

**CORNELL DUBILIER ELECTRONICS, INC. SUPERFUND SITE
SOUTH PLAINFIELD, NEW JERSEY**

NATURAL RESOURCE TRUSTEE COUNCIL

RESOLUTION REGARDING THE RELEASE OF RESTORATION FUNDS

WHEREAS, the Trustees responsible for restoring natural resources and associated services injured, destroyed, or lost as a result of releases of hazardous substances at or from the Cornell Dubilier Electronics, Inc. Superfund Site (“Site” or “CDE”) in South Plainfield, New Jersey, are the United States Department of Commerce, acting through the National Oceanic and Atmospheric Administration (“NOAA”), the United States Department of the Interior (“DOI”), acting through the Fish and Wildlife Service (“Service”), and the State of New Jersey, acting through the New Jersey Department of Environmental Protection (“NJDEP”), collectively (“Trustees”).

WHEREAS, the Trustees entered into a Memorandum of Agreement (“MOA”) by and among themselves on May 19, 2015, for the purpose of coordinating the actions of their trust responsibilities.

WHEREAS, pursuant to Paragraph XII of the MOA, natural resource damage recoveries deposited in the DOI Natural Resource Damage Assessment and Restoration (“NRDAR”) interest-bearing account for the Site (“CDE DOI Account”), may be disbursed by request of all Trustees, for the purposes and objectives ascribed and authorized to the Trustees, and as described in the MOA.

WHEREAS, pursuant to provisions of Paragraph V(G) of the MOA, the Trustees authorized duties include: the development of plans for the restoration of injured natural resources; and the development of plans to monitor restoration.

WHEREAS, CDE Resolution 2022-06 (executed March 11, 2022) disbursed \$275,000 from the CDE DOI Account for contractual and engineering services related to the Island Farm Weir (“IFW”) rock ramp fishway restoration project, as summarized on pp. 19-23 in the Final Restoration Plan and Environmental Assessment (“RP/EA”).

WHEREAS, the IFW rock ramp fishway technical management team (comprised of representatives of all three Trustees) determined that additional work was needed beyond the original Statement of Work (“SOW”), and they prepared a new Independent Government Cost Estimate and revised the SOW to account for the additional tasks incorporated into the attached contract.

THEREFORE, the Trustees resolve to:

1. Authorize funds to be released to NOAA to cover the additional cost of the Phase II Design Work Order with IEc for contractual labor hours, travel, and per diem related to additional tasks for the IFW rock ramp fishway restoration project. During the restoration planning process, additional work was added to the IFW rock ramp fishway SOW and incorporated in the attached contract. The Trustees agree to release \$48,971.00 for the cost of this additional work, and any unspent amount will be returned to the CDE DOI Account. The total contractual costs associated with the IFW rock ramp fishway SOW are \$323,971 (\$275,000 from CDE Resolution 2202-06 plus \$48,971).

Concurred by the following, who are duly authorized Cornell Dubilier Electronics, Inc. Superfund Site Trustee Council Representatives.

RESOLUTION: CDE-2023-09

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NATURAL RESOURCE TRUSTEE COUNCIL

**RESOLUTION REGARDING DISBURSEMENT OF RECOVERED FUNDS
FOR RESTORATION PLANNING**

For the National Oceanic and
Atmospheric Administration

February 14, 2023



Date

Carl Alderson
National Oceanic and Atmospheric Administration
U.S. Department of Commerce

RESOLUTION: CDE-2023-09

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FOR RESTORATION PLANNING**

For the New Jersey Department of
Environmental Protection

3/13/2023
Date

Elizabeth Dragon
Elizabeth Dragon
New Jersey Department of Environmental Protection
State of New Jersey

RESOLUTION: CDE-2023-09

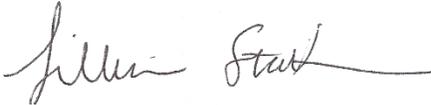
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For the U.S. Fish and Wildlife Service

3/7/2023
Date



Jillian Stark
U.S. Fish and Wildlife Service
Department of Interior