

SETTLEMENT AGREEMENT

In the Matter of

Frank J. Kelley, Attorney General of the State of Michigan, ex rel, and the Michigan Department of Environmental Quality v Pittsfield Products, Inc. et al.;
Ingham County Case No. 94-77806-CE;
EGLE Facility ID No. 47000013.

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This Settlement Agreement (“Agreement”) is made by and between Pittsfield Products, Inc., ACO Division of Pittsfield Products (collectively “Settling Defendants”), P.O. Box 1027, Ann Arbor, Michigan 48106, and the Michigan Department of Environment, Great Lakes, and Energy, Remediation and Redevelopment Division (“EGLE”), 525 West Allegan Street, Lansing, Michigan 48933.

Recitals

- A. On December 21, 1995, a Consent Decree, which continues in full force and effect, was entered in *Frank J. Kelley, Attorney General of the State of Michigan, ex rel, and the Michigan Department of Environmental Quality v Pittsfield Products, Inc., et al.*, Ingham County Circuit Court Case No. 94-77806-CE, among Frank J. Kelley, Attorney General of the State of Michigan, and the Michigan Department of Environmental Quality (“MDEQ”) (collectively, “Plaintiffs”), and the Settling Defendants, regarding the Hamburg

- Unadilla Roads Contamination Area, Livingston County, Michigan
(the “Facility”);
- B. EGLE is the successor by law to the MDEQ;
- C. Paragraph 21.3 of the Consent Decree requires the Settling Defendants to “reimburse the Plaintiffs for future response activity costs incurred by Plaintiffs and all future oversight costs incurred by the Plaintiffs in overseeing the remedial activities of Settling Defendants for matters covered in this Consent Decree.”
- D. On May 11, 2021, in accordance with paragraph 21.3 of the Consent Decree, EGLE requested reimbursement of \$38,180.57 that is more specifically set forth on 5/3/21 Cost Recovery Summary Report 22i and supporting documentation (the “2021 Request for Reimbursement”) at Attachment A;
- E. Settling Defendants disputed the 2021 Request for Reimbursement on June 3, 2021, invoking the Dispute Resolution provisions of Section XX of the Consent Decree;
- F. Paragraph 7.1 of the Consent Decree required Settling Defendants to establish and fund an Environmental Escrow which was attached as Appendix B to the Consent Decree and became effective December 27, 1995; and
- G. Instead of continuing further with the dispute resolution process regarding the \$38,180.57, the parties mutually agree that it would be

in their best interest to resolve the dispute on the terms set forth below.

The Settling Defendants and EGLE agree as follows:

1. Payment by Settling Defendants. In consideration of this Agreement and payment of \$13,594.15, for costs set forth on the 6/29/21 Revised Cost Recovery Summary Report 22i and supporting documentation (Attachment B), to be paid to EGLE by Settling Defendants in accordance with the terms of this Agreement, EGLE agrees to release and forever discharge Settling Defendants from all claims, demands, actions, causes of action, suits, debts, agreements, damages, liabilities and controversies whatsoever, in law or in equity, it either had or now has, arising out of the 2021 Request for Reimbursement, subject to the terms herein. The \$13,594.15 may be paid with funds from the Environmental Escrow. The \$13,594.15 shall be paid within 30 days of the date this Agreement is signed by both parties. This release and discharge shall take effect on the date that both the \$13,594.15 is paid in full and all payments required under the 12/18/20 Settlement Agreement between the parties are paid in full. If the Settling Defendants fail to make all payments required under the 12/18/20 Settlement Agreement, then Settling Defendants shall also pay EGLE \$24,586.42 for costs set forth on the 2021 Request for Reimbursement that are not identified on the 6/29/21 Revised Cost Recovery Summary Report 22i and supporting documentation (Attachment B). The running of all applicable statute(s) of limitations and other time-related defenses with respect to claims by EGLE to recover the \$24,586.42 shall be tolled and

suspended until all payments required under the 12/18/20 Settlement Agreement between the parties are paid in full.

2. Payment method. Payments shall be made by check payable to the "State of Michigan – Environmental Response Fund" and remitted to the following address:

Michigan Department of Environment, Great Lakes, and Energy
Cashiers Office
P.O. Box 30657
Lansing, MI 48909-8157

The check or transmittal letter should reference Consent Decree No. 94-77806-CE, Settlement ID No. RRD50137.

3. Additional Documents. All parties agree to cooperate fully and execute any and all supplementary documents and to take all additional actions which may be necessary or appropriate to give full force and effect to the terms and intent of this Agreement.

4. Non-Admission. This Agreement is being entered into solely for the purpose of settlement and does not constitute, and shall in no way be construed as, an admission of liability of any sort by any party, or an admission that the costs claimed in the 2021 Request for Reimbursement were lawfully or unlawfully incurred. Nothing in this Agreement shall be construed to limit, in any way, EGLE's rights with respect to future requests for reimbursement of response activity costs or oversight costs.

5. Settling Defendants' Waiver of Claims. Settling Defendants agree to release and forever discharge EGLE from all claims and demands arising out of

the 2021 Request for Reimbursement. However, nothing in this Agreement shall be construed to limit in any way Settling Defendants' right to dispute any future requests from EGLE for reimbursement of response activity costs.

6. Reservations. The parties expressly reserve all of their rights, claims, and defenses, under any available law or legal theory, to enforce this Agreement.

7. Entire Agreement; Binding Effect. This Agreement contains the entire agreement of the parties hereto with regard to the matters set forth herein and shall be binding upon and inure to the benefit of the parties and their successors and assigns. This Agreement may not be amended or modified, except by a written agreement signed by all of the parties.

8. Counterparts and Electronic Signatures. This Agreement may be executed in counterparts, each of which when so executed and delivered shall be deemed an original, and such counterparts together shall constitute one and the same instrument. Documents scanned and transmitted electronically, and electronic signatures shall be deemed original signatures for purposes of this Agreement and all matters related thereto, with such scanned and electronic signatures having the same legal effect as original signatures.

9. Governing Law. This Agreement shall be construed and interpreted in accordance with the laws of the State of Michigan.

10. Forum Selection. All legal proceedings brought by the parties relating to this Agreement shall be in the State of Michigan, and in the circuit court

in Ingham County, Michigan, as a continuation of *Frank J. Kelley, Attorney General of the State of Michigan, ex rel, and the Michigan Department of Environmental Quality v Pittsfield Products, Inc., et al.*, Ingham County Circuit Court Case No. 94-77806-CE. The parties waive any and all rights to contest such jurisdiction and venue, and any objection that such county is not convenient.

11. Effective Date. This Agreement shall be effective when it is signed by both parties.

The undersigned individuals represent and warrant that they are duly authorized to enter into this Agreement on behalf of the Settling Defendants and EGLE and bind the parties to the Agreement's terms and conditions.

FOR SETTLING DEFENDANTS:

Emma Fosdick
Emma Fosdick
President
Pittsfield Products, Inc.

12/22/21
Dated

FOR EGLE:

Joshua M Mosher
Joshua Mosher
Acting Director
Remediation and Redevelopment Division

01/04/2022
Dated

Attachment A

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
REMEDIATION AND REDEVELOPMENT DIVISION

Date: 05/03/2021

Source: ERNIE

Cost Recovery Summary Report

Page: 1 of 1

Site Name: Hamburg / Unadilla Rds Contam Area

County: Livingston

Site ID: 47000013

Package: 454868-65 Hamburg/Unadilla Rds - Settlement: 22i LOC 6531 S043

Total for Employee Salaries and Wages

Period Covered: 04/14/2020 - 04/17/2021	\$14,437.76
Indirect Dollars	\$2,020.04
Sub-Total	<u>\$16,457.80</u>

Total for Employee Travel Expenses

Period Covered:	\$0.00
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Contractual Expenses

Weston Solutions Inc (Y19041_)	
Period Covered: 04/25/2020 - 09/30/2020	\$1,441.52
Contract Sub-Total	<u>\$1,441.52</u>

Total for Miscellaneous Expenses

Period Covered:	\$0.00
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MDNR/MDEQ Lab

Period Covered:	\$0.00
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Total for MDPH/Community Health Expenses

Alternate Water Supply	
Period Covered:	\$0.00
Bottled Water	
Period Covered:	\$0.00
MDPH/MDCH Lab	
Period Covered:	\$0.00
Sub-Total	<u>\$0.00</u>

Attorney General Expenses

Period Covered: 05/01/2020 - 01/31/2021	\$20,281.25
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Other Expenses

Period Covered:	\$0.00
Sub-Total	<u>\$38,180.57</u>

Interest Calculated from through

Total Combined Expenses for Site and Interest	<u>\$38,180.57</u>
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Run Date 04/29/2021

MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKE, AND ENERGY

REMEDIAL AND REDEVELOPMENT DIVISION

Cost Recovery Summary Detail of Salaries, Fringes, Insurances, FICA, and Retirement

Site Name	HAMBURG UNADILLA RDS CONTAM Oversight	Site ID or Facility ID	Location Code	6531	SubLocation Code	S043						
Employee	Pay Cycle Expiration Date*	Pay Period Ending	FY	Pay Rate	Regular Hours	OT Hours	OT Pay	Fringes and Insurances	FICA and Retirement	Sub Total	Indirect	Total
Activity A100 Administration												
DEPEW, WILLIAM W	07/11/2020	07/11/2020	2020	\$20.98	2.1	\$44.34		\$20.08	\$28.65	\$93.07	\$11.42	\$104.49
DEPEW, WILLIAM W	08/08/2020	08/08/2020	2020	\$20.98	5.6	\$116.57		\$42.24	\$62.14	\$220.95	\$27.11	\$248.06
TAYLOR, REBECCA	11/28/2020	11/28/2020	2021	\$38.05	4.4	\$166.46		\$17.62	\$90.74	\$274.82	\$40.23	\$315.05
										\$568.84	\$78.76	\$667.60
Activity C200 Compliance												
DEPEW, WILLIAM W	04/18/2020	06/27/2020	2020	\$20.98	5.5	\$115.39				\$115.39	\$14.16	\$129.55
DEPEW, WILLIAM W	06/27/2020	06/27/2020	2020	\$20.98	15.0	\$314.70				\$299.52	\$82.11	\$101.12
DEPEW, WILLIAM W	08/22/2020	08/22/2020	2020	\$20.98	1.8	\$36.72				\$19.56	\$71.03	\$8.72
TAYLOR, REBECCA	08/22/2020	08/22/2020	2020	\$37.30	0.5	\$18.65				\$9.70	\$30.74	\$3.77
DEPEW, WILLIAM W	09/05/2020	09/05/2020	2020	\$20.98	4.0	\$83.92				\$44.74	\$159.07	\$19.52
DEPEW, WILLIAM W	09/19/2020	09/19/2020	2020	\$20.98	13.7	\$296.81				\$83.13	\$152.89	\$64.15
TAYLOR, REBECCA	09/19/2020	09/19/2020	2020	\$37.30	0.6	\$20.72				\$1.77	\$10.78	\$3.27
DEPEW, WILLIAM W	10/03/2020	09/19/2020	2021	\$22.77						\$20.79		
DEPEW, WILLIAM W	10/03/2020	10/03/2020	2020	\$20.98	2.0	\$44.64				\$25.76		
DEPEW, WILLIAM W	10/03/2020	10/03/2020	2021	\$22.77						\$15.23		
TAYLOR, REBECCA	10/03/2020	09/19/2020	2021	\$38.05						\$0.44		
DEPEW, WILLIAM W	10/17/2020	10/17/2020	2021	\$22.77	2.5	\$56.92				\$19.11		
DEPEW, WILLIAM W	10/31/2020	10/31/2020	2021	\$22.77	2.0	\$45.54				\$15.28		
TAYLOR, REBECCA	10/31/2020	10/31/2020	2021	\$38.05	1.1	\$40.60				\$4.30		
TAYLOR, REBECCA	11/14/2020	11/14/2020	2021	\$38.05	1.9	\$71.34				\$7.54		
DEPEW, WILLIAM W	11/28/2020	11/28/2020	2021	\$22.77	1.9	\$44.08				\$14.79		
DEPEW, WILLIAM W	12/12/2020	12/12/2020	2021	\$22.77	2.5	\$56.93				\$19.11		
TAYLOR, REBECCA	12/12/2020	12/12/2020	2021	\$38.05	4.5	\$171.23				\$18.11		
TAYLOR, REBECCA	12/26/2020	12/26/2020	2021	\$38.05	7.9	\$298.98				\$31.63		
DEPEW, WILLIAM W	01/09/2021	01/09/2021	2021	\$22.77	6.8	\$154.51				\$51.87		
TAYLOR, REBECCA	01/09/2021	01/09/2021	2021	\$38.05	10.6	\$403.82				\$42.74		
DEPEW, WILLIAM W	01/23/2021	01/23/2021	2021	\$22.77	1.2	\$26.79				\$9.00		
DEPEW, WILLIAM W	02/06/2021	02/06/2021	2021	\$22.77	3.7	\$83.89				\$28.16		
TAYLOR, REBECCA	03/20/2021	03/20/2021	2021	\$22.77	1.3	\$28.46				\$9.55		
DEPEW, WILLIAM W	04/03/2021	04/03/2021	2021	\$22.77	4.0	\$91.08				\$30.60		
DEPEW, WILLIAM W	04/17/2021	04/17/2021	2021	\$23.00	9.0	\$207.00				\$68.84		
										\$119.51		
										\$5012.49		
										\$692.20		
										\$57.88		
										\$5012.49		
										\$692.20		
										\$57.88		

Round-off disclaimer: Due to rounding, numbers presented may not add up precisely to the totals provided.

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Site Name	HAMBURG UNADILLA RDS CONTAM Oversight	Site ID or Facility ID	Location Code	6531	SubLocation Code	S043	Package	22i					
		Pay Cycle Expiration Date*	Pay Period Ending	FY	Pay Rate	Regular Hours	OT Hours	OT Pay	Fringes and Insurances	FICA and Retirement	Sub Total	Indirect	Total
Activity	C350 Cost Recovery	06/27/2020	06/27/2020	2020	\$38.83	5.7	\$221.89		\$45.69	\$138.13	\$405.71	\$49.78	\$455.49
	DENISON, RENEE M	09/05/2020	09/05/2020	2020	\$38.83	3.3	\$129.44		\$22.79	\$67.16	\$219.39	\$26.92	\$246.31
	DENISON, RENEE M										\$625.10	\$76.70	\$701.80
Activity	E150 Enforcement	06/27/2020	06/27/2020	2020	\$37.30	3.0	\$111.90		\$14.88	\$70.62	\$197.40	\$24.22	\$221.62
	TAYLOR, REBECCA	09/05/2020	09/05/2020	2020	\$37.30	6.0	\$223.80		\$23.81	\$116.42	\$364.03	\$44.67	\$408.70
	TAYLOR, REBECCA	10/17/2020	10/17/2020	2021	\$38.05	1.5	\$55.35		\$4.37	\$30.19	\$89.91	\$13.16	\$103.07
	TAYLOR, REBECCA	01/23/2021	01/23/2021	2021	\$38.05	3.9	\$150.08		\$15.87	\$82.00	\$247.95	\$36.30	\$284.25
	MERCHANT, JACLYN MARIE VANOVERBE	02/06/2021	02/06/2021	2021	\$38.05	0.5	\$19.03		\$5.68	\$10.64	\$35.35	\$5.18	\$40.53
	TAYLOR, REBECCA	02/06/2021	02/06/2021	2021	\$38.05	2.6	\$100.14		\$10.59	\$54.72	\$165.45	\$24.22	\$189.67
	TAYLOR, REBECCA	02/20/2021	02/20/2021	2021	\$38.05	10.3	\$392.05		\$41.48	\$214.20	\$647.73	\$94.83	\$742.56
	TAYLOR, REBECCA	03/06/2021	03/06/2021	2021	\$38.05	3.8	\$143.01		\$15.13	\$78.13	\$236.27	\$34.59	\$270.86
	TAYLOR, REBECCA	03/20/2021	03/20/2021	2021	\$38.05	2.7	\$102.84		\$10.88	\$56.19	\$169.91	\$24.87	\$194.78
	TAYLOR, REBECCA	04/03/2021	04/03/2021	2021	\$38.05	1.5	\$57.09		\$6.06	\$31.20	\$94.35	\$13.81	\$108.16
	TAYLOR, REBECCA	04/17/2021	04/17/2021	2021	\$38.43	8.3	\$320.25		\$33.64	\$174.98	\$528.87	\$77.43	\$606.30
										\$2,777.22	\$363.28	\$3,170.50	
Activity	V100 Vapor Intrusion	07/11/2020	07/11/2020	2020	\$37.30	1.7	\$63.94		\$8.50	\$40.36	\$112.80	\$13.84	\$126.64
	TAYLOR, REBECCA	09/05/2020	09/05/2020	2020	\$37.30	4.0	\$149.20		\$15.87	\$77.62	\$242.69	\$29.78	\$272.47
	TAYLOR, REBECCA	10/17/2020	10/17/2020	2021	\$38.05	0.7	\$27.67		\$2.18	\$15.10	\$44.95	\$6.58	\$51.53
	TAYLOR, REBECCA	02/06/2021	02/06/2021	2021	\$38.05	7.4	\$280.38		\$29.66	\$153.18	\$463.22	\$67.82	\$531.04
	TAYLOR, REBECCA	03/06/2021	03/06/2021	2021	\$38.05	1.1	\$40.87		\$4.33	\$22.33	\$67.53	\$9.89	\$77.42
	TAYLOR, REBECCA	03/20/2021	03/20/2021	2021	\$38.05	5.4	\$205.69		\$21.77	\$112.38	\$339.84	\$49.75	\$389.59
	TAYLOR, REBECCA	04/03/2021	04/03/2021	2021	\$38.05	4.0	\$152.20		\$16.13	\$83.16	\$251.49	\$36.82	\$288.31
	COWLES, BARBARA L	04/17/2021	04/17/2021	2021	\$38.43	11.5	\$441.97		\$46.42	\$240.83	\$729.22	\$16.76	\$835.98
	TAYLOR, REBECCA	04/17/2021	04/17/2021	2021	\$38.43	10.6	\$405.65		\$42.60	\$221.65	\$669.90	\$98.07	\$767.97
										\$2,921.64	\$419.30	\$3,340.94	

Rounding disclaimer: Due to rounding, numbers presented may not add up precisely to the totals provided.

*The Pay Cycle Expiration Date is the pay period end date in which the hours worked/expenses were incurred and pay period end date is the pay period the charges were paid/distributed. If the pay cycle expiration date and the pay period end date are the same, there were no corrections. Corrections are indicated if the pay cycle expiration date and the pay period end date are different; the corrections for insurances, fringes, FICA and retirement are in the pay period the correction was processed. Correction Key: M=Manual Correction C=System

The indirect rate reflects the costs of operational services provided to the Remediation and Redevelopment Division by the Department of Environment, Great Lakes and Energy (EGL) and other State agencies. Each division is charged a percentage of their direct labor costs (includes salaries and fringes) to cover the indirect operational expenses of the Department and other State agencies.

These include the operations of EGLE's Executive Office (non-program costs), administrative services (non-program costs), building rent, data processing, and the costs of using the State of Michigan's State Central Services.

The indirect rates used by EGLER vary each fiscal year and prior to 10/1/97 were negotiated between the U. S. Department of the Interior, Office of Inspector General (Eastern Region) and EGLER. It is now negotiated between with the U. S. Environmental Protection Agency (EPA) and EGLER. These rates are the same as those charged for grants and contracts with the Federal Government and is applicable to the Office of Management and Budget Circular A-87.

Excluded costs are: capital outlay expenses (equipment) miscellaneous travel contractual services supplies and maintenance (CSSM) expenses

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MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKE, AND ENERGY

REMEDIATION AND REDEVELOPMENT DIVISION

Cost Recovery Summary Detail of Salaries, Fringes, Insurances, FICA, and Retirement

Site Name	Hamburg Unadilla Rds Contam	Site ID or Facility ID	47000013	Location Code	6531	SubLocation Code	NA	Package	22i					
Employee	Correction Date*	Pay Cycle	Pay Period Ending	FY	Pay Rate	Regular Hours	Regular Pay	OT Hours	OT Pay	Fringes and Insurances	FICA and Retirement	Sub Total	Indirect	Total
Activity A100 Administration														
MERCHANT, JACLYN MARIE VANOVERBE	10/17/2020	10/17/2020	2021	\$38.05		1.5	\$57.08			\$15.02	\$31.94	\$104.04		\$15.23
Activity E150 Enforcement														
MERCHANT, JACLYN MARIE VANOVERBE	06/13/2020	06/27/2020	2020	\$37.30		0.2	\$6.75					\$6.75		\$7.58
MERCHANT, JACLYN MARIE VANOVERBE	06/27/2020	06/27/2020	2020	\$37.30						\$2.28	\$4.22	\$6.50		\$0.80
MERCHANT, JACLYN MARIE VANOVERBE	09/05/2020	09/05/2020	2020	\$37.30		3.4	\$126.88			\$38.11	\$65.47	\$230.46		\$28.28
MERCHANT, JACLYN MARIE VANOVERBE	01/23/2021	01/23/2021	2021	\$38.05		1.7	\$65.24			\$19.48	\$36.47	\$121.19		\$17.74
MERCHANT, JACLYN MARIE VANOVERBE	03/06/2021	03/06/2021	2021	\$38.05		1.1	\$40.29			\$12.02	\$22.52	\$74.83		\$10.96
Activity M100 Manage Response Actions														
TAYLOR, REBECCA	12/26/2020	12/26/2020	2021	\$38.05		2.1	\$81.53			\$8.62	\$44.54	\$134.69		\$19.72
TAYLOR, REBECCA	01/09/2021	01/09/2021	2021	\$38.05		3.3	\$124.28			\$13.15	\$67.90	\$205.33		\$30.06
Activity V100 Vapor Instrusion														
COWLES, BARBARA L	09/05/2020	09/05/2020	2020	\$37.30		1.6	\$58.52			\$6.29	\$30.42	\$95.23		\$11.68
TAYLOR, REBECCA	01/23/2021	01/23/2021	2021	\$38.05		4.5	\$171.50			\$18.16	\$93.71	\$283.37		\$41.49
COWLES, BARBARA L	02/06/2021	02/06/2021	2021	\$38.05		3.2	\$123.41			\$13.05	\$67.24	\$203.70		\$29.82
COWLES, BARBARA L	02/20/2021	02/20/2021	2021	\$38.05		4.4	\$168.85			\$17.37	\$92.01	\$278.23		\$40.73
COWLES, BARBARA L	03/20/2021	03/20/2021	2021	\$38.05		12.2	\$465.35			\$49.25	\$253.55	\$768.15		\$112.46
												\$1,628.68		\$236.18
														\$1,864.86

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The indirect rate reflects the costs of operational services provided to the Remediation and Redevelopment Division by the Department of Environment, Great Lakes and Energy (EGLE) and other State agencies. Each division is charged a percentage of their direct labor costs (includes salaries and fringes) to cover the indirect operational expenses of the Department and other State agencies.

The indirect rates used by EGLE vary each fiscal year and prior to 10/1/97 were negotiated between the U. S. Department of the Interior, Office of Inspector General (Eastern Region) and EGLE. These rates include the operations of EGLE's Executive Office (non-program costs), administrative services (non-program costs), building rent, data processing, and the costs of using the State of Michigan's State Central Services.

Excluded costs are: capital outlay expenses (equipment), miscellaneous travel, contractual services supplies and maintenance (CSSSM) expenses.

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CONTRACT REPORT

MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY REMEDIATION AND REDEVELOPMENT DIVISION

Site ID:	470000013	Site Nam	Hamburg Unadilla Rds Contam	Location Code:	6531	Sub Location Code	Packag	22j
PAYMENT DATE	INVOICE#	PURCHASE DESCRIPTION		DOC CODE	DOC ID	APPROP	SERVICE START DATE	SERVICE END DATE
VENDOR COD	CV0007304							AMOUNT
VENDOR	WESTON SOLUTIONS, INC.							
ACTIVITY	V100	FUNCTION	7030					
	10/19/2020	Y19041-18	Y19041 HAMBURG/UNADILLA ROAD #470000013	EFT	210000056342	36090	1581	4/25/2020
			Y19041-18 1,441.52					9/30/2020
							Vendor Total	\$1,441.52
							Report Total	\$1,441.52

REMEDIATION DIVISION**ATTORNEY GENERAL COSTS****Site Name** Pittsfield Products**Location Code** 6531**Sub Location Cod** S043**Site ID:****Package** 22i

The hourly billing rate of \$275 is in effect beginning May 1, 2020 and is based upon the median hourly billing rate for attorneys whose field of practice was transactional Environmental Law as shown in the "Economics of Law Practice in Michigan: 2017 Attorney Income and Billing Rate Summary Report" produced by the State Bar of Michigan.

The hourly billing rate of \$110 was used for those hours charged before May, 1994. The hourly billing rate of \$135 was in effect May 1, 1994 through March 31, 2010. The hourly billing rate of \$182.50 was in effect April 1, 2010 through April 30, 2020.

Month	Attorney	Hours For Month	Total
5/31/2020	Synk, Polly A.	0.5	\$137.50
5/31/2020	Prins, Andrew T.	6.75	\$1,856.25
6/30/2020	Synk, Polly A.	8.5	\$2,337.50
6/30/2020	Prins, Andrew T.	10.25	\$2,818.75
7/31/2020	Prins, Andrew T.	0.25	\$68.75
8/31/2020	Prins, Andrew T.	5.25	\$1,443.75
9/30/2020	Prins, Andrew T.	14.75	\$4,056.25
10/31/2020	Synk, Polly A.	1.5	\$412.50
10/31/2020	Prins, Andrew T.	15.5	\$4,262.50
11/30/2020	Prins, Andrew T.	2	\$550.00
12/31/2020	Synk, Polly A.	2	\$550.00
12/31/2020	Prins, Andrew T.	5.25	\$1,443.75
1/31/2021	Prins, Andrew T.	1.25	\$343.75
Attorney General Total:		73.75	\$20,281.25

Attachment B

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
REMEDIATION AND REDEVELOPMENT DIVISION

Date: 06/29/2021

Source: ERNIE

Cost Recovery Summary Report

Page: 1 of 1

Site Name: Hamburg / Unadilla Rds Contam Area

County: Livingston

Site ID: 47000013

Package: 454868-65 Hamburg/Unadilla Rds - Settlement: Revised 22i LOC 6531

Total for Employee Salaries and Wages

Period Covered: 08/23/2020 - 04/17/2021	\$10,311.48
Indirect Dollars	\$1,497.40
Sub-Total	<u>\$11,808.88</u>

Total for Employee Travel Expenses

Period Covered:	\$0.00
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Contractual Expenses

Weston Solutions Inc (Y19041_)	
Period Covered: 04/25/2020 - 09/30/2020	\$1,441.52
Contract Sub-Total	<u>\$1,441.52</u>

Total for Miscellaneous Expenses

Period Covered:	\$0.00
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MDNR/MDEQ Lab

Period Covered:	\$0.00
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Total for MDPH/Community Health Expenses

Alternate Water Supply	
Period Covered:	\$0.00
Bottled Water	
Period Covered:	\$0.00
MDPH/MDCH Lab	
Period Covered:	\$0.00
Sub-Total	<u>\$0.00</u>

Attorney General Expenses

Period Covered: 01/01/2021 - 01/31/2021	\$343.75
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Other Expenses

Period Covered:	\$0.00
Sub-Total	<u>\$13,594.15</u>

Interest Calculated from through

Total Combined Expenses for Site and Interest	<u>\$13,594.15</u>
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Run Date 06/29/2021

MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKE, AND ENERGY
DETERMINATION AND DEVELOPMENT DIVISION

REMEDIATION AND REDEVELOPMENT DIVISION

Cost Recovery Summary Detail of Salaries, Fringes, Insurances, FICA, and Retirement

Rounding disclaimer: Due to rounding, numbers presented may not add up precisely to the totals provided.

Site Name	HAMBURG UNADILLA RDS CONTAM Oversight	Site ID or Facility ID	Location Code	6531	SubLocation Code	S043	Package 22j								
Activity	Employee	Correction	Pay Period Expiration Date*	Pay Period Ending	FY	Pay Rate	Regular Hours	Regular Pay	OT Hours	OT Pay	Fringes and Insurances	Sub Total	FICA and Retirement	Indirect	Total
TAYLOR, REBECCA	V100 Vapor Intrusion		07/11/2020	07/11/2020	2020	\$37.30	1.7	\$63.94			\$8.50	\$40.36	\$112.80	\$13.84	\$126.64
TAYLOR, REBECCA			09/05/2020	09/05/2020	2020	\$37.30	4.0	\$149.20			\$15.87	\$77.62	\$242.69	\$29.78	\$272.47
TAYLOR, REBECCA			10/17/2020	10/17/2020	2021	\$38.05	0.7	\$27.67			\$2.18	\$15.10	\$44.95	\$6.58	\$51.53
TAYLOR, REBECCA			02/06/2021	02/06/2021	2021	\$38.05	7.4	\$280.38			\$29.66	\$153.18	\$463.22	\$67.82	\$531.04
TAYLOR, REBECCA			03/06/2021	03/06/2021	2021	\$38.05	1.1	\$40.87			\$4.33	\$22.33	\$67.53	\$9.89	\$77.42
TAYLOR, REBECCA			03/20/2021	03/20/2021	2021	\$38.05	5.4	\$205.69			\$21.77	\$112.38	\$339.84	\$49.75	\$399.59
TAYLOR, REBECCA			04/03/2021	04/03/2021	2021	\$38.05	4.0	\$152.20			\$16.13	\$83.16	\$251.49	\$36.82	\$288.31
COWLES, BARBARA L			04/17/2021	04/17/2021	2021	\$38.43	11.5	\$441.97			\$46.42	\$240.83	\$729.22	\$106.76	\$835.98
TAYLOR, REBECCA			04/17/2021	04/17/2021	2021	\$38.43	10.6	\$405.65			\$42.60	\$221.65	\$669.90	\$98.07	\$767.97
												\$2,921.64	\$419.30	\$3,340.94	
Count:	32														
Run Date:	6/29/2021														
Report:	rpt_Indirect_LOC_SLOC														
												Report Total:	\$8,146.76	\$1,182.74	\$9,329.50

*The Pay Cycle Expiration Date is the pay period end date in which the hours worked/expenses were incurred and pay period end date is the pay period the charges were paid/distributed. If the pay cycle expiration date and the pay period end date are the same, there were no corrections. Corrections are indicated if the pay cycle expiration date and the pay period end date are different; the corrections for insurances, fringes, FICA and retirement are in the pay period the correction was processed. Correction Key: M=Manual Correction C=System Correction.

The indirect rate reflects the costs of operational services provided to the Remediation and Redevelopment Division by the Department of Environment, Great Lakes and Energy (EGLE) and other State agencies. Each division is charged a percentage of their direct labor costs (includes salaries and fringes) to cover the indirect operational expenses of the Department and other State agencies.

These include the operations of EGLE's Executive Office (non-program costs), administrative services (non-program costs), building rent, data processing, and the costs of using the State of Michigan's State Central Services.

The indirect rates used by EGLE vary each fiscal year and prior to 10/1/97 were negotiated between the U. S. Department of the Interior, Office of Inspector General (Eastern Region) and EGLE. It is now negotiated between with the U. S. Environmental Protection Agency (EPA) and EGLE. These rates are the same as those charged for grants and contracts with the Federal Government and is applicable to the Office of Management and Budget Circular A-87.

Excluded costs are: capital outlay expenses (equipment), miscellaneous, travel, contractual services supplies and maintenance (CSSM) expenses.

**MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKE, AND ENERGY
REMEDIATION AND REDEVELOPMENT DIVISION**

REMEDIAL AND REDEVELOPMENT DIVISION

Cost Recovery Summary Detail of Salaries, Fringes, Insurances, FICA, and Retirement

Rounding disclaimer: Due to rounding, numbers presented may not add up precisely to the totals provided.

Site Name	Hamburg Unadilla Rds Contam	Site ID or Facility ID	470000013	Location Code	6531	SubLocation Code NA	Package 22i						
Employee	Correction Date*	Pay Cycle Ending	Pay Period	FY	Pay Rate	Regular Hours	OT Pay	OT Hours	Fringes and Insurances	FICA and Retirement	Sub Total	Indirect	Total
Count:	9												
Run Date:	6/29/2021												
Report:	rpt_Indirect_LOC												

*The Pay Cycle Expiration Date is the pay period end date in which the hours worked/expenses were incurred and pay period end date is the pay period the charges were paid/distributed. If the pay cycle expiration date and the pay period end date are the same, there were no corrections. Corrections are indicated if the pay cycle expiration date and the pay period end date are different; the corrections for insurances, fringes, FICA and retirement are in the pay period the correction was processed. Correction Key: M=Manual Correction C=System Correction.

The indirect rate reflects the costs of operational services provided to the Remediation and Redevelopment Division by the Department of Environment, Great Lakes and Energy (EGLE) and other State agencies. Each division is charged a percentage of their direct labor costs (includes salaries and fringes) to cover the indirect operational expenses of the Department and other State agencies.

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Excluded costs are: capital outlay expenses (equipment), miscellaneous, travel, contractual services supplies and maintenance (CSSM) expenses.

CONTRACT REPORT

MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY REMEDIATION AND REDEVELOPMENT DIVISION

Site ID:	470000013	Site Nam	Hamburg Unadilla Rds Contam	Location Code:	6531	Sub Location Code	Packag	22j
PAYMENT DATE	INVOICE#	PURCHASE DESCRIPTION		DOC CODE	DOC ID	APPROP	SERVICE START DATE	SERVICE END DATE
VENDOR COD	CV0007304							AMOUNT
VENDOR	WESTON SOLUTIONS, INC.							
ACTIVITY	V100	FUNCTION	7030					
	10/19/2020	Y19041-18	Y19041 HAMBURG/UNADILLA ROAD #470000013	EFT	210000056342	36090	1581	4/25/2020
			Y19041-18 1,441.52					9/30/2020
							Vendor Total	\$1,441.52
							Report Total	\$1,441.52

REMEDIATION DIVISION
ATTORNEY GENERAL COSTS

Site Name: Pittsfield Products

Location Code 6531

Project: 454868

Site ID No:

Package: 22i

The hourly billing rate of \$275 is in effect beginning April 1, 2010 and is based upon the median hourly billing rate for attorneys whose field of practice was transactional Environmental Law as shown in the "2007 Economics of Law Practice Summary Report" produced by the State Bar of Michigan.

The hourly billing rate of \$110 is used for those hours charged before May, 1994.

The hourly billing rate of \$135 was in effect May 1, 1994 through March 31, 2010, and was based upon the median rate for attorneys whose primary source of income was in the area of Environmental/Natural Resources Law as published in the Michigan Bar Journal, November, 1994, Volume 73, Number 11, page 1232.

Month	Attorney	Index/Cost Center	PCA/Account	Hours For Month	Total
1/31/2021	Prins, Andrew T.			1.25	\$343.75
Attorney General Total:				1.25	\$343.75