THIRD AMENDMENT TO THE DIAMOND ALKALI SUPERFUND SITE
SIX MONTH TOLLING AGREEMENT

This Agreement is entered into on June 30, 2020 between the United States, on behalf of the United States Environmental Protection Agency, and the undersigned Potentially Responsible Parties (hereinafter, "Cooperating Parties"). The undersigned representative of each party certifies that he or she is fully authorized to enter into the terms and conditions of this Agreement, and to execute and bind such party to this document.

The parties agree as follows:

1. That the Tolling Period established by Paragraph 1 of the Diamond Alkali Superfund Site Six Month Tolling Agreement is hereby amended to substitute "November 12, 2020" for "August 16, 2019," so that the Tolling Period shall extend without interruption from February 15, 2019 through November 12, 2020.

2. All other provisions of the Diamond Alkali Superfund Site Six Month Tolling Agreement remain unchanged and continue in full force and effect under its terms.

3. This Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement may be signed in counterparts.

The United States, on behalf of the United States Environmental Protection Agency, consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representatives.

HENRY FRIEDMAN
Assistant Section Chief
Environmental Enforcement Section
Environment & Natural Resources Division
United States Department of Justice

By: _____
LAURA J. ROWLEY
Senior Attorney
Environmental Enforcement Section
United States Department of Justice
P.O. Box 7611
Washington, D.C. 20044

A group of Cooperating Parties, identified in Attachment A, have authorized Preti, Flaherty, Beliveau & Pachios, Chartered, LLP, Jeffrey D. Talbert, to sign this extension to a 90-day agreement on their behalf. The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative on this 25th day of June, 2020.

For: The companies listed on Attachment A.

By:

Jeffrey D. Talbert
Partner at Preti, Flaherty, Beliveau & Pachios, Chartered, LLP – *Counsel for the Small Parties Group*
One City Center
PO Box 9546
Portland, ME 04101-9546
207-791-3000
jtalbert@preti.com

Attachment A

(as of 6/25/2020)

1. Arkema Inc.
2. Ashland LLC
3. BASF Corporation (on its own behalf and on behalf of BASF Catalysts LLC)
4. Berol Corporation
5. Coats & Clark Inc.
6. CNA Holdings, LLC and Celanese Ltd.
7. Conopco, Inc., d/b/a Unilever (as successor to CPC/Bestfoods, former parent of Penick Corporation)
8. DII Industries, LLC
9. Emerald Kalama Chemical, LLC
10. EnPro Holdings, Inc. (successor to Coltec Industries, Inc.)
11. EPEC Polymers Inc. (El Paso Tennessee Pipeline Co.)
12. Essex Chemical Corporation
13. Franklin-Burlington Plastics, Inc.
14. Givaudan Fragrances Corp.
15. Goodrich Corporation
16. Honeywell International, Inc.
17. ISP Chemicals LLC
18. Kalama Specialty Chemicals, Inc.
19. Newell Brands Inc. (f/k/a Newell Rubbermaid Inc.)
20. Noveon Hilton Davis, Inc.
21. Otis Elevator Company
22. Quala Systems, Inc.
23. Quality Carriers, Inc.
24. Revere Smelting and Refining Corporation
25. Safety-Kleen Envirosystems Company/McKesson Corporation
26. Stanley Black & Decker, Inc.
27. STWB, Inc.
28. Sun Chemical Corporation
29. Textron, Inc.
30. The Hartz Mountain Corporation
31. The Newark Group, Inc.
32. The Okonite Company, Inc.
33. The Sherwin Williams Co.
34. ViacomCBS (formerly known as "CBS Corporation")

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: **Atlantic Richfield Company**

Signature: David A. Haworth

Printed Name: David A. Haworth

Title: Attorney

Address: Ballard Spahr LLP

210 Lake Drive East, Suite 200

Cherry Hill, NJ 08002

Phone Number: 856-873-5525

Email: haworthd@ballardspahr.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: [Company Name] BENJAMIN MOORE & CO.

Signature:

Printed Name: ERIC ARONSON

Title: PARTNER

Address: STROOCK, 180 MAIDEN LANE, NY, NY 10038

Phone Number: (212) 806-6627

Email: earonson@stroock.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For:	Canning Gumm LLC
Signature:	Heather L. Demirjian
Printed Name:	Heather L. Demirjian, Esq.
Title:	Counsel for Canning Gumm LLC
Address:	Cole Schotz P.C. 25 Main Street Hackensack, New Jersey 07601
Phone Number:	(201) 525-6314
Email:	hdemirjian@coleschotz.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For:

Chevron Environmental Management Company, a California Corporation

Signature: DocuSigned by: Gina K. Lee 909F8DD3C923449...

Printed Name: Gina K. Lee
Title: Assistant Secretary
Address: 6001 Bollinger Canyon Road, San Ramon, CA 94583
2020-Jun-10 | 3:37 PM PDT

Texaco Inc., a Delaware Corporation

Signature: DocuSigned by: Harpreet K. Tiwana 5093F566A32543B...

Printed Name: Harpreet K. Tiwana
Title: Assistant Secretary
Address: 6001 Bollinger Canyon Road, San Ramon, CA 94583
2020-Jun-10 | 3:29 PM PDT

TRMI-H LLC, a Delaware limited liability company

Signature: DocuSigned by: Michael W. Woody E2D251F4F22843C...

Printed Name: Michael W. Woody
Title: Assistant Secretary
Address: 6001 Bollinger Canyon Road, San Ramon, CA 94583
2020-Jun-10 | 4:43 PM PDT

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Congoleum Corporation

Signature: James Monyak 6/4/2020

Printed Name: James Monyak

Title: Vice President, Administration

Address: 3500 Quakerbridge Road
Mercerville, New Jersey 08619

Phone Number: (609) 584-3550

Email: JMonyak@congoleum.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Cooper Industries, LLC

Signature:

Printed Name: Sonja Inglin

Title: Counsel for Cooper Industries, LLC and Authorized Signatory

Address: c/o Cermak & Inglin, LLP
12121 Wilshire Blvd., Suite 322
Los Angeles, CA 90025

Phone Number: (424) 465-1532

Email: singlin@cermaklegal.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Covanta Essex Company

Signature: _____

Printed Name: Barbara Hopkinson Kelly, Esq.

Title: Attorney for Covanta Essex Company

Address: Wilson Elser Moskowitz Edelman & Dicker LLP
200 Campus Drive
Florham Park, NJ 07932

Phone Number: 973-735-5765

Email: barbara.kelly@wilsonelser.com

2970343v.1

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Croda Inc.

Signature:

Printed Name: Stephen Swedlow

Title: Counsel for Croda Inc.

Address: 191 N. Upper Wacker Drive, Suite 2700

Chicago, IL 60606

Phone Number: (312) 705 - 7400

Email: stephenswedlow@quinnemanuel.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: **E. I. du Pont de Nemours and Company**

Signature: David A. Haworth

Printed Name: David A. Haworth

Title: Attorney

Address: Ballard Spahr LLP

210 Lake Drive East, Suite 200

Cherry Hill, NJ 08002

Phone Number: 856-873-5525

Email: haworthd@ballardspahr.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative to sign this Amendment.

For: [Company Name] Garfield Molding Co., Inc.

Signature: [signature]

Printed Name: Patrick J. McStravick

Title: as attorney for Garfield Molding Co., Inc.

Address: 1515 Market St. Ste. 700
Philadelphia, PA 19102

Phone Number: (215) 320-2087

Email: pmcstravick@rfjglaw.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: General Electric Company

Signature:

Printed Name: Gary P. Gengel

Title: Attorney for General Electric Company.

Address:
Latham & Watkins LLP
885 Third Avenue
New York, NY 10022

Phone Number: 212-906-1200

Email: gary.gengel@lw.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For:	Hexcel Corporation
Signature:	
Printed Name:	Steven A. Wein
Title:	Deputy General Counsel
Address:	281 Tresser Blvd. Stamford, CT 06901
Phone Number:	203-352-6838
Email:	steven.wein@hexcel.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Hoffmann- LaRoche Inc.

Signature:

Printed Name :John H. Klock

Title: :Attorney for Hoffmann- LaRoche Inc.

Address: Gibbons P.C.
Gateway I
Newark, NJ 07102

Phone Number: (973) 596 4757

Email: jklock@gibbonslaw.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: L3Harris Technologies, Inc. f/k/a Harris Corporation, for itself and as successor in interest to Exelis Inc. successor in interest to ITT corporation with respect to its former facility in Clifton and Nutley, New Jersey.

Signature:
Susanne Peticolas

Printed Name: Susanne Peticolas

Title: Counsel for L3Harris Technologies, Inc. f/k/a Harris Corporation, for itself and as successor in interest to Exelis Inc. successor in interest to ITT corporation with respect to its former facility in Clifton and Nutley, New Jersey

Address:
Gibbons PC
One Gateway Center
Newark, NJ 07102

Phone Number: 573-596-4751

Email: speticolas@gibbonslaw.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Leemilts Petroleum, Inc.

By: Nicole R. Moshang
Signature

Nicole R. Moshang
Printed Name

Outside Counsel
Title

Manko, Gold, Katcher & Fox, LLP
401 City Avenue, Suite 901
Bala Cynwyd, PA 19004
Address

484-430-2324
Phone Number

nmoshang@mankogold.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Legacy Vulcan LLC

Signature: Eddie Lewis

Printed Name: Edward Lewis

Title: Attorney

Address: 1301 McKinney, Suite 5100
Houston, TX 77035

Phone Number: 713 651 5151

Email: eddie.lewis@nortonrosefulbright.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: National-Standard LLC

Signature: _____

Printed Name: Barbara Hopkinson Kelly, Esq.

Title: Attorney for National-Standard LLC

Address: Wilson Elser Moskowitz Edelman & Dicker LLP
200 Campus Drive
Florham Park, NJ 07932

Phone Number: 973-735-5765

Email: barbara.kelly@wilsonelser.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Nokia of America Corporation

Signature: James Stewart

Printed Name: James Stewart

Title: Authorized Agent and Counsel

Address: Lowenstein Sandler, LLP
One Lowenstein Drive
Roseland, N.J. 07068

Phone Number: 973.597.2522.

Email: jstewart@lowenstein.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: PPG Industries, Inc.

Signature: Gary P. Gengel

Printed Name: Gary P. Gengel

Title: Attorney for PPG Industries, Inc.

Address:
Latham & Watkins LLP
885 Third Avenue
New York, NY 10022

Phone Number: 212-906-1200

Email: gary.gengel@lw.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For:	Pabst Brewing Company, LLC
Signature:	Heather L. Demirjian
Printed Name:	Heather L. Demirjian, Esq.
Title:	Counsel for Pabst Brewing Company, LLC
Address:	Cole Schotz P.C. 25 Main Street Hackensack, New Jersey 07601
Phone Number:	(201) 525-6314
Email:	hdemirjian@coleschotz.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Pharmacia LLC

Signature: /s/ John F. Gullace

Printed Name: John F. Gullace, Esq.

Title: Attorney for Pharmacia LLC

Address:
Manko, Gold, Katcher & Fox, LLP
401 City Avenue, Suite 901
Bala Cynwyd, PA 19004

Phone Number: 484-430-2326

Email: jgullace@mankogold.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: **Pitt-Consol Chemical Company**

Signature: David A. Haworth

Printed Name: David A. Haworth

Title: Attorney

Address: Ballard Spahr LLP

210 Lake Drive East, Suite 200

Cherry Hill, NJ 08002

Phone Number: 856-873-5525

Email: haworthd@ballardspahr.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Public Service Electric and Gas Company and PSEG Fossil, LLC

Signature

Printed Name: Tamara L. Linde, Esq.

Title: Executive Vice President and General Counsel

Address: 80 Park Plaza
Newark, NJ 07101

Phone Number: (973) 430-8058

Email: Tamara.Linde@pseg.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Purdue Pharma Technologies, Inc.

Signature: James Stewart

Printed Name: James Stewart

Title: Authorized Agent and Counsel

Address: Lowenstein Sandler, LLP
One Lowenstein Drive
Roseland, N.J. 07068

Phone Number: 201.572.3844

Email: jstewart@lowenstein.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: [Company Name] Royce Associates, L.P.

Signature: IV

Printed Name: Albert J. Royce IV

Title: President, Monopco, Inc., General Partner

Address: 35 Centre Ave
East Rutherford, NJ 07073

Phone Number: 201-432-5200

Email: aj.royce@roycegroup.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Sequa Corporation

Signature: Gary P. Gengel

Printed Name: Gary P. Gengel

Title: Attorney for Sequa Corporation.

Address:
Latham & Watkins LLP
885 Third Avenue
New York, NY 10022

Phone Number: 212-906-1200

Email: gary.gengel@lw.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: TFCF America, Inc.

Signature:

Printed Name: José R. Allen

Title: Attorney For TFCF America, Inc.

Address: 525 University Avenue
Palo Alto, CA 94301

Phone Number: (650) 470-4520

Email: Jose.Allen@skadden.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Tate & Lyle Ingredients Americas LLC

Signature: _____ 6/3/2020

Printed Name: John R. Holsinger

Title: Attorney

Address: One University Plaza
Suite 611
Hackensack, NJ 07601

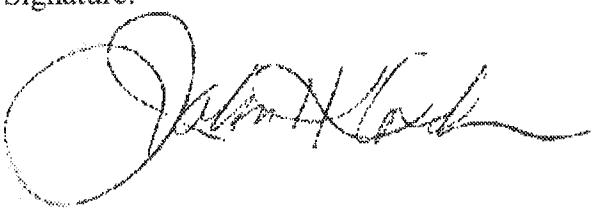
Phone Number: (201) 487-9000

Email: johnh@jrholsinger.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Tiffany and Company

Signature:



Printed Name :John H. Klock

Title: :Attorney for Tiffany and Company

Address: Gibbons P.C.
Gateway I
Newark, NJ 07102

Phone Number: (973) 596 4757

Email: jklock@gibbonslaw.com

The undersigned ~~Cooperating Party~~ party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Alliance Chemical Inc.

Signature:

Printed Name: Lee Henig-Elona, Esq.

Title: Attorney

Address: Gordon Rees Scully Mansukhani, LLP
18 Columbia Turnpike ~ Suite 220
Florham Park, NJ 07932

Phone Number: (973) 549-2520

Email: LHenig-Elona@grsm.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative on this 17th day of June, 2020.

For: Atlas Refinery, Inc.

Signature: _____

Printed Name: Jonathan N. Frodella, Esq.

Title: Attorney at Laddey, Clark & Ryan, LLP

Address:
60 Blue Heron Rd, Suite 300
Sparta, NJ 07871

Phone Number: 973-903-3147

Email: jfrodella@lcrlaw.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Johnson & Johnson, Esqs.

Signature:

Printed Name: John M. Johnson, Esq.

Title: Borough Attorney

Address:30 Columbia Tpke., Suite 200, Florham Park, NJ 07936

Phone Number: 973-593-8000

Email:john@johnsonlawnj.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Darling Ingredients Inc.

Signature:

Printed Name: John F. Sterling

Title: Executive Vice President and General Counsel

Address: 5601 N. MacArthur Blvd.
Irving, TX 75038

Phone Number: 972-281-4402

Email: jsterling@darlingii.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Elan Chemical Company, Inc.

Signature:

Printed Name: Jocelyn Kapp Manship

Title: President

Address: 268 Doremus Ave., Newrak, NJ 07105

Phone Number: 973 344 8014

Email: jmanship@elan-chemical.com

The undersigned ~~Cooperating Party~~ party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: [Company Name] Kearny Smelting & Refining Corp.

Signature: Francine Rothschild

Printed Name: Francine Rothschild

Title: President

Address: 936 Harrison Ave, Kearny, NJ 07032

Phone Number: 201-991-7276

Email: KSRCORP@AOL.COM

with copy to

Lee Henig-Elona, Esq

lhenig-elona@grsm.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Neu Holdings U.S. Corporation

By: Dennis Schepker
Signature

Dennis Schepker
Corporate Secretary
Neu Holdings U.S. Corporation
c/o Eden Wood Realty LLC
47 Parsippany Road
Whippany, NJ 07923
973.428.0065
dennis@edenwoodrealty.com

Date: 6/8/2020

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: [Company Name] Occidental Chemical Corporation

Signature:

Printed Name: Larry Silver (outside counsel for Occidental Chemical Corporation)

Title: Partner, Langsam Stevens Silver & Hollander LLP

Address: 1818 Market Street Ste 2930
Philadelphia PA 19103

Phone Number: 215 239 9023

Email: lsilver@lssh-law.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Passaic Valley Sewerage Commission

Signature: _____

Name: Michael D. Witt, Esq.

Title: General Counsel

Address: 600 Wilson Avenue
Newark, NJ 07105

Telephone: (973) 817 5944

Email: mwitt@pvsc.com

The undersigned ~~Cooperating Party~~ party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative.

For: Teval Corp.

Signature:

Printed Name: Lee Henig-Elona, Esq.

Title: Attorney

Address: Gordon Rees Scully Mansukhani, LLP
18 Columbia Turnpike ~ Suite 220
Florham Park, NJ 07932

Phone Number: (973) 549-2520

Email: LHenig-Elona@grsm.com

The undersigned Cooperating Party consents to the terms and conditions of this Third Amendment to the Diamond Alkali Superfund Site Six Month Tolling Agreement by its duly authorized representative on this 10 day of June, 2020.

For: WestRock-Southern Container, LLC

Signature:

Printed Name: Gail Howie Conenello, Esq.

Title: Counsel for WestRock-Southern Container, LLC

Address: K&L Gates, LLP, One Newark Center, Newark, NJ 07102

Phone Number: 973-848-4048

Email: gail.conenello@klgates.com