

MASSACHUSETTS SUBCOUNCIL
of the
HOUSATONIC RIVER TRUSTEE COUNCIL

United States, et al., v. General Electric Company.
Civil Action Nos. 99-30225-MAP; 99-30226-MAP; and 99-30227-MAP (D. Mass.)

RESOLUTION # 9
Release of Funds for
Executive Office of Energy and Environmental Affairs
Restoration Planning Activities

1. *Whereas*, the United States Department of Commerce, acting by and through the National Oceanic and Atmospheric Administration ("NOAA"), the Commonwealth of Massachusetts, acting by and through its Executive Office of Energy and Environmental Affairs ("EEA"), the State of Connecticut, acting by and through its Department of Environmental Protection ("CTDEP"), the United States Department of the Interior ("DOI"), acting by and through the United States Fish and Wildlife Service ("USFWS"), are the four Natural Resource Trustee agencies ("Trustees") responsible for restoration in the Housatonic River Environment with respect to the above-referenced case;
2. *Whereas*, the Trustees have entered into a Memorandum of Agreement ("MOA") effective January 30, 2002, to coordinate activities for the above-referenced case; and pursuant to Section VII Paragraph B (1) and Resolution #4 to the MOA, a Trustee SubCouncil for the Geographic Region of Massachusetts ("MA SubCouncil") has been established, consisting of two voting members from the Mass. Trustee and the Federal Trustee agencies, EEA and USFWS, and non-voting Ex Officio Delegates;
3. *Whereas*, the sums recovered for the restoration activities, in the civil action referred to above, are being held in the Natural Resource Damages Assessment and Restoration (NRDAR) Fund, Account #0251 (Housatonic River - MA Restoration), administered by the DOI and jointly managed by the MA SubCouncil; and
4. *Whereas*, the EEA requests that the MA SubCouncil authorize the release of \$126,188.73 from the DOI NRDAR Account #0251 (Housatonic River - MA Restoration) to support the EEA's participation in MA SubCouncil activities from November 1, 2000 through June 30, 2007;
5. *NOW, THEREFORE, BE IT RESOLVED*, that, after a thorough review of the proposed uses for such sums, the MA SubCouncil authorizes the release of funds in the amount of \$126,188.73 from the DOI NRDAR Account #0251 (Housatonic River - MA Restoration) to the EEA to support the EEAs' participation in the restoration planning and implementation activities of the MA SubCouncil. These funds will be transferred and allocated to the EEA NRD Trust Account # 2000-6020, to the attention of Dale C. Young, NRD Program Director.

CONCURRED IN by the following who are duly authorized:

MASSACHUSETTS SUBCOUNCIL
of the
HOUSATONIC RIVER TRUSTEE COUNCIL

United States, et al., v. General Electric Company,
Civil Action Nos. 99-30225-MAP; 99-30226-MAP; and 99-30227-MAP (D. Mass.)

RESOLUTION # 9

*Release of Funds for
Executive Office of Energy and Environmental Affairs
Restoration Planning Activities*

FOR THE COMMONWEALTH OF MASSACHUSETTS

August 22, 2007

Date

Dale C. Young

Dale Young
MA SubCouncil Trustee Representative
NRD Program Director
Executive Office of Energy and Environmental Affairs
Suite 900
100 Cambridge Street
Boston, MA 02114

Concurred:

August 24, 2007

Date

Kenneth Kimmell

Kenneth Kimmell
General Counsel
Executive Office of Energy and Environmental Affairs
Suite 900
100 Cambridge Street
Boston, MA 02114

**MASSACHUSETTS SUBCOUNCIL
of the
HOUSATONIC RIVER TRUSTEE COUNCIL**

United States, et al., v. General Electric Company,
Civil Action Nos. 99-30225-MAP; 99-30226-MAP; and 99-30227-MAP (D. Mass.)

RESOLUTION # 9

*Release of Funds for
Executive Office of Energy and Environmental Affairs
Restoration Planning Activities*

FOR THE U.S. DEPARTMENT OF THE INTERIOR

8/23/07

Date

Veronica W. Varela

Veronica Varela
MA SubCouncil Trustee Representative
NRDAR Specialist
U.S. Fish and Wildlife Service
New England Field Office
700 Commercial Street, Suite 300
Concord, NH 03301

MEMORANDUM

TO: Veronica Varela, USFWS

FROM: Dale C. Young, NRD Program Director,
Executive Office of Energy and Environmental Affairs

RE: GE/Housatonic River
Resolution #9

DATE: August 16, 2007

The following provides back-up information for Resolution #9 requesting a Release of Funds for the Executive Office of Energy and Environmental Affairs (EEA) Restoration Planning Activities.

I. Nov 1, 2000 thru June 30, 2005: NRD Program Director:

- Hours: 1543.5
- Direct Pay: \$64,225.13
- Overhead: \$42,153.36
- Total: \$106,378.49

However, the total costs for Restoration Planning will be reduced by 10% to subtract hours allocated towards other GE/Housatonic River tasks, primarily the oversight of Consent Decree related work. **Therefore, total requested costs for this period: \$95,740.65**

II. July 1, 2005 thru June 30, 2007: NRD Program Director:

- Hours: 736.75
- Direct Pay: \$33,346.02
- Fringe: \$485.18
- Total: \$33,831.20

However, the total costs for Restoration Planning will be reduced by 10% to subtract hours allocated towards other GE/Housatonic River tasks primarily the oversight of Consent Decree related work. **Therefore, total requested costs for this period: \$30,448.08**

Total costs requested for EEA Restoration Planning Activities from Nov 1, 2000 thru June 30, 2007: \$126,188.73



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114

Deval L. Patrick
GOVERNOR

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MEMORANDUM

TO: Bruce Nesslage, NRDAR Manager, DOI
FROM: Dale Young, Lead Administrative Trustee *DY*
RE: **DOI NRDAR Disbursement Request**
GE/Housatonic River NRD: Massachusetts Restoration Account # 0251
Resolution #9: Release of Funds for Executive Office of Energy and Environmental Affairs
Restoration Planning Activities: \$126,188.73
DATE: August 30, 2007

As Lead Administrative Trustee for the GE/Housatonic River NRD case, I request that \$126,188.73 be released from the DOI NRDAR Massachusetts Restoration Account (Project # 0251). The transfer request is for the sole purpose of reimbursing the NRD restoration planning activities incurred by the Executive Office of Energy and Environmental Affairs in its work as Trustee for the MA SubCouncil for the GE/Housatonic River. Such reimbursement is approved by the Trustee Memorandum of Agreement of January 30, 2002.

Attached is Resolution #9, "*Release of Funds for Executive Office of Energy and Environmental Affairs Restoration Planning Activities*" with appropriate signature pages.

The Funds should be made payable via a check to the Commonwealth of Massachusetts with a reference to the Natural Resources Damages Trust Fund Account # 2000-6020 and mailed to my attention:

ATTN: Dale C. Young
NRD Director
Executive Office of Environmental Affairs
100 Cambridge Street
Suite 900
Boston, MA 02114

As always if you have any questions in regards to this matter, please do not hesitate to contact me at 617-626-1134.

Cc: Veronica Varela, USFWS
Ken Kimmell, General Counsel, EEA
Alicia McDevitt, Deputy General Counsel, EEA