or to file a new action pursuant to any applicable authority against Defendants with respect to all other matters, including, but not limited to, the following:

(a) liability for the performance of any response activities that are required at the Facility;

(b) liability for the recovery of response activity costs other than past response activity costs as defined in Paragraph 5.1;

(c) liability arising from the past, present, or future treatment, handling, disposal, release, or threat of release of hazardous substances outside of the Facility and not attributable to the Facility;

(d) liability arising from the past, present, or future treatment, handling, disposal, release, or threat of release of hazardous substances taken from the Facility;

(e) liability for damages for injury to, destruction of, or loss of natural resources and for the costs of any natural resource damage assessment;

(f) criminal liability; and

(g) liability for violations of federal or state law that occur during or after the performance of the response activities required by this Consent Decree.

6.3 Plaintiffs expressly reserve all of their rights and defenses pursuant to any available legal authority to enforce this Consent Decree.

6.4 In addition to, and not as a limitation of, any other provision of this Consent Decree, the MDEQ retains all authority and reserves all rights to perform, or to contract to have performed, any lawful response activities that the MDEQ determines are necessary and to seek to recover response activity costs (other than past response activity costs as defined in Paragraph 5.1) authorized by law.

6.5 Nothing in this Consent Decree shall limit the power and authority of the MDEQ or the State of Michigan to take, direct, or order all appropriate action to protect the public health, safety, or welfare, or the environment; or to prevent, abate, or minimize a release or threatened release of hazardous substances, pollutants, or contaminants on, at, or from the Facility.

VII. COVENANT NOT TO SUE AND RESERVATION OF RIGHTS BY DEFENDANTS

7.1 The Defendants hereby covenant not to sue and agree not to assert any claim or cause of action against the State of Michigan with respect to the Facility for matters addressed in either Paragraph 5.1 or 5.2, as applicable, including, but not limited to, any direct or indirect claim for reimbursement from the Environmental Response Fund pursuant to Section 20119(5) of the NREPA, MCL 324.20119(5), or any other provision of law for expenditures made pursuant to this Consent Decree.

7.2 In any subsequent administrative or judicial proceeding initiated by the Attorney General for injunctive relief, recovery of response activity costs, or other appropriate relief relating to the Facility, Defendants agree not to assert, and may not and shall not maintain any defense or claim based upon the principles of waiver, *res judicata*, collateral estoppel, issue preclusion, claim-splitting, or other defenses based upon any contention that the claims raised by Plaintiffs in the subsequent proceeding were or should have been brought in this case; provided, however, that nothing in this Paragraph affects the enforceability of the covenants not to sue set forth in Section VI (Covenant Not to Sue and Reservation of Rights by Plaintiffs).

7.3 Defendants' covenant not to sue set forth in Paragraph 7.1 applies only to those matters specified in Paragraph 7.1. Defendants reserve, and this Consent Decree is without prejudice to, all of Defendants' rights to bring an action against Plaintiffs under federal or state law for any matter not set forth in Paragraph 7.1.

7.4 The covenant not to assert certain defenses set forth in Paragraph 7.2 applies only to those defenses specified in Paragraph 7.2. Defendants reserve, and this Consent Decree is without prejudice to, each Defendant's rights to assert defenses that are not set forth in Paragraph 7.2 and each Defendant's rights and defenses with respect to the actions and activities described

in Paragraphs 6.2 through 6.5 of this Consent Decree, for which Plaintiffs have reserved their rights.

7.5 Defendants expressly reserve all of their rights and defenses pursuant to any available legal authority to enforce this Consent Decree.

VIII. CONTRIBUTION PROTECTION

Pursuant to Section 113(f)(2) of CERCLA, 42 USC § 9613(f)(2), and Section 20129(5) of NREPA, MCL 324.20129(5), and to the extent provided in Section VI (Covenant Not to Sue by Plaintiffs and Reservation of Rights), Defendants shall not be liable for claims for contribution regarding matters addressed in this Consent Decree. Entry of this Consent Decree does not discharge the liability of any other person or persons liable under Section 107 of CERCLA, 42 USC § 9607, or Section 20126 of NREPA, MCL 324.20126. Pursuant to Section 20129(9) of the NREPA, MCL 324.20129(9), any action by the Defendants for contribution from any person not a party to this Consent Decree shall be subordinate to the rights of the State if the State files an action pursuant to the NREPA or other applicable federal or state law.

IX. SEPARATE DOCUMENTS

This Consent Decree may be executed in two (2) or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

X. EFFECTIVE DATE

This Consent Decree shall be effective upon the date that this Consent Decree is entered with the Court.


Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, *et al* v. AgrEvo USA Company, *et al*

IT IS SO AGREED BY PLAINTIFFS:

Attorney for Plaintiffs

MICHAEL A. COX
Attorney General

By: 

Robert P. Reichel (P31878)
Assistant Attorney General
Environment, Natural Resources, and Agriculture Division
Department of Attorney General
5th Floor South, Constitution Hall
525 West Allegan Street
Lansing, Michigan 48913
Telephone: 517-373-7540

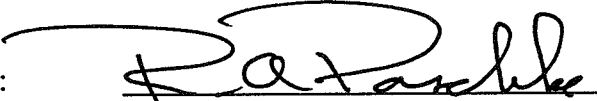
Date: July 16, 2003

Sunrise Landfill, Allegan County, Michigan
Consent Decree
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: 3M Company f/k/a Minnesota Mining and Manufacturing

Executed By:  Date: 6/19/2003

Print or Type Name: Robert A. Paschke

Title: Manager, Corporate Environmental Programs

Designated Representative: John R. Allison

Firm: 3M Company

Address: P O Box 33428

St. Paul, MN 55133-3428

Telephone: 651/736-3993

Fax: 651/736-9469

Agent for Service: _____

Address: _____

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: American Seating Company

Executed By: Thomas J. Geyer Date: 7/8/03

Print or Type Name: Thomas J. Geyer

Title: Environmental Manager

Designated Representative: Todd Berman

Firm: Robinson & Cole

Address: 280 Trumbull St.

Hartford, CT 06103-3597

Telephone: 860-275-8200

Fax: 860-275-8299

Agent for Service: CT Corporation

Address: 30600 Telegraph Rd.

Bingham Farms, MI 48025

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Amerwood Industries, Inc

Executed By: [Signature] Date: 7/1/03

Print or Type Name: James J. Kimball

Title: VP Finance

Designated Representative: _____

Firm: _____

Address: _____

Telephone: _____

Fax: _____

Agent for Service: _____

Address: _____

Sunrise Landfill, Allegan County, Michigan
Consent Decree
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company:

Amerwood Industries, Inc. *Done on behalf of Rosatch Corporation and Pressco Inc*

Executed By:



Date:

7/1/03

Print or Type Name:

James J. Kimminich

Title:

VP Finance

Designated Representative:

Kent Riesen

Firm:

Anspach, Serrano, Meeks, Mann LLP

Address:

300 Madison Avenue, Suite 1600

Toledo, Ohio 43604

Telephone:

44-246-5757

Fax:

44-321-6979

Agent for Service:

Kent Riesen

Address:

Anspach, Serrano, Meeks, Mann LLP

300 Madison Avenue, Suite 1600

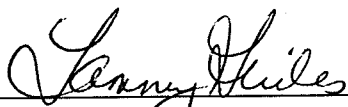
Toledo, Ohio 43604

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Amstore Corporation

Executed By:  Date: 7/09/03

Print or Type Name: Tammy Guiles

Title: Vice President and CFO

Designated Representative: Tammy Guiles

Firm: Amstore Corporation

Address: 540 Danforth St. P.O. Box 139

Coopersville, MI 49404

Telephone: (616) 837-3754

Fax: (616) 837-3703

Agent for Service: same as above

Address: _____

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: A. M. Todd Company

Executed By: Robert Wheeler Date: 7/8/03

Print or Type Name: Robert Wheeler

Title: Vice President

Designated Representative: Mark M. Davis, Esq.

Firm: Varnum, Riddering, et al.

Address: Bridgewater Place, P.O. Box 352

Grand Rapids, MI 49501-0352

Telephone: (616) 336-6733

Fax: (616) 336-7000

Agent for Service: Mark M. Davis, Esq.

Address: (same as above)

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Appleton Papers Inc. (f/k/a East Shore Chemical Co.)

Executed By: Tami L. Van Straten Date: 07/08/03

Print or Type Name: Tami L. Van Straten

Title: Sr. Legal Counsel & Asst. Secretary

Designated Representative: Tami L. Van Straten

Firm: Appleton Papers Inc.

Address: 1400 N. Rankin Street

Appleton, WI 54911

Telephone: 920/991-5122

Fax: 920/991-8852

Agent for Service: National Registered Agents, Inc.

Address: 901 S. Whitney Way

Madison, WI 53711

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: ATCO RUBBER PRODUCTS, INC.

Executed By: Steve Barnes Date: 6-18-03

Print or Type Name: STEVE BARNES

Title: MANAGER REAL ESTATE DEVELOPMENT

Designated Representative: _____

Firm: _____

Address: _____

Telephone: 817-5952894

Fax: 817-5950943

Agent for Service: _____

Address: _____

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: ATLANTIC RICHFIELD (ANACONDA CO.)

Executed By: Mark E. Brehus Date: JULY 8, 2003

Print or Type Name: MARK E. BREHUS

Title: MANAGER

Designated Representative: CYNTHIA KEZOS

Firm: ATLANTIC RICHFIELD

Address: 6 CENTERPOINT DRIVE

ROOM 6-165

LA PALMA, CA 90623

Telephone: 714-228-6708

Fax: TO BE ASSIGNED

Agent for Service: CT CORPORATION

Address: 818 W. 7TH STREET


LOS ANGELES, CA 90017

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Aventis, formerly AgrEvo USA

Executed By:  Date: July 2, 2003

Print or Type Name: Robert C. Lockemer

Title: Global Environmental Manager
QHSE & Site Services

Designated Representative: Dennis J. Donohue

Firm: Warner Norcross & Judd LLP

Address: 900 Fifth Third Center

111 Lyon Street, NW

Grand Rapids, MI 49503-2487

Telephone: 616-752-2000

Fax: 616-752-2500

Agent for Service: _____

Address: _____

Sunrise Landfill, Allegan County, Michigan
Consent Decree
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: BASF Corporation (BASF Corporation on behalf of its self and Inmont Corporation)

Executed By: Nan Bernardo Date: June 18, 2003

Print or Type Name: Nan Bernardo

Title: Attorney

Designated Representative: Nan Bernardo

Firm: BASF Corporation

Address: 3000 Continental Drive - North

Mt. Olive, NJ 07828

Telephone: (973) 426-6006

Fax: (973) 426-3258

Agent for Service: Nan Bernardo

Address: BASF Corporation

3000 Continental Drive - North

Mt. Olive, NJ 07828

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: BP PRODUCTS NORTH AMERICA INC.
f/k/a AMOCO OIL CO.

Executed By: Mark E. Brekhus Date: JULY 8, 2003

Print or Type Name: MARK E. BREKHUS

Title: MANAGER

Designated Representative: JANICE MCLAIN

Firm: BP AMERICA INC.

Address: 4101 WINFIELD ROAD - 4W
WARRENVILLE, IL 60555

Telephone: 630-821-2277

Fax: 630-821-3400

Agent for Service: CORPORATION SERVICE COMPANY

Address: 2711 CENTERVILLE ROAD
SUITE 400
WILMINGTON, DE 19808

Sunrise Landfill, Allegan County, Michigan
Consent Decree
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Bayer HealthCare LLC

Executed By:  Date: July 9, 2003

Print or Type Name: Paul R. Berry

Title: Vice President, General Counsel and Secretary

Designated Representative: Reed Oslan, Esq.

Firm: Kirkland & Ellis

Address: _____

Chicago, IL

Telephone: 312-861-2000

Fax: 312-861-2200

Agent for Service: Anne Lewis

Address: Bayer Corporation Business Services

100 Bayer Road

Pittsburgh, PA 15205

Sunrise Landfill, Allegan County, Michigan
Consent Decree
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: BORDEN CHEMICAL, INC

Executed By: C. Richard Springer Date: 7-7-03

Print or Type Name: C. RICHARD SPRINGER

Title: DIRECTOR - EHS

Designated Representative: DUSTIN P. ORDWAY

Firm: MILLER, JOHNSON, SNELL & CUMMISKEY PLC

Address: 250 MONROE, N.W., STE. 800

P.O. BOX 306

GRAND RAPIDS MI 49501-0306

Telephone: 616-831-1706

Fax: 616-988-1706

Agent for Service: DUSTIN P. ORDWAY

Address: 250 MONROE, N.W., STE. 800

P.O. BOX 306


GRAND RAPIDS, MI 49501-0306

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Bradford White Corporation

Executed By:  Date: 18 JUNE 2003

Print or Type Name: ERIC LANNES

Title: VP + GM

Designated Representative: Mark M. Davis, Esq.

Firm: Varnum, Riddering, et al.

Address: Bridgewater Place, P.O. Box 352

Grand Rapids, MI 49501-0352

Telephone: (616) 336-6733

Fax: (616) 336-7000

Agent for Service: Mark M. Davis, Esq.

Address: (same as above)

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Bronson Methodist Hospital

Executed By: James B. Falahee, Jr. Date: June 23, 2003

Print or Type Name: James B. Falahee, Jr.

Title: Senior Vice President, Legal & Legislative Affairs

Designated Representative: _____

Firm: _____

Address: One Healthcare Plaza

Kalamazoo, MI 49007

Telephone: (269) 341-6000

Fax: (269) 341-8314

Agent for Service: _____

Address: _____

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Brunswick Corporation, on its own behalf and on behalf of its wholly owned subsidiary, Brunswick Bowling and Billiard Corporation

Executed By: Marshall I. Smith Date: 7-3-03

Print or Type Name: Marshall I. Smith

Title: Vice President, General Counsel + Secretary

Designated Representative: James A. Carney

Firm: Sidley Austin Brown & Wood

Address: Bank One Plaza
10 S. Dearborn Street, 54th Floor
Chicago, IL 60603

Telephone: (312) 853-6095

Fax: (312) 853-7036

Agent for Service: Marshall I. Smith
Vice President, General Counsel + Secretary
Brunswick Corporation

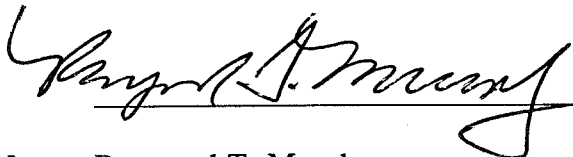
Address: 1 N. Field Ct.
Lake Forest, IL 60045-4811

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Cardinal Health 200, Inc (formerly known as Allegiance
Healthcare Corporation) on behalf of itself and Baxter Healthcare Corporation

Executed By:  Date: July 7, 2003

Print or Type Name: Raymond T. Murphy

Title: Attorney

Designated Representative: Raymond T. Murphy

Firm: Law Offices of Raymond T. Murphy

Address: 1510 Old Deerfield Road, Suite 230

Highland Park, IL 60035-3072

Telephone: 847-945-0148

Fax: 815-377-7032

Agent for Service: Raymond T. Murphy

Address: 1510 Old Deerfield Road, Suite 230

Highland Park, IL 60035-3072

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company:

CARGO HEAVY DUTY, INC

Executed By:

Wale R. Fraaza

Date:

6/19/03

Print or Type Name:

WALE R. FRAAZA

Title:

VICE PRESIDENT / TREASURER

Designated Representative: _____

Firm: _____

Address: _____

Telephone: _____

Fax: _____

Agent for Service: _____

Address: _____

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: International Paper Company as successor to
Champion International

Executed By: Brian E. Heirn Date: 7-8-03

Print or Type Name: Brian E. Heirn

Title: Counsel

Designated Representative: Scott Hubbard

Firm: Sunrise Landfill PRP Group

Address: c/o Warner Norcross + Judd, LLP
900 Fifth Third Center
111 Lyon Street, NW, Grand Rapids, MI 49503

Telephone: 616-752-2157

Fax: 616-752-2500

Agent for Service: Brian E. Heirn

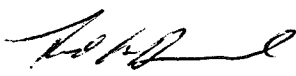
Address: International Paper Company
6400 Poplar Avenue
Memphis, TN 38197

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: City of Otsego

Executed By:  Date: July 8, 2003

Print or Type Name: Thad M. Beard

Title: City Manager

Designated Representative: Alan Bennett

Firm: Law, Weathers & Richardson, P.C.

Address: 333 Bridge Street NW, Suite 800

Grand Rapids, Michigan 49504

Telephone: (616) 732-1701

Fax: (616) 913-1201

Agent for Service: Alan Bennett

Address: Law, Weathers & Richardson, P.C.

333 Bridge Street NW, Suite 800

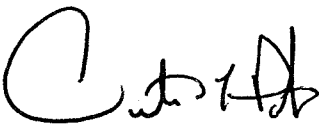
Grand Rapids, Michigan 49504

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: CITY OF WYOMING

Executed By:  Date: 7/1/03

Print or Type Name: CURTIS L. HOLT

Title: CITY MANAGER

Designated Representative: Alan Bennett

Firm: Law, Weathers & Richardson, P.C.

Address: 333 Bridge Street NW, Suite 800
Grand Rapids, Michigan 49504

Telephone: (616) 732-1701

Fax: (616) 913-1201

Agent for Service: Alan Bennett

Address: Law, Weathers & Richardson, P.C.
333 Bridge Street, NW, Suite 800
Grand Rapids, Michigan 49504

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Ingersoll-Rand (Clark Equipment)

Executed By: Patricia Nachtigal Date: 7/8/03

Print or Type Name: Patricia Nachtigal

Title: Vice President, General Counsel

Designated Representative: Aaron Kleinbaum

Firm: Ingersoll-Rand Co.

Address: 200 Chestnut Ridge Road
Woodcliff Lake, NJ 07677

Telephone: 201-573-3233

Fax: 201-573-3448

Agent for Service: _____

Address: _____

Sunrise Landfill, Allegan County, Michigan
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Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Pennsylvania Lines LLC for Consolidated Rail Corp.

Executed By: [Signature] Date: 7/9/03

Print or Type Name: Karin Stamy

Title: Attorney

Designated Representative: Karin Stamy

Firm: Three Commercial Place

Address: Norfolk, Virginia 23510

Telephone: 757 629 2752

Fax: 757 923-5794

Agent for Service: Karin Stamy

Address: Three Commercial Place

Norfolk, Virginia 23510

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: CSX TRANSPORTATION, INC.

Executed By: Carla Gerhardtstein Date: 7/9/2003

Print or Type Name: CARLA GERHARDSTEIN

Title: SR. DIRECTOR ENVIRONMENTAL

Designated Representative: FREDRICK J. DINDOFFER

Firm: BODMAN, LONGLEY + DAHLING, LLP

Address: 34TH FLOOR, 100 RENAISSANCE CENTER

DETROIT, MI 48243

Telephone: (313) 259-7777

Fax: (313) 393-7579

Agent for Service: FREDRICK J. DINDOFFER

Address: BODMAN, LONGLEY + DAHLING, LLP

34TH FLOOR, 100 RENAISSANCE CENTER

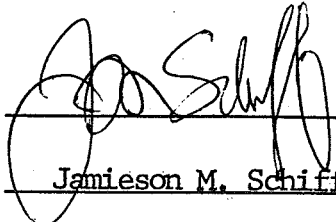
DETROIT, MI 48243

Sunrise Landfill, Allegan County, Michigan
Consent Decree
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: David Brown Union Pumps Company

Executed By:  _____ Date: June 17, 2003

Print or Type Name: Jamieson M. Schiff

Title: Attorney

Designated Representative: Patricia Hishopp

Firm: Textron Inc.

Address: 40 Westminster Street

Providence, Rhode Island 02903

Telephone: (401) 457-2245

Fax: ((401) 457-2460

Agent for Service: _____

Address: _____

Sunrise Landfill, Allegan County, Michigan
Consent Decree
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Du-Wel Products, Inc.

Executed By: CAS PB Date: 6-20-03

Print or Type Name: Charles E. Barbieri

Title: Attorney

Designated Representative: Charles E. Barbieri

Firm: Foster Swift Collins & Smith P.C.

Address: 313 S. Washington
Lansing, MI
48933

Telephone: 517-371-8155

Fax: 517-367-7155

cbarbieri@foster-swift.com

Agent for Service: Same as above

Address: _____

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Eagle Ottawa LLC

X Executed By:  Date: 7/1/03

Print or Type Name: Jerry Sumpter

Title: President & CEO, Eagle Ottawa LLC

Designated Representative: Eugene Smary

Firm: Warner, Norcross & Judd

Address: 900 Fifth Third Center

111 Lyon Street NW

Grand Rapids, MI 49503-2487

Telephone: (616) 727-2600

Fax: (616) 727-2699

Agent for Service: CT Corporation System

Address: 208 South Lasalle Street

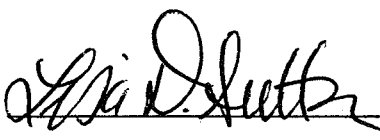
Chicago, IL 60604

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Eaton Corporation

Executed By:  Date: 6/25/03

Print or Type Name: Lisa D. Sutton

Title: Senior Attorney

Designated Representative: Lisa D. Sutton

Firm: Eaton Corporation

Address: Eaton Center

1111 Superior Avenue

Cleveland, OH 44114-2584

Telephone: (216) 523-4358

Fax: (216) 479-7122

Agent for Service: The Corporation Company

Address: 30600 Telegraph Road

Bingham Farms, MI 48025

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: E.I. duPont de Nemours and Company

Executed By:  Date: 6/26/03

Print or Type Name: Edward J. Lutz

Title: Project Director, DuPont Corporate Remediation

Designated Representative: Barbara U. Gravely

Firm: DuPont Legal

Address: 1007 Market Street

D-7083

Wilmington, DE 19898

Telephone: (302) 774-4201

Fax: (302) 774-4812

Agent for Service: The Corporation Company

Address: 30600 Telegraph Road

Bingham Farms, MI 48025

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: ELECTROLUX NORTH AMERICA, INC.

Executed By: *Douglas E. Mix* Date: 6-26-03

Print or Type Name: DOUGLAS E. MIX

Title: VP REGULATORY AFFAIRS

Designated Representative: JOHN LANG

Firm: QUANTUM MANAGEMENT GROUP INC.

Address: 3550 BURCH AVENUE

2ND FLOOR

CINCINNATI, OH 45208

Telephone: 513-871-7203

Fax: 513-871-7204

Agent for Service: THE CORPORATION COMPANY

Address: REGISTERED OFFICE
30600 TELEGRAPH RD
BINGHAM FARMS, MI 48025

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Extruded Metals, Inc.

Executed By:  Date: 06/20/2003

Print or Type Name: GEORGE M. DYKHUIZEN

Title: PRESIDENT

Designated Representative: Mark M. Davis, Esq.

Firm: Varnum, Riddering, et al.

Address: Bridgewater Place, P.O. Box 352

Grand Rapids, MI 49501-0352

Telephone: (616) 336-6733

Fax: (616) 336-7000

Agent for Service: Mark M. Davis, Esq.

Address: (same as above)

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: FERRO CORPORATION

Executed By: *James C. Bays* Date: JULY 2, 2003

Print or Type Name: JAMES C. BAYS

Title: Vice President & General Counsel

Designated Representative: James M. Friedman

Firm: Benesch Friedlander Coplan & Aronoff

Address: 2300 BP America Building

200 Public Square

Cleveland, Ohio 44114-2378

Telephone: (216)363-4663

Fax: (216)363-4588

Agent for Service: James C. Bays, Esq.

Address: Ferro Corporation

1000 Lakeside Avenue

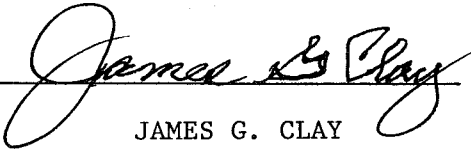
Cleveland, Ohio 44114

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: GENERAL FORMULATIONS

Executed By:  Date: 06-24-2003
Print or Type Name: JAMES G. CLAY

Title: PRESIDENT

Designated Representative: DENIS FODROCY

Firm: GENERAL FORMULATIONS

Address: 320 SOUTH UNION STREET

P O BOX 158

SPARTA MI 49345

Telephone: 616-887-7387

Fax: 616-887-0154

Agent for Service: GENERAL FORMULATIONS

Address: 320 SOUTH UNION STREET

P O BOX 158

SPARTA MI 49345

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: General Motors Corporation

Executed By: Michelle J. Fisher Date: June 20, 2003

Print or Type Name: its attorney
Michelle T. Fisher

Title: attorney

Designated Representative: DAVID L. TRIPP

Firm: DYERMAN GOSSETT

Address: 400 RENAISSANCE CENTER
DETROIT MI 48243

Telephone: (313) 568-6748

Fax: (313) 568-6701

Agent for Service: CT CORPORATION

Address: _____

Sunrise Landfill, Allegan County, Michigan
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Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: George Belfer Drum & Barrel Co.

Executed By: Paul R. Belfer Date: June 27, 2003

Print or Type Name: Paul R. Belfer

Title: President

Designated Representative: Barry A. Steinway, Esquire

Firm: Thayer, Gross, Steinway + Bennett, P.C.

Address: 30150 Telegraph Road, Suite 444

Bingham Farms, MI 48025

Telephone: (248) 645-8202

Fax: ~~(248)~~ (248) 331-1002

Agent for Service: See Designated Representative Above


Address: _____

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Grand Transformers Incorporated

Executed By:  Date: 06/27/03

Print or Type Name: GERALD RETZLAFF

Title: CEO

Designated Representative: Alan Bennett

Firm: Law. Weathers & Richardson, P.C.

Address: 333 Bridge Street NW, Suite 800
Grand Rapids, Michigan 49504

Telephone: (616) 732-1701

Fax: (616) 913-1201

Agent for Service: Alan Bennett
Law, Weathers & Richardson, P.C.

Address: 333 Bridge Street NW, Suite 800
Grand Rapids, Michigan 49504

cc file

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Grand Trunk Western Railroad Co.

Executed By: Richard A. Verkler Date: 6/26/03

Print or Type Name: Richard A. Verkler

Title: General Solicitor

Designated Representative: _____

Firm: _____

Address: _____

Telephone: (312) 755-7654

Fax: (312) 755-7669

Agent for Service: Richard A. Verkler


Address: Canadian National Railway Co.
455 N. Cityfront Plaza Drive
Chicago, IL 60611

Sunrise Landfill, Allegan County, Michigan
Consent Decree
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Hamilton Sundstrand Corporation

Executed By:  Date: 7/3/03

Print or Type Name: Michael A. Monts

Title: Secretary and General Counsel

Designated Representative: Eric Alletzhauser

Firm: United Technologies Corporation

Address: One Financial Plaza

Hartford, CT 06101

Telephone: (860) 728-7895

Fax: (860) 660-0301

Agent for Service: _____

Address: _____

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Hastings Manufacturing Company

Executed By:



Date: June 25, 2003

Print or Type Name: Thomas J. Bellgraph

Title: Vice President - Corporate Administration

Designated Representative: Scott D. Hubbard

Firm: Warner Norcross & Judd LLP

Address: 900 Fifth Third Center

111 Lyon Street, N.W.

Grand Rapids, MI 49503

Telephone: 616-752-2000

Fax: 616-752-2500

Agent for Service: Thomas J. Bellgraph

Address: Hastings Manufacturing Company

325 N. Hanover Street

Hastings, MI 49058

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Haworth, Inc.

Executed By: Robert P. Krasa Date: July 7, 2003

Print or Type Name: Robert P. Krasa

Title: President and CEO

Designated Representative: Eugene E. Smary

Firm: Warner, Norcross and Judd LLP

Address: 900 Fifth Third Center

111 Lyon St. NW

Grand Rapids MI 49503-2487

Telephone: 616-752-2000

Fax: 616-752-2500

Agent for Service: Warner, Norcross and Judd LLP

Address: 900 Fifth Third Center

111 Lyon St. NW

Grand Rapids MI

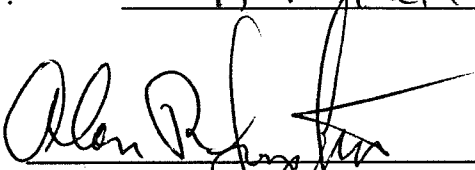
49503-2487

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: H. B. Fuller Company

Executed By:  Date: 7/08/03

Print or Type Name: Alan R. Longstreet

Title: President North American Group

Designated Representative: Charles B. Rogers

Firm: Briggs and Morgan, P.A.

Address: 2200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402

Telephone: 612-977-8400

Fax: 612-977-8650

Agent for Service: Steven E. Suckow, Assistant Secretary
H. B. Fuller Company Law Department

Address: 1200 Willow Lake Blvd., Vadnais Hts., MN 55110

In Michigan: The Corporation Company
30600 Telegraph Road
Bingham Farms, MI 48025

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: H.C. Starck GmbH & Co.

Executed By: David N Mendung (P) Date: 7/2/03

Print or Type Name: Peter A. Calfo

Title: Sr. Vice President

Designated Representative: Peter A. Calfo

Firm: H.C. Starck

Address: 460 Jay Street

Coldwater, MI. 49036

Telephone: (517) 279-9511

Fax: (517) 279-9512

Agent for Service: Anne H. Lewis, Esq.

Address: - 100 Bayer Road

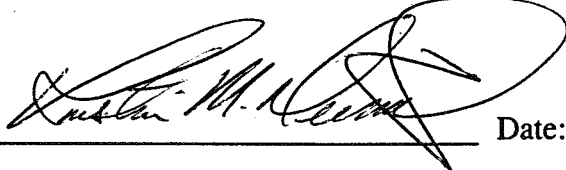
Pittsburgh, PA 15205

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: H.E. One Corporation

Executed By:  Date: July 3, 2003

Print or Type Name: Kristin M. Deering

Title: Assistant Secretary

Designated Representative: Paul Puryear

Firm: C/O GE Capital Corporation

Address: 500 West Monroe Street

Chicago, Illinois 60661

Telephone: (312) 441-7114

Fax: (312) 441-7236

Agent for Service: The Corporation Company

Address: 30600 Telegraph Road

Bingham Farms, Oakland County, Michigan 48025

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: The Herald Co. dba Jackson Citizen Patriot

Executed By: Sandra D. Petykiewicz Date: 6-30-03

Print or Type Name: Sandra D. Petykiewicz

Title: Publisher

Designated Representative: Glenn L. Fitkin

Firm: Braun Kendrick Finkbeiner P.L.C.

Address: 4301 Fashion Square Blvd.
Saginaw, MI

48603-5218

Telephone: 989-498-2100

Fax: 989-799-4666

Agent for Service: Glenn Fitkin

Address: Same as above

Sunrise Landfill, Allegan County, Michigan
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Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: HERCULES INCORPORATED

Executed By: Thomas Wm. Fredericks ^{Res} Date: July 9, 2003

Print or Type Name: THOMAS Wm. FREDERICKS

Title: Global Supply Chain Director

Designated Representative: GENERAL COUNSEL

Firm: HERCULES INCORPORATED

Address: 1313 NORTH MARKET STREET

WILMINGTON, DE 19894-0001

Telephone: (302) 594-5128

Fax: (302) 594-7252

Agent for Service: _____

Address: _____

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Honeywell International Inc. (f/k/a AlliedSignal Inc
and successor to the Bendix Corporation)

Executed By: William J. Snyder Date: 6-19-03

Print or Type Name: William J. Snyder

Title: Project Manager

Designated Representative: Heleen Schiller

Firm: Honeywell International Inc.

Address: 101 Columbia Road

Morristown, NJ 07962

Telephone: 973-455-3104

Fax: 973-455-5904

Agent for Service: CT Corporation

Address: 1515 Market Street

Suite 1210

Philadelphia, PA 19102

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Howard Miller Clock Co.

Executed By: Howard J. Miller Date: 6/16/03

Print or Type Name: Howard J. Miller

Title: President + COO

Designated Representative: _____

Firm: Warner Norcross + Judd

Address: _____

Grand Rapids, MI

Telephone: _____

Fax: _____

Agent for Service: Howard J. Miller

Address: 860 East Main Ave.

Zeeland MI 49464

Sunrise Landfill, Allegan County, Michigan
Consent Decree
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Humphrey Products Company

Executed By: M. Linda Rynd Date: July 8, 2003

Print or Type Name: M. Linda Rynd

Title: Human Resources Manager

Designated Representative: Mark M. Davis, Esq.

Firm: Varnum, Riddering, et al.

Address: Bridgewater Place, P.O. Box 352

Grand Rapids, MI 49501-0352

Telephone: (616) 336-6733

Fax: (616) 336-7000

Agent for Service: Mark M. Davis, Esq.

Address: (same as above)

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: IdraPrince, Inc.

Executed By: Harold F. DeWitt Date: 6/23/03

Print or Type Name: HAROLD F. DeWitt

Title: CFO

Designated Representative: Mark M. Davis, Esq.

Firm: Varnum, Riddering, et al.

Address: Bridgewater Place, P.O. Box 352

Grand Rapids, MI 49501-0352

Telephone: (616) 336-6733

Fax: (616) 336-7000

Agent for Service: Mark M. Davis, Esq.


Address: (same as above)

Sunrise Landfill, Allegan County, Michigan
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Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Medalist, a division of Illinois Tool Works Inc.

Executed By:  Date: 6/30/03

Print or Type Name: Philip S. Dalosto

Title: Associate General Counsel & Assistant Secretary

Designated Representative: Ken Brown

Firm: Illinois Tool Works Inc.

Address: 3600 West Lake Avenue

Glenview, IL 60025

Telephone: 847-657-4843

Fax: 847-657-7892

Agent for Service: Ken Brown

Address: Illinois Tool Works Inc.

3600 West Lake Avenue

Glenview, IL 60025

Sunrise Landfill, Allegan County, Michigan
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Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Kayo Oil Company (ConocoPhillips Company on behalf of Kayo Oil Company, a wholly-owned subsidiary of ConocoPhillips Company)

Executed By:

^{SPC}
William A. Kitchen

Date: June 28, 2003

Print or Type Name:

William A. Kitchen

Title:

Manager, Risk Management and Remediation

WJK

Designated Representative:

Stephen P. Chung, Counsel

Firm:

ConocoPhillips Company

Address:

600 North Dairy Ashford - Suite ML 1112

Houston, TX 77079

Telephone:

(281) 293-6231

Fax:

(281) 293-1987

Agent for Service:

Corporation Service Company (CSC)

Address:

2711 Centerville Road, Suite 400

Wilmington, DE 19808

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Kent County Health Department

Executed By: Bill Anstey Date: June 24, 2003

Print or Type Name: Bill Anstey

Title: Deputy Health Officer

Designated Representative: Mark M. Davis, Esq.

Firm: Varnum, Riddering, et al.

Address: Bridgewater Place, P.O. Box 352

Grand Rapids, MI 49501-0352

Telephone: (616) 336-6733

Fax: (616) 336-7000

Agent for Service: Mark M. Davis, Esq.

Address: (same as above)

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Kimberly-Clark Corporation, successor
to Scott Paper Company

Executed By: Kenneth A. Strassner Date: July 9, 2003

Print or Type Name: Kenneth A. Strassner

Title: Vice President, Environment & Energy

Designated Representative: Marcia K. Cowan

Firm: Kimberly-Clark Corp.

Address: 1400 Holcomb Bridge Rd.
Roswell GA 30076

Telephone: 770 587 7254

Fax: 770 587 8680

Agent for Service: Susan L. Gaynor

Address: Kimberly-Clark Corp.
1400 Holcomb Bridge Road
Roswell GA 30076

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Kirsch Div. of Newell Window Furnishings, Inc.

Executed By: D Matschullat Date: 6/29/03

Print or Type Name: Dale Matschullat

Title: Vice-President - General Counsel
Newell Rubbermaid Inc.

Designated Representative: Jay Williams

Firm: Schiff Hardin & Waite

Address: 6600 SEARS TOWER
Chicago, IL 60606

Telephone: 312/258-5629

Fax: 312/258-5700
jwilliams@schiffhardin.com

Agent for Service: The Corporation Company

Address: 30600 Telegraph Rd.
Bingham Farms, MI
48025

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: KNIGHT REFRIGERATION COMPANY

Executed By: Norman J. Glasser Date: July 3, 2003

Print or Type Name: Norman J. Glasser

Title: President

Designated Representative: Dustin P. Ordway

Firm: Miller, Johnson, Snell & Cumiskey

Address: 250 Monroe Ave. NW, Ste. 800
P. O. Box 306
Grand Rapids, MI 49501-0306

Telephone: 616-831-1706

Fax: 616-988-1706

Agent for Service: Dustin P. Ordway

Address: 250 Monroe Ave. NW, Ste. 800
P. O. Box 306
Grand Rapids, MI 49501-0306

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Knoll, Inc. (successor in interest by merger to
Knoll North America, Inc. and The Shaw-Walker company)

PAM
Executed By: *BS McCabe* Date: July 7, 2003

Print or Type Name: Barry L. McCabe

Title: Senior Vice President and
Chief Financial Officer

Designated Representative: Alan C. Schwartz, Esq.

Firm: Miller, Johnson, Snell & Cumiskey, P.L.C.

Address: 800 Calder Plaza Building

Grand Rapids, MI 49503

Telephone: (616) 831-1700

Fax: (616) 831-1701

Agent for Service: The Corporation Company

Address: 30600 Telegraph Road

Bingham Farms, MI 48025

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: "Kraft Foods North America, Inc." on behalf of
"Kraft (General Foods)"

Executed By:

Philip M. McAndrew

Date: July 8, 2003

Print or Type Name: Philip M. McAndrew

Title: Director Environmental Affairs

Designated Representative: Thomas M. Giller

Firm: Kraft Foods North America, Inc.

Address: Three Lakes Drive

Northfield, IL 60093

Telephone: 847-646-8524

Fax: 847-646-5101

Agent for Service: Thomas M. Giller

Address: Kraft Foods North America, Inc.

Three Lakes Drive

Northfield, IL 60093

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: "Kraft Foods North America, Inc." on behalf of
"Nabisco (Life-Savers)"

Executed By: Philip M. McAndrew Date: July 8, 2003

Print or Type Name: Philip M. McAndrew

Title: Director Environmental Affairs

Designated Representative: Thomas M. Giller

Firm: Kraft Foods North America, Inc.

Address: Three Lakes Drive

Northfield, IL 60093

Telephone: 847-646-8524

Fax: 847-646-5101

Agent for Service: Thomas M. Giller

Address: Kraft Foods North America, Inc.

Three Lakes Drive

Northfield, IL 60093

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: LAWRENCE INDUSTRIES, INC.

Executed By: Ruth E. Murphy Date: 6-26-03

Print or Type Name: ROTH E. MURPHY

Title: Pres.

Designated Representative: Ronald E. Baylor

Firm: Miller Canfield Paddock and Stone PLC

Address: 444 West Michigan Avenue

Kalamazoo MI 49007

Telephone: (269) 381-7030

Fax: (269) 382-0244

Agent for Service: Ronald E. Baylor

Address: Miller Canfield Paddock and Stone PLC

444 West Michigan Avenue


Kalamazoo MI 49007

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Lear Corporation Mendon

Executed By:  Date: 6/20/03

Print or Type Name: Gary N. Chartrand

Title: EHS Manager

Designated Representative: Mark M. Davis, Esq.

Firm: Varnum, Riddering, et al.

Address: Bridgewater Place, P.O. Box 352

Grand Rapids, MI 49501-0352

Telephone: (616) 336-6733

Fax: (616) 336-7000

Agent for Service: Mark M. Davis, Esq.

Address: (same as above)

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: LEARN SIEGLER (STUNGIS)

Executed By: James Mathews Date: 7/1/03

Print or Type Name: JAMES F. MATTHEWS

Title: PRESIDENT

Designated Representative: JAMES MATTHEWS

Firm: LEARN SIEGLER

Address: 469 MORRIS AVE.

SUMMIT, NJ 07901

Telephone: (908) 277-4200

Fax: (908) 277-1811

Agent for Service: JAMES F. MATTHEWS

Address: 410 LEARN SIEGLER

469 MORRIS AVENUE

SUMMIT, NJ 07901

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: LEEDY MANUFACTURING Co

Executed By: Donald H. Freebater Date: 7/2/03

Print or Type Name: DONALD H FREEBATER

Title: O.P.

Designated Representative: Dustin P. Ordway

Firm: Miller Johnson Snell & Cumiskey PLC

Address: 250 Monroe, N.W., Ste. 800
P.O. Box 306
Grand Rapids MI 49501-0306

Telephone: 616-831-1706

Fax: 616-988-1706

Agent for Service: Dustin P. Ordway

Address: 250 Monroe, N.W., Ste. 800
P.O. Box 306
Grand Rapids MI 49501-0306

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Magna Donnelly Corporation (f/k/a Donnelly Corporation)

Executed By: Charlie Pear Date: July 9, 2003

Print or Type Name: Charlie Pear

Title: Vice President

Designated Representative: Mark M. Davis, Esq.

Firm: Varnum, Riddering, et al.

Address: Bridgewater Place, P.O. Box 352

Grand Rapids, MI 49501-0352

Telephone: (616) 336-6733

Fax: (616) 336-7000

Agent for Service: Mark M. Davis, Esq.

Address: (same as above)

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: MEAD CORPORATION

Executed By: John H. Beasley Date: 7-1-03

Print or Type Name: JOHN H. BEASLEY

Title: ASSOCIATE GENERAL COUNSEL
MEADWESTVAC CORPORATION

Designated Representative: Ronald E. Baylor

Firm: Miller Canfield Paddock and Stone PLC

Address: 444 West Michigan Avenue

Kalamazoo MI 49007

Telephone: (269) 381-7030

Fax: (269) 382-0244

Agent for Service: Ronald E. Baylor

Address: Miller Canfield Paddock and Stone PLC

444 West Michigan Avenue

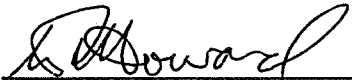
Kalamazoo MI 49007

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Menasha Packaging Company, LLC

Executed By:  Date: 6/26/03

Print or Type Name: Tim L. Howard

Title: General Manager

Designated Representative: Rebecca L. Takacs

Firm: Dickinson Wright PLLC

Address: 500 Woodward Ave, Suite 4000

Detroit, MI 48226-3425

Telephone: (313) 223-3190

Fax: (313) 223-3598

Agent for Service: 

Address: Menasha Packaging Company, LLC

320 North Farmer Street

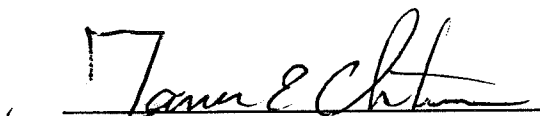
Otsego, MI 49078

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Meridian, Inc.

Executed By:  Date: 6/27/03

Print or Type Name: JAMES F CHRISTENSEN

Title: Securly

Designated Representative: Mark M. Davis, Esq.

Firm: Varnum, Riddering, et al.

Address: Bridgewater Place, P.O. Box 352

Grand Rapids, MI 49501-0352

Telephone: (616) 336-6733

Fax: (616) 336-7000

Agent for Service: Mark M. Davis, Esq.

Address: (same as above)

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al. v AgrEvo USA Company, et al

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Michigan State Industries Bureau of Correctional Industries –
Michigan Department of Corrections

Executed By: William S. Overton Date: 6-25-03

Print or Type Name: William S Overton

Title: Director

Designated Representative: Leo Friedman, Assistant in Charge

Firm: Dept of Attorney General, Corrections Division

Address: One Michigan Ave. 3rd Floor

PO Box 30217

Lansing, MI 48909

Telephone: 517-335-7021

Fax: 517-335-7157

Agent for Service: Linda Wittmann, Manager

Address: Litigation and FOIA Section

Department of Corrections

206 E Michigan Ave

PO Box 30003

Lansing, MI 48909

Sunrise Landfill, Allegan County, Michigan
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Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: MICHIGAN STATE UNIVERSITY

Executed By:  Date: 7-7-03

Print or Type Name: SALLY S. HARWOOD

Title: ASSOCIATE GENERAL COUNSEL MICHIGAN STATE UNIVERSITY

Designated Representative: Ronald E. Baylor

Firm: Miller Canfield Paddock and Stone PLC

Address: 444 West Michigan Avenue

Kalamazoo MI 49007

Telephone: (269) 381-7030

Fax: (269) 382-0244

Agent for Service: Ronald E. Baylor

Address: Miller Canfield Paddock and Stone PLC

444 West Michigan Avenue

Kalamazoo MI 49007

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Millennium Petrochemicals Inc.

Executed By:  Date: 6/21/03

Print or Type Name: Michael R. Bramnick

Title: Associate General Counsel

Designated Representative: _____

Firm: _____

Address: _____

Telephone: 732-933-5170

Fax: 732-933-5270

Agent for Service: CT CORPORATION

Address: 111 EIGHTH AVENUE 13TH FL.
NEW YORK, NY 10011

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Nestlé USA, Inc.

Executed By:  Date: July 2, 2003

Print or Type Name: KRISTIN ADRIAN

Title: Senior Vice President, General Counsel

Designated Representative: Noelia Marti-Colon

Firm: NESTLE USA, INC.

Address: 800 North Brand Boulevard

Glendale, CA 91203

Telephone: (818) 549-5633

Fax: (818) 549-5840

Agent for Service: CT CORPORATION SYSTEM

Address: 1300 East Ninth Street, Suite 1010

Cleveland, Ohio 04114

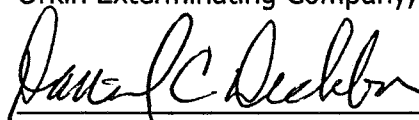
Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Orkin Exterminating Company, Inc.

Executed By:

 Date: 7/8/03

Print of Type Name: Daniel C. Deckbar

Title: Managing Attorney

Designated Representative: Charles H. Tisdale, Esq.

Firm: King & Spalding

Address: 191 Peachtree Street
39th Floor
Atlanta, GA 30303-1763

Telephone: 404-572-4820

Fax: 404-572-5139

Agent for Service: Charles H. Tisdale, Esq.

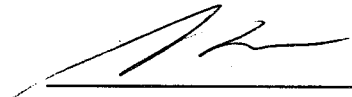
Address: King & Spalding
191 Peachtree Street
39th Floor
Atlanta, GA 30303-1763

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: OWENS-ILLINOIS, INC.

Executed By:  Date: 7/8/03

Print or Type Name: Susan L. Smith

Title: Legal Counsel

Designated Representative: Ronald E. Baylor

Firm: Miller Canfield Paddock and Stone PLC

Address: 444 West Michigan Avenue

Kalamazoo MI 49007

Telephone: (269) 381-7030

Fax: (269) 382-0244

Agent for Service: Ronald E. Baylor

Address: Miller Canfield Paddock and Stone PLC

444 West Michigan Avenue

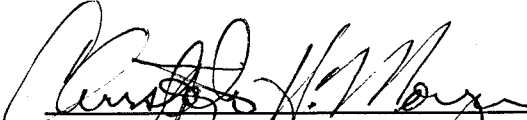
Kalamazoo MI 49007

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Parker-Hannifin

Executed By:  Date: July 9, 2003

Print or Type Name: Christopher H. Morgan

Title: Associate General Counsel

Designated Representative: Christopher H. Morgan

Firm: Parker-Hannifin Corporation

Address: 6035 Parkland Blvd.

Cleveland, OH 44124-4141

Telephone: (216) 896-2943

Fax: (216) 896-4027

Agent for Service: Thomas A. Piraino, Jr.

Address: Parker-Hannifin Corporation

6035 Parkland Blvd.


Cleveland, OH 44124-4141

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: PEERBOLT'S INC.

Executed By:  Date: 7/9/03

Print or Type Name: JEFF PEEBOLT

Title: PRESIDENT

Designated Representative: _____

Firm: _____

Address: _____

Telephone: (616) 786-0300

Fax: (616) 786-3564

Agent for Service: _____

Address: _____

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Pharmacia & Upjohn Company

Executed By:  Date: June 27, 2003

Print or Type Name: J. William Whitlock

Title: Vice President & Assistant Secretary

Designated Representative: J. William Whitlock

Firm: Pharmacia & Upjohn Company

Address: 7000 Portage Road

Kalamazoo, MI 49001

Telephone: 269-833-7595

Fax: 269-833-3661

Agent for Service: J. William Whitlock

Address: Pharmacia & Upjohn Company

7000 Portage Road

Kalamazoo, MI 49001

Sunrise Landfill, Allegan County, Michigan
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Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: PRAB, INC.

Executed By: Gary Herder Date: 26 JUNE 2003

Print or Type Name: GARY HERDER

Title: PRESIDENT

Designated Representative: Ronald E. Baylor

Firm: Miller Canfield Paddock and Stone PLC

Address: 444 West Michigan Avenue

Kalamazoo MI 49007

Telephone: (269) 381-7030

Fax: (269) 382-0244

Agent for Service: Ronald E. Baylor

Address: Miller Canfield Paddock and Stone PLC

444 West Michigan Avenue

Kalamazoo MI 49007

Sunrise Landfill, Allegan County, Michigan
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Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company:

Reid Tool Supply Co.

Executed By:

Richard W. Goodwin Date: 7/9/03

Print or Type Name:

Richard W. Goodwin

Title:

CFO, TREASURER

Designated Representative:

Scott D. Hubbard

Firm:

Warner Norcross Todd LLP

Address:

900 Fifth Third Center

111 Lyon St NW

Grand Rapids, MI 49503

Telephone:

Fax:

Agent for Service:

Address:

Sunrise Landfill, Allegan County, Michigan
Consent Decree
Signature Page

Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Repro Lite PAINTS, Inc

Executed By:  Date: 6/17/03

Print or Type Name: David Altman

Title: President

Designated Representative: JEFF SWENARTON

Firm: KREIS, ENDERLE, CALLANDER & HUDGINS

Address: ONE MOORSBRIDGE

PO BOX 4010

KALAMAZOO, MI 49003

Telephone: 269-324-3000

Fax: 269-324-3010

Agent for Service: _____

Address: _____

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: RONNINGEN-PETTER DIVISION OF DOVER CORP.

Executed By:

Date: 7/1/03

Print or Type Name:

Joseph A. Skell

Title:

V.P. - Finance - System Adm.

Designated Representative:

Ronald E. Baylor

Firm:

Miller Canfield Paddock and Stone PLC

Address:

444 West Michigan Avenue

Kalamazoo MI 49007

Telephone:

(269) 381-7030

Fax:

(269) 382-0244

Agent for Service:

Ronald E. Baylor

Address:

Miller Canfield Paddock and Stone PLC

444 West Michigan Avenue

Kalamazoo MI 49007

Sunrise Landfill, Allegan County, Michigan
Consent Decree
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Shakespeare Company (K2 Inc.)

Executed By: John J. Rangel Date: 6/30/03

Print or Type Name: John J. Rangel

Title: SVP + CFO

Designated Representative: Thomas M. Woods

Firm: JARRE RAITT HEUER + WEISS, P.C.

Address: 3033 CHEWTON CROSS ROAD
BLOOMFIELD HILLS, MI 48301-2529

Telephone: (248) 645-0633

Fax: (248) 645-9076

Agent for Service: THOMAS M. WOODS

Address: 3033 CHEWTON CROSS ROAD
BLOOMFIELD HILLS, MI 48301-2529

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: SmithKline Beecham Corporation on
behalf of Roberts Consolidated

Executed By:  Date: June 19, 2003

Print or Type Name: Paul R. Noll
Title: Vice President and
Associate General Counsel
Legal Operations - GMS

Designated Representative: Paul R. Noll

Firm: GlaxoSmithKline
Address: One Franklin Plaza - FP2230
200 North 16th Street
Philadelphia, PA 19102

Telephone: 215 751 7059

Fax: 215 751 3489

Agent for Service: Paul R. Noll

Address: GlaxoSmithKline
One Franklin Plaza - FP2230
200 North 16th Street
Philadelphia, PA 19102

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: SPX Corporation

Executed By:  Date: 6-30-03

Print or Type Name: Christopher J. Kearney

Title: Vice President, Secretary and General Counsel

Designated Representative: Mark M. Davis, Esq.

Firm: Varnum, Riddering, et al.

Address: Bridgewater Place, P.O. Box 352

Grand Rapids, MI 49501-0352

Telephone: (616) 336-6733

Fax: (616) 336-7000

Agent for Service: Mark M. Davis, Esq.

Address: (same as above)

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: STRYKER CORPORATION

Executed By: Michael G. Cartier Date: 6-27-03

Print or Type Name: Michael G. Cartier

Title: Deputy General Counsel

Designated Representative: Ronald E. Baylor

Firm: Miller Canfield Paddock and Stone PLC

Address: 444 West Michigan Avenue

Kalamazoo MI 49007

Telephone: (269) 381-7030

Fax: (269) 382-0244

Agent for Service: Ronald E. Baylor

Address: Miller Canfield Paddock and Stone PLC

444 West Michigan Avenue

Kalamazoo MI 49007

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Sunoco, Inc f/k/a Sun Oil Company

Executed By:  Date: July 2, 2003

Print or Type Name: Thomas J. Haines

Title: Senior Counsel

Designated Representative: Thomas J. Haines

Firm: Law Department
Sunoco, Inc.

Address: 1801 Market Street
Philadelphia, Pa 19103

Telephone: (215) 977-6273

Fax: (215) 977-6878

Agent for Service: CT Corporation

Address: 30600 Telegraph Road

Bingham Farms, Michigan 48025

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: TDY Industries, Inc.

Executed By:  Date: 7/8/03

Print or Type Name: Jon D. Walton

Title: Senior Vice President

Designated Representative: Lauren S. McAndrews

Firm: Allegheny Technologies Incorporated

Address: 1000 Six PPG Place
Pittsburgh, PA 15222

Telephone: 412-394-2974

Fax: 412-394-3010

Agent for Service: Jon D. Walton

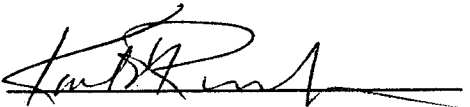
Address: 1000 Six PPG Place
Pittsburgh, PA 15222

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Therm-O-Disc (Mid West Components)

Executed By:  Date: 6/24/03

Print or Type Name: KARL E. ROSSLER

Title: SR. V.P. FINANCE

Designated Representative: Michele Ball Morhenn, Esq.

Firm: Shaw Pittman LLP

Address: 2300 N Street, N.W.

Washington, D.C. 20037

Telephone: (202) 663-9407

Fax: (202) 663-8007

Agent for Service: Michele Ball Morhenn, Esq.

Address: Shaw Pittman LLP

2300 N Street, N.W.


Washington, D.C. 20037

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Tyler Refrigeration Corporation (American Standard Inc.
on behalf of Tyler Refrigeration Co

Executed By:  Date: June 20, 2003

Print or Type Name: J Paul McGrath

Title: Senior Vice President

Designated Representative: Jill A. Weller

Firm: Thompson Hine LLP

Address: 312 Walnut Street

14th floor

Cincinnati, Ohio 45202-4089

Telephone: (513) 352-6678

Fax: (513) 241-4771

Agent for Service: Thompson Hine LLP

Address: 312 Walnut Street

14th floor

Cincinnati, OH 45202-4089

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT: The Valspar Corporation on behalf of itself and
its predecessors, including but not limited to
Defendant Company: Lilly Industries (USA), Inc. f/k/a American Aerosols

Executed By:  Date: 8 July 2003

Print or Type Name: Ronda Bayer

Title: Associate General Counsel

Designated Representative: _____

Firm: The Valspar Corporation

Address: 1101 South Third Street

Minneapolis, MN 55415 USA

Telephone: 612 375 7306

Fax: 612 375 7313

Agent for Service: Ronda Bayer

Address: The Valspar Corporation
1101 South Third Street

Minneapolis, MN 55415 USA

Sunrise Landfill, Allegan County, Michigan
Consent Decree
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: The W-L Molding Company

Executed By: *Geo R Laure* Date: 6-23-03

Print or Type Name: Geo. R. Laure

Title: Vice President/Treasurer

Designated Representative: Mark M. Davis, Esq.

Firm: Varnum, Riddering, et al.

Address: Bridgewater Place, P.O. Box 352

Grand Rapids, MI 49501-0352

Telephone: (616) 336-6733

Fax: (616) 336-7000

Agent for Service: Mark M. Davis, Esq.

Address: (same as above)

Sunrise Landfill, Allegan County, Michigan
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Michael A. Cox, et al., v. AgrEvo USA Company, et al.

IT IS SO AGREED BY DEFENDANT:

Defendant Company: Yale Materials Handling
F.K.A. Lakeshore Materials Handling

Executed By: Theodore M. Schaefer Date: 6/19/03

Print or Type Name: Theodore M. Schaefer

Title: CFO

Designated Representative: _____

Firm: _____

Address: _____

Telephone: _____

Fax: _____

Agent for Service: _____

Address: 28990 Wixom Rd
Wixom, MI 48393

Sunrise Landfill, Allegan County, Michigan
Consent Decree
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Michael A. Cox, *et al* v. AgrEvo USA Company, *et al*

IT IS SO ORDERED, ADJUDGED AND DECREED THIS 21 day of JULY, 2003.

B. N. - Reckers
Honorable

ATTEST: A TRUE COPY

Bill A. Smith
Deputy Court Clerk

ATTACHMENT A

PROPERTY DESCRIPTION

The legal description for the property is as follows:

Parcel 1: All that certain piece or parcel of land situated and being in the Township of Wayland, County of Allegan, and State of Michigan, described as follows: The East 1/2 of the Southeast 1/4 of Section 8, Town 3 North, Range 11 West, EXCEPT one acre described as: Commencing 368 feet North of the Southeast corner of said section, thence North 208.5 feet, thence West 208.5 feet, thence South 208.5 feet, thence East 208.5 feet to place of commencement, containing 79 acres, more or less.

ATTACHMENT B
SUMMARY OF COSTS

Site Name: SUNRISE LANDFILL Post 4/199

County: ALLEGAN

Site ID Number: 03000031
Project Number: 453611-00

Total for Employee Salaries and Wages	
Period Covered: 4/1/99 - 6/22/02	\$168,441.66
Indirect Dollars	<u>\$32,123.57</u>
Sub-Total	<u>\$200,565.23</u>
Total for Employee Travel Expenses	
Period Covered: 4/1/99 - 4/18/02	\$9,904.90
Contractual Expenses	
Roy F. Weston, Inc.	\$313,998.07
Period Covered: 4/1/99 - 11/1/01	
Roy F. Weston, Inc. (2000 LOE)	\$402,061.33
Period Covered: 10/18/00 - 5/29/02	
Homrich, Inc.	\$4,921,195.94
Period Covered: 4/24/00 - 9/11/02	
DLZ Laboratories, Inc.	\$1,030.00
Period Covered: 7/20/00	
Bio-Chem Environmental Analytical Laboratory	\$4,442.38
Period Covered: 7/20/00 - 9/25/00	
Trace Analytical Laboratories, Inc.	<u>\$131,676.85</u>
Period Covered: 6/23/00 - 7/24/01	
Sub-Total	<u>\$5,774,404.57</u>
Total for Miscellaneous Expenses	\$15,855.88
Period Covered: 4/1/99 - 4/23/02	
Attorney General Expenses	\$31,995.00
Period Covered: 4/1/99 - 3/31/02	
Total Combined Expenses for Site	<u>\$6,032,725.58</u>

Run Date 6/13/03 (revised)