

DEP Settlement Compliance

|    | A      | B  | C          | D              | E                   | L                   |
|----|--------|--|------------|----------------|---------------------|---------------------|
| 1  | Jan-08 | Activity (Paragraph Number)  | Start Date | Days to Comply | Compliance Due Date | Comments            |
| 2  |        |  |            |                |                     |                     |
| 3  | 11a    | Evaluate all floordrains at DPW Garage and pipes from floor drains   | 5/18/05    | 60             | 7/17/05             | complete            |
| 4  | 11b    | Evaluate all floordrains at buildings listed on Exhibit A  | 5/18/05    | 60             | 7/17/05             | complete            |
| 5  | 12     | Effect compliance with floor drain or seal off noncompliant drains   | 5/18/05    | 120            | 9/15/05             | complete            |
| 6  | 12     | Install holding tank for noncompliant drains   | 5/18/05    | 180            | 11/14/05            | Not Applicable (NA) |
| 7  | 13     | Remove asbestos except for Paragraph 16 in agreement   | 5/18/05    | 60             | 7/17/05             | completed           |
| 8  | 14a    | Hire asbestos contractor and clean up and remove all loose mat'l in and around east and west garages   | 5/18/05    | 60             | 7/17/05             | completed           |
| 9  | 14b    | Perform repairs to asbestos paneling throughout east side and west side garages at property  | 5/18/05    | 60             | 7/17/05             | Completed           |
| 10 | 14c    | Apply protective covers to asbestos paneling in garage walls at property   | 5/18/05    | 60             | 7/17/05             | Completed           |
| 11 | 14d    | Place proper signage   | 5/18/05    | 60             | 7/17/05             | Completed           |
| 12 | 15a    | Conduct Department approved employee training program  | 5/18/05    | 20             | 6/7/05              | Completed           |
| 13 | 15bi   | Develop O&M plan to include inspection protocol to periodically inspect covers in place and no new damage  | 5/18/05    | 20             | 6/7/05              | Completed           |
| 14 | 15bii  | O&M plan to include reporting procedure for each occurrence of damage to asbestos materials and release of friable asbestos  | 5/18/05    | 20             | 6/7/05              | Completed           |
| 15 | 15biii | O&M to include training for all workers who work at the property to ensure they know how to handle asbestos in safe way  | 5/18/05    | 20             | 6/7/05              | Completed           |
| 16 | 16     | Use a licensed asbestos professional to remove and dispose of all asbestos and asbestos containing material that is piled, dumped or buried at Property  | 5/18/05    | 90             | 8/16/05             | Completed           |
| 17 | 16a    | Hire asbestos consultant to develop work plan to guide Town through removal and disposal actions   | 5/18/05    | 10             | 5/28/05             | Completed           |
| 18 | 16b    | Submit removal and disposal plan for review and written approval prior to any actions  | 5/18/05    | 20             | 6/7/05              | Completed           |
| 19 | 16c    | Have licensed contractor remove asbestos from Property by deadline   | 5/18/05    |                | 5/18/05             | completed           |
| 20 | 17     | Assess and evaluate all site where asbestos containing fill has been buried (Field Road, Turner Park)  | 5/18/05    | 90             | 8/16/05             | Completed           |
| 21 | 17     | Report to DEP in writing results of assessments and evaluations  | 5/18/05    | 90             | 8/16/05             | Completed           |
| 22 | 18     | Ascertain whether Town conducted filling and disposal work in Buffer Zone at Property by June 30, 2005, delineate wetland resource areas at and within 200 feet of Property and file a request for Determination of Applicability with Longmeadow ConCom | 5/18/05    | 120            | 9/15/05             | Completed           |
| 23 | 19     | If Town wishes to keep culverts at BarkHaul/Pondside in place, file for Notice of Intent by March 31, 2005 and obtain Final Order of Conditions, hire PE to evaluate effect of culverts  | 5/18/05    | 120            | 9/15/05             | Completed           |
| 24 | 19     | If Town wishes to restore site to pre-installation condition submit to DEP written restoration plan by March 31, 2005  | 5/18/05    |                | 5/18/05             | NA                  |

DEP Settlement Compliance

|    | A      | B   | C       | D   | E       | L                           |
|----|--------|---|---------|-----|---------|-----------------------------|
| 25 | 19     | If removing culverts do so within 45 days of approval by DEP  | 5/18/05 |     | 5/18/05 | NA                          |
| 26 | 19     | If permission to retain culverts is denied or NOI is withdrawn, Town shall submit to DEP for review and approval a written Restoration Plan   | 5/18/05 |     | 5/18/05 | NA                          |
| 27 | 19     | After approval of culvert removal, with 45 days restore site to pre-installation condition  | 5/18/05 |     | 5/18/05 | NA                          |
| 28 | 20     | No later than June 30, 2005, hire Professional Wetland Scientist to determine extent Town should conduct wetland mitigation to address net loss of wetland resource area caused by beaver dam breach at West Road and Longmeadow Brook and submit written report  | 5/18/05 |     | 5/18/05 | Completed                   |
| 29 | 21     | Cease discharge of sewage from any buildings, facilities, and properties listed in Exhibit A  | 5/18/05 | 120 | 9/15/05 | completed                   |
| 30 | 22a    | Submit proposed SOP to Department to be implemented immediately upon written approval including steps for minimizing unpermitted sewage discharges throughout Longmeadow to waters of Commonwealth  | 5/18/05 | 90  | 8/16/05 | Completed                   |
| 31 | 22ai   | list of contact persons and phone numbers the town will inform  | 5/18/05 | 120 | 9/15/05 | completed                   |
| 32 | 22aii  | maintain inventory of piping, equipment, manpower and appurtenances   | 5/18/05 | 120 | 9/15/05 | Completed                   |
| 33 | 22aiii | develop emergency staffing plan for sufficient personnel to respond to unpermitted sewer discharges   | 5/18/05 | 120 | 9/15/05 | Completed                   |
| 34 | 22aiv  | keep DEP apprised of Town's progress in abating emergency sewage discharge conditions by contacting DEP within 2 hours of learning of emergency discharge   | 5/18/05 | 120 | 9/15/05 | Completed                   |
| 35 | 22a(v) | Create Organizational chart detailing responsibility of implementing SOP, chart to be included in SOP. Copies of SOP to be maintained in Town to be specified by Department.  | 5/18/05 | 120 | 9/15/05 | Completed                   |
| 36 | 22b    | By June 1, 2005 submit to department for review and approval a completed application for State Revolving Fund funding and complete design plans for Wheel Meadow Brook Interceptor project. If SRF funding is granted and DEP approves project, begin construction within 60 days of receipt of permits and approvals. Town shall complete construction in accordance with time limits. If SRF funding is not approved, but project is otherwise permitted by DEP, Town shall complete construction in accordance with timelines. | 5/18/05 |     | 5/18/05 | Construction in progress.   |
| 37 | 23a    | Town may temporarily operate Recycle Center as solid waste transfer station while permits and or determination for operation are pending at DEP if no later than 60 days town submits to DEP and to other local and federal agencies a Site Suitability Report and Site Assignment application  | 5/18/05 | 60  | 7/17/05 | Approved by Board of Health |
| 38 | 23b    | no later than 60 days after issuance of Site Assignment from Local Bd of Health, town shall submit to DEP an application for Authorization to Construct   |         |     |         | Completed                   |

DEP Settlement Compliance

|    | A   | B  | C       | D   | E        | L  |
|----|-----|--|---------|-----|----------|--|
| 39 | 23c | Within time frame set in Authoprization to Construct apply for Authorization to Operate  |         |     |          | Completed  |
| 40 | 23d | Within 30 days of Final Judgement, submit to DEP documentation that temporary solid waste transfer station is being and can continue to be conducted in and environmentally benign manner  | 5/18/05 | 30  | 6/18/05  | Completed.   |
| 41 | 23e | Upon receipt of Negative Determination Of Suitability From DEP or Bd of Health the town shall cease handling of any and al materials and remove and dispose of those materials   |         |     |          | NA   |
| 42 | 24  | No later than 30 days After DEP issuance of Negative Determination of Suitabiity or a denial or disaproval of Authorization to Construct and Authorizaton to Operate the recycle center as a solid waste transfer station, the Town shall cease handling of any and all materials from Recycling Center and properly dispose of them |         |     |          | NA   |
| 43 | 25  | Town shall not accept "Special Waste" at Recycle Center without a valid Site Assignment from Longmeadow Bd of Health, Authorizations to Construct and Operate and the DEP prior approval.  |         |     |          | NA   |
| 44 | 26  | Within 5 Days of entry of final judgement the town shall commence an investigation to determine location of all solid waste disposal sites in Longmeadow.  | 5/18/05 | 5   | 5/23/05  | Completed  |
| 45 | 27  | Submit To DEP a wriren report that describes location, size and boundaries of each Solid Waste Site in Town and type of waste in each  | 5/18/05 | 120 | 9/15/05  | Completed  |
| 46 | 28  | Within 150 days submit to DEP complete ISA applications and complete CSA Scopes of Work for Burn Dump, Old Dump, Wood Waste Landfill. DEP will determine if Town must file CSA. If so DEP will determine time an determine if Town must file CAAA.   | 5/18/05 | 150 | 10/15/05 | ISA submitted October 2005.                        |
| 47 | 28a | CSA req'd for wood waste; burn dump; leaf dump;landfil   | 5/25/07 |     | 10/1/08  | Tighe and Bond contracted. Assessment in progress. |
| 48 | 29  | If DEP determines after review of any required CAAA that corrective actions are required to address existing and potential impacts on Public Health, safety and Environment, Town shall prepare a Corrective Action Design   |         |     |          | To Be Determined                                   |
| 49 | 30  | By date of Final Judgement, Town shall discontinue crushing and disposal of equipment with CFC's.  | 5/18/05 | 0   | 5/18/05  | Completed  |
| 50 | 31  | Within 14 days of Final Judgement, town shall pay \$50,000 to Commonwealth. Within 6 months of date of Final Judgement, Town shall pay another \$50,000.   |         |     |          | Completed  |
| 51 | 32  | Within 14 days of entry of Final Judgement, Barron and Harrayt shall pay \$7500 each   |         |     |          | Completed  |
| 52 | 33  | Town, Barron and Harrayt agree Commonwealth may institute suit if payment is not made or is late.  |         |     |          | NA   |
| 53 | 34  | Town shall develop EMS for all facilities, buildings and properties in Exhibit A.  | 5/18/05 |     |          | Completed  |
| 54 | 35  | Within 30 days of entry of Final Judgement Town shall identify to DEP and AG an Assessment Team  |         |     |          | Completed  |

DEP Settlement Compliance

|    | A     | B   | C       | D   | E       | L  |
|----|-------|---|---------|-----|---------|--|
| 55 | 36    | Within 30 days of date of Final Judgement the town shall retain a EMS consultant and notify DEP in writing.   |         |     |         | Completed.                                 |
| 56 | 37    | Within 120 days of Final Judgemnt Town shall document Environmental Management System Manual and submit copy to DEP   | 5/18/05 | 120 | 9/15/05 | Completed                                  |
| 57 | 38-41 | Environmental Management System and Compliance  |         |     |         | Completed                                  |
| 58 | 42    | In written format agreed upon by Town and DEP, Town shall make its experience in developing EMS available to othe Mass municipalities   |         |     |         | Completed and submitted in April 2007      |
| 59 | 43    | Town's consultant to perform to reviews of EMS to evaluate effectiveness. First review is on first anniversary and to be completed within 60 days and sumitted to DEP 30 days with findings and recommendations.Town to implement recs. in a timely manner and notify DEP or explaindecision not to implement.  |         |     |         | Review and report completed and submitted. |
| 60 | 43    | Second Review shall commence on 2nd anniversary - see sequence above.   |         |     |         | Completed                                  |
| 61 | 44    | Town may elect to conduct 42 and 43 with conditions.  |         |     |         |  |
| 62 | 45    | Environmental Compliance Report with 60 days of Final Judgement   | 5/18/05 | 60  | 7/15/05 | Submitted                                  |
| 63 | 46    | Within 90 days of entering contract pursuant to Paragraph 45, Town to submit report to DEP with results of compliance audit with a proposed corrective action plan in implementation schedule for any violations found. Town shall implement corrective action plan and correct any violations in accordance with implementation schedule if agreed to by DEP in writing. If DEP feels implementation schedule is unreasonable or inconsistent, DEP may require Town to advance schedule. |         |     |         | completed                                  |
| 64 | 47    | All Notices to Steven E. Ellis  |         |     |         |  |