

Former Mt. Tom Station Power Plant
200 Northampton Street
Holyoke, Massachusetts

Fugitive Dust Control Plan

ENGIE North America, Inc.
Houston, Texas

November 2024

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Section 1

Introduction

1.1 Purpose

On behalf of Mt. Tom Generating Company LLC ("MTGC"), a wholly owned indirect subsidiary of ENGIE North America, Inc. , Tighe & Bond, Inc. ("Tighe & Bond") has prepared this Fugitive Dust Control Plan ("FDCP") for the former MTGC facility (the "site"), located at 200 Northampton Street in Holyoke, Massachusetts.

This FDCP has been prepared in accordance with the requirements of the Environmental Protection Agency ("EPA") Coal Combustion Residuals ("CCR") Legacy CCR Surface Impoundments and CCR Management Units Final Rule, published at 40 CFR § 257, Subpart D- *Standards for the Disposal of Coal Combustion Residuals in Landfills and Surface Impoundments*, in tandem with amendment 89 FR 39099, finalized May 8, 2024 ("CCR Final Rule"). Based on a review of available data for the former MTGC facility, two Legacy CCR Surface Impoundments (Bottom Ash Basin A and Special Basin) have been identified at the site. Due to the presence of Legacy CCR Surface Impoundments at the site, the owner or operator must adopt measures that will effectively minimize CCR from becoming airborne at the facility, including CCR fugitive dust originating from CCR units, roads, and other CCR management and material handling activities.

1.2 Operating Criteria Requirements

The Operating Criteria at 40 CFR § 257, Subpart D requires that the owner/operator of a CCR landfill, CCR Surface Impoundment, or any lateral expansion of a CCR unit must adopt measures that will effectively minimize CCR from becoming airborne at the facility, including CCR fugitive dust originating from CCR units, roads, and other CCR management and material handling activities.

Preparation of the initial CCR FDCP as set forth in 40 CFR § 257.80(b)(1)-(7) requires owners or operators of the CCR unit to complete the following:

- Identify and describe the CCR fugitive dust control measures that the owner/operator will use to minimize CCR from becoming airborne at the facility.
- Include procedures to emplace CCR as conditioned CCR (i.e. wetted with water or chemical dust agent).
- Include procedures to log citizen complaints.
- Include the procedures that will be followed to periodically assess the effectiveness of the FDCP.
- Amendment of the FDCP, as needed, with the amended FDCP placed in the facility operating record.
- Certification from a qualified professional engineer (or other applicable regulatory authority) that the FDCP meets the necessary requirements listed above.

The Final Rule also requires the preparation of an Annual Fugitive Dust Control Report ("FDCR") that includes the following:

- Description of the actions taken by the owner/operator to control CCR fugitive dust.
- A record of all citizen complaints.
- A summary of any corrective measures taken.

Section 2

Facility Information

2.1 Owner/Operator

The owner/operator of the site is:

Mt. Tom Generating Company, LLC
Eric De Caluwe
President
1360 Post Oak Boulevard, Suite 400
Houston, Texas 77056
(731) 636-1399
eric.decaluwe@engie.com

2.2 Facility Description

Based on the City of Holyoke Assessors records, the site is located in an area zoned as "IG" (General Industry). The geographical location of the former Mt. Tom Station electricity generation plant is 42.281183 degrees north latitude and -72.605070 degrees west longitude. The Universal Transverse Mercator (UTM) coordinates are 697472.4 meters Easting and 4683773.9 meters Northing. A Site Locus Map showing the site location, a Massachusetts Geographic Information System Priority Resource Map, an Orthographic Site Plan, and a Site Plan depicting relevant features are provided as Figures 1, 2, 3, and 4 respectively, and are included in Appendix A.

The site is the location of a former coal-fired electrical generating station located at 200 Northampton Street ("Route 5") in Holyoke, Hampden County, Massachusetts. The site is approximately 143 acres in size and is located adjacent to the western bank of the Connecticut River, where the river forms the eastern site boundary. Route 5 abuts the site to the west with a railroad corridor that parallels the roadway immediately to the east. Historical key site features included the former electrical generation plant buildings on the northern portion of the site, a former coal storage location with runoff control area, and three former wastewater basins and associated treatment facility located south of the former generation plant building.

In accordance with the 2018 Massachusetts Department of Environmental Protection ("MassDEP") Administrative Consent Order (ACO-00002589) ("ACO") and corresponding regulatory approvals, the power plant and associated infrastructure and appurtenances have been demolished or abandoned in place. Ash from the combustion of coal and fuel oil has historically been deposited throughout portions of the site, generally south and west of the former generation facility infrastructure. Two "traditional" solid waste landfills are located at the site; a former municipal landfill that received solid waste from the City of Holyoke and a former plant dump/landfill that received refuse and solid waste generated on-site. The only remaining structure is an electrical substation located to the east of the former generation plant building, which is currently operated by Eversource. Additionally, overhead electrical distribution lines, owned and operated by South Hadley Electric Light Department ("SHELD"), are present at the site. The lines originate from the substation structure and run south along the eastern portion of the site. At the northern side of

Kennedy Brook, the lines cross the Connecticut River east into South Hadley. The lines are supported by ground-mounted pad supports and utility poles.

The southernmost portion of the site property was historically used for agriculture but was developed as a photovoltaic solar and battery storage facility in 2016. This portion of the property is improved with multiple solar panels, battery storage, electrical distribution infrastructure and three electrical transformers. The land sides of the site are secure and surrounded by a six-foot tall chain link fence with locked gates. The property boundary along the Connecticut River is not fenced.

The site and surrounding areas are served by the municipal drinking water system. Sanitary waste from the site was historically managed by multiple on-site septic systems. Each septic system has been properly decommissioned and abandoned in accordance with applicable regulations. There is no municipal sewer service connection at the site. Electricity and communications utilities are provided to the site by the overhead distribution lines along Route 5. Additional private subsurface infrastructure was located across much of the northern portion of the site (north of Kennedy Brook), including underground electrical piping associated with the plant wastewater treatment facility, and multiple storm water structures/outfalls. With the exception of the existing municipal water connection line, subsurface infrastructure at the site has been removed or abandoned in place.

The site is abutted to the north by undeveloped forested land and the City of Easthampton. Residential dwellings are located south of the photo voltaic solar facility. Residential properties are located between 200 and 400 feet west of the photo voltaic facility, across Northampton Street. Additional commercial businesses are located to the west of the site, including a restaurant, hotel, union office, and the Holyoke Country Club.

2.3 Site Use History

Mt. Tom Station was constructed in the late 1950s and began operation as a coal-fired generation plant in 1960. From 1960 to 1983, fly ash, bottom ash, and oil ash were disposed of on-site. In 1970, the plant was converted to operate on fuel oil and was subsequently converted back to coal in 1981; whereas, from 1960 to 1970 CCR (fly ash and bottom ash) were generated as a result of coal-fired operations, and from circa 1971 through 1981 the plant operated on fuel oils and heavy oils, resulting in the generation of oil ash. Therefore, between 1960 and 1983, excluding the timeframe between 1971 and 1981, CCR from plant operations was disposed of on-site within unlined basins and impoundment areas south of the former generation plant. Active on-site ash filling/deposition ceased in 1983, and subsequent reporting indicates that CCR waste was trucked off-site for disposal or beneficial re-use, including limited quantities of CCR that accumulated within the bottom ash basin until 2014.

The facility operated as a coal-fired power plant from 1981 through 2014, when it was permanently shut down due to system failures. As indicated above, from 2014 through 2022, the site underwent closure through plant demolition, environmental assessment, remediation, and ecological restoration in accordance with the MassDEP 2018 ACO (under MassDEP Release Tracking Number 1-20229) and is currently an unoccupied industrial property that is predominantly vegetated land, including mature forested areas. On-going activities across the site include periodic inspections to verify that site conditions are consistent with the 2022 Activity and Use Limitation ("AUL"), which was implemented as

part of the Temporary Solution in accordance with the Massachusetts Contingency Plan ("MCP"). Additional site history has been provided in previous MassDEP regulatory submittals, which can be reviewed online at <https://eeaonline.eea.state.ma.us/EEA/fileviewer/Rtn.aspx?rtn=1-0020229>.

Section 3

Fugitive Dust Control Procedures

3.1 Fugitive Dust Control Procedures

The site has been inactive since plant closure in 2014. All power-generating structures and equipment were demolished by 2022, which was followed by environmental assessment, remediation, ecological restoration, and the implementation of an AUL. The only remaining structures are the operational electrical substation, associated control building, and poles/structures that support the overhead electrical lines. These features are accessed via asphalt paved roadways that enter the site from Route 5 to the west. Additional unpaved, gravel/soil access routes are present throughout the site. These routes provide access to the various CCR units for inspection and management.

Access to the site interior is limited by security fencing with locked gates and the presence of the adjacent Connecticut River. Legacy CCR Surface Impoundments (SWMU-8/Special Basin and SWMU-11/Bottom Ash A Basin) are individually fenced to prevent unauthorized entry of persons or livestock onto the legacy CCR surface impoundments. In addition, CCR within these basins is inherently moist and has become vegetated through natural succession since their closure in early 2020. Further, since the CCR material is located at the base of these basins, which are depressed areas compared to the typical grade around them, they are shielded to an extent from winds occurring at the typical grade elevations.

The site no longer generates CCR and there are no active CCR units at the site (either for landfilling or surface impoundments), nor is CCR received at the site for disposal. Areas of historic CCR disposal and deposition have been covered and are generally revegetated or are in the process of revegetation through natural succession. In addition, the vegetated ash portions of the site are stable. They are substantially covered with a layer of naturally occurring organic biomass, which is supporting vegetation and is expected to further propagate, serving as a barrier and further stabilizing underlying CCR. Finally, as required by the terms and conditions of the AUL (detailed below), the vegetated ash areas (including sloped areas and the remedial caps) are periodically inspected and are preserved.

The current AUL imposes limitations intended to maintain a condition of No Substantial Hazard pursuant to the MCP at 310 CMR 40.0956. The following activities are inconsistent with No Substantial Hazard:

- Use of the property as a residence, school, daycare, nursery, recreational area, or park;
- Use of the property for agricultural purposes for growing of produce;
- Disturbance of the remedial soil caps designed and constructed to eliminate risk to ecological receptors, including any invasive activity or excavation within their surveyed limits; and
- Any invasive activity or excavation, within select portions of the site.

The AUL sets forth requirements that include the implementation of a Soil Management Plan prior to the commencement of any activity, with the exception of emergency utility repair, which is likely to disturb contaminated soil at a depth greater than three feet below

ground surface within the AUL area. The Soil Management Plan must be implemented under a Health and Safety Plan prepared by a qualified individual. Additionally, annual inspection events (and events triggered by severe weather) must be conducted of the remedial caps and entire AUL area where steep slopes and grades have the potential for increased erosion. A copy of the AUL is included as Appendix B.

Fugitive dust control measures include imposing speed limits on vehicles¹ in order to minimize the generation of dust while traveling on unpaved access routes, as-needed maintenance of the vegetative growth to mitigate potential dust emissions in addition to reducing surface erosion and runoff, and compliance with the requirements of the AUL.

3.2 CCR Waste Conditioning

Water sprayers or fogging systems are typically used to wet potentially dust-prone areas of CCR landfills. However, there is no active CCR management and there are no areas of exposed CCR at the site. Therefore, this control measure is not appropriate for regular implementation at the site. Should future site activities change, this FDCP will be amended as necessary to include the implementation of CCR wetting efforts to control potential fugitive dust emissions.

3.3 Citizen Complaint Recordkeeping

This section outlines the procedures that MTGC will utilize to log citizen complaints involving fugitive dust events at the site. If a complaint is received, the owner/operator of the site will log the following information using the Citizen Complaint Log:

- Name of citizen that is providing notification of the complaint, along with their contact information (email, address and phone number);
- Date, local time, and the approximate duration at which the fugitive dust emission event occurred;
- A description of the nature of the fugitive dust emission event (perceived cause of the event and/or the conditions that resulted in such);
- Name of the individual that received and logged the complaint; and
- A record of any response actions performed.

A copy of the Citizen Complaint Log is included as Appendix C.

Citizen complaints will be recorded on a complaint log and communicated to the appropriate parties and personnel for investigation. If the investigation confirms a fugitive dust event, MTGC will develop a plan to remediate impacts and prevent future incident, if necessary. Actions taken to address the complaint will be added to the entry on the Citizen Complaint Log.

¹ Vehicles authorized to access the site only include those that are operated by Eversource and/or SHELd during upgrades and/or maintenance of the on-site electrical infrastructure.

3.4 Assessment of FDCP Effectiveness

Site inspections will be conducted once every other month by a qualified person to assess for the presence or the potential for fugitive dust conditions. The inspection notes will include descriptions of any observed fugitive dust and its source, note corrective actions taken, and document results of those actions. Annual inspections by a qualified professional engineer will include a review of the inspections as well as an overall assessment of site conditions at the time of the inspection.

Based on the results of the periodic and annual inspections, the FDCP may be revised and modified to reflect appropriate amendments. If the FDCP is modified, it will be certified by a professional engineer and placed into the facility operating record. Necessary revisions will be tracked via a Revisions History summary, which is included as Appendix D.

3.5 Annual Report

In accordance with the Final Rule, MTGC will prepare an Annual FDCR that includes a description of the actions taken to control CCR fugitive dust at the site, a record of all citizen complaints, and a summary of any response actions taken or corrective measures made. The Annual FDCR will be entered into the facility operating record, provided to the MassDEP, and posted on the site's publicly accessible internet site.

Section 4 Certification

"I hereby certify that I have reviewed the dust control plan for the former Mt. Tom Generating Company facility, owned and operated by ENGIE North America, and the requirements in federal regulation 40 CFR Part 257 Subpart D. The proposed dust control plan has been prepared in accordance with good engineering practice, including consideration of applicable industry standards, and with the requirements of the CCR Final Rule at 40 CFR 257.80. This certification is based on my review of the document and conditions at the site and on my inquiry of the person or persons who managed the preparation of this document."



11.1.2024

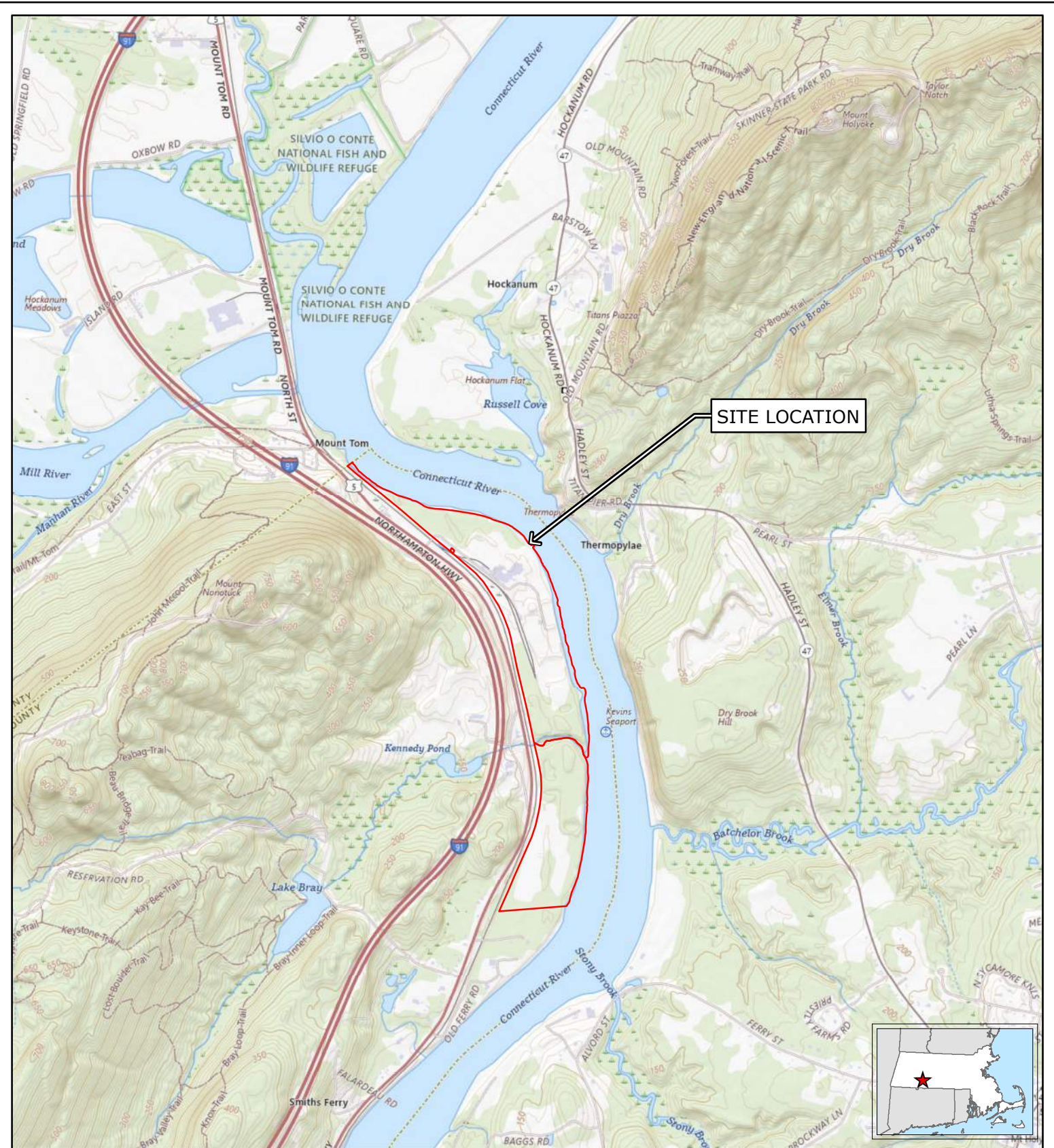
David P. Horowitz, PE, CSP

Date

J:\G\G0682 GDF Mt. Tom\037 - Post Closure Compliance & CCR\06 - CCR\FINAL RULE COMPLIANCE REPORTS\Dust Control Plan\Fugitive Dust Control Plan Final text.docx

Tighe&Bond

APPENDIX A



Legend

Property Boundary

Tighe & Bond

Based on USGS National Map
Topo Basemap for Holyoke
Contour Interval Equals 10 Feet

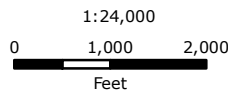
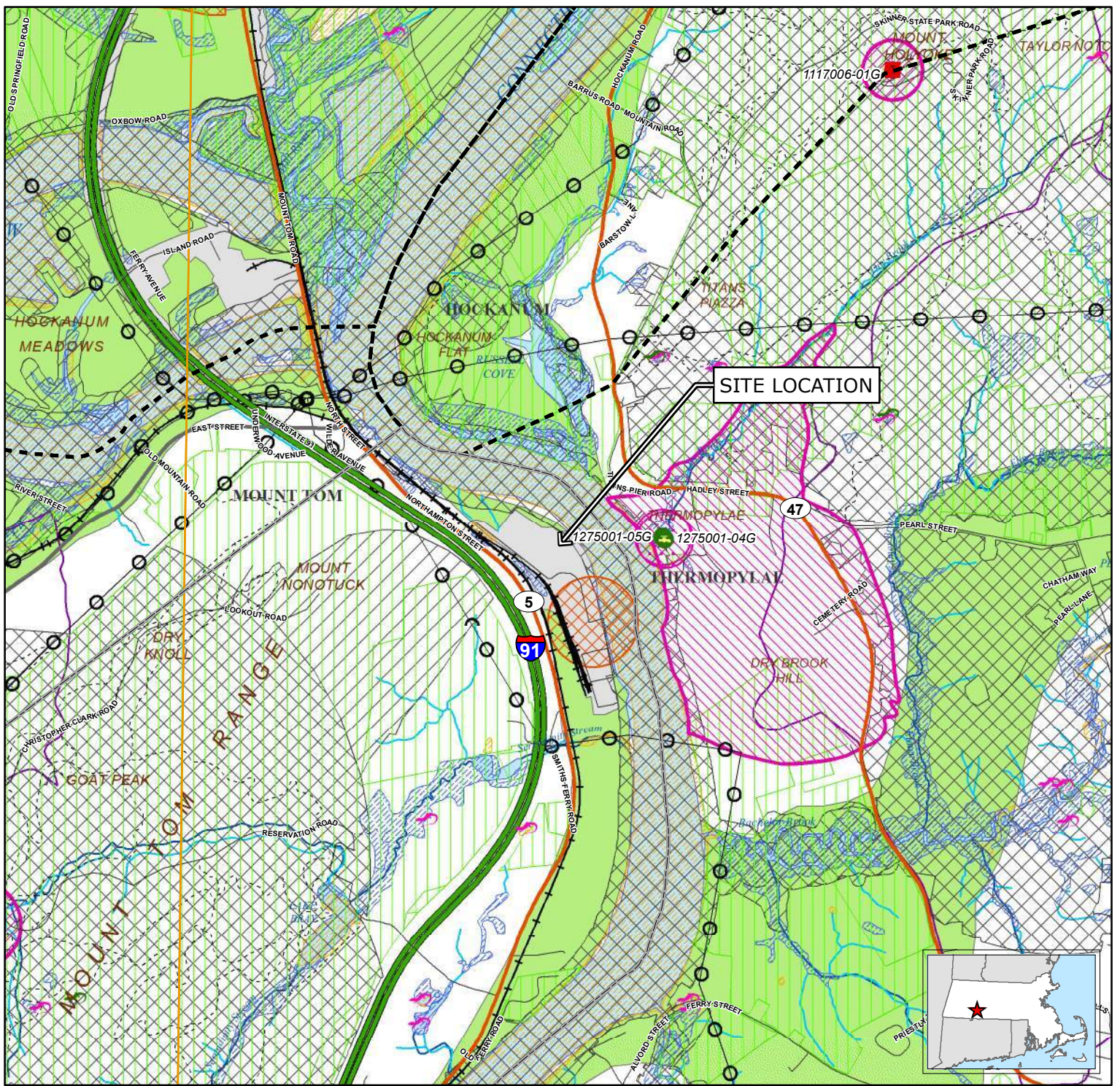


FIGURE 1 SITE LOCATION

Former Mt. Tom
Station Power Plant
200 Northampton Street
Holyoke, Massachusetts

October 2024



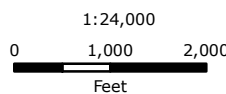
Legend

- NHESP Certified Vernal Pools
- NHESP Potential Vernal Pools
- Non-Landfill Solid Waste Sites
- Proposed Well
- Emergency Surface Water
- Community Public Water Supply - Surface Water
- Community Public Water Supply - Groundwater
- Non-Community Non-Transient Public Water Supply
- Non-Community Transient Public Water Supply
- Limited Access Highway
- Multi-Lane Highway, NOT Limited Access
- Other Numbered Route
- Major Road - Arterials and Collectors
- Minor Street or Road
- Aqueducts
- Hydrologic Connections
- Stream/Intermittent Stream
- Powerline
- Pipeline
- Track or Trail
- Trains
- Public Surface Water Supply Protection Area (Zone A)
- DEP Approved Wellhead Protection Area (Zone I)
- DEP Approved Wellhead Protection Area (Zone II)
- DEP Interim Wellhead Protection Area (IWPA)
- Protected and Recreational Open Space
- Solid Waste Landfill
- Area of Critical Environmental Concern (ACEC)
- NHESP Priority Habitats for Rare Species
- NHESP Estimated Habitats for Rare Wildlife
- EPA Designated Sole Source Aquifer
- Major Drainage Basin
- Sub Drainage Basin
- MassDEP Open Water
- MassDEP Inland Wetlands
- MassDEP Coastal Wetlands
- MassDEP Not Interpreted Wetlands
- Public Surface Water Supply (PSWS)
- Water Bodies
- Non-Potential Drinking Water Source Area - High Yield
- Non-Potential Drinking Water Source Area - Medium Yield
- Potentially Productive Medium Yield Aquifer
- Potentially Productive High Yield Aquifer
- County Boundary
- Municipal Boundary
- USGS Quadrangle Sheet Boundary

FIGURE 2
PRIORITY RESOURCES

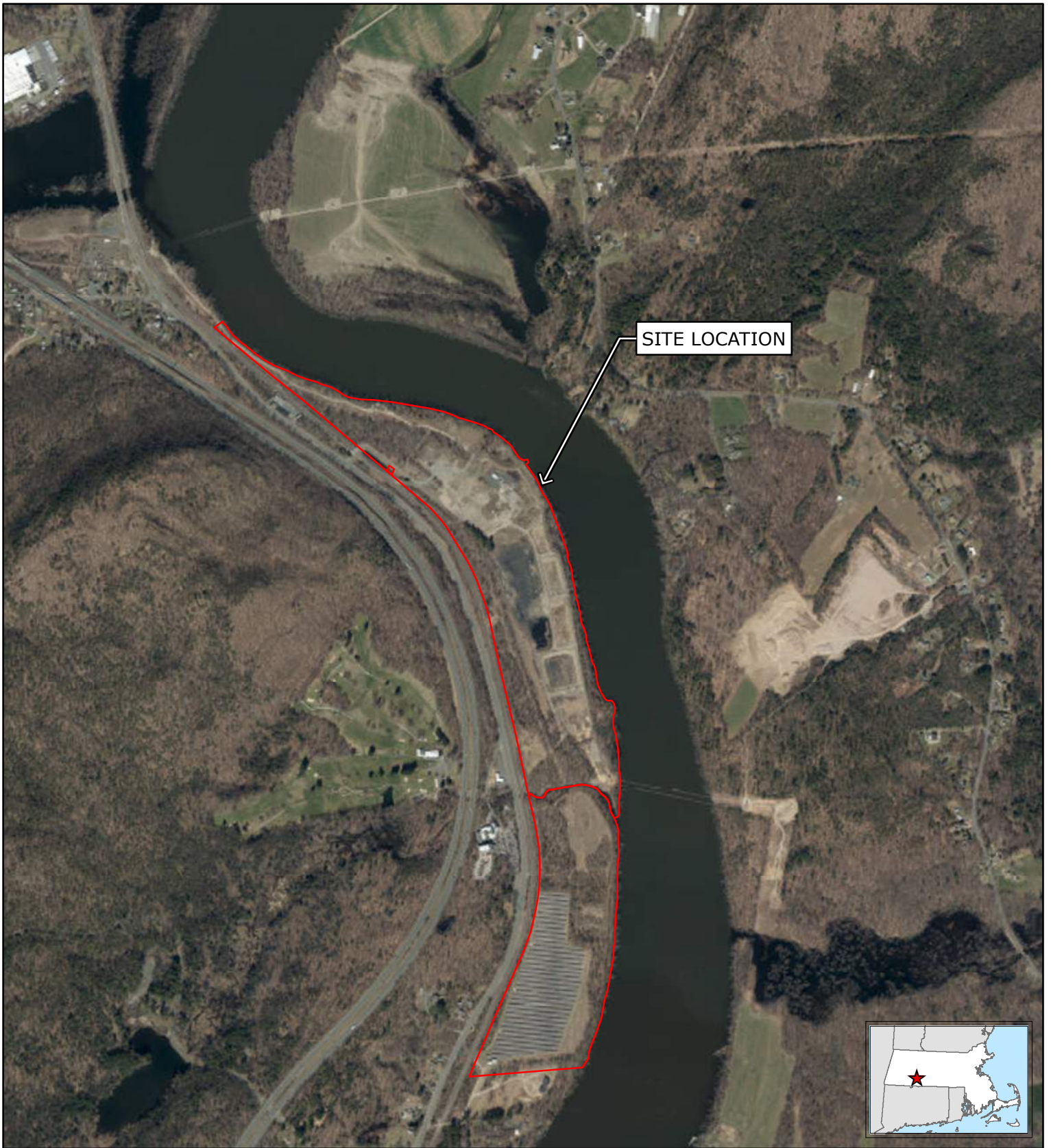
Former Mt. Tom
Station Power Plant
200 Northampton Street
Holyoke, Massachusetts

Data source: Bureau of Geographic Information (MassGIS),
Commonwealth of Massachusetts, Executive Office of Technology.
Data valid as of October 2024.



October 2024



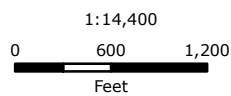


Legend

 Property Boundary



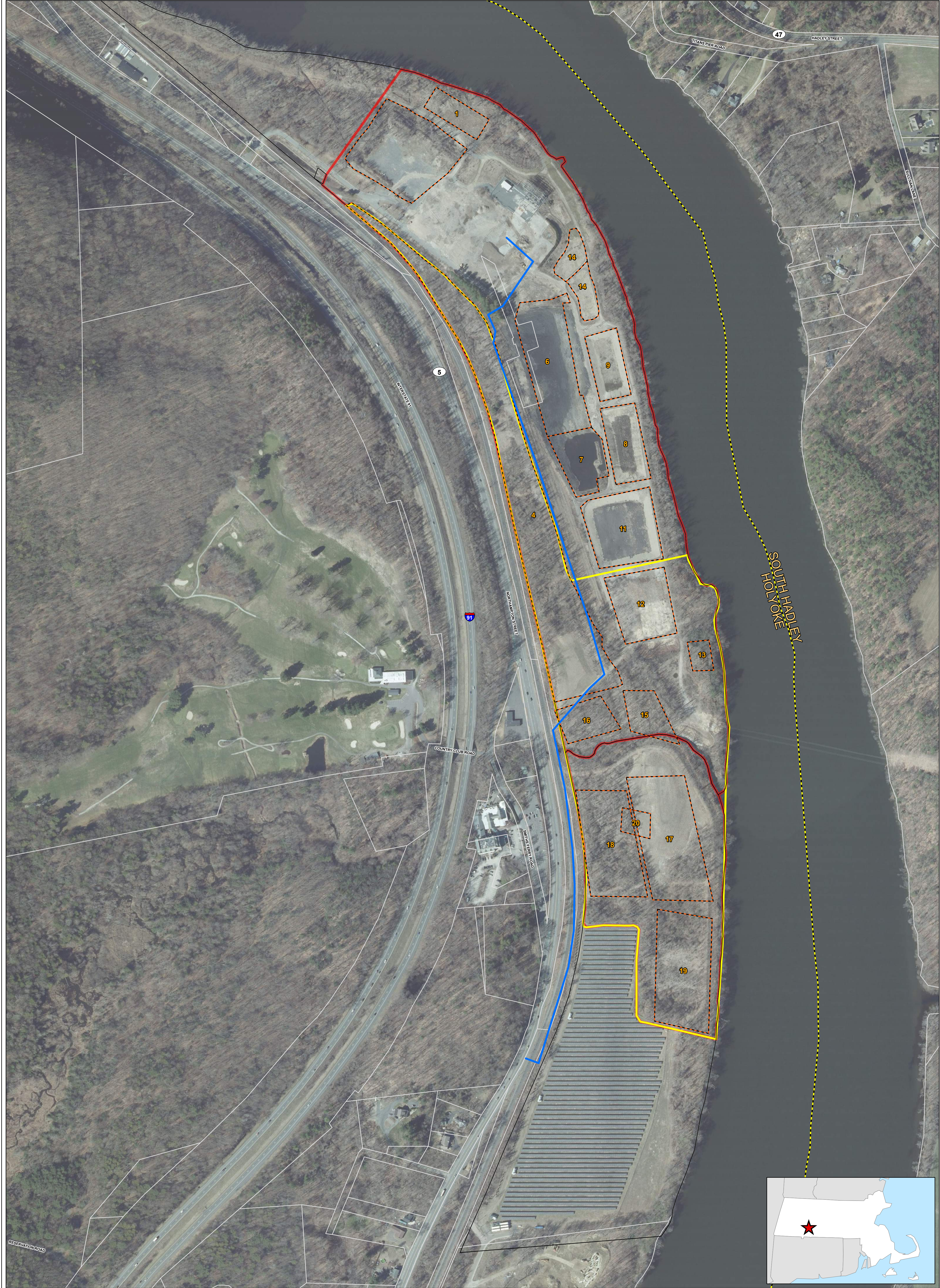
Based on MassGIS Color Orthophotography (2023)



**FIGURE 3
ORTHOGRAPH**

Former Mt. Tom
Station Power Plant
200 Northampton Street
Holyoke, Massachusetts

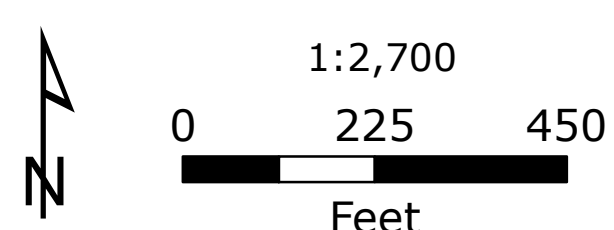
October 2024



- Legend**
- Existing Underground Water Utility
 - Site Parcels
 - Parcel Boundary
 - Vegetated Ash Areas
 - Solid Waste Management Unit Area (Approximate)
 - Approximate AUL Area
 - Municipal Boundary



1. Orthophoto provided by MassGIS, 2021.



**FIGURE 4
SITE PLAN**

Former Mt. Tom
Station Power Plant
200 Northampton Street
Holyoke, Massachusetts

November 2024

Tighe&Bond

APPENDIX B

G-0682
July 6, 2022

Mr. John Ziegler, LSP
Audits Section Chief
Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup
436 Dwight Street
Springfield, MA 01103

Re: **Notice of Activity and Use Limitation
Former Mt. Tom Generating Company Facility
200 Northampton Street
Holyoke, MA
RTN 1-20229**

Dear Mr. Ziegler:

On behalf of Mt. Tom Generating Company, LLC (MTGC), a wholly owned indirect subsidiary of ENGIE North America, Inc. (ENGIE), Tighe & Bond has prepared this Notice of Activity and Use Limitation (AUL) for the above-referenced site. This Notice of AUL and the corresponding AUL Survey Plan was recorded with the Hampden County Registry of Deeds on June 30, 2022.

Should you have any questions relative to this correspondence, please contact me at (413) 244-0581 or SRising@tighebond.com.

Very truly yours,

TIGHE & BOND, INC.



Shawn D. Rising, LSP
Senior Project Manager

Enclosures: Notice of Activity and Use Limitation and corresponding exhibits

Copy: Mr. David Howland, PE, Regional Engineer, MassDEP
Mr. Robert Maggiani, Environmental Manager – ENGIE North America

[\\tighebond.com\data\data\projects\G\G0682_GDF Mt. Tom\030 - ACO Closure Activities\06 - AUL\Final AUL\AUL Cover Letter.docx](file:///C:/Users/.../data/projects/G/G0682_GDF_Mt_Tom/030_-_ACO_Closure_Activities/06_-_AUL/Final_AUL/AUL_Cover_Letter.docx)

A TRUE PHOTOCOPY AS RECORDED IN
HAMPDEN COUNTY REGISTRY OF DEEDS
AND IT IS SO CERTIFIED

BOOK 24619 PAGE 484

ATTEST:

Chl A. Coakley-Riviera, Esq.

REGISTER

Form 1075

Note: Pursuant to 310 CMR 40.1074(5), upon transfer of any interest in or a right to use the property or a portion thereof that is subject to this Notice of Activity and Use Limitation, the Notice of Activity and Use Limitation shall be incorporated either in full or by reference into all future deeds, easements, mortgages, leases, licenses, occupancy agreements or any other instrument of transfer. Within 30 days of so incorporating the Notice of Activity and Use Limitation in a deed that is recorded or registered, a copy of such deed shall be submitted to the Department of Environmental Protection.

NOTICE OF ACTIVITY AND USE LIMITATION

M.G.L. c. 21E, § 6 and 310 CMR 40.0000

Disposal Site Name: Mt. Tom Generating Company, LLC

MassDEP Release Tracking No.(s): 1-20229

This Notice of Activity and Use Limitation ("Notice") is made as of this 21st day of June, 2022, by Mt. Tom Generating Company LLC, of 1360 Post Oak Boulevard Suite 400, Houston, TX 77056, together with his/her/its/their successors and assigns (collectively "Owner").

WITNESSETH:

WHEREAS, Mt. Tom Generating Company LLC, is the owner in fee simple of those certain parcels of land located in Holyoke, Hampden County, Massachusetts, pursuant to a deed recorded with the Hampden Registry of Deeds in Book 17709, Page 562;

WHEREAS, said parcels of land, which is more particularly bounded and described in Exhibit A, attached hereto and made a part hereof ("Property") is subject to this Notice of Activity and Use Limitation. The Property is shown on a plan recorded in the Hampden County Registry of Deeds in Plan Book 343, Plan 101;

WHEREAS, a Portion of the Property ("Portion of the Property") is subject to this Notice of Activity and Use Limitation. The Portion of the Property is more particularly bounded and described in Exhibit A-1, attached hereto and made a part hereof. The portion of the property is shown on a plan recorded with the Hampden County Registry of Deeds in Plan Book 395, Plan 68-76;

WHEREAS, the Portion of the Property comprises part of a disposal site as the result of releases of oil and/or hazardous material. Exhibit B is a sketch plan showing the relationship of the Portion of the Property subject to this Notice of Activity and Use Limitation to the boundaries of said disposal site existing within the limits of the Property and to the extent such boundaries have been established. Exhibit B is attached hereto and made a part hereof; and

WHEREAS, one or more response actions have been selected for the Disposal Site in accordance with M.G.L. c. 21E ("Chapter 21E") and the Massachusetts Contingency Plan, 310 CMR 40.0000 ("MCP"). Said response actions are based upon (a) the restriction of human access to and contact with oil and/or hazardous material in soil and/or (b) the restriction of certain activities occurring in, on, through, over or under the Property. A description of the basis for such restrictions, and the oil and/or hazardous material release event(s) or site history that resulted in the contaminated media subject to the Notice of Activity and Use Limitation is attached hereto as Exhibit C and made a part hereof;

NOW, THEREFORE, notice is hereby given that the activity and use limitations set forth in this Notice of Activity and Use Limitation are as follows:

1. Activities and Uses Consistent with Maintaining No Substantial Hazard Conditions. The following Activities and Uses are consistent with maintaining a Temporary Solution and a condition of No Substantial Hazard and, as such, may occur on the Property pursuant to 310 CMR 40.0000:

- (i) Commercial and industrial uses of the Property;
- (ii) Excavation and/or disturbance of shallow soils located at surface grade to a maximum depth of 3 feet below ground surface. Excavation and/or disturbance of soils located at a depth beyond 3 feet below ground surface shall be conducted in accordance with a Soil Management Plan, and a Health and Safety Plan prepared and implemented in accordance with Obligations in Paragraph 3;
- (iii) Emergency utility repair of the existing drinking water supply line that has the potential to disturb site soils;
- (iv) Such other activities or uses which, in the Opinion of a Licensed Site Professional (LSP), shall present no greater risk of harm to health, safety, public welfare or the environment than the activities and uses set forth in this Paragraph; and
- (v) Such other activities and uses not identified in Paragraph 2 as being Activities and Uses Inconsistent with No Substantial Hazard Conditions.

2. Activities and Uses Inconsistent with No Substantial Hazard Conditions. The following Activities and Uses are inconsistent with maintaining a Temporary Solution and a condition of No Substantial Hazard pursuant to 310 CMR 40.0000, and, as such, may not occur on the Property:

- (i) Use of the Property as a residence, school, daycare, nursery, recreational area or park;
- (ii) Use of the property for agricultural purposes for growing of produce;
- (iii) Disturbance of the remedial soil caps designed and constructed to eliminate risk to ecological receptors, including any invasive activity or excavation within their surveyed limits; and

(iv) Any invasive activity or excavation, within the portions of the site where painted/coated brick and concrete rubble were used as backfill in accordance with applicable Beneficial Use Determination (BUD) permit and the AUL area, which are likely to result in the disturbance of contaminated soil located three feet beneath surface grade, unless an LSP renders an Opinion which states that such activity is consistent with No Substantial Hazard Conditions, except in accordance with Obligations in Paragraph 3. Disturbance of the BUD materials is additionally subject to the BUD Permit and the Solid Waste provisions.

3. Obligations and Conditions. The following obligations and/or conditions are necessary and shall be undertaken and/or maintained at the Property to maintain a Temporary Solution and a condition of No Substantial Hazard:

(i) A Soil Management Plan (pursuant to 310 CMR 40.0000) must be prepared by a Licensed Site Professional prior to the commencement of any activity, with the exception of emergency utility repair of the existing drinking water supply line, which is likely to disturb contaminated soil at a depth greater than 3 feet below ground surface within the AUL Area. The Soil Management Plan must describe appropriate soil excavation methods, including environmental monitoring, handling, storage, transport, and disposal procedures necessary to ensure that on-site workers and other receptors in the vicinity are not exposed to site contaminants. On-site workers working in or in the immediate vicinity of the AUL Area must be informed of the requirements of the Soil Management Plan, and the Plan must be available on-site throughout the course of a said activity;

(ii) A Health and Safety Plan must be prepared by a qualified individual sufficiently trained in worker health and safety requirements prior to the commencement of any activity, with the exception of emergency utility repair of the existing drinking water supply line, which is likely to disturb contaminated soil at a depth greater than 3 feet below ground surface within the AUL Area, and said activity must be conducted in accordance with the plan. The Health and Safety Plan must specify the type of personnel protection, engineering controls, and environmental monitoring necessary to prevent exposures to contaminated soil by workers or other receptors. On-site workers working in or in the immediate vicinity of the AUL Area must be informed of the requirements of the Health and Safety Plan, and the Plan must be available on-site throughout the course of said activity;

(iii) Annual inspections of the remedial soil caps and the entire AUL area. The inspections will include the remedial soil caps and areas within the AUL boundary, where steep slopes and grades have the potential for increased erosion. The findings from the annual inspections and as-needed repair efforts will be documented and maintained for inclusion in future regulatory submittals.

4. Proposed Changes in Activities and Uses. Any proposed changes in activities and uses at the Portion of the Property which may result in higher levels of exposure to oil and/or hazardous material than currently exist shall be evaluated by a Licensed Site Professional who shall render an Opinion, in accordance with 310 CMR 40.1080, as to whether the proposed changes are inconsistent with maintaining a Temporary Solution and a condition

of No Substantial Hazard. Any and all requirements set forth in the Opinion to meet the objective of this Notice shall be satisfied before any such activity or use is commenced.

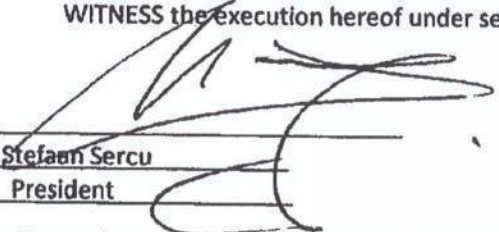
5. Violation of a Permanent or Temporary Solution. The activities, uses and/or exposures upon which this Notice is based shall not change at any time to cause a significant risk of harm to health, safety, public welfare, or the environment or to create substantial hazards due to exposure to oil and/or hazardous material without the prior evaluation by a Licensed Site Professional in accordance with 310 CMR 40.1080, and without additional response actions, if necessary, to maintain a condition of No Substantial Hazard.

If the activities, uses, and/or exposures upon which this Notice is based change without the prior evaluation and additional response actions determined to be necessary by a Licensed Site Professional in accordance with 310 CMR 40.1080, the owner or operator of the Property subject to this Notice at the time that the activities, uses and/or exposures change, shall comply with the requirements set forth in 310 CMR 40.0020.

6. Incorporation Into Deeds, Mortgages, Leases, and Instruments of Transfer. This Notice shall be incorporated either in full or by reference into all future deeds, easements, mortgages, leases, licenses, occupancy agreements or any other instrument of transfer, whereby an interest in and/or a right to use the Property or a portion thereof is conveyed in accordance with 310 CMR 40.1074(5).

Owner hereby authorizes and consents to the filing and recordation and/or registration of this Notice, said Notice to become effective when executed under seal by the undersigned Licensed Site Professional, and recorded and/or registered with the appropriate Registry(ies) of Deeds and/or Land Registration Office(s).

WITNESS the execution hereof under seal this 21st day of June, 2022.

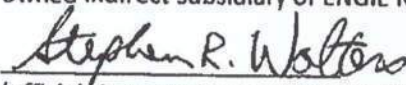
ms

Name: Stefaan Sercu
Title: President

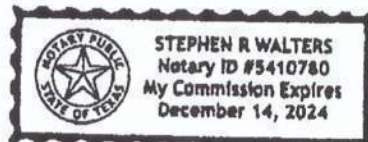
Mt. Tom Generating Company, LLC, a wholly owned indirect subsidiary of ENGIE North America, Inc.

STATE OF TEXAS

COUNTY OF HARRIS

On this 21st day of June, 2022, before me, the undersigned notary public, personally appeared STEFAAN SERCU, proved to me through satisfactory evidence of identification, which was a Texas Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) signed it voluntarily for its stated purpose as PRESIDENT for Mt. Tom Generating Company, LLC, a wholly owned indirect subsidiary of ENGIE North America, Inc.


(official signature and seal of notary)



The undersigned Licensed Site Professional hereby certifies that in his Opinion this Notice of Activity and Use Limitation is consistent with a Temporary Solution and maintaining a condition of No Substantial Hazard.

Date: 6/23/2022

Shawn D. Rising
Shawn D. Rising, LSP

Licensed Site Professional SEAL

COMMONWEALTH OF MASSACHUSETTS

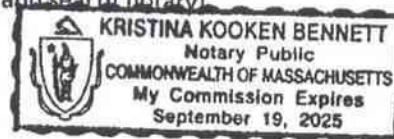


Westfield, MA

6/23/2022

On this 23rd day of June, 2022, before me, the undersigned notary public, personally appeared Shawn D. Rising, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as the Licensed Site Professional for Mt. Tom Generating Company, LLC, a wholly owned indirect subsidiary of ENGIE North America, Inc.

Kristina K. Bennett (official signature and seal of notary)



Upon recording, return to:

Mt. Tom Generating Company, LLC, a wholly owned indirect subsidiary of ENGIE North America, Inc.
Attention: Robert K. Maggiani
474 Brookline Avenue
Boston, MA 02215

EXHIBIT A

EXHIBIT A
Description of Premises and Exceptions to Title

The following parcels of land shown on certain plans entitled "Title: ALTA/ACSM Land Title Survey, Mt. Tom Generating Station, 200 Northampton Street, Holyoke, MA, Prepared for: Northeast Utilities Service Company, 107 Selden Street, Berlin, CT 06037, Dated: April 17, 2006, Revised May 11, 2006, Revised October 27, 2006, Scale: 1" = 40', Job No.: 15-374.00, DWG No.: 15-374EC. Dwg, Sheets 1 through 16," prepared by Coler & Colantonio Inc., Engineers and Scientists, 55 Bobala Road, Holyoke, MA 01040 (the "Plan").

Parcel 1 and portion of Parcel 9

A certain piece or parcel of land situated partly in said Holyoke and partly in said Easthampton, bounded, and described as follows:

Beginning on remaining land or location of the Boston and Maine Railroad at a point four (4.00) feet northeasterly from station 770+06.07 on the center line of north bound track of the fitchburg division of said railroad measuring radial thereto, thence;

North 76°55'26" East along the land of the Boston and Maine Railroad approximately thirty-two (32) feet to the edge of the Connecticut River, thence;

Along the River fifty-two (52) feet to a point, thence;

Departing said River and proceeding southerly along a non-tangent arc a distance of two hundred and seventy-five and eight hundredths (275.08) feet, with a radius of one thousand eight hundred nineteen and six hundredths (1819.06) feet, thence;

South 40°51'00" East along the land of the Town of Easthampton four hundred four (404.00) feet to a point thence;

North 54°39'00" East along the land of the Town of Easthampton approximately one hundred fifty-two (152) feet to the River, thence;

Proceeding southerly along the River for approximately seven thousand two hundred ninety-five (7295) feet to the centerline of so called Wait's Brook, thence;

Proceeding along said Brook as shown on a plan recorded in the Hampden County Registry of Deeds, plan book 52, page 52, westerly approximately one thousand five hundred eighty (1580) feet to the land of the Boston and Maine Railroad Company, thence;

North $12^{\circ}07'40''$ West along the land of Boston and Maine Railroad Company one thousand five hundred forty seven and seven hundredths (1547.07) feet to a curve, thence;

Continuing along the land of Boston and Maine Railroad, with a curve to the left a distance of six hundred and ninety hundredths (600.90) feet with a radius of two thousand five hundred ninety-eight and sixty-four hundredths (2598.64) feet to a point, thence;

Continuing along the land of Boston and Maine Railroad, with a curve to the left a distance of seven hundred eighty-eight and thirty-five hundredths (788.35) feet with a radius of one thousand seven hundred eighty-six and forty-five hundredths (1786.45) feet to a point, thence;

North $50^{\circ}26'29''$ West along the land of Boston and Maine Railroad a distance of two thousand four hundred ninety-six and sixty-one hundredths (2496.61) feet to a point, thence;

Continuing along the land of Boston and Maine Railroad, with a curve to the left a distance of one thousand two hundred twenty and twenty-two hundredths (1220.22) feet with a radius of one thousand eight hundred sixty-four and fifty-six hundredths (1864.56) feet to the point of beginning.

Containing 88.90 acres more or less and shown as Parcel 1 and portion of Parcel 9.

Being the premises acquired in part as Parcel 1 in the deed from Boston and Maine Corporation to Holyoke Water Power Company dated August 16, 1955 and recorded in the Hampden County Registry of Deeds in Book 2409, Page 495, and in the Hampshire

County Registry of Deeds in Book 1206, Page 1, and acquired in part by deed of Boston and Maine Corporation to Holyoke Water Power Company dated August 15, 1966 and recorded in the Hampden County Registry of Deeds in Book 3208, Page 23.

Excepting so much as was conveyed by deed from Holyoke Water Power Company to Connecticut River Valley Company dated November 26, 1958 and recorded in Book 2646, Page 35 of the Hampden County Registry of Deeds, and shown as Parcel 4 on the Plan.

Parcel 2

A certain piece or parcel of land situated in said Holyoke bounded and described as follows:

Beginning at a stone monument, said monument being located east of station 137+06.50 thirty-five and eighty-six hundredths (35.86) feet as shown on the 1936 state highway alteration for Northampton Street being the easterly side line of said right-of-way, thence;

Along the easterly sideline of Northampton Street the following four courses:

North 18°43'43" West three hundred eighty-eight and fifty-seven hundredths (388.57) feet to a point, thence;

North 19°19'09" West two hundred and forty-nine hundredths (200.49) feet to a point, thence;

North 20°37'40" West one hundred and forty-three hundredths (100.43) feet to a point, thence;

North 23°46'25" West eleven and sixty-seven hundredths (11.67) feet to a point, thence;

Departing side Highway and proceeding southerly along the westerly sideline of the Boston and Maine Railroad along a non-tangent curve having a radius of one thousand seven hundred thirty-five and seventy hundredths (1735.70) feet and arc length of one hundred eighty-one and seventy hundredths (181.70) feet to a point, thence;

Northerly on a non-tangent curve to the right having a radius of twelve hundred (1200) feet and an arc length of two hundred twenty-eight and eleven hundredths (228.11) feet to a point, thence;

North 39°23'01" West three hundred forty-four and ninety-eight hundredths (344.98) feet to a point, thence;

North 32°39'30" East forty-seven and thirteen hundredths (47.13) feet to the Boston and Maine Railroad, thence;

South 50° 26' 30" East along said railroad five hundred fifty-four and eighty hundredths (554.80) feet to the point of beginning.

Containing 1.264 acres more or less and shown as Parcel 3 on the Plan.

Being a portion of the property acquired in the deed from Boston and Maine Corporation to Holyoke Water Power Company dated August 16, 1955 and recorded in the Hampden County Registry of Deeds in Book 2409, Page 495, and in the Hampshire County Registry of Deeds in Book 1206, Page 1.

Parcel 4

A leasehold interest only in the following property by virtue of a lease from Connecticut River Valley Company, Inc., as lessor, and Holyoke Water Power Company, as lessee, dated November 26, 1958, as evidenced by a Notice of Lease between said parties recorded in Book 2646, Page 39 of the Hampden County Registry of Deeds:

All that certain piece or parcel of land with the buildings and improvements now or hereafter constructed thereon situate, lying and being in the City of Holyoke, Commonwealth of Massachusetts, more particularly described as follows:

Beginning, at a point at the southeasterly corner of the property herein described, thence;

South 71°13'10" West one hundred two and forty-one hundredths (102.41) feet to a point, thence;

North 18°46'50" West two hundred sixty (260.00) feet to a point, thence;

North 71°57'51" East sixty-six and eighty-three hundredths (66.83) feet to a point, thence;

North 17°48'26" West sixty-six and thirty-one hundredths (66.31) feet to a point, thence;

South 72°11'34" West ten (10.00) feet to a point, thence;

North 17°48'26" West forty (40.00) feet to a point, thence;

North 72°11'34" East ten (10.00) feet to a point, thence;

North 17°48'26" West four hundred thirty-five and sixty-three hundredths (435.63) feet to a point, thence;

South 51°46'50" East seventy-one and fifty-eight hundredths (71.58) feet to a point, thence;

South 17°48'26" East three hundred twenty-six and twenty-seven hundredths (326.27) feet to a point, thence;

North 72°11'34" East seventy (70.00) feet to a point, thence;

South 17°48'26" East one hundred forty (140.00) feet to a point, thence;

South 72°11'34" West seventy (70.00) feet to a point, thence;

South 17°48'26" East two hundred seventy-four and eighty hundredths (274.80) feet to the point of beginning.

Containing 1.327 acres more or less and shown as Parcel 4 on the Plan.

Being the property as described in said Notice of Lease recorded in Book 2646, Page 39 of the Hampden County Registry of Deeds.

Parcel 5, 6, & 7

A certain piece or parcel of land situated in said Holyoke between Northampton Street and the Boston and Maine Railroad, bounded and described as follows:

Beginning at a point on the easterly side of Northampton Street as laid out in 1936, also being the southwesterly corner of the land now or formerly Donald C. Mckenny, thence;

North $38^{\circ}31'06''$ East along the land of Donald C. Mckenny one hundred eight and fifty-four hundredths (108.54) feet to the Boston and Maine Railroad, thence;

South $50^{\circ}26'29''$ East along the railroad one thousand two hundred seventy-nine and eighty-eight hundredths (1279.88) feet to a point, thence;

Along a curve to the right with a radius of one thousand seven hundred thirty-five and seventy hundredths (1735.70) feet with an arc length of one hundred eighty-two and forty-one hundredths (182.41) feet, to a point on the easterly side of Northampton Street, thence;

North $53^{\circ}52'38''$ West along said road four hundred twenty-three and forty hundredths (423.40) feet to a granite monument, thence;

North $54^{\circ}29'53''$ West along said road one thousand thirty-nine and ninety-five hundredths (1039.95) feet to the point of beginning.

Containing 1.913 acres more or less and shown as Parcel 5, 6, & 7 on the Plan.

Being the same premises acquired in part by a deed from Lorenzo J. Pasquinucci to Holyoke Water Power Company dated June 11, 1957, recorded in the Hampden County Registry of Deeds in Book 2549, Page 527, in part by a deed from J. Katherine Hatez to Holyoke Water Power Company, dated August 23, 1957, recorded in the Hampden County Registry of Deeds in Book 2563, Page 339, and in part by deed of George R.

Harnois to Holyoke Water Power Company, dated August 26, 1958, recorded in the Hampden County Registry of Deeds in Book 2627, Page 69.

Parcel 8 and portion of Parcel 9

The land with the buildings thereon located in that part of Holyoke known as Smith's Ferry and bounded and described as follows:

Beginning at a point, said point being fifteen (15) feet East of the centerline of existing track and perpendicular to station 703+52.9 said point also being the centerline of so called Wait's Brook in 1955.

Thence easterly along the centerline of Wait's Brook approximately one thousand five hundred eighty (1580) feet as located in 1955 and the southerly property of Parcel 1 and Portion of Parcel 9 to the edge of the Connecticut River.

Thence southerly along the River for approximately two thousand four hundred (2400) feet to the southerly property line of the property herein described, thence departing said River;

South 83°08'58" West along the land now or formally Susie & Randy Shannon approximately one thousand seventy-six (1076) feet to a flag stone, thence continuing along the same course;

South 83°08'58" West thirty-five and twenty-one hundredths (35.21) feet to a point on the Boston and Maine Railroad, said point being the southwesterly corner of the property herein described thence along said Railroad the following three courses;

North 23°06'03" East one thousand one hundred ninety-six and thirty-one hundredths (1196.31) feet to a point, thence;

Along a curve to the left with a radius of one thousand nine hundred seventy-five (1975) feet and arc length of one thousand two hundred fourteen and thirty-four hundredths (1214.34) feet to a point, thence;

North 12°07'40" West two hundred sixty-five and eighty-one hundredths (265.81) feet to the point of beginning.

Containing 53.87 acres more or less and shown as Parcel 8 and portion of Parcel 9 on the Plan.

Being the premises acquired in part by deed of Patrick J. Kennedy, Jr. to Holyoke Water Power Company dated February 14, 1961, recorded in the Hampden County Registry of Deeds in Book 2792, Page 419, and acquired in part as a portion of the property described in a deed from Boston and Maine Corporation to Holyoke Water Power Company dated August 15, 1966, and recorded in the Hampden County Registry of Deeds in Book 3208, Page 23.

TOGETHER WITH THE FOLLOWING APPURTENANT RIGHTS:

- A. Rights of crossing over the Boston and Maine Railroad tracks and property to Northampton Road, as set forth in the deed from Boston and Maine Railroad to Holyoke Water Power Company dated August 16, 1955 and recorded in Book 2409, Page 495 of the Hampden County Registry of Deeds and in Book 1206, Page 1 of the Hampshire County Registry of Deeds. (AS TO PARCEL 1)
- B. Railroad crossing rights as set forth in Easement Agreement between Holyoke Water Power Company, Connecticut River Valley Company Inc. and the Boston and Maine Railroad dated November 26, 1958 and recorded in Book 2646, Page 47 of the Hampden County Registry of Deeds; as modified by Supplemental Agreements (i) dated November 26, 1958 and recorded in Book 2646, Page 70 of the Hampden County Registry of Deeds; and (ii) dated November 26, 1958 and recorded in Book 2646, Page 73 of the Hampden County Registry of Deeds. (AS TO PARCELS 1, 2, 3 AND 4)
- C. Rights of egress and ingress at any and all reasonable times over other land of the Boston and Maine Corporation (excluding trackage) for the purpose of constructing, repairing or maintaining a transmission line and an easement to use and maintain railroad tracks, as set forth in an Indenture by and between Boston and Maine Railroad and the Holyoke Water Power Company dated November 26,

EXHIBIT A-1

July 12, 2021

Description of Activity and Use Limitation Area 1 for Land in Holyoke

A certain parcel of land shown as A.U.L. Area 1, on a plan entitled "Plan of Land in Holyoke, MA, prepared for Mt. Tom Generating Company, LLC, Activity & Use Limitation Survey Plan, Route 5, Northampton Street", dated July 12, 2021 by SHERMAN & FRYDRYK, Land Surveying, Engineering and Scientists, A Division of Hancock Survey Associate, Inc., recorded in the Hampden County Registry of Deeds Plans 395, Page 68-76, bounded and described as follows;

Beginning at a point at the southwesterly corner of the A.U.L. Area 1 and at the northeast corner of A.U.L Area 2, said point being the southwesterly corner of Parcel 1 and portion of Parcel 9 and the northwesterly corner of Parcel 8 and portion of Parcel 9 and on the easterly line of F/ Boston & Maine Railroad, thence turning and running;

- N 12° 07' 40" W one thousand five hundred forty-seven and 07/100 (1,547.07') feet along the easterly line of said railroad as shown on said plan to a point, thence turning and running;
- Northwesterly in a curve to the left having a radius of two thousand five hundred ninety-eight and 64/100 (2,598.64') feet, a distance of six hundred and 90/100 (600.90') feet along said easterly line of said railroad to a point, thence turning and running;
- Northwesterly in a curve to the left having a radius of one thousand seven hundred eighty-six and 45/100 (1,786.45') feet, a distance of seven hundred eighty-eight and 35/100 (788.35') feet along said easterly line of said railroad to a point, thence turning and running;
- N 50° 26' 29" W four hundred four and 57/100 (404.57') feet along said easterly line of said railroad to a point, thence turning and running;
- N 38° 00' 00" E about seven hundred nineteen (719'±) feet within land of said "Parcel 1 and Portion of Parcel 9" to a point on the westerly side of Connecticut River, thence turning and running;
- Southeasterly about four thousand five hundred seventy-five (4,575'±) feet, by the westerly side of said River to a point, thence turning and running;

Northwesterly,
Easterly,
Northerly,
Westerly and
Southwesterly

about one thousand five hundred eighty (1,580'±) feet, by the old centerline of Wait's Brook to the point of beginning.

Containing an area of 3,141,700± Square Feet or 72.1± Acres

July 12, 2021

Description of Activity and Use Limitation Area 2 for Land in Holyoke

A certain parcel of land shown as A.U.L. Area 2, on a plan entitled "Plan of Land in Holyoke, MA, prepared for Mt. Tom Generating Company, LLC, Activity & Use Limitation Survey Plan, Route 5, Northampton Street", dated July 12, 2021 by SHERMAN & FRYDRYK, Land Surveying, Engineering and Scientists, A Division of Hancock Survey Associate, Inc., recorded in the Hampden County Registry of Deeds Plans 395, Page 68-76, bounded and described as follows;

Beginning at a point at the northwesterly corner of the A.U.L. Area 2 and at the southwest corner of A.U.L Area 1, said point being the northwesterly corner of Parcel 8 and portion of Parcel 9 and the southwesterly corner of Parcel 1 and portion of Parcel 9 and on the easterly line of F/ Boston & Maine Railroad, thence turning and running;

Northeasterly,
Easterly,
Southerly,
Westerly and
Southeasterly

about one thousand five hundred eighty (1,580'±) feet, by the old centerline of Wait's Brook to the point on the westerly side of the Connecticut River, thence turning and running;

Southerly

about one thousand four hundred fifteen (1,415'±) feet, by the westerly side of said River to a point, thence turning and running;

N 65° 30' 18" W

about four hundred fifty seven (457'±) feet within land of said "Parcel 8 and Portion of Parcel 9" to a point, thence turning and running;

N 03° 53' 27" E

two hundred two and 31/100 (202.31') feet within land of said "Parcel 8 and Portion of Parcel 9" to a point, thence turning and running;

N 02° 50' 00" E

two hundred fifty-six and 90/100 (256.90') feet within land of said "Parcel 8 and Portion of Parcel 9" to a point, thence turning and running;

N 89° 49' 01" W

two hundred sixty-three and 30/100 (263.30') feet within land of said "Parcel 8 and Portion of Parcel 9" to a point, thence turning and running;

N 66° 38' 19" W

eighty-nine and 62/100 (89.62') feet within land of said "Parcel 8 and Portion of Parcel 9" to a point on the easterly line of said railroad, thence turning and running;

Northwesterly in a curve to the left having a radius of one thousand nine hundred seventy-five and 00/100 (1,975.00') feet, a distance of five hundred seventy-five and 92/100 (575.92') feet and a delta angle of 16° 42' 28" along said easterly line of said railroad to a point, thence turning and running;

N 12° 07' 40" W two hundred sixty-five and 81/100 (265.81') feet along said easterly line of said railroad to the point of beginning.

Containing an area of 1,081,800± Square Feet or 24.8± Acres

July 12, 2021

Description of Activity and Use Limitation Area 3 for Land in Holyoke

A certain parcel of land shown as A.U.L. Area 3, on a plan entitled "Plan of Land in Holyoke, MA, prepared for Mt. Tom Generating Company, LLC, Activity & Use Limitation Survey Plan, Route 5, Northampton Street", dated July 12, 2021 by SHERMAN & FRYDRYK, Land Surveying, Engineering and Scientists, A Division of Hancock Survey Associate, Inc., recorded in the Hampden County Registry of Deeds Plans 395, Page 68-76, bounded and described as follows;

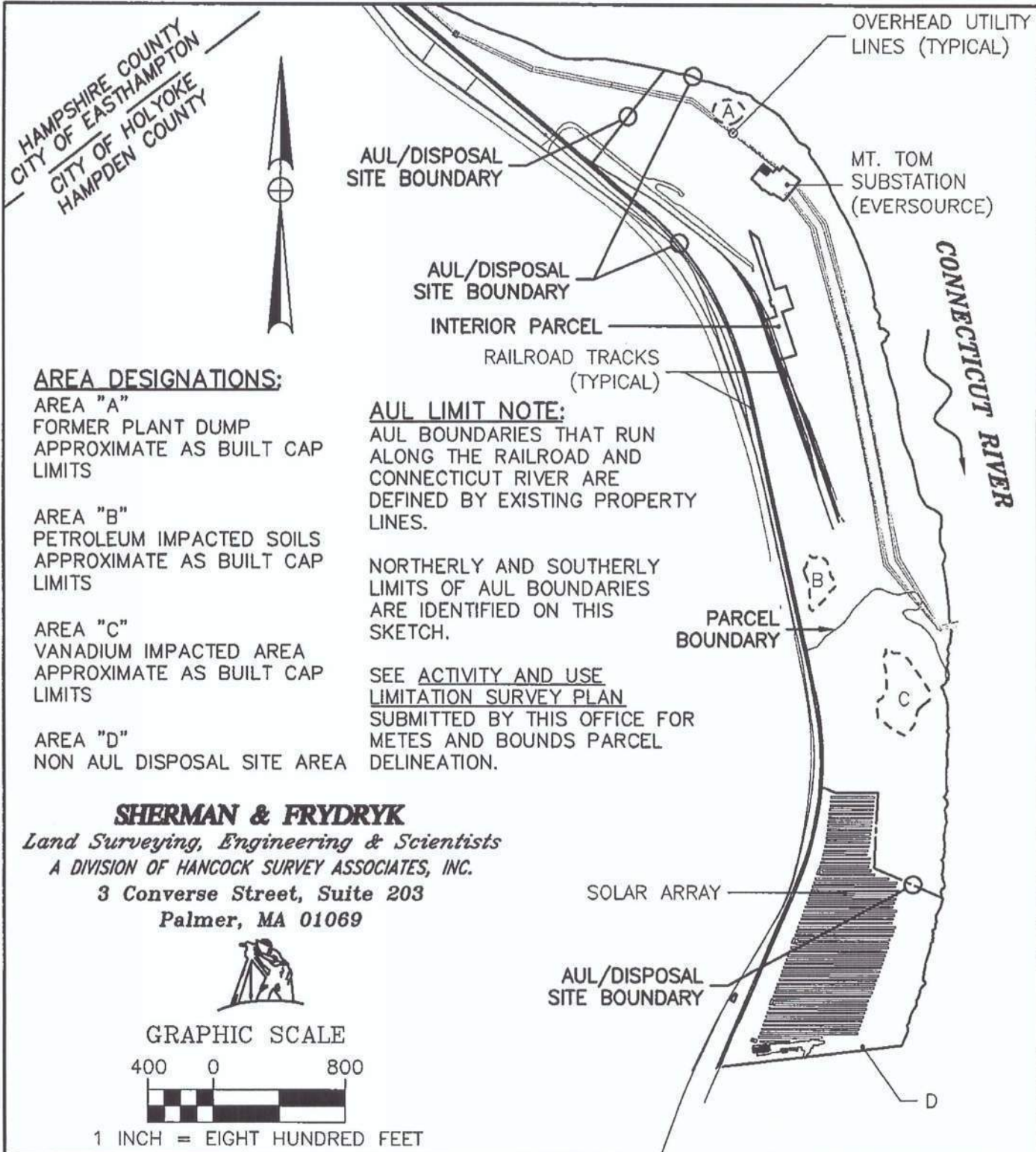
Beginning at a point at the southwest corner of AUL 3, said point being N 20° 53' 43" E one hundred nine and 26/100 (109.26') feet and N 33° 21' 28" E three hundred five and 66/100 (305.66') feet from a stone bound on the easterly line of Rout 5 – Northampton Street as shown on said plan, (all courses are within Parcel 1 and portion of Parcel 9 of Mt. Tom Generating Company, LLC and along AUL 1) thence turning and running;

- | | |
|-----------------|--|
| N 18° 46' 50" W | two hundred sixty and 00/100 (260.00') feet to a point, thence turning and running; |
| N 71° 57' 51" E | sixty-six and 83/100 (66.83') feet to a point, thence turning and running; |
| N 17° 48' 26" W | sixty-six and 31/100 (66.31') feet to a point, thence turning and running; |
| S 72° 11' 34" W | ten and 00/100 (10.00') feet to a point, thence turning and running; |
| N 17° 48' 26" W | forty and 00/100 (40.00') feet to a point, thence turning and running; |
| N 72° 11' 34" E | ten and 00/100 (10.00') feet to a point, thence turning and running; |
| N 17° 48' 26" W | four hundred thirty-five 63/100 (435.63') feet to a point, thence turning and running; |
| S 51° 46' 50" E | seventy-one and 58/100 (71.58') feet to a point, thence turning and running; |
| S 17° 48' 26" E | three hundred twenty-six and 27/100 (326.27') feet to a point, thence turning and running; |
| N 72° 11' 34" E | seventy and 00/100 (70.00') feet to a point, thence turning and running; |

- S 17° 48' 26" E one hundred forty and 00/100 (140.00') feet to a point, thence turning and running;
- S 72° 11' 34" W seventy and 00/100 (70.00') feet to a point, thence turning and running;
- S 17° 48' 26" E two hundred seventy-four and 80/100 (274.80') feet to a point, thence turning and running;
- S 71° 13' 10" W one hundred two and 41/100 (102.41') feet to the point of beginning.

Containing an area of 57,811± Square Feet or 1.327 Acres

EXHIBIT B



AREA DESIGNATIONS:

AREA "A"
FORMER PLANT DUMP
APPROXIMATE AS BUILT CAP
LIMITS

AREA "B"
PETROLEUM IMPACTED SOILS
APPROXIMATE AS BUILT CAP
LIMITS

AREA "C"
VANADIUM IMPACTED AREA
APPROXIMATE AS BUILT CAP
LIMITS

AREA "D"
NON AUL DISPOSAL SITE AREA

AUL LIMIT NOTE:

AUL BOUNDARIES THAT RUN
ALONG THE RAILROAD AND
CONNECTICUT RIVER ARE
DEFINED BY EXISTING PROPERTY
LINES.

NORTHERLY AND SOUTHERLY
LIMITS OF AUL BOUNDARIES
ARE IDENTIFIED ON THIS
SKETCH.

SEE ACTIVITY AND USE
LIMITATION SURVEY PLAN
SUBMITTED BY THIS OFFICE FOR
METES AND BOUNDS PARCEL
DELINEATION.

SHERMAN & FRYDRYK
Land Surveying, Engineering & Scientists
A DIVISION OF HANCOCK SURVEY ASSOCIATES, INC.
3 Converse Street, Suite 203
Palmer, MA 01069

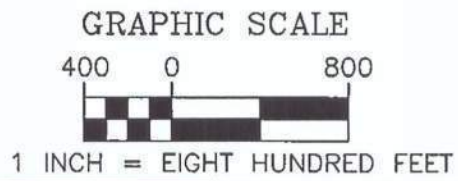


EXHIBIT B
PREPARED FOR
MT. TOM GENERATING COMPANY, LLC
ACTIVITY AND USE LIMITATION SKETCH PLAN
HOLYOKE, MA

DATE: 05/13/2021	PROJECT NO: 08080E2	DRAFTING: SBW
CHECKED: DJF	APPROVED: DJF	HORZ: 1"=800'

EXHIBIT C

Exhibit C - Notice of Activity and Use Limitation

Activity and Use Limitation (AUL) Opinion for Site Number 1-20229 (Former Mt. Tom Station Power Plant, 200 Northampton Street, Holyoke, Massachusetts) pursuant to 310 CMR 40.1074(1)(b).

Project Background

The site is the location of a former electrical generating station located at 200 Northampton Street (US Route 5) in Holyoke, Hampden county, Massachusetts. The site is approximately 143 acres in size and is located adjacent to the western bank of the Connecticut River. Former site infrastructure included electrical generation plant buildings on the northern portion of the site, a coal storage location with runoff control area, and three lined wastewater basins and associated treatment facility, located south of the former generation plant building. All site infrastructure have been removed to date. Ash from the combustion of coal and fuel oil has historically been deposited throughout the site property, south and west of the former facility infrastructure. In addition, two "traditional" solid waste landfills are located at the site including a municipal solid waste landfill that received solid waste from the City of Holyoke and a former plant dump/landfill that reportedly received refuse from the site.

Mt. Tom Station was constructed in the late 1950's and opened as a coal fired generation plant in 1960. In 1970, the plant was converted to operate on fuel oil and were stored in two above ground storage tanks (ASTs) (3.6 and 2.8 million gallons). The facility was subsequently converted back to operate on coal in 1981. Between 1960 and 2001, fly ash, bottom ash, and oil ash from plant operations were disposed on-site within unlined basins and impoundment areas south of the generation plant. Each solid waste management unit (SWMU) at the site include areas of ash deposition (SWMUs 4, 8, 11, 12, 13, 15, 16, 17, 18, and 19), as well as other historical and facility related waste disposal areas. Multiple phases of site assessment activities have been performed at the site since approximately 1980. Investigation activities conducted since April 2017 have been performed in accordance with the Administrative Consent Order (ACO 2589) and under the Massachusetts Contingency Plan (MCP) risk-based program for Release Tracking Number (RTN) 1-20229.

A Phase II Comprehensive Site Assessment (Phase II CSA) and Phase III Remedial Action Plan (RAP) was submitted to the Massachusetts Department of Environmental Protection (MassDEP) on September 10, 2018. A Supplemental Phase II CSA and Phase III RAP was submitted to MassDEP on September 25, 2019. A Release Abatement Measure (RAM) Plan was submitted to MassDEP on September 25, 2019 and a Phase IV Remedy Implementation Plan (RIP) was submitted to MassDEP on October 18, 2019, detailing the Comprehensive Remedial Alternatives (CRAs) selected in the 2018 and 2019 RAPs. The CRAs chosen to achieve Temporary Solution at the site were selected based on a balance of implementability, cost effectiveness, and management of short-term and long-term risk. The selected alternatives that were implemented are protective of human health and the environment by addressing risk posed by impacted surficial soils/ash at select areas of the site, will serve to stabilize the failed portion of the Kennedy Brook bank that contributes to risk to the environment, and will rely upon an AUL to control future potential exposure to subsurface soil/ash.

Site Conditions Triggering the Need for an AUL and Response Actions Performed

Based on the findings of the Phase II CSAs and associated Method 3 Risk Characterizations, CRA's were necessary to achieve a Temporary Solution, while addressing the site specific risk identified during the course of these investigations. The October 18, 2019 Phase IV RIP, and

associated conditional approvals, identified two remedial objectives: capping of surficial soils/ash within specific areas where ecological risk was identified, and stabilization of the failing portion of the Kennedy Brook bank. Note that implementation of an AUL throughout most of the site is a component of the Temporary Solution and is further discussed below. In addition to the CRAs detailed in the Phase IV RIP, basin demolition and liner removal activities associated with the industrial wastewater treatment plant (IWWTP) were conducted under the September 2019 RAM. Demolition and removal of the three lined wastewater basins began in February 2020 and was completed in April 2020. Site controls necessary for the Phase IV RIP CRA scope were designed in accordance with 310 CMR 40.0018, 40.0874(e), and 310 CMR 40.0018 and were complied with throughout the duration of remedial activities.

In addition to the selected CRA, decommissioning (removal and/or in-place abandonment) of the facility subsurface infrastructure/utilities was conducted as part of the Phase IV activities. The subsurface utilities and facility infrastructure abandoned in-place as part of the site closure efforts, were identified in the September 2019 Beneficial Use Determination (BUD) application submitted to MassDEP on September 26, 2019. The BUD Completion report and corresponding record plans document the subsurface utility and infrastructure closure activities, in addition to the surveyed location of the BUD materials placed at the site. This AUL includes the portion of the site in which the BUD materials were placed.

Remedial capping occurred at three specific areas of the site where risk to ecological receptors was identified, which included Area A – the former Plant Dump, Area B – the Petroleum Impacted area, and Area C – the elevated Vanadium area. Each remedial cap consists of three feet of clean permeable material, with the surficial 0.5 feet of the cap material consisting of loam to support vegetative cover. Vegetation removal and grubbing was performed as necessary, and in accordance with the various environmental permits at each area prior to capping.

Area A, the former plant dump is located north of the former Power Plant building, situated within Bordering Land Subject to Flooding (BLSF). In accordance with the requirements of the Massachusetts Wetlands Protection Act (WPA, 310 CMR 10.00), flood storage capacity must be maintained in this area. Therefore, to comply with the WPA, the remedial cap area was excavated to 3 feet below grade and the generated soil was placed within Area B, located outside of the BLSF area. Approximately 2,700 cubic yards of soil were removed from Area A and placed within Area B. At the completion of excavation of Area A, filter fabric was placed on the excavated area and was capped with three feet of clean borrow material to accommodate the excavated areas within the BLSF and retain zero net loss of flood storage capacity. The final limits of the Area A cap measure approximately 24,000 square feet.

Area B is located southwest of the Former Plant building and north of Kennedy Brook. Petroleum constituents were identified in surficial soils between 0 and 3 feet below surface grade (bsg). Based on subsequent delineation and the corresponding risk characterizations, the area that presented risk measured approximately 12,000 square feet. The 12,000 square foot area was graded to prevent erosion using the 2,700 cubic yards of pre-capping materials generated from Area A. Area B also received approximately 1,000 cubic yards of surplus soil and ash materials from the Kennedy Brook bank stabilization effort discussed below. Area B was then capped with three feet of clean borrow material. The final limits of the Area B cap measure approximately 57,000 square feet.

Area C is a former ash basin and vanadium impacted area located south of Kennedy Brook. Ecological risk associated with vanadium exposure was identified in surficial ash materials from 0 and 3 bsg. Based on the Method 3 risk characterization results, the limits of vanadium contamination presenting environmental risk measured approximately 85,000 square feet.

Area C was capped with a 3-foot cap of clean borrow material after necessary vegetation removal and grubbing was completed. Based on the topography of the area and design considerations to prevent erosion and runoff concerns, as well as environmental permitting considerations, the limits of the Area C cap measure approximately 136,000 square feet.

The failing portion of Kennedy Brook is located approximately 200 feet west of the Connecticut River, extending approximately 170 feet along the northern bank of Kennedy Brook. Exposed ash of the failing portion of the Kennedy Brook bank presented a significant risk of harm under the Massachusetts WPA and the MCP as *physical evidence of a continuing release of oil and/or hazardous material*. Therefore, stabilization of the Kennedy Brook slope with excavation and re-grading of ash material in this area was necessary. After vegetation removal and grubbing, the failing portion of the bank was stabilized by cutting back the existing slope to a 2:1 grade, installing slope stabilization measures, and applying armoring and suitable cover materials for revegetation and long-term growth. Approximately 1,000 cubic yards of ash/ash-containing soils were generated during cutting of the existing slope. The generated material was deposited at Area B prior to installation of the non-traditional soil cap.

Achievement and Maintenance of No Significant Risk

The limits of the capped areas associated with the AUL are depicted on the AUL plan¹. Based upon site specific risk based evaluations, including the Method 3 Human Health Risk Characterizations and a comparison of maximum observed concentrations of constituents of concern (COCs) to upper concentration limits (UCLs), it was determined that a condition of No Significant Risk (NSR) to receptors cannot be supported relative to the residential and park visitor scenarios. Therefore, an AUL has been placed on the property to restrict future uses of the site to commercial or industrial uses only and restricts uses of the property for agricultural purposes for the growing of produce. Note that a condition of NSR does however exist relative to the trespasser, commercial worker, and construction/utility worker scenarios. In addition, the AUL is intended to manage exposure to contaminated site soils during potential future site redevelopment, including subsurface utility upgrades and repairs, through use of a Soils Management Plan, and a Health and Safety Plan prepared by a Licensed Site Professional prior to conducting such work.

In accordance with MassDEP ACO 00002589 and under the MCP risk-based program for Release Tracking Number (RTN) 1-20229, the AUL Opinion provides that activities and uses which are inconsistent with the objectives of this Notice of Activity and Use Limitation include the following: disturbance of the soil caps and excavation or any other invasive procedures occurring at a depth greater than 3 feet below ground surface within the AUL area prior to obtaining the services of a LSP.


¹ Based on review of available Hampden County Registry of Deed records, Mt. Tom Generating Company LLC ("Mt. Tom Generating") holds a leasehold interest in Parcel 4 pursuant to a 99 year lease dated November 26, 1958 executed by Connecticut River Valley Company Inc. ("CRVC"), as landlord, and Holyoke Water Power Company ("HWPC"), as tenant. The lease is evidenced by a notice of lease dated November 26, 1958 and recorded on November 28, 1958 with the Hampden County Registry of Deeds in Book 2646, Page 39. CRVC acquired Parcel 4 from HWPC by deed dated November 26, 1958 and recorded on November 28, 1958 in Book 2646, Page 35. Mt. Tom Generating acquired the leasehold interest in Parcel 4, when HWPC conveyed the entire Mt. Tom site (including Parcel 4) to Mt. Tom Generating by deed dated and recorded November 1, 2006 in Book 16300, Page 278. The lease term expires January 1, 2060. Fee title to Parcel 4 is in the name of CRVC; however, CRVC was involuntarily dissolved by the Massachusetts Secretary of State on July 7, 1980, and no longer has legal existence. Mt. Tom Generating is actively pursuing options to acquire Parcel 4, and upon such acquisition, the AUL will be referenced in the corresponding instruments of transfer.

Post-closure maintenance shall be performed on the remedial caps as warranted. Post-construction cap inspections will assess compliance with the AUL and will be performed annually, in addition to inspections conducted at all other slopes within the AUL area. Post-closure inspections will also be completed following severe weather events that have the potential to uproot large vegetation and expose underlying ash and or impacted soils. In addition, regular maintenance of the remedial caps will generally include periodic mowing, as prescribed by the local wetlands ordinance order of conditions (OOC), and to prevent growth of large trees, which may result in an uprooting condition, damaging cap integrity. The observations and results of the post-construction OMM program will be documented and provided to MassDEP as part of the Five-Year Periodic Review of the Temporary Solution.

LSP Certifications

LSP assuming responsibility for Activity and Use Limitation Station: Shawn D Rising, LSP.

I attest that I have personally examined and am familiar with the information on with this AUL Opinion is based and in my professional judgement, this AUL Opinion complies with the requirements for said opinions established under 310 CMR 40.1074(1)(b).

Signature: 

Date: June 23, 2022

License Number: 5539

Seal:

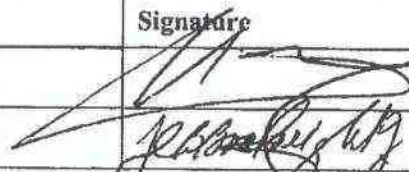
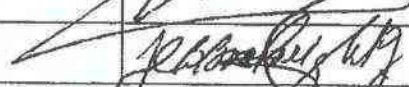


EXHIBIT D

Statement of Organization


June 21, 2022

Mt. Tom Generating Company LLC

Name	Title	Signature
Stefaan Sercu	President	
John B. Boatwright, Jr.	Secretary	

I, John B. Boatwright, Jr., the duly authorized Secretary of Mt. Tom Generating Company LLC, do hereby certify that the person named above and signing above as President of the Company is the duly appointed President of Mt. Tom Generating Company LLC, and that the signature set forth adjacent his name is his genuine signature.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand on behalf of Mt. Tom Generating Company LLC, as of the date first written above.

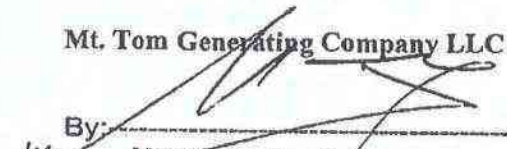

 Name: John B. Boatwright, Jr.
 Title: Secretary

The undersigned, as an Officer of Mt. Tom Generating Company LLC, does hereby certify that the person signing above as Secretary of the Company is the duly elected or appointed Secretary of Mt. Tom Generating Company LLC, and is authorized to execute and deliver this Incumbency Certificate on behalf of Mt. Tom Generating Company LLC.


 Name: Stefaan Sercu
 Title: President

IN WITNESS WHEREOF, the undersigned has executed and delivered this Certificate on and as of the date first written above.

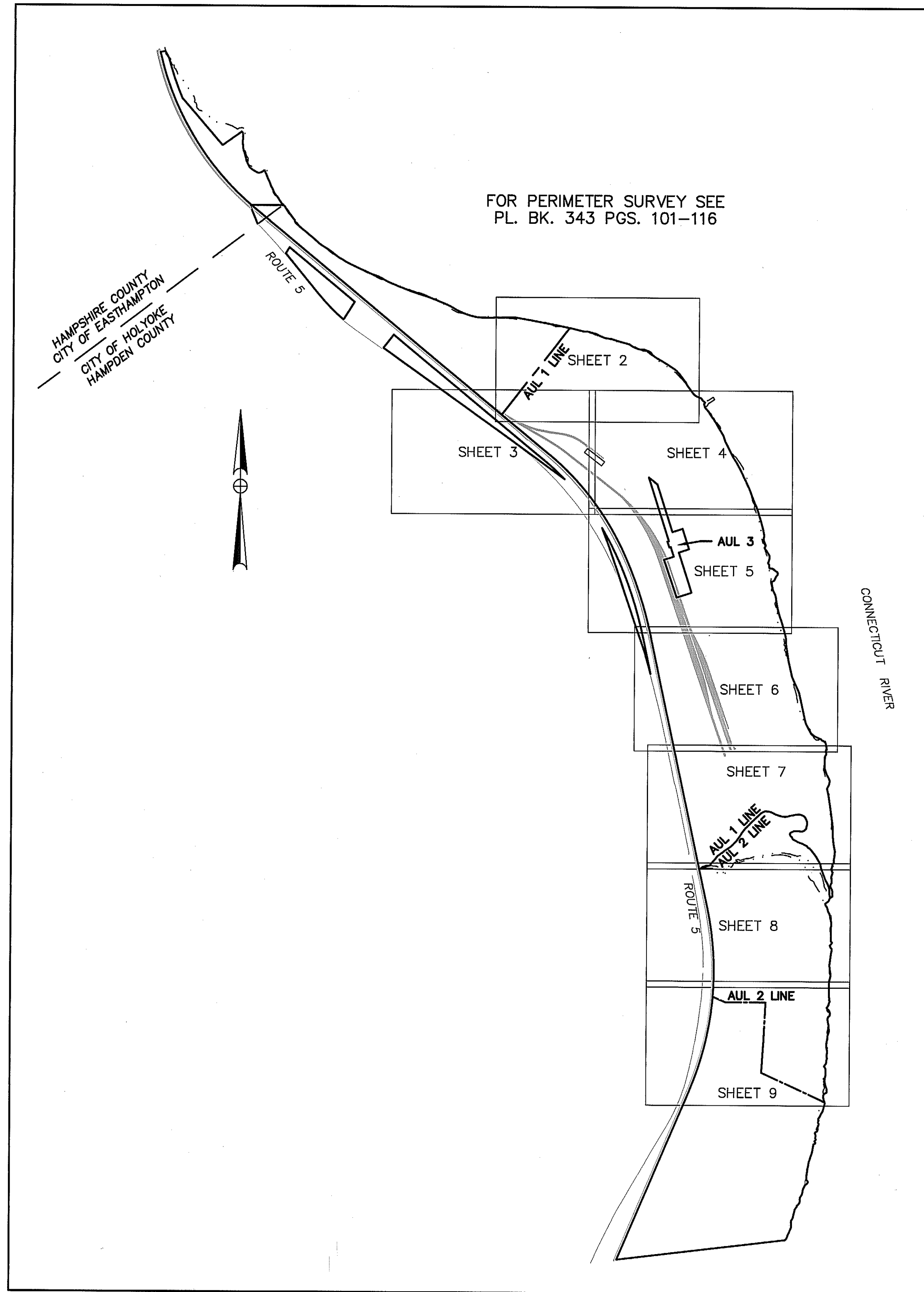
Mt. Tom Generating Company LLC

By: 
 Name: Stefaan Sercu
 Title: President

REGISTRY COPY OF AUL SURVEY PLAN

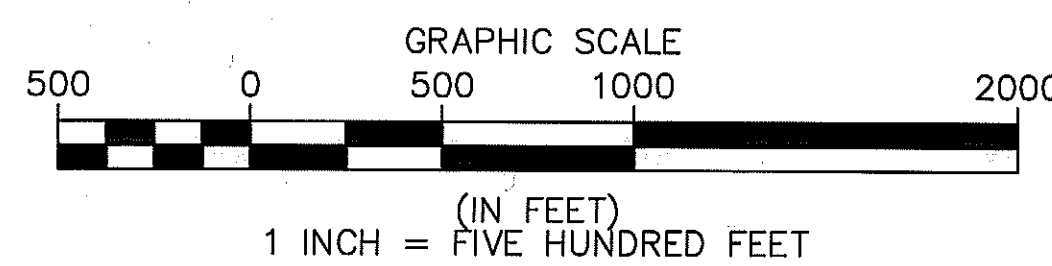
Hampden County Registry of Deeds
 Rec'd 6/30/2022 at 11:37 a.m.
 Recorded in Book of Plans 395 Page 68
 Attest: *Ch. A. Coakley-River, Esq.*
 Register

FOR REGISTRY USE



FIELD SURVEY LEGEND

- S.B. FD. STONE BOUND FOUND
- C.B. FD. CONCRETE BOUND FOUND
- R.R. SPK. FD. RAILROAD SPIKE FOUND
- I.P. FD. IRON PIN FOUND
- R.B. FD. REINFORCING BAR FOUND
- ⊙ D.H. FD. DRILL HOLE FOUND
- G.B. FD. GUN BARREL FOUND
- I.B. FD. IRON BAR FOUND



THE PROPERTY LINES SHOWN ARE THE LINES DIVIDING EXISTING OWNERSHIPS AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED. NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

ALSO, I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

Donald J. Frydryk DATE: 6/15/2022

- NOTES:
1. THIS PLAN HAS BEEN PREPARED TO SHOW THE IDENTIFIED SUBJECT ACTIVITY AND USE LIMITATION (A.U.L.) AREA.
 2. SEE PLAN BOOK 343 PAGES 101-116 FOR EASEMENTS AND ENCUMBRANCES AFFECTING THE LOCUS PARCEL. (SHOWN IN TABLE BELOW).
 3. A.U.L. AREA ESTABLISHED FROM INFORMATION PROVIDED BY TIGHE & BOND INC., AND THE ACTUAL PARCEL BOUNDARY AND SURVEYED LIMITS.

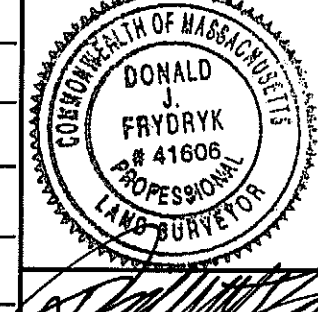
TOGETHER WITH AND SUBJECT TO EASEMENTS AND ENCUMBRANCES OF RECORD, NUMBERS REFER TO PLAN BOOK 343 PAGE 101

1. THE RESTRICTIONS, EASEMENTS, COVENANTS, AGREEMENTS AND POSSESSORY INTERESTS AS SET FORTH AND CONTAINED IN THE DEED FROM BOSTON AND MAINE RAILROAD TO HOLYOKE WATER POWER COMPANY DATED AUGUST 16, 1955 AND RECORDED IN BOOK 2409, PAGE 495 OF THE HAMPDEN COUNTY REGISTRY OF DEEDS AND IN BOOK 1206, PAGE 1 OF THE HAMPSHIRE COUNTY REGISTRY OF DEEDS. SEE PARTIAL RELEASE OF COVENANT RECORDED IN BOOK 2433, PAGE 116 OF THE HAMPDEN COUNTY REGISTRY OF DEEDS AND IN BOOK 1212, PAGE 269 OF THE HAMPSHIRE COUNTY REGISTRY OF DEEDS. (AS TO PARCELS 1, 2, 3 AND 4). (SEE PL. BK. 343 PG. 111)
5. EASEMENTS AS SET FORTH IN A DEED FROM HOLYOKE WATER POWER COMPANY TO CONNECTICUT RIVER VALLEY COMPANY, INC. DATED NOVEMBER 26, 1958 AND RECORDED IN BOOK 2646, PAGE 35 OF THE HAMPDEN COUNTY REGISTRY OF DEEDS. (AS TO PARCELS 1, 2, 3 AND 4). (SEE PL. BK. 343 PGS. 106, 108 & 109)
6. EASEMENT AGREEMENT BETWEEN HOLYOKE WATER POWER COMPANY, CONNECTICUT RIVER VALLEY COMPANY INC. AND THE BOSTON AND MAINE RAILROAD DATED NOVEMBER 26, 1958 AND RECORDED, IN BOOK 2646, PAGE 47 OF THE HAMPDEN COUNTY REGISTRY OF DEEDS; AS MODIFIED BY SUPPLEMENTAL AGREEMENTS (I) DATED NOVEMBER 26, 1958 AND RECORDED IN BOOK 2646, PAGE 70 OF THE HAMPDEN COUNTY REGISTRY OF DEEDS; AND (II) DATED NOVEMBER 26, 1958 AND RECORDED IN BOOK 2646, PAGE 73 OF THE HAMPDEN COUNTY REGISTRY OF DEEDS. (AS TO PARCELS 1, 2, 3 AND 4). (SEE PL. BK. 343 PGS. 106, 108, 109, 110 & 111)
10. TERMS, CONDITIONS AS OF AND PROVISIONS OF A LEASE BETWEEN HOLYOKE WATER POWER COMPANY ("LESSOR") AND SPRINT SPECTRUM L.P. DATED OCTOBER 15, 2001, AS EVIDENCED BY A MEMORANDUM OF LEASE BETWEEN SAID PARTIES DATED OCTOBER 15, 2001 AND RECORDED IN BOOK 12087, PAGE 180 OF THE HAMPDEN COUNTY REGISTRY OF DEEDS. (SEE PL. BK. 343 PGS. 108 & 109)
12. RIGHT OF THE CITY OF HOLYOKE TO DIVERT THE WATER OF WAITS BROOK AND TO CLEANSE, REPAIR OR IMPROVE THE CHANNEL OR BED THEREOF BY VIRTUE OF AN INSTRUMENT DATED NOVEMBER 27, 1895 AND RECORDED IN BOOK 482, PAGE 122 OF THE HAMPSHIRE COUNTY REGISTRY OF DEEDS. (AS TO PARCELS 1 AND 8). (SEE PL. BK. 343 PG. 112)
13. TRANSMISSION LINE EASEMENT FROM PATRICK J. KENNEDY, JR. TO HOLYOKE POWER AND ELECTRIC COMPANY DATED OCTOBER 14, 1958 AND RECORDED IN BOOK 2637, PAGE 546 OF THE HAMPDEN COUNTY REGISTRY OF DEEDS. (AS TO PARCEL 8). (SEE PL. BK. 343 PG. 112)
17. RIGHT-OF-WAY AGREEMENT - ELECTRIC LINES FROM HOLYOKE WATER POWER COMPANY TO HOLYOKE POWER & ELECTRIC COMPANY DATED OCTOBER 6, 1958 AND RECORDED IN BOOK 2637, PAGE 179 OF THE HAMPDEN COUNTY REGISTRY OF DEEDS. (SEE PL. BK. 343 PGS. 107, 109, 110, 111 & 112)
18. RIGHT-OF-WAY AGREEMENT - ELECTRIC LINES FROM HOLYOKE WATER POWER COMPANY TO HOLYOKE POWER & ELECTRIC COMPANY DATED OCTOBER 16, 1958 AND RECORDED IN BOOK 2638, PAGE 168 OF THE HAMPDEN COUNTY REGISTRY OF DEEDS. (SEE PL. BK. 343 PGS. 104, 105, 108, & 107)
19. TERMS AND CONDITIONS OF A LICENSE FROM THE COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS TO THE HOLYOKE WATER POWER COMPANY DATED JUNE 26, 1982 AND RECORDED IN BOOK 2893, PAGE 214 OF THE HAMPDEN COUNTY REGISTRY OF DEEDS. (AS TO PARCELS 1, 8 AND 9). (SEE PL. BK. 343 PG. 107)

NO.	DATE	BY	REVISIONS

SHERMAN & FRYDRYK
 Land Surveying, Engineering & Scientists
 A DIVISION OF HANCOCK SURVEY ASSOCIATES, INC.
 3 Converse Street, Suite 203
 Palmer, MA 01069

FIELD WORK: JGG/KRP
 COMPS: KJM
 DRAFTING: KJM
 CHECKED: TRF
 APPROVED: DJF



SCALE:
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 VERT: N/A
 DATE: 07/12/2021

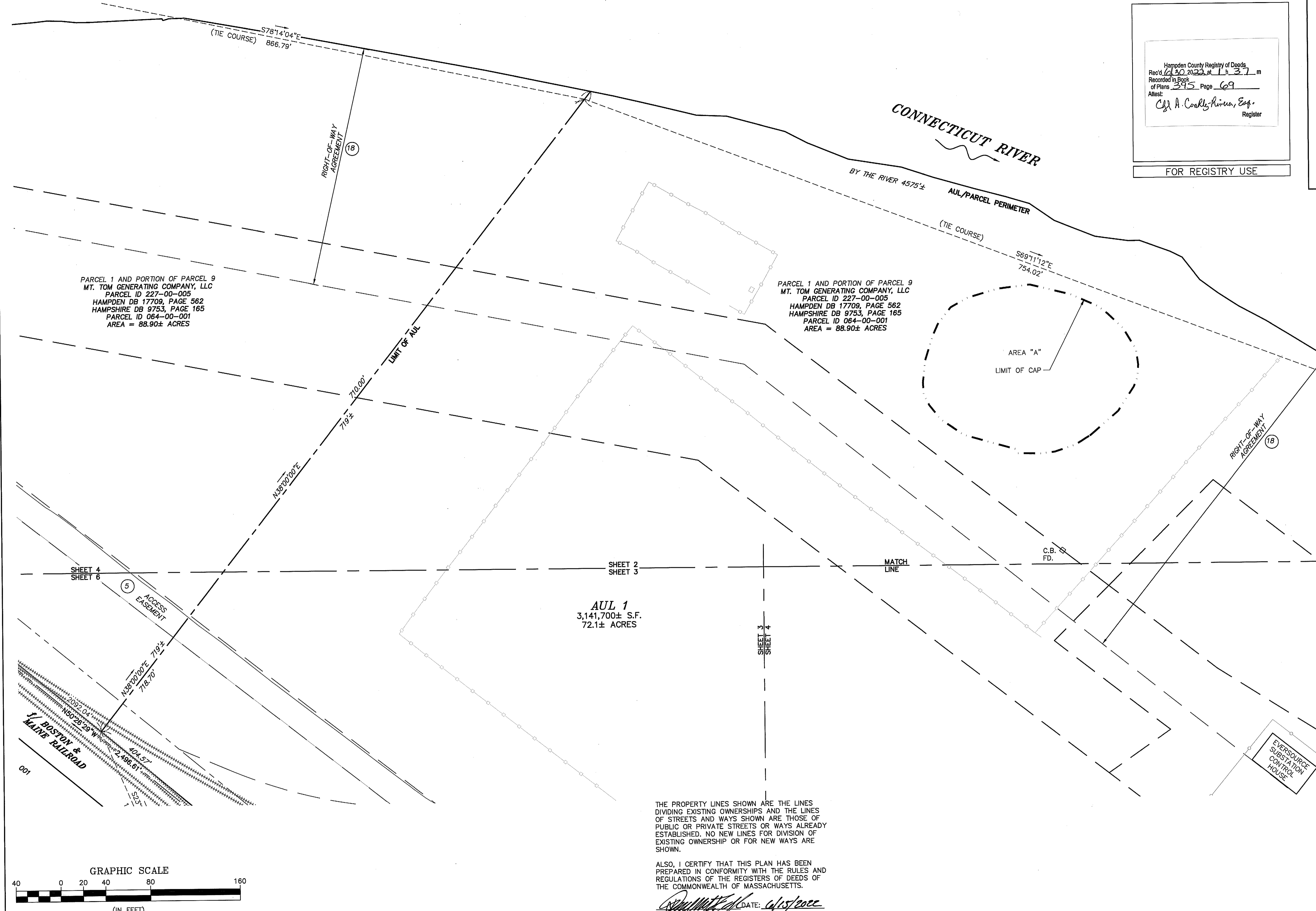
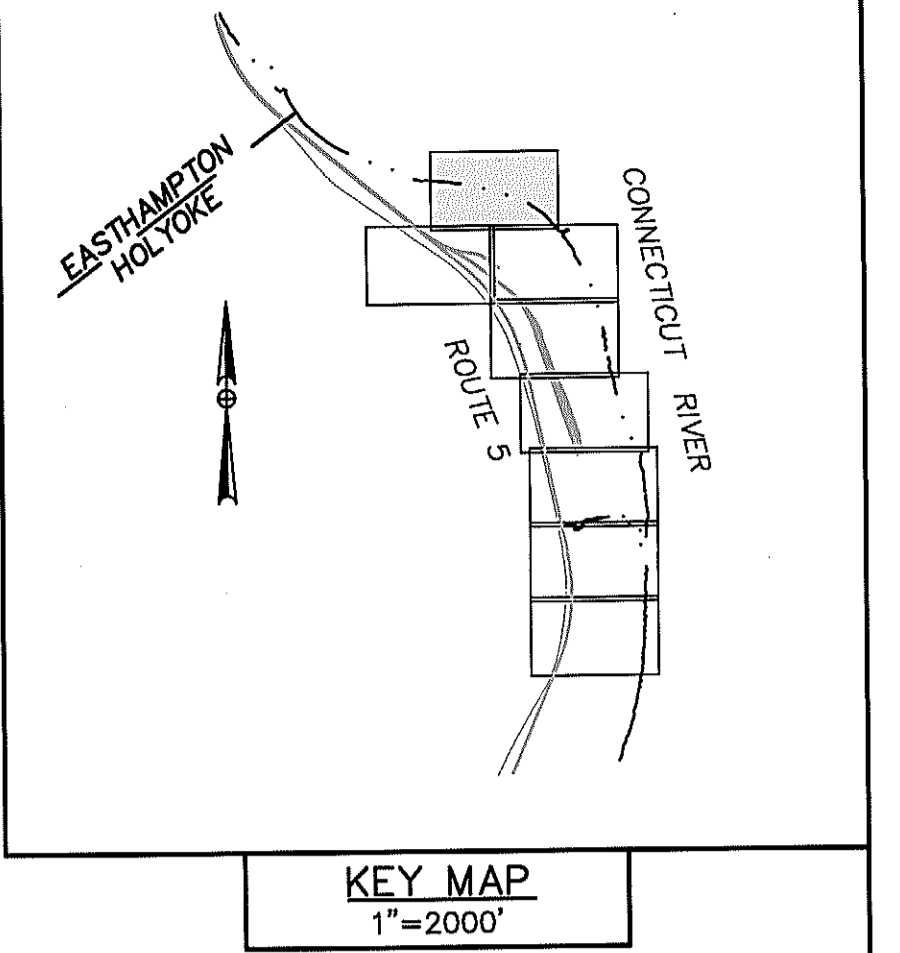
ACTIVITY AND USE LIMITATION SURVEY
 200 NORTHAMPTON STREET (ROUTE 5)

PLAN OF LAND IN
HOLYOKE, MA
 PREPARED FOR (OWNER)
MT. TOM GENERATING COMPANY, LLC

PROJECT NUMBER
 08080E2
 SHEET NUMBER
1 OF 9

Hamden County Registry of Deeds
 Rec'd 01/30/2022 at 11:37 a.m.
 Recorded in Book
 of Plans 395 Page 69
 Attest:
 C. A. Conley, Esq.
 Register

FOR REGISTRY USE



PARCEL 1 AND PORTION OF PARCEL 9
 MT. TOM GENERATING COMPANY, LLC
 PARCEL ID 227-00-005
 HAMPDEN DB 17709, PAGE 562
 HAMPSHIRE DB 9753, PAGE 165
 PARCEL ID 064-00-001
 AREA = 88.90± ACRES

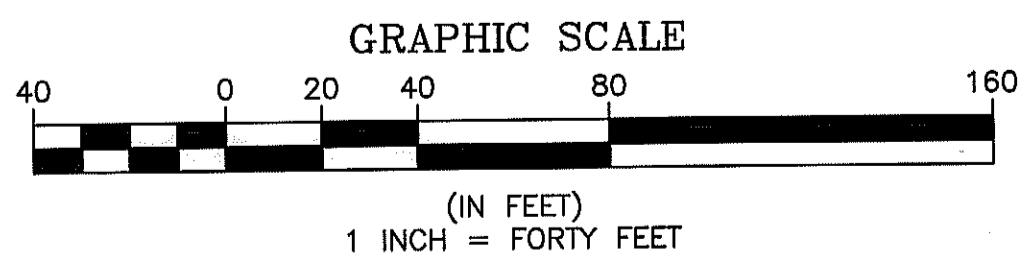
PARCEL 1 AND PORTION OF PARCEL 9
 MT. TOM GENERATING COMPANY, LLC
 PARCEL ID 227-00-005
 HAMPDEN DB 17709, PAGE 562
 HAMPSHIRE DB 9753, PAGE 165
 PARCEL ID 064-00-001
 AREA = 88.90± ACRES

AUL 1
 3,141,700± S.F.
 72.1± ACRES

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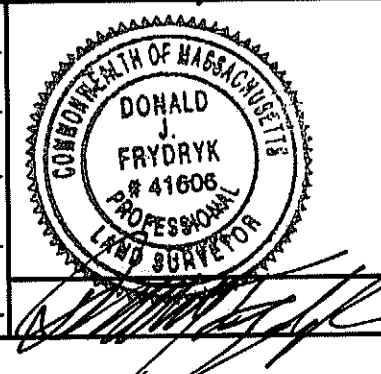
Donald Frydryk DATE: 07/12/2021



NO.	DATE	BY	REVISIONS

SHERMAN & FRYDRYK
 Land Surveying, Engineering & Scientists
 A DIVISION OF HANCOCK SURVEY ASSOCIATES, INC.
 3 Converse Street, Suite 203
 Palmer, MA 01069

FIELD WORK: JGG/KRP
 COMPS: KJM
 DRAFTING: KJM
 CHECKED: TRF
 APPROVED: DJF



SCALE:
 HORZ: 1"=40'
 VERT: N/A
 DATE: 07/12/2021

ACTIVITY AND USE LIMITATION SURVEY
 200 NORTHAMPTON STREET (ROUTE 5)

PLAN OF LAND IN
HOLYOKE, MA
 PREPARED FOR (OWNER)
MT. TOM GENERATING COMPANY, LLC

PROJECT NUMBER
 08080E2
 SHEET NUMBER
 2 OF 9



SHEET 4
SHEET 6

SHEET 2
SHEET 3

AUL 1
3,141,700± S.F.
72.1± ACRES

SHEET 3
SHEET 4

PARCEL 5, 6 & 7
MT. TOM GENERATING COMPANY, LLC
228-00-001, 228-00-005, 229-00-001
HAMPDEN DS 1709, PAGE 392
HAMPDEN DS 9753, PAGE 195
AREA = 1,913± ACRES

BOSTON & MAINE RAILROAD

ACCESS EASEMENT

RAILROAD EASEMENT

RAILROAD EASEMENT

RAILROAD EASEMENT

RAILROAD EASEMENT

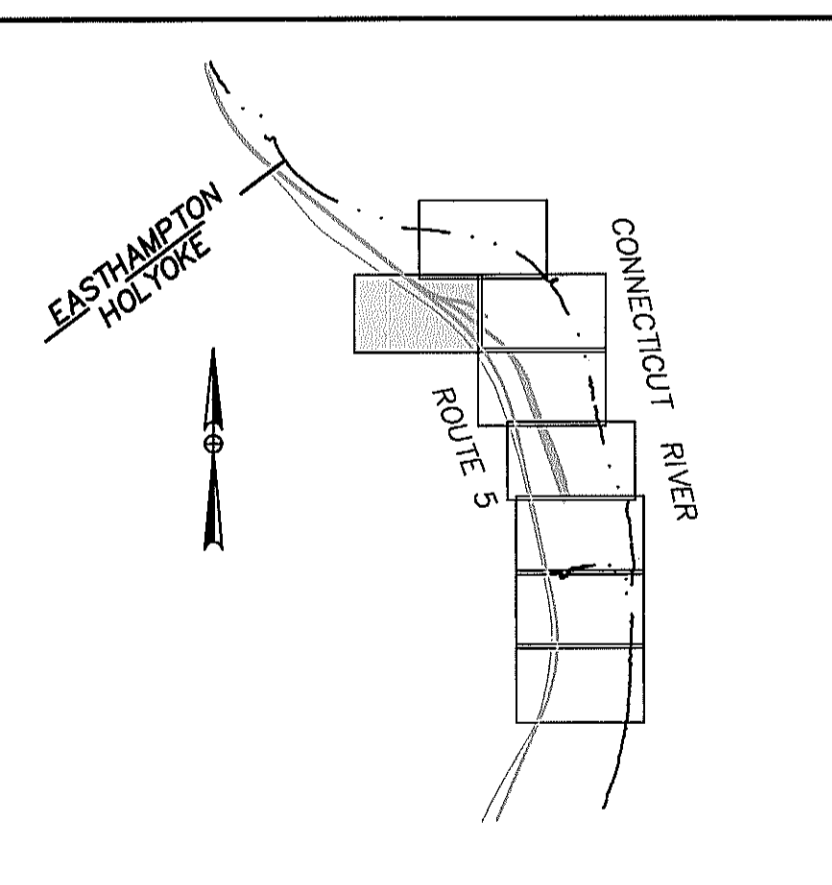
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ROUTE 5 - NORTHAMPTON STREET
1986 STATE HIGHWAY LAYOUT
VARIABLE WIDTH

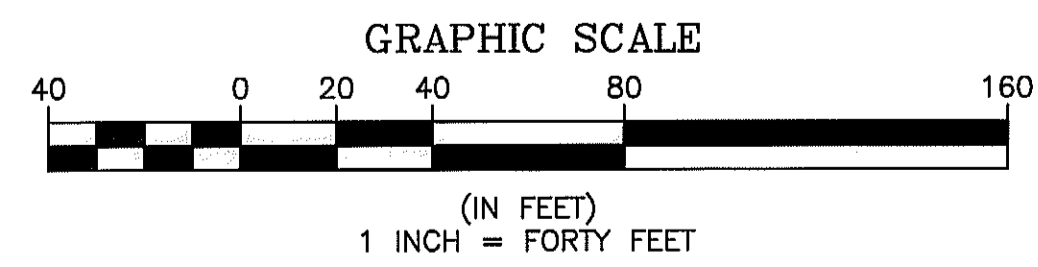
S.B. FD.

Hamden County Registry of Deeds
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Recorded in Book of Plans 395, Page 70
Attest:
Cly A. Coakley, Esq.
Register

FOR REGISTRY USE



KEY MAP
1"=2000'



THE PROPERTY LINES SHOWN ARE THE LINES DIVIDING EXISTING OWNERSHIPS AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED. NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

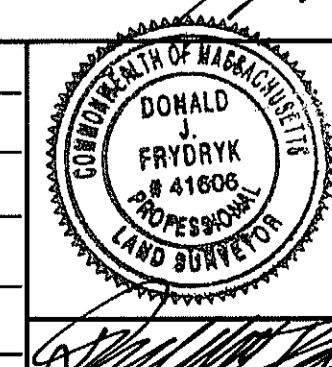
ALSO, I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

[Signature] DATE: 6/15/2022

NO.	DATE	BY	REVISIONS

SHERMAN & FRYDRYK
Land Surveying, Engineering & Scientists
A DIVISION OF HANCOCK SURVEY ASSOCIATES, INC.
3 Converse Street, Suite 203
Palmer, MA 01069

FIELD WORK: JGG/KRP
COMPS: KJM
DRAFTING: KJM
CHECKED: TRF
APPROVED: DJF

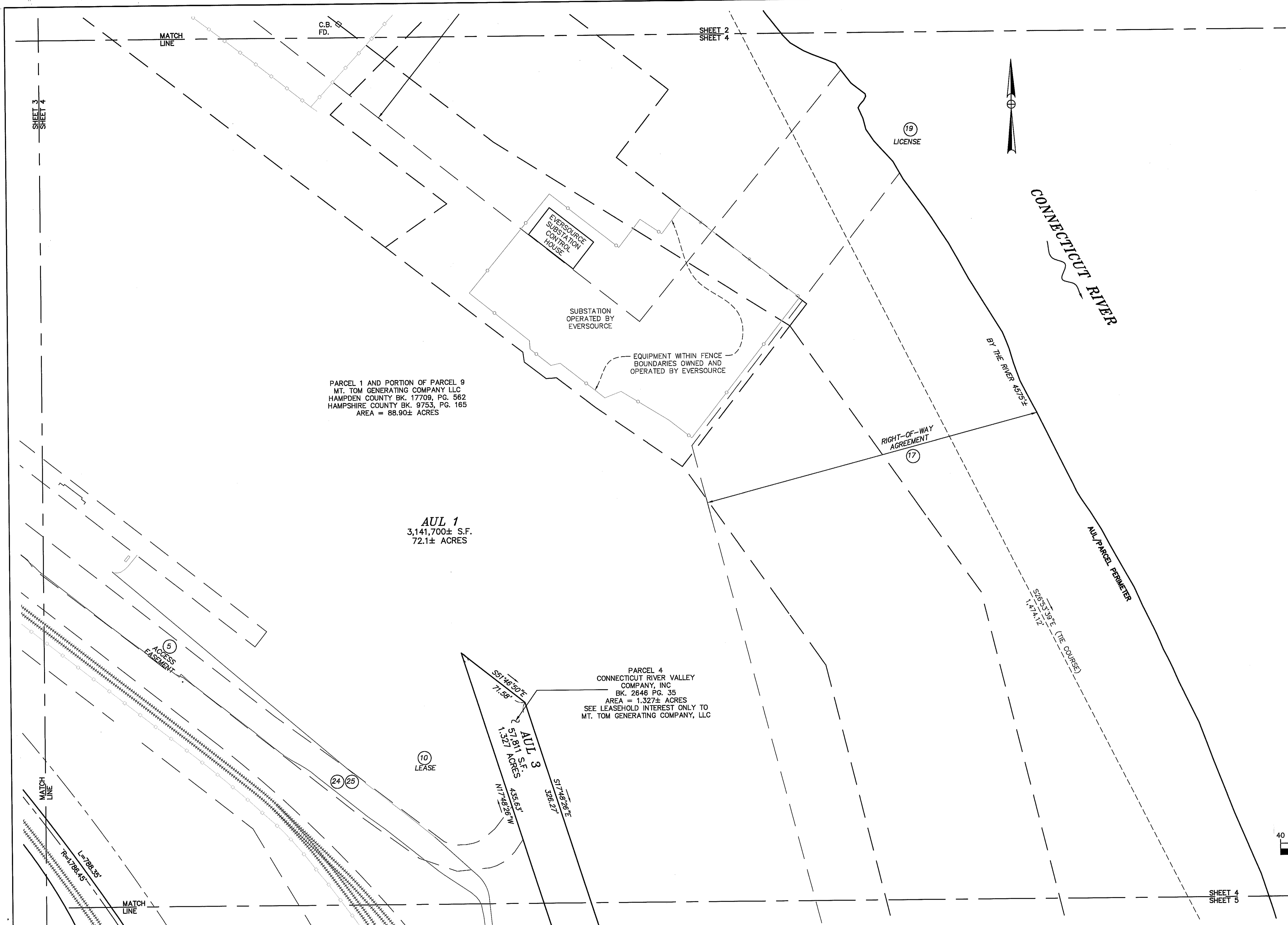


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HORZ: 1"=40'
VERT: N/A
DATE: 07/12/2021

ACTIVITY AND USE LIMITATION SURVEY
200 NORTHAMPTON STREET (ROUTE 5)

PLAN OF LAND IN
HOLYOKE, MA
PREPARED FOR (OWNER)
MT. TOM GENERATING COMPANY, LLC

PROJECT NUMBER
08080E2
SHEET NUMBER
3 OF 9

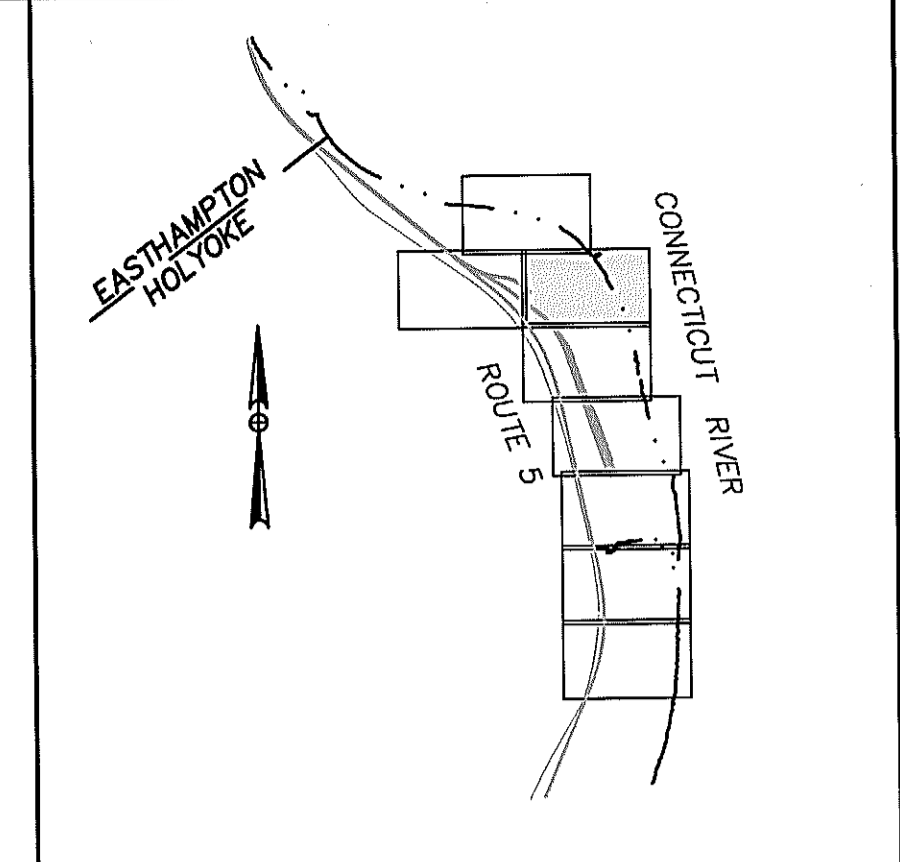


PARCEL 1 AND PORTION OF PARCEL 9
 MT. TOM GENERATING COMPANY LLC
 HAMPDEN COUNTY BK. 17709, PG. 562
 HAMPSHIRE COUNTY BK. 9753, PG. 165
 AREA = 88.90± ACRES

AUL 1
 3,141,700± S.F.
 72.1± ACRES

PARCEL 4
 CONNECTICUT RIVER VALLEY
 COMPANY, INC
 BK. 2646 PG. 35
 AREA = 1.327± ACRES
 SEE LEASEHOLD INTEREST ONLY TO
 MT. TOM GENERATING COMPANY, LLC

AUL 3
 1,321 ACRES
 57°46'50"E
 71.58'
 57°46'50"E
 326.27'
 57°46'50"E
 436.63'
 174°42'26"W
 174°42'26"W



KEY MAP
 1"=2000'

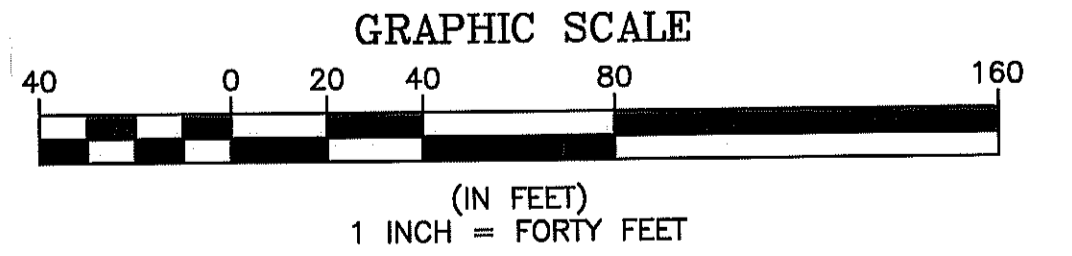
Hampden County Registry of Deeds
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 Recorded in Book
 of Plans 395 Page 71
 Attest:
 C. A. Coakley-Rivera, Esq.
 Registrar

FOR REGISTRY USE

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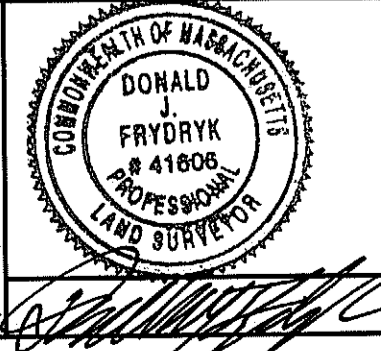
DATE: 01/20/2023



NO.	DATE	BY	REVISIONS

SHERMAN & FRYDRYK
 Land Surveying, Engineering & Scientists
 A DIVISION OF HANCOCK SURVEY ASSOCIATES, INC.
 3 Converse Street, Suite 203
 Palmer, MA 01069

FIELD WORK: JGG/KRP
 COMPS: KJM
 DRAFTING: KJM
 CHECKED: TRF
 APPROVED: DJF

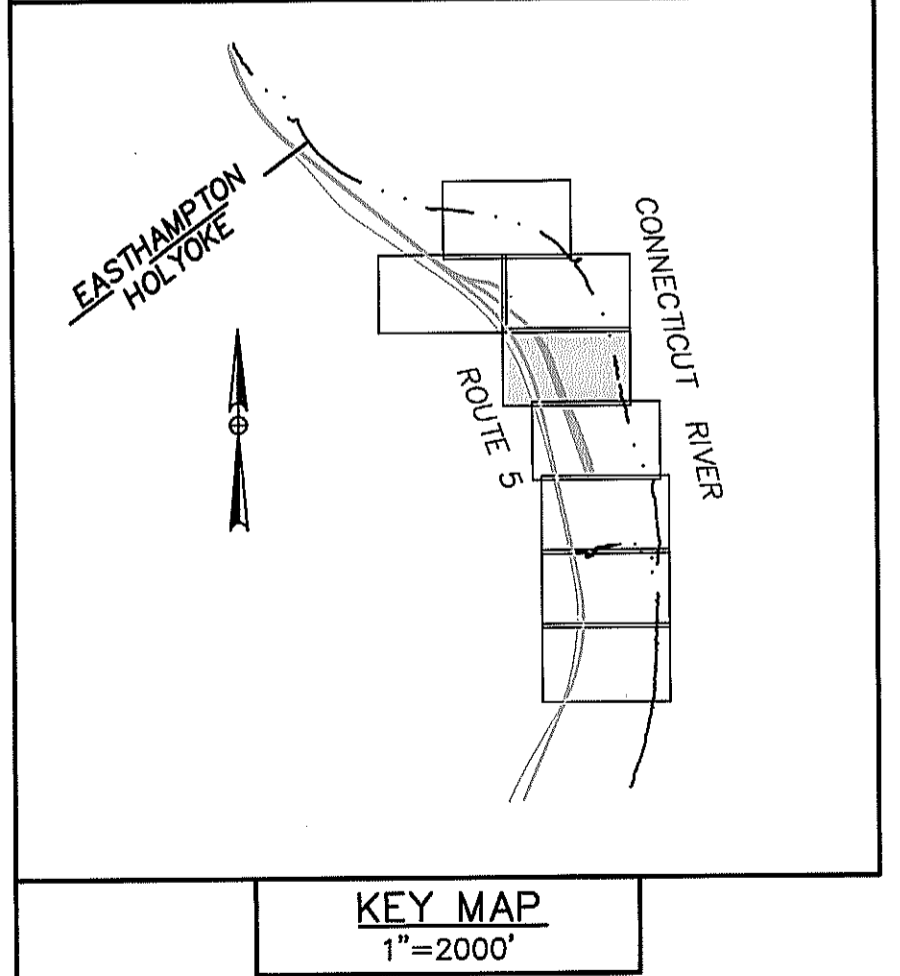
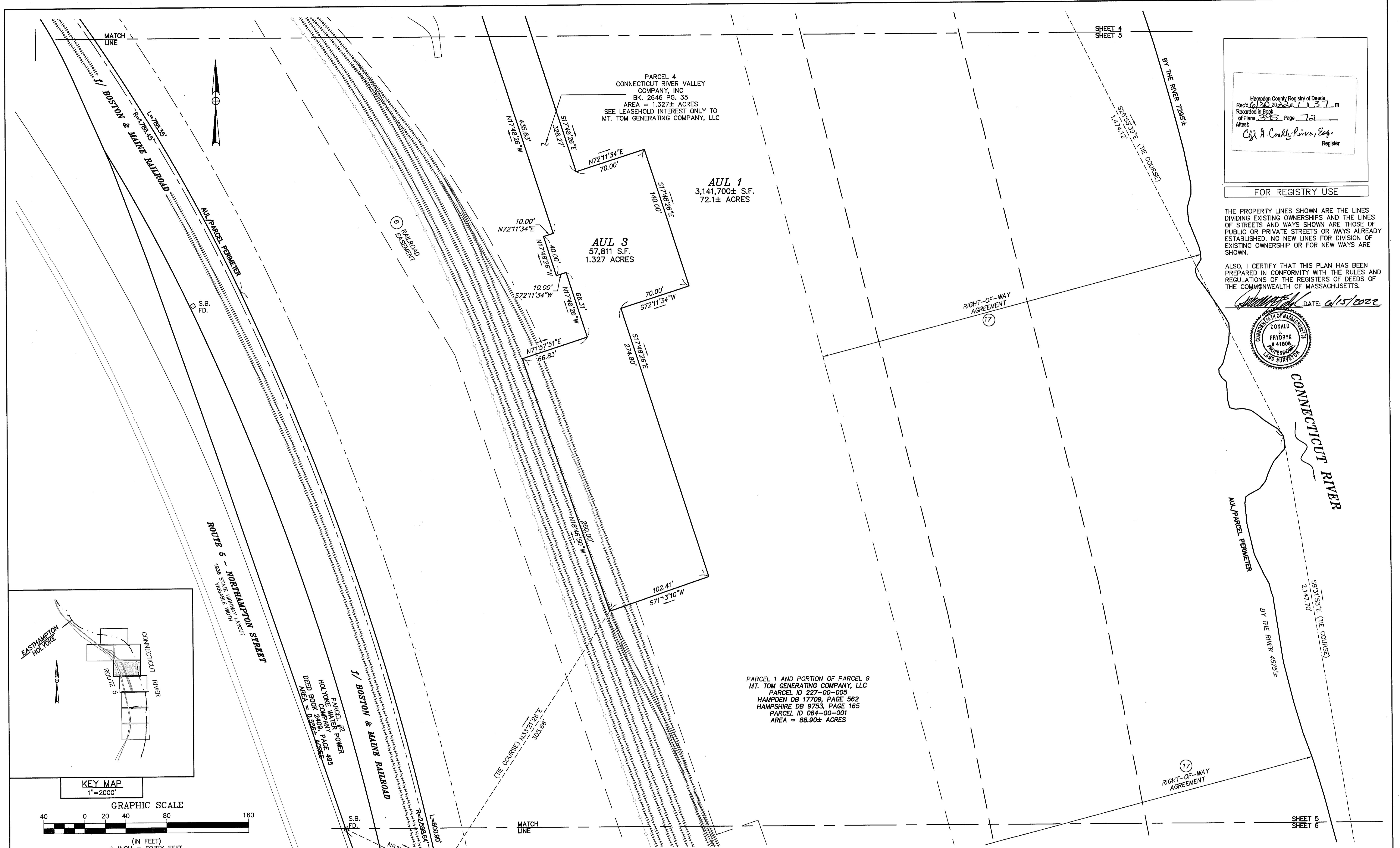


SCALE:
 HORZ: 1"=40'
 VERT: N/A
 DATE: 07/12/2021

ACTIVITY AND USE LIMITATION SURVEY
 200 NORTHAMPTON STREET (ROUTE 5)

PLAN OF LAND IN
HOLYOKE, MA
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MT. TOM GENERATING COMPANY, LLC

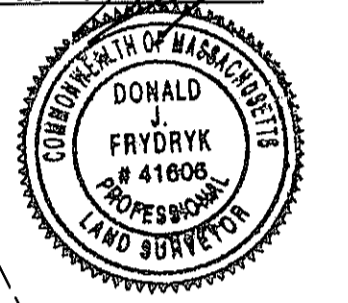
PROJECT NUMBER
 08080E2
 SHEET NUMBER
4 OF 9



Hampden County Registry of Deeds
Rec'd 06/30/2022 at 11:37 AM
Recorded in Book of Plans 345 Page 72
Attest: Cheryl A. Coakley-Hervey, Esq. Register

FOR REGISTRY USE
THE PROPERTY LINES SHOWN ARE THE LINES DIVIDING EXISTING OWNERSHIPS AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED. NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

ALSO, I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.
DATE: 6/15/2022



CONNECTICUT RIVER

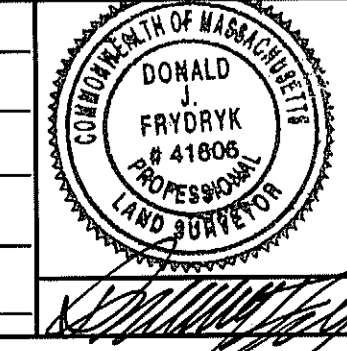
PLAN OF LAND IN
HOLYOKE, MA
PREPARED FOR (OWNER)
MT. TOM GENERATING COMPANY, LLC

PROJECT NUMBER
08080E2
SHEET NUMBER
5 OF 9

NO.	DATE	BY	REVISIONS

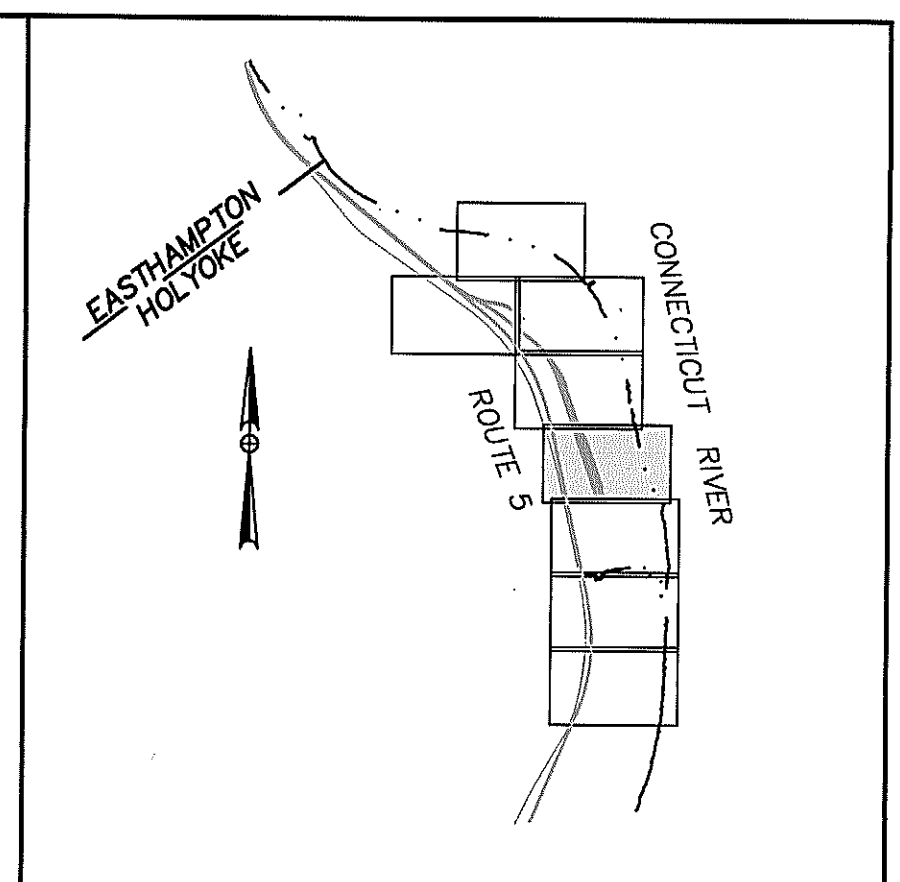
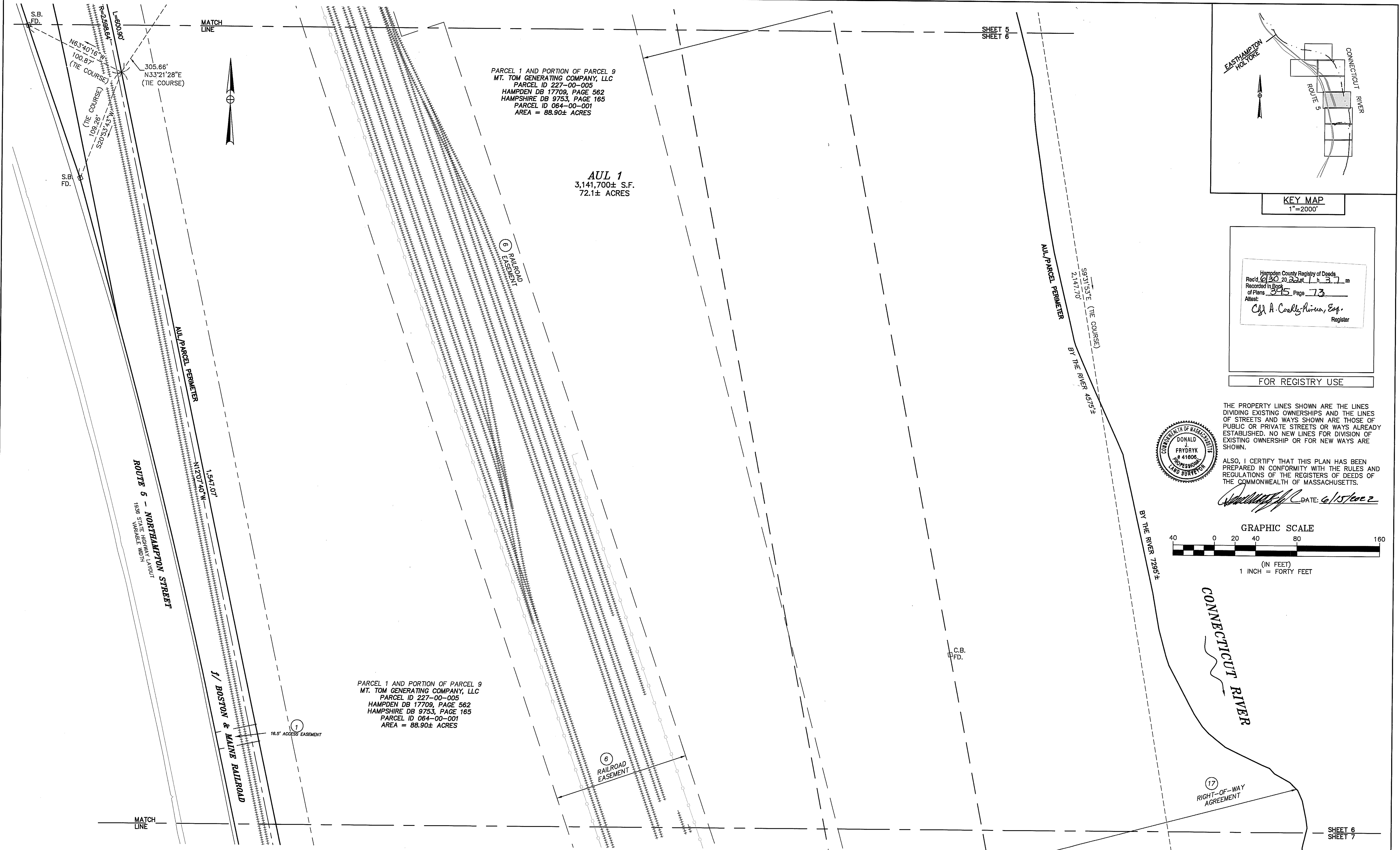
SHERMAN & FRYDRYK
Land Surveying, Engineering & Scientists
A DIVISION OF HANCOCK SURVEY ASSOCIATES, INC.
3 Converse Street, Suite 203
Palmer, MA 01069

FIELD WORK: JGG/KRP
COMPS: KJM
DRAFTING: KJM
CHECKED: TRF
APPROVED: DJF



SCALE:
HORZ: 1"=40'
VERT: N/A
DATE: 07/12/2021

ACTIVITY AND USE LIMITATION SURVEY
200 NORTHAMPTON STREET (ROUTE 5)

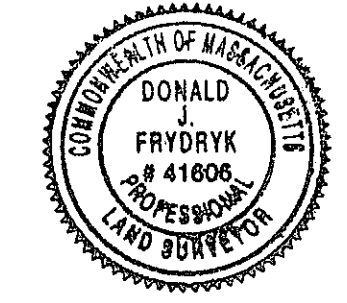


KEY MAP
1"=2000'

Hampden County Registry of Deeds
 Rec'd 06/30/2022 at 11:37 AM
 Recorded in Book of Plans 395 Page 73
 Attest:
 C. A. Coakley-Hines, Esq.
 Register

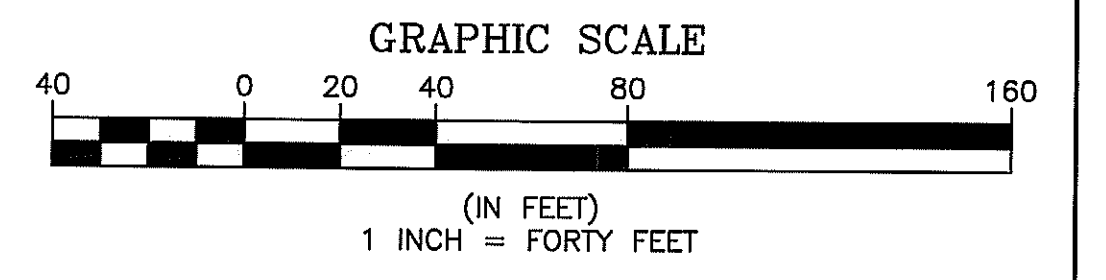
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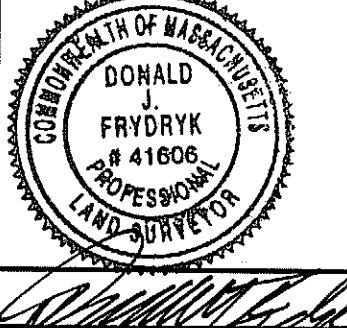
Donald J. Frydryk DATE: 6/15/2022



NO.	DATE	BY	REVISIONS

SHERMAN & FRYDRYK
 Land Surveying, Engineering & Scientists
 A DIVISION OF HANCOCK SURVEY ASSOCIATES, INC.
 3 Converse Street, Suite 203
 Palmer, MA 01069

FIELD WORK: JGG/KRP
 COMPS: KJM
 DRAFTING: KJM
 CHECKED: TRF
 APPROVED: DJF



SCALE:
 HORZ: 1"=40'
 VERT: N/A
 DATE: 07/12/2021

ACTIVITY AND USE LIMITATION SURVEY

200 NORTHAMPTON STREET (ROUTE 5)

PLAN OF LAND IN
HOLYOKE, MA
 PREPARED FOR (OWNER)
MT. TOM GENERATING COMPANY, LLC

PROJECT NUMBER
 08080E2
 SHEET NUMBER
6 OF 9

MATCH LINE

SHEET 6
SHEET 7

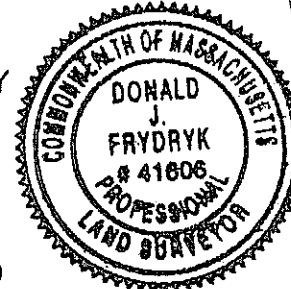


Hampden County Registry of Deeds
 Rec'd 6/30/20 at 11:37 a.m.
 Recorded in Book 395 Page 74
 Attest:
 Chy A. Coakley-Riviera, Esq.
 Registrar

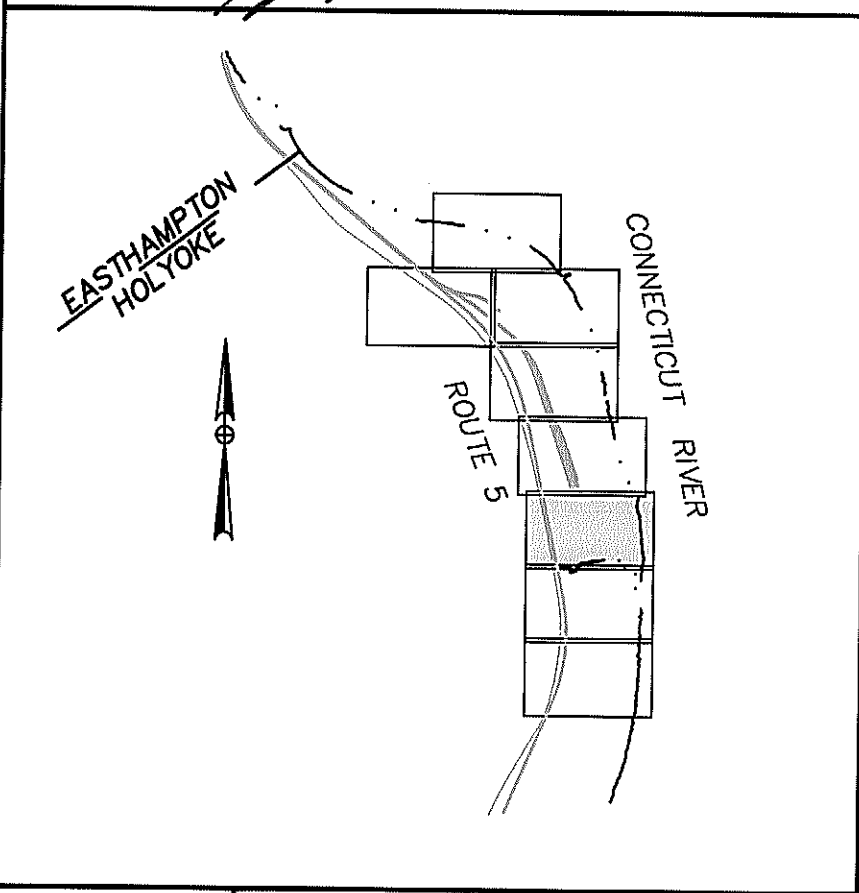
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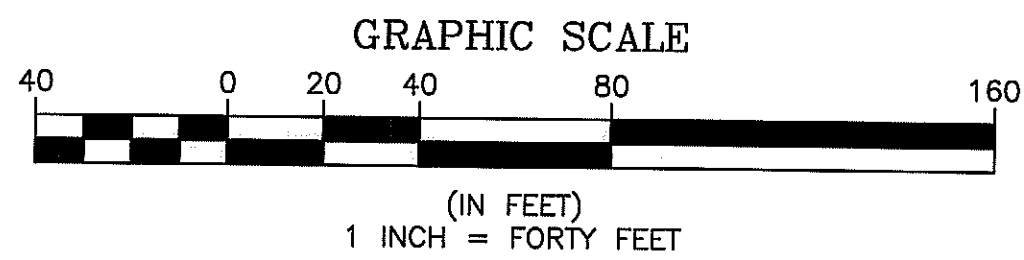
ALSO, I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



Donald Frydryk DATE: 6/15/2021

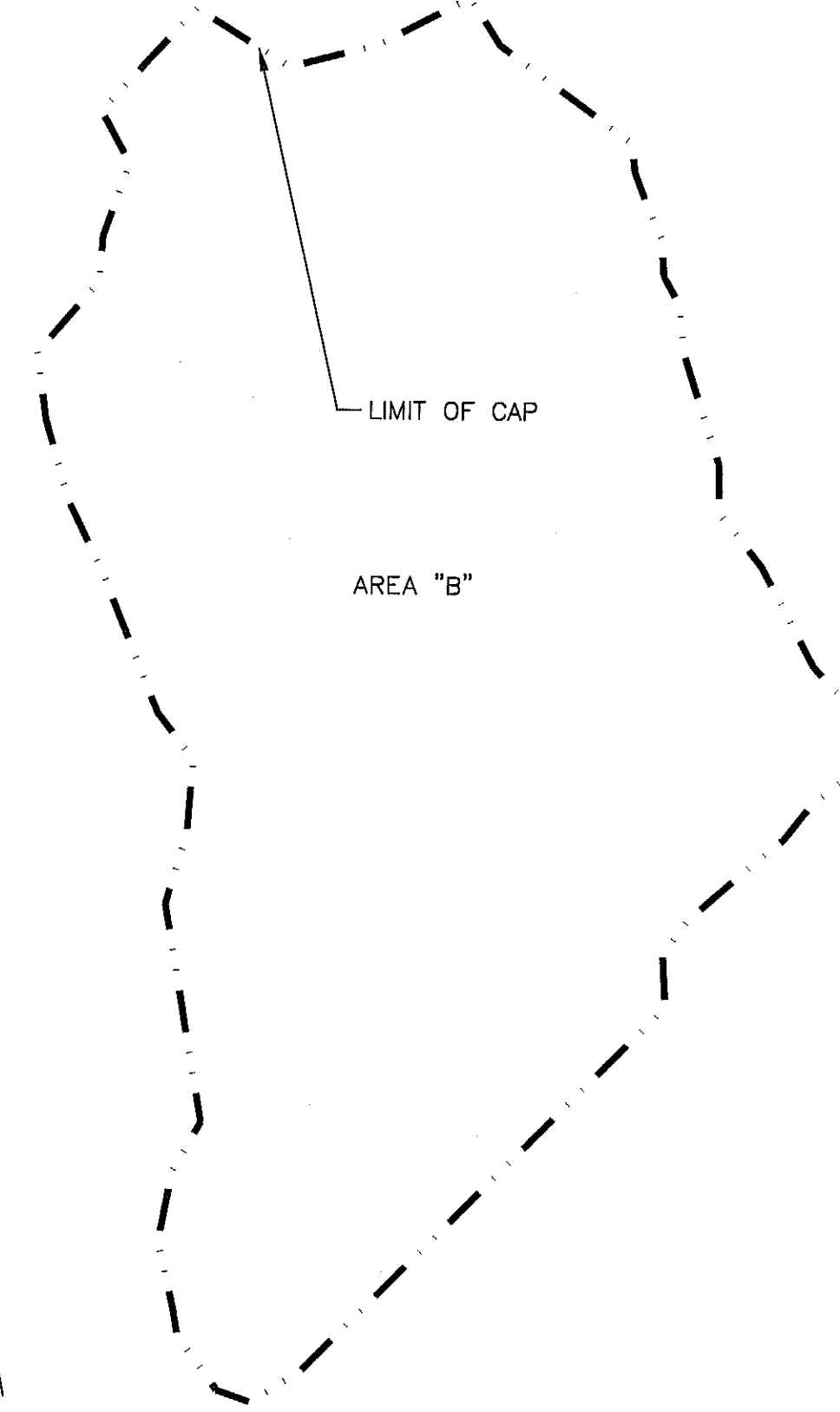


KEY MAP
1"=2000'



MATCH LINE

1,547.07' ALL-PARCEL PERIMETER
 N12°07'40"W
 40'
 ROUTE 5 - NORTHAMPTON STREET
 1936 STATE HIGHWAY LAYOUT
 1936 VARIABLE WIDTH
 BOSTON & MAINE RAILROAD



AUL 1
 3,141,700± S.F.
 72.1± ACRES

PARCEL 1 AND PORTION OF PARCEL 9
 MT. TOM GENERATING COMPANY, LLC
 PARCEL ID 227-00-005
 HAMPSHIRE DB 17709, PAGE 562
 HAMPSHIRE DB 9753, PAGE 165
 PARCEL ID 064-00-001
 AREA = 88.90± ACRES

AUL 2
 1,081,800± S.F.
 24.8± ACRES

PARCEL 8 AND PORTION OF PARCEL 9
 MT. TOM GENERATING COMPANY, LLC
 PARCEL ID 226-00-009
 PARCEL ID 064-00-01
 HAMPSHIRE DB 17709, PAGE 562
 HAMPSHIRE DB 9753, PAGE 165
 AREA = 53.87± ACRES

RIGHT-OF-WAY AGREEMENT

150'

C.B. FD.

13
TRANSMISSION EASEMENT

BY WAIT'S BROOK 1580±
 PROPERTY LINE OLD CENTERLINE OF BROOK

C.B. FD.

I.P. FD.

17
RIGHT-OF-WAY AGREEMENT

CONNECTICUT RIVER

ALL-PARCEL PERIMETER

BY THE RIVER 7295±

BY THE RIVER 4575±

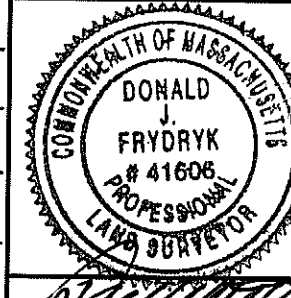
SHEET 7
SHEET 8

NO.	DATE	BY	REVISIONS

SHERMAN & FRYDRYK
 Land Surveying, Engineering & Scientists
 A DIVISION OF HANCOCK SURVEY ASSOCIATES, INC.
 3 Converse Street, Suite 203
 Palmer, MA 01069



FIELD WORK: JGG/KRP
 COMPS: KJM
 DRAFTING: KJM
 CHECKED: TRF
 APPROVED: DJF



SCALE:
 HORZ: 1"=40'
 VERT: N/A
 DATE: 07/12/2021

ACTIVITY AND USE LIMITATION SURVEY

200 NORTHAMPTON STREET (ROUTE 5)

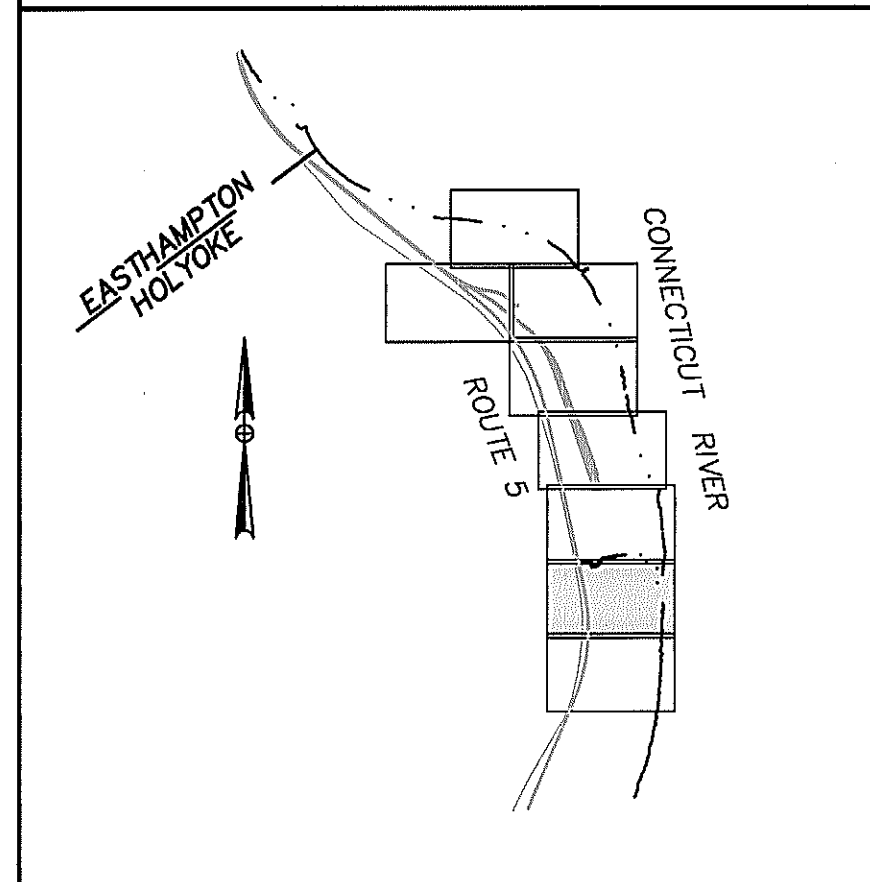
PLAN OF LAND IN
HOLYOKE, MA
 PREPARED FOR (OWNER)
MT. TOM GENERATING COMPANY, LLC

PROJECT NUMBER
08080E2

SHEET NUMBER

7 OF 9

MATCH LINE



KEY MAP
1"=2000'

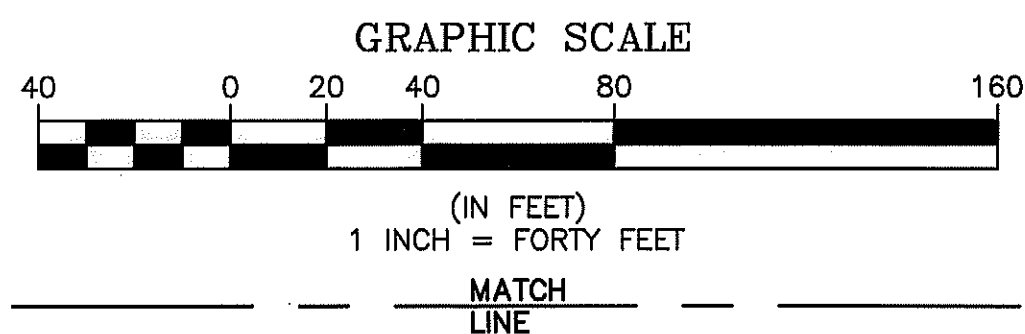
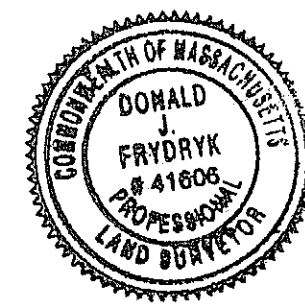
Hamden County Registry of Deeds
 Rec'd 630 20 at 1:37 m
 Recorded in Book of Plans 395 Page 75
 Attest: *Cly A. Coakley, Esq.*
 Register

FOR REGISTRY USE

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[Signature] DATE: 6/15/2022



ROUTE 5 - NORTHAMPTON STREET
1936 STATE HIGHWAY LAYOUT
VARIABLE WIDTH

265.81'
N12°07'40"W

183.67'
N7°09'57"E

(TIE COURSE)

83.67'

183.67'

183.67'

183.67'

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PARCEL 8 AND PORTION OF PARCEL 9
 MT. TOM GENERATING COMPANY, LLC
 PARCEL ID 226-00-009
 PARCEL ID 064-00-01
 HAMPDEN DB 17709, PAGE 562
 HAMPSHIRE DB 9753, PAGE 165
 AREA = 53.87± ACRES

AREA "C"

LIMIT OF CAP

AUL 2
 1,081,800± S.F.
 24.8± ACRES

1/ BOSTON & MAINE RAILROAD

183.67'

(TIE COURSE)

AUL/ PARCEL PERIMETER

265.81'

N12°07'40"W

C.B. FD.

877.25'
N77°51'04"W
(TIE COURSE)

AUL/ PARCEL PERIMETER

1,325.88'
S1°55'15"W (TIE COURSE)

BY THE RIVER 1415'±

BY THE RIVER 2400'±

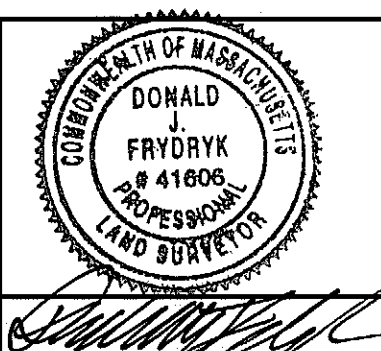
BY THE RIVER 7295'±

CONNECTICUT RIVER

NO.	DATE	BY	REVISIONS

SHERMAN & FRYDRYK
 Land Surveying, Engineering & Scientists
 A DIVISION OF HANCOCK SURVEY ASSOCIATES, INC.
 3 Converse Street, Suite 203
 Palmer, MA 01069

FIELD WORK: JGG/KRP
 COMPS: KJM
 DRAFTING: KJM
 CHECKED: TRF
 APPROVED: DJF



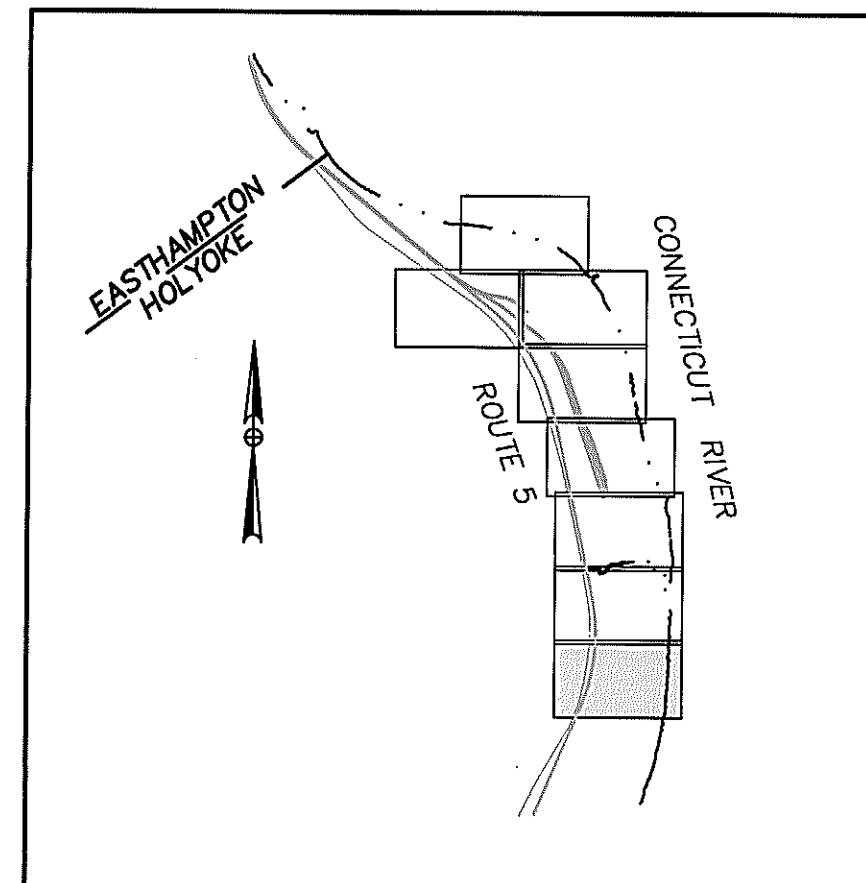
SCALE:
 HORZ: 1"=40'
 VERT: N/A
 DATE: 07/12/2021

ACTIVITY AND USE LIMITATION SURVEY
 200 NORTHAMPTON STREET (ROUTE 5)

PLAN OF LAND IN
 HOLYOKE, MA
 PREPARED FOR (OWNER)
 MT. TOM GENERATING COMPANY, LLC

PROJECT NUMBER
 08080E2
 SHEET NUMBER
 8 OF 9

MATCH LINE



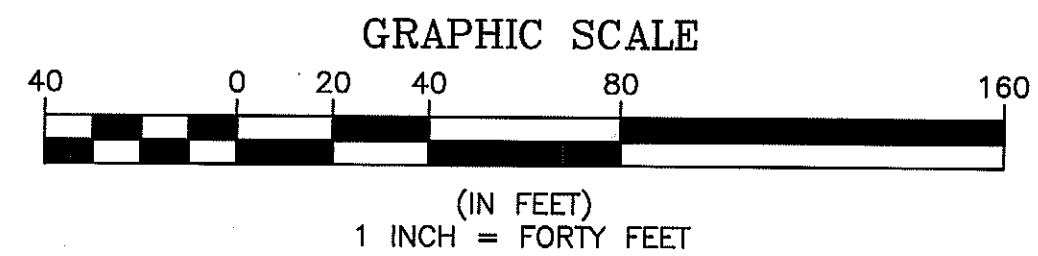
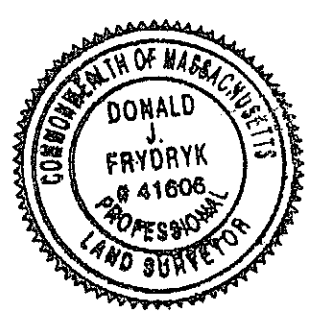
KEY MAP
1"=2000'

FOR REGISTRY USE

Hamden County Registry of Deeds
Rec'd 6/30/2022 at 1:37 p.m.
Recorded in Book
of Plans 345 Page 76
Attest:
Ch. A. Coakley-Riviera, Esq.
Register

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DATE: 6/15/2022



ROUTE 5 - NORTHAMPTON STREET
1936 STATE HIGHWAY LAYOUT
VARIABLE WIDTH

BOSTON & MAINE RAILROAD

(TIE COURSE)
N75°00'34"
59.78'

L=575.92'
4-16' 42" 28"

N66°38'19"W
88.62'

GATE

N89°49'01"W
263.30'
6.5' HIGH CHAIN LINK FENCE

LIMIT OF AUL
LEASE LINE

6.5' HIGH CHAIN LINK FENCE

L=124.34'

Per 1975.00'

L=638.43'

6.5' HIGH CHAIN LINK FENCE

SOLAR ARRAY (TYP)

LEASE TO
MT. TOM SOLAR, LLC
BK. 21666 PG. 37

202.31'

N35°32'27"E

256.90'

N25°01'00"E

LIMIT OF AUL

440.00'

6.5' HIGH CHAIN LINK FENCE

N65°30'18"W

457'

LIMIT OF AUL

PARCEL 8 AND PORTION OF PARCEL 9
MT. TOM GENERATING COMPANY, LLC
PARCEL ID 226-00-009
PARCEL ID 064-00-01
HAMPDEN DB 17709, PAGE 562
HAMPSHIRE DB 9753, PAGE 165
AREA = 53.87± ACRES

AUL 2
1,081,800± S.F.
24.8± ACRES

BY THE RIVER 1415±

AUL/PARCEL PERIMETER
BY THE RIVER 2400±

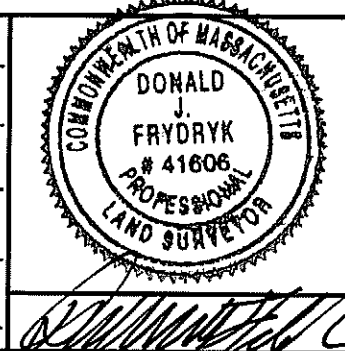
1,325.88'
S1°55'15"W (TIE COURSE)

CONNECTICUT RIVER

NO.	DATE	BY	REVISIONS

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Land Surveying, Engineering & Scientists
A DIVISION OF HANCOCK SURVEY ASSOCIATES, INC.
3 Converse Street, Suite 203
Palmer, MA 01069

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COMPS: KJM
DRAFTING: KJM
CHECKED: TRF
APPROVED: DJF



SCALE:
HORZ: 1"=40'
VERT: N/A
DATE: 7/12/2021

ACTIVITY AND USE LIMITATION SURVEY
200 NORTHAMPTON STREET (ROUTE 5)

PLAN OF LAND IN
HOLYOKE, MA
PREPARED FOR (OWNER)
MT. TOM GENERATING COMPANY, LLC

PROJECT NUMBER
08080E2
SHEET NUMBER
9 OF 9

RECORD INTEREST HOLDER NOTIFICATIONS



Mt. Tom Generating Company, LLC
1360 Post Oak Boulevard
Suite 400
Houston, Texas 77056
Telephone: (774) 265-0227

Via e-mail; - dkreutz@ersinvest.net
- chad@ersi-usa.com

February 17, 2021

Mr. David Kreutz
ERS Investors Inc.
One Penn Plaza 36th Floor
New York, NY 10110

Re: Notice of Activity and Use Limitation
Mt. Tom Generating Company, LLC
200 Northampton Street
Holyoke, Massachusetts
RTN 1-20229, ACO 00002589

Dear Record Interest Holder:

In accordance with the requirements of the Massachusetts Contingency Plan (MCP) and pursuant to 310 CMR 40.1074(1)(e) of the MCP, you are being notified as a current record interest holder of the implementation of an Activity and Use Limitation (AUL) at the above-referenced site and associated with Release Tracking Number (RTN) 1-20229. There is no action required by the record interest holder.

Prior to the recording and/or registration of the AUL pursuant to 310 CMR 40.1074(3), current record interest holders in the area subject to the AUL (including without limitation, owners, leases, tenants, mortgagees, and holders of easements or licensees) must be notified by certified mail (or similar). The AUL describes the existence and location of oil and/or hazardous material within such area and the terms of the AUL. The following attachments are provided for your reference:

- Figure 1 identifies the location of the AUL areas.
- Attachment 1: AUL terms.

The AUL cannot be recorded with the Registry of Deeds and Land Registration Office until at least 30 days after this notification has occurred. As a record interest holder, you have the option to provide a written waiver of the 30-day waiting period to the property owner. If you wish to waive the 30-day waiting period, please provide written notice to the property owner, listed below:

Robert K. Maggiani
robert.maggiani@engie.com
c/o Mt. Tom Generating Company, LLC
1360 Post Oak Boulevard
Suite 400
Houston, Texas 77056

If you have any questions or comments relative to this correspondence, please be sure to contact me on telephone number of (774) 265-0227, or electronically at robert.maggiani@engie.com.

Sincerely,

DocuSigned by:
Robert Maggiani
164110136D8A491...

2/17/2021

Robert K. Maggiani
Plant Manager

Enclosures:

- Figure 1 AUL Site Plan.
- AUL terms.

cc: Mt. Tom; File.



Mt. Tom Generating Company, LLC
1360 Post Oak Boulevard
Suite 400
Houston, Texas 77056
Telephone: (774) 265-0227

Via e-mail; - jonathan.reich@eversource.com
- jeffery.cochran@eversource.com
- nancy.kaplan@eversource.com
- charles.nicol@eversource.com
- gary.iadarola@eversource.com

February 17, 2021

Mr. Jonathan Reich
Eversource - Westwood Office
247 Station Drive
Westwood, MA 02090

Re: Notice of Activity and Use Limitation
Mt. Tom Generating Company, LLC
200 Northampton Street
Holyoke, Massachusetts
RTN 1-20229, ACO 00002589

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Robert Maggiani
164110136D8A491...

2/17/2021

Robert K. Maggiani
Plant Manager

Enclosures:

- Figure 1 AUL Site Plan.
- AUL terms.

cc: Mt. Tom; File.



Mt. Tom Generating Company, LLC
1360 Post Oak Boulevard
Suite 400
Houston, Texas 77056
Telephone: (774) 265-0227

Via e-mail; - bbeauregard@hged.com
- jzwirko@hged.com

February 17, 2021

Mr. Brian Beauregard
Holyoke Gas & Electric
Electric Division Superintendent
99 Suffolk Street
Holyoke, MA 01040

Re: Notice of Activity and Use Limitation
Mt. Tom Generating Company, LLC
200 Northampton Street
Holyoke, Massachusetts
RTN 1-20229, ACO 00002589

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Sincerely,

DocuSigned by:
Robert Maggiani
164110136D8A491...

2/17/2021

Robert K. Maggiani
Plant Manager

Enclosures:

- Figure 1 AUL Site Plan.
- AUL terms.

cc: Mt. Tom; File.



Mt. Tom Generating Company, LLC
1360 Post Oak Boulevard
Suite 400
Houston, Texas 77056
Telephone: (774) 265-0227

Via e-mail: - mgilmore@sheld.org

February 17, 2021

Mr. Mark Gilmore
South Hadley Electric Light Department
85 Main Street
South Hadley, MA 01075-2797

Re: Notice of Activity and Use Limitation
Mt. Tom Generating Company, LLC
200 Northampton Street
Holyoke, Massachusetts
RTN 1-20229, ACO 00002589

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DocuSigned by:
Robert Maggiani
164110136D8A491...

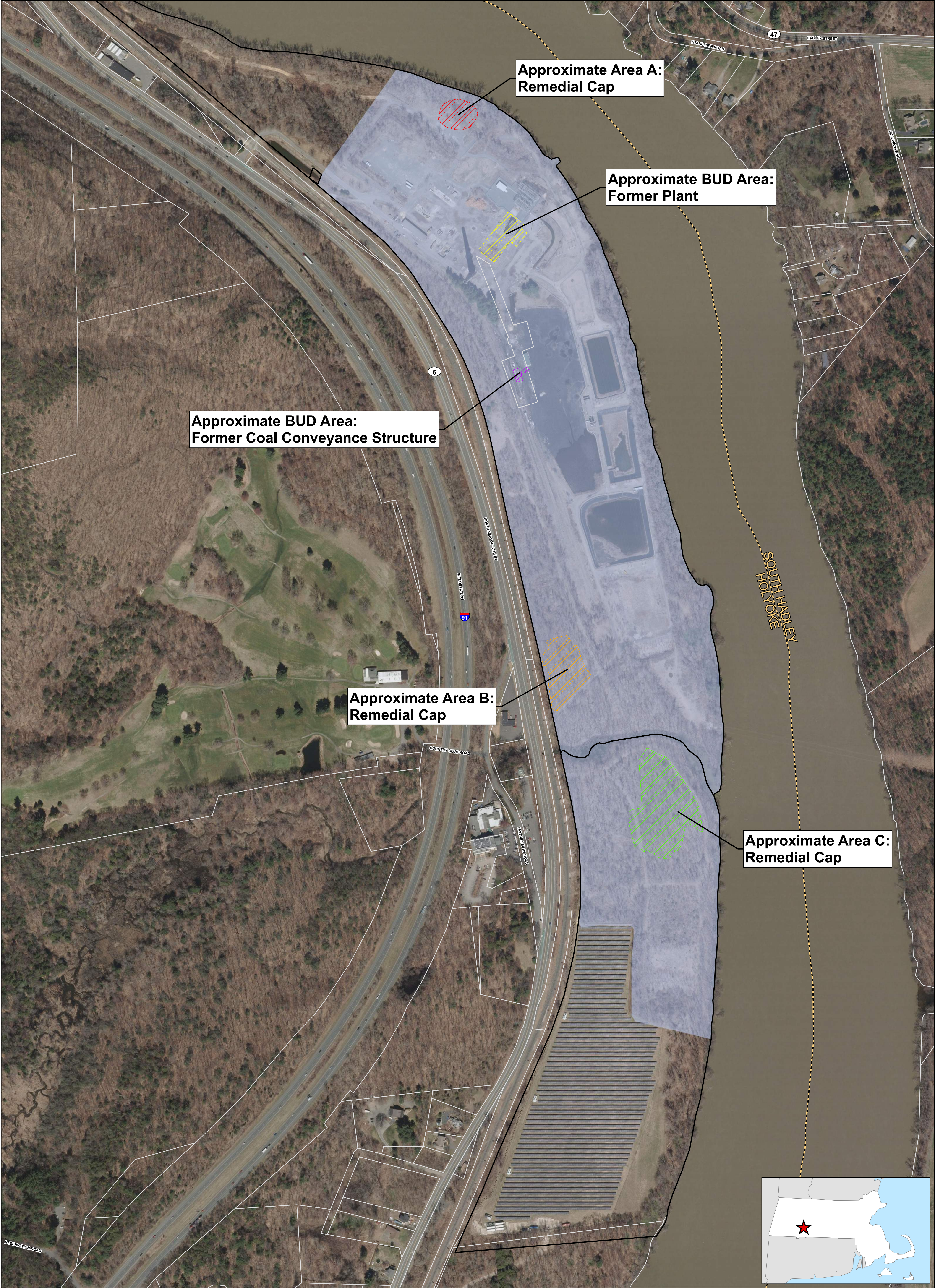
2/17/2021

Robert K. Maggiani
Plant Manager

Enclosures:

- Figure 1 AUL Site Plan.
- AUL terms.

cc: Mt. Tom; File.



- Approximate Area A: Remedial Cap
- Approximate BUD Area: Former Plant
- Approximate BUD Area: Former Coal Conveyance Structure
- Approximate Area B: Remedial Cap
- Approximate Area C: Remedial Cap
- Site Parcels
- Parcel Boundary
- Approximate AUL Area
- Town Boundary



1. Orthophoto provided by MassGIS, 2019.

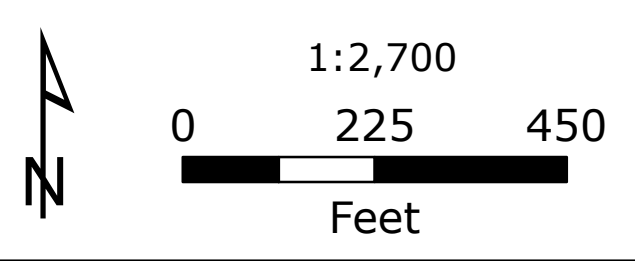


FIGURE 1
APPROXIMATE ACTIVITY & USE LIMITATION AREA
 Former Mt. Tom Station Power Plant
 200 Northampton Street
 Holyoke, Massachusetts
 RTN 1-20229
 January 2021

Mt Tom Activity Use Limitation Terms
Attachment 1
February 17-2021

1. Activities and Uses Consistent with Maintaining No Significant Risk Conditions. The following Activities and Uses are consistent with maintaining a Temporary Solution and a condition of No Substantial Hazard and, as such, may occur on the Property pursuant to 310 CMR 40.0000:

- (i) Commercial and industrial uses of the Property;
- (ii) Excavation of soils, provided it is conducted in accordance with a Soil Management Plan, and a Health and Safety Plan prepared and implemented in accordance with Obligations in Paragraph 3;
- (iii) Such other activities or uses which, in the Opinion of a Licensed Site Professional (LSP), shall present no greater risk of harm to health, safety, public welfare or the environment than the activities and uses set forth in this Paragraph;
- (iv) Emergency utility repair work that has the potential to disturb site soils; and
- (v) Such other activities and uses not identified in Paragraph 2 as being Activities and Uses Inconsistent with No Substantial Hazard Conditions.

2. Activities and Uses Inconsistent with No Substantial Hazard Conditions. The following Activities and Uses are inconsistent with maintaining a Temporary Solution and a condition of No Substantial Hazard pursuant to 310 CMR 40.0000, and, as such, may not occur on the Property:

- (i) Use of the Property as a residence, school, daycare, nursery, recreational area or park;
- (ii) Use of the property for agricultural purposes for growing of produce;
- (iii) Disturbance of the remedial soil caps designed and constructed to eliminate risk to ecological receptors, including any invasive activity or excavation within their surveyed limits; and
- (iv) Any invasive activity or excavation, within the portion of the site where brick and concrete rubble were used as backfill in accordance with applicable Beneficial Use Determination (BUD) permit and the AUL Area, which are likely to result in the disturbance of contaminated soil located three feet beneath surface grade, unless an LSP renders an Opinion which states that such activity is consistent with No Substantial Hazard Conditions, except in accordance with Obligations in Paragraph 3. Disturbance of the regulated BUD materials is additionally subject to the BUD Permit and the Solid Waste provisions.

3. Obligations and Conditions. The following obligations and/or conditions are necessary and shall be undertaken and/or maintained at the Property to maintain a Temporary Solution and a condition of No Substantial Hazard:

- (i) A Soil Management Plan (pursuant to 310 CMR 40.0000) must be prepared by a Licensed Site Professional prior to the commencement of any activity which is likely to disturb contaminated soil, within the AUL Area. The Soil Management Plan must describe appropriate soil excavation methods, including environmental monitoring, handling, storage, transport, and disposal procedures necessary to ensure that on-site workers and other receptors in the vicinity are not exposed to site

contaminants. On-site workers working in or in the immediate vicinity of the AUL Area must be informed of the requirements of the Soil Management Plan, and the Plan must be available on-site throughout the course of a said activity;

(ii) A Health and Safety Plan must be prepared by a qualified individual sufficiently trained in worker health and safety requirements prior to the commencement of any activity, which is likely to disturb contaminated soil located at a depth beyond three feet below surface grade, within the AUL Area, and said activity must be conducted in accordance with the plan. The Health and Safety Plan must specify the type of personnel protection, engineering controls, and environmental monitoring necessary to prevent exposures to contaminated soil by workers or other receptors. On-site workers working in or in the immediate vicinity of the AUL Area must be informed of the requirements of the Health and Safety Plan, and the Plan must be available on-site throughout the course of said activity;

(iii) Annual inspections of the remedial soil caps and the entire AUL area. The inspections will include the remedial soil caps and areas within the AUL boundary where steep slopes and grades have the potential for increased erosion. The findings from the annual inspections and as-needed repair efforts will be documented and maintained for inclusion in future regulatory submittals.

4. Proposed Changes in Activities and Uses. Any proposed changes in activities and uses at the Portion of the Property which may result in higher levels of exposure to oil and/or hazardous material than currently exist shall be evaluated by a Licensed Site Professional who shall render an Opinion, in accordance with 310 CMR 40.1080, as to whether the proposed changes are inconsistent with maintaining a Temporary Solution and a condition of No Substantial Hazard. Any and all requirements set forth in the Opinion to meet the objective of this Notice shall be satisfied before any such activity or use is commenced.

5. Violation of a Permanent or Temporary Solution. The activities, uses and/or exposures upon which this Notice is based shall not change at any time to cause a significant risk of harm to health, safety, public welfare, or the environment or to create substantial hazards due to exposure to oil and/or hazardous material without the prior evaluation by a Licensed Site Professional in accordance with 310 CMR 40.1080, and without additional response actions, if necessary, to maintain a condition of No Substantial Hazard.

If the activities, uses, and/or exposures upon which this Notice is based change without the prior evaluation and additional response actions determined to be necessary by a Licensed Site Professional in accordance with 310 CMR 40.1080, the owner or operator of the Property subject to this Notice at the time that the activities, uses and/or exposures change, shall comply with the requirements set forth in 310 CMR 40.0020.

6. Incorporation Into Deeds, Mortgages, Leases, and Instruments of Transfer. This Notice shall be incorporated either in full or by reference into all future deeds, easements, mortgages, leases, licenses, occupancy agreements or any other instrument of transfer, whereby an interest in and/or a right to use the Property or a portion thereof is conveyed in accordance with 310 CMR 40.1074(5).

Shawn Rising

From: dkreutz@ersinvest.net
Sent: Wednesday, February 17, 2021 4:39 PM
To: robert.maggiani@engie.com
Cc: Chad@ersi-usa.com; Shawn Rising
Subject: Re: Mt Tom Activity Use Limitation Notice

[Caution - External Sender]

Got it Bob.

Thank you.

David

Sent from my iPhone

On Feb 17, 2021, at 3:56 PM, robert.maggiani@engie.com wrote:

<image002.gif>
Dear Mr. Kreutz,

At your earliest convenience, please confirm receipt of the AUL notification letter.

Thank you.

Regards, Bob

Robert K. Maggiani, MBA
Environmental Manager
ENGIE North America
474 Brookline Avenue, Boston, MA 02215
Mobile; 774-265-0227

From: MAGGIANI Robert (ENGIE North America)
Sent: Wednesday, February 17, 2021 3:21 PM
To: dkreutz@ersinvest.net
Cc: Chad Parks <chad@ersi-usa.com>; Shawn Rising <SRising@tighebond.com>
Subject: Mt Tom Activity Use Limitation Notice

Dear Mr. Kreutz,

Attached please find Notice of Activity and Use Limitation (AUL) for Mt Tom Generation located at 200 Northampton St in Holyoke. There is no action required by ERS Investments.

The purpose of the notice is to inform ERS Investments of the existence and location of hazardous materials that were remediated. The letter includes a map and terms of the AUL.

Please let me know if there are any questions or comments on this matter.

Thank you.

Regards, Bob

Robert K. Maggiani, MBA

Environmental Manager

ENGIE North America

474 Brookline Avenue, Boston, MA 02215

Mobile; 774-265-0227

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Shawn Rising

From: robert.maggiani@engie.com
Sent: Tuesday, February 23, 2021 1:11 PM
To: jonathan.reich@eversource.com
Cc: nancy.kaplan@eversource.com; gary.iadarola@eversource.com; Shawn Rising; adam.stmartin@eversource.com; taylor.lapierre@eversource.com
Subject: RE: Mt Tom Activity Use Limitation Notice

[Caution - External Sender]

Jonathan,

Wish to clarify some specifics. My below message was intended for the AUL remedial capped areas. For these specific areas, none of Eversource's property is within any AUL remedial capped areas. The AUL remedial caps are not to be disturbed.

The entire property is governed by the site-wide AUL. Other than the above referenced AUL remedial caps:

- 1) traveling (via vehicles, on foot) on the surface is allowed without restriction.
- 2) the AUL restricts subsurface disturbance from 3 feet below grade and deeper.

Sorry for any confusion - please feel free to contact me if there are any questions or comments.

Regards, Bob

Robert K. Maggiani, MBA
Environmental Manager
ENGIE North America
474 Brookline Avenue, Boston, MA 02215
Mobile; 774-265-0227

From: MAGGIANI Robert (ENGIE North America)
Sent: Tuesday, February 23, 2021 10:59 AM
To: Reich, Jonathan E <jonathan.reich@eversource.com>
Cc: Kaplan, Nancy <nancy.kaplan@eversource.com>; Iadarola, Gary <gary.iadarola@eversource.com>; Shawn Rising <SRising@tighebond.com>; adam.stmartin@eversource.com; LaPierre, Taylor <taylor.lapierre@eversource.com>
Subject: RE: Mt Tom Activity Use Limitation Notice

Hi Jonathan,

Thank you for the receipt information.

In the past, I've worked with Adam and Taylor.

Eversource has a switchyard on the property as well as transmission structures/lines. So, as needed Eversource will access the site.

None of Eversource's property is within any AUL area. Also, normal travels in and around the property is not over any AUL areas.

That's a good idea to post signage; I'll work to have that done.

Please feel free to let me know if there be any other questions or comments.

Regards, Bob

Robert K. Maggiani, MBA
Environmental Manager
ENGIE North America
474 Brookline Avenue, Boston, MA 02215
Mobile; 774-265-0227

From: Reich, Jonathan E <jonathan.reich@eversource.com>
Sent: Tuesday, February 23, 2021 10:48 AM
To: MAGGIANI Robert (ENGIE North America) <robert.maggiani@engie.com>
Cc: Kaplan, Nancy <nancy.kaplan@eversource.com>; Iadarola, Gary <gary.iadarola@eversource.com>
Subject: ⚠ RE: Mt Tom Activity Use Limitation Notice

Hi Bob,

Yes, I did receive the AUL Notice and have reviewed the document that was included in your email. I am not familiar with the history of the property, thus was wondering if you have any additional information you could provide me on how Eversource may be an interest holder. Are there any current utility poles, underground conduit or pad mount transformers presently on the property within the boundaries of the AUL? Do you have any figures detailing existing Eversource easements on the property? An finally, would Eversource be allowed to post any signage on the property that would make our workers aware of the AUL conditions on the property, in the event maintenance or emergency repairs were ever required? Thank you.

Regards,
Jonathan

Jonathan E. Reich, Sr. Environmental Engineer
Environmental Affairs
Eversource
247 Station Drive, Westwood, MA 02090
781-441-3807 (O)
339-987-7021 (C)

From: robert.maggiani@engie.com <robert.maggiani@engie.com>
Sent: Tuesday, February 23, 2021 10:16 AM
To: Reich, Jonathan E <jonathan.reich@eversource.com>
Cc: SRising@tighebond.com
Subject: RE: Mt Tom Activity Use Limitation Notice

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Hello Mr. Reich,

I am requesting acknowledgement that you received the below AUL notification.

Thank you.

Regards, Bob

Robert K. Maggiani, MBA

Environmental Manager
ENGIE North America
474 Brookline Avenue, Boston, MA 02215
Mobile; 774-265-0227

From: MAGGIANI Robert (ENGIE North America)
Sent: Wednesday, February 17, 2021 3:55 PM
To: jonathan.reich@eversource.com
Cc: Shawn Rising <srising@tighebond.com>; St Martin, Adam R <adam.stmartin@eversource.com>;
jeffery.cochran@eversource.com; nancy.kaplan@eversource.com; charles.nicol@eversource.com;
gary.iadarola@eversource.com; LaPierre, Taylor <taylor.lapierre@eversource.com>
Subject: RE: Mt Tom Activity Use Limitation Notice

Dear Mr. Reich,

At your earliest convenience, please confirm receipt of the AUL notification letter.

Thank you.

Regards, Bob

Robert K. Maggiani, MBA
Environmental Manager
ENGIE North America
474 Brookline Avenue, Boston, MA 02215
Mobile; 774-265-0227

From: MAGGIANI Robert (ENGIE North America)
Sent: Wednesday, February 17, 2021 3:19 PM
To: jonathan.reich@eversource.com
Cc: Shawn Rising <srising@tighebond.com>; St Martin, Adam R <adam.stmartin@eversource.com>;
jeffery.cochran@eversource.com; nancy.kaplan@eversource.com; charles.nicol@eversource.com;
gary.iadarola@eversource.com; LaPierre, Taylor <taylor.lapierre@eversource.com>
Subject: Mt Tom Activity Use Limitation Notice

Dear Mr. Reich,

Attached please find Notice of Activity and Use Limitation (AUL) for Mt Tom Generation located at 200 Northampton St in Holyoke. There is no action required by Eversource.

The purpose of the notice is to inform Eversource of the existence and location of hazardous materials that were remediated. The letter includes a map and terms of the AUL.

Please let me know if there are any questions or comments on this matter.


Thank you.

Regards, Bob

Robert K. Maggiani, MBA
Environmental Manager
ENGIE North America
474 Brookline Avenue, Boston, MA 02215
Mobile; 774-265-0227

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Shawn Rising

From: bbeauregard@hged.com
Sent: Wednesday, February 17, 2021 4:11 PM
To: robert.maggiani@engie.com
Cc: Shawn Rising; jzwirko@hged.com
Subject: RE: Mt Tom Activity Use Limitation Notice

[Caution - External Sender]

Bob -
I confirm by this email that HG&E has received the AUL notification letter. We do not have any questions or comments at this time.
Thanks and stay safe.
Brian

-----<robert.maggiani@engie.com> wrote: -----

To: <bbeauregard@hged.com>
From: <robert.maggiani@engie.com>
Date: 02/17/2021 03:53PM
Cc: <SRising@tighebond.com>, <jzwirko@hged.com>
Subject: RE: Mt Tom Activity Use Limitation Notice

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.



Dear Mr. Beauregard,

At your earliest convenience, please confirm receipt of the AUL notification letter.

Thank you.

Regards, Bob

Robert K. Maggiani, MBA

Environmental Manager

ENGIE North America

474 Brookline Avenue, Boston, MA 02215

Mobile; 774-265-0227

From: MAGGIANI Robert (ENGIE North America)
Sent: Wednesday, February 17, 2021 3:13 PM
To: Brian Beauregard <bbeauregard@hged.com>
Cc: Shawn Rising <SRising@tighebond.com>; Jonathan Zwirko <jzwirko@hged.com>
Subject: Mt Tom Activity Use Limitation Notice

Dear Mr. Beauregard,

Attached please find Notice of Activity and Use Limitation (AUL) for Mt Tom Generation located at 200 Northampton St in Holyoke. There is no action required by HG&E.

The purpose of the notice is to inform HG&E of the existence and location of hazardous materials that were remediated. The letter includes a map and terms of the AUL.

Please let me know if there are any questions or comments on this matter.

Thank you.

Regards, Bob

Robert K. Maggiani, MBA

Environmental Manager

ENGIE North America

474 Brookline Avenue, Boston, MA 02215

Mobile; 774-265-0227

ENGIE Mail Disclaimer: <http://www.engie.com/disclaimer/>

Shawn Rising

From: Mark Gilmore <mgilmore@sheld.org>
Sent: Thursday, February 18, 2021 7:21 AM
To: robert.maggiani@engie.com
Cc: Shawn Rising
Subject: RE: Mt Tom Activity Use Limitation Notice

[Caution - External Sender]

Good morning Bob,

Confirmed that SHELD has received the AUL notification letter for the Mt. Tom power plant site.

Thanks

Mark

From: robert.maggiani@engie.com <robert.maggiani@engie.com>
Sent: Wednesday, February 17, 2021 3:54 PM
To: Mark Gilmore <mgilmore@sheld.org>
Cc: SRising@tighebond.com
Subject: RE: Mt Tom Activity Use Limitation Notice

Dear Mr. Gilmore,

At your earliest convenience, please confirm receipt of the AUL notification letter.

Thank you.

Regards, Bob

Robert K. Maggiani, MBA
Environmental Manager
ENGIE North America
474 Brookline Avenue, Boston, MA 02215
Mobile; 774-265-0227

From: MAGGIANI Robert (ENGIE North America)
Sent: Wednesday, February 17, 2021 3:15 PM
To: Mark Gilmore <mgilmore@sheld.org>
Cc: Shawn Rising <srising@tighebond.com>
Subject: Mt Tom Activity Use Limitation Notice

Dear Mr. Gilmore,

Attached please find Notice of Activity and Use Limitation (AUL) for Mt Tom Generation located at 200 Northampton St in Holyoke. There is no action required by SHELD.

The purpose of the notice is to inform SHELD of the existence and location of hazardous materials that were remediated. The letter includes a map and terms of the AUL.

Please let me know if there are any questions or comments on this matter.

Thank you.

Regards, Bob

Robert K. Maggiani, MBA

Environmental Manager

ENGIE North America

474 Brookline Avenue, Boston, MA 02215

Mobile; 774-265-0227

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APPENDIX C

Tighe&Bond

APPENDIX D

Revision History

Revision Number	Revision Date	Section Revised¹	Type of Revision²	Summary of Revision

¹ Notation refers to Section-Paragraph-Sentence

² Only Technical Revisions will require updating of signatures

