

PREET BHARARA
United States Attorney for the
Southern District of New York
By: PIERRE G. ARMAND
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Telephone: (212) 637-2804
Fax: (212) 637-2730
E-mail: pierre.armand@usdoj.gov

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X	
UNITED STATES OF AMERICA	:
	:
Plaintiff,	:
	:
v.	:
	:
CITY OF NEWBURGH, CITY OF	:
POUGHKEEPSIE, CONNELL LIMITED	:
PARTNERSHIP, INTERNATIONAL	:
BUSINESS MACHINES CORP., NORTHROP	:
GRUMMAN SHIP SYSTEMS, INC.,	:
	:
Defendants.	:
----- X	

No. 08 Civ. 7378 (KMK)

**FIFTH MODIFICATION
TO CONSENT DECREE**

WHEREAS, on February 3, 2009, this Court entered the Consent Decree in the above-captioned case;

WHEREAS, the Consent Decree provides at paragraph 50.a. that Settling Defendants may seek to add additional parties to the Consent Decree who have previously received notification of potential liability from the United States as "Other Settling Parties as long as the Net Proceeds from future cost recoveries obtained by Settling Defendants are paid 50% to the United States and 50% to the Settling Defendants;

WHEREAS, the Consent Decree provides at paragraph 50.b. that Settling Defendants may seek to add additional parties to the Consent Decree who have not received notification of potential liability from the United States as “Other Settling Parties” (as that term is defined in the Consent Decree) by submitting a request to the United States, a statement of the proceeds that such parties have agreed to pay in settlement, as well as relevant evidence that such persons are liable under Section 107 of CERCLA, 42 U.S.C. § 9607;

WHEREAS, the Consent Decree provides at paragraph 50.d. that once the Net Proceeds exceeded \$2,000,000, after submission of a request to the United States and review of the relevant evidence that such persons are liable, if the United States agrees to add such persons, the Parties (as that term is defined in the Consent Decree) would then determine an appropriate percentage of Net Proceeds to be provided to the United States based on the totality of the circumstances, provided that the Net Proceeds distributed to Settling Defendants shall be no less than 20%;

WHEREAS, on October 29, 2009, the Court entered the First Modification to the Consent Decree which added 58 parties as Other Settling Parties to the Consent Decree;

WHEREAS, on August 11, 2010, the Court entered the Second Modification to the Consent Decree, which changed the signatory for the Settling Defendants and the Other Settling Parties to Gary D. Justis at Wagstaff & Cartmell LLP;

WHEREAS, on February 1, 2011, the Court entered the Third Modification to the Consent Decree which added 27 additional parties as Other Settling Parties to the Consent Decree;

WHEREAS, on November 1, 2011, the Court entered the Fourth Modification to the Consent Decree which added 32 additional parties as Other Settling Parties to the Consent Decree;

WHEREAS, Settling Defendants have requested that 34 additional parties be added as Other Settling Parties to the Consent Decree (see Appendix H of the Consent Decree);

WHEREAS, the proposed 34 additional Other Settling Parties have agreed to pay \$437,078 to the United States, which will be paid by the Settling Defendants on behalf of the Other Settling Parties, within ten days after the Court's approval and entry of this modification ("Fifth Modification");

WHEREAS, on April 17, 2015, the Parties reached an agreement to distribute 35% of the Net Proceeds over \$2,000,000 to the Settling Defendants;

WHEREAS, the proposed additional Other Settling Parties have executed signature pages to the Consent Decree to evidence their agreement to be added to the Consent Decree;

WHEREAS, the Consent Decree as modified provides at paragraph 57.b. that Settling Defendants agree that the Consent Decree may be modified to add additional Other Settling Parties and that Gary D. Justis is designated to sign modifications on behalf of all Settling Defendants and Other Settling Parties; and

WHEREAS, the United States and the Settling Defendants agree that the following modification to the Consent Decree constitutes a modification pursuant to paragraph 57.b.;

NOW, THEREFORE, the Consent Decree is hereby modified as follows:

1. Paragraph 5 of the Consent Decree is modified by adding the following subparagraph:

5. e. Within ten days of the entry of the Fifth Modification to Consent Decree by this Court, Settling Defendants shall pay to EPA \$437,078.

2. Paragraph 8 of the Consent Decree is deleted and replaced with the following:

8. a. The amount previously paid by Settling Defendants to the United States pursuant to paragraph 5, as amended by Modifications One through Three, \$12,764,875, was deposited into the Consolidated Iron and Metal Superfund Site Special Account within the EPA Hazardous Substance Superfund to be used to conduct or finance response actions at or in connection with the Site, or to be transferred by EPA to the EPA Hazardous Substance Superfund.

b. The amount previously paid by Settling Defendants to the United States pursuant to paragraph 5, as amended by Modification Four, \$200,400, was deposited into the EPA Hazardous Substance Superfund.

c. The amount to be paid by Settling Defendants pursuant to paragraph 5.e., \$437,078, as well as any subsequent payments to be made by Settling Defendants pursuant to Paragraph 5 shall be paid to the EPA Hazardous Substance Superfund.

3. Paragraph 56 of the Consent Decree is modified to add Appendix H, which contains the list of Other Settling Parties added by this Modification.

4. Paragraph 57.b. of the Consent Decree is modified to change the address of Gary D. Justis' law firm to:

The Justis Law Firm LLC
10955 Lowell Avenue
Suite 520
Overland Park, KS 66210-2336

SO ORDERED THIS _____ DAY OF _____, 2016.

NELSON S. ROMAN
United States District Judge

THE UNDERSIGNED PARTY enters into this Fifth Modification to Consent Decree in the matter of United States v. City of Newburgh, et al., relating to the Consolidated Iron and Metal Superfund Site.

FOR THE UNITED STATES OF AMERICA

Date

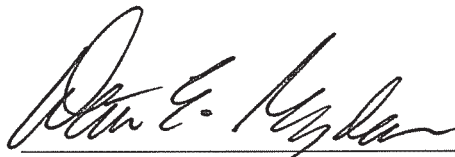
John C. Cruden
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice
Washington, D.C. 20530

Preet Bharara
United States Attorney for the
Southern District of New York

Date

By: Pierre G. Armand
Assistant United States Attorney
Southern District of New York
U.S. Department of Justice
86 Chambers St., 3rd Floor
New York, NY 10007
Tel No. 212-637-2724
FAX No. 212-637-2730

4/13/2014
Date

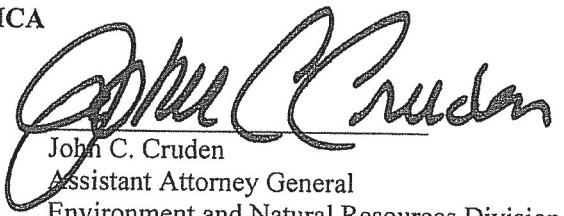


Walter E. Mugdan, Director
Emergency and Remedial Response Division
U.S. Environmental Protection Agency,
Region 2
290 Broadway, 19th Floor
New York, New York 10007-1866

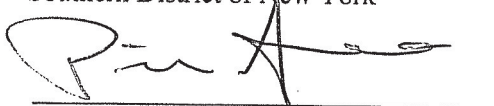
THE UNDERSIGNED PARTY enters into this Fifth Modification to Consent Decree in the matter of United States v. City of Newburgh, et al., relating to the Consolidated Iron and Metal Superfund Site.

FOR THE UNITED STATES OF AMERICA

Date


John C. Cruden
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice
Washington, D.C. 20530

6/29/2016
Date

Preet Bharara
United States Attorney for the
Southern District of New York

By: Pierre G. Armand
Assistant United States Attorney
Southern District of New York
U.S. Department of Justice
86 Chambers St., 3rd Floor
New York, NY 10007
Tel No. 212-637-2724
FAX No. 212-637-2730

Date

Walter E. Mugdan, Director
Emergency and Remedial Response Division
U.S. Environmental Protection Agency,
Region 2
290 Broadway, 19th Floor
New York, New York 10007-1866

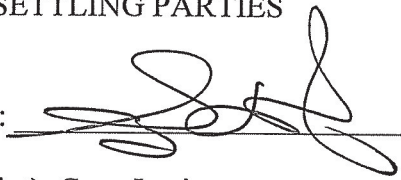
10/1/16

10/1/16

THE UNDERSIGNED PARTY enters into this Fifth Modification to Consent Decree in the matter of United States v. City of Newburgh, et al., relating to the Consolidated Iron and Metal Superfund Site.

FOR SETTLING DEFENDANTS and
OTHER SETTLING PARTIES

Date: 3/24/2016

Signature: 

Name (print): Gary Justis

Title: Authorized Signatory

Address: The Justis Law Firm LLC

10955 Lowell Ave., Suite 520, Overland Park,
Agent Authorized to Accept Service on Behalf of Above-signed Party: KS 66210

Name: Gary D. Justis

Title: Authorized Agent

Address: The Justis Law Firm LLC

10955 Lowell Ave.
Suite 520
Overland Park, KS 66210

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
AVIS RENT A CAR SYSTEM, LLC

Date: 4/8/2016

Robert Bouta

Name: Robert Bouta

Title: Senior Vice President

Address: 6 Sylvan Way
Parsippany, NJ 07054

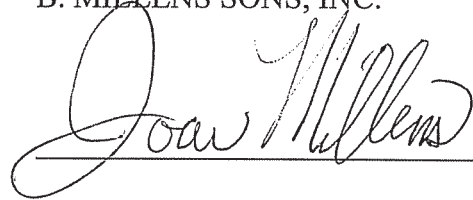
Agent Authorized to Accept Service on Behalf of Above-signed Party:

Jean H. McCreary, Esq.
Nixon Peabody LLP
Clinton Square
Rochester, NY 14604

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
B. MILLENS SONS, INC.

Date: 2/4/12



Name: Joan Milless

Title: President

Address: 290 EAST STRAND

Kingston, NY. 12401

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Lawrence R. Schillinger, Esq.
5 Palisades Drive
Suite 300
Albany, New York 12205

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
BALCHUNAS AUTO COLLISION, INC.

Date: 9-28-2011

David A Balchunas

Name: David A Balchunas

Title: PRES

Address: 1500 RT 9-W

MARLBORO, NY 12542

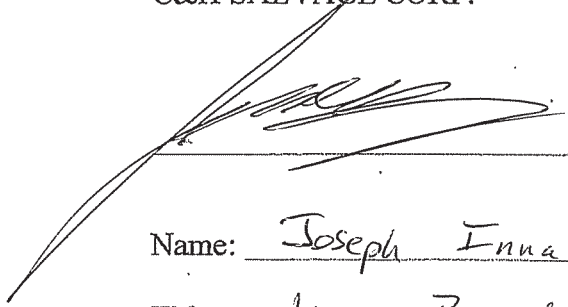
Agent Authorized to Accept Service on Behalf of Above-Signed Party:

David A. Balchunas
Balchunas Auto Collision, Inc.
1500 Route 9W
Marlboro, NY 12542

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
C&H SALVAGE CORP.

Date: 10/9/14



Name: Joseph Innamorato

Title: Vice President

Address: PO Box 253

Campbell Hall, NY 10916

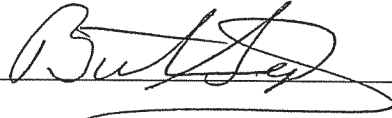
Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Nicholas Ward Willis, Esq.
Keane & Beane, PC
445 Hamilton Ave., #1500
White Plains, NY 10601-1835

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
CAPITOL SCRAP METAL CO.
(CAPITOL BAG & WASTE CO., INC.)

Date: May 18, 2016


A handwritten signature in black ink, appearing to read "Burton Segel", is written over a horizontal line.

Name: Burton Segel

Title: President

Address: 25 Lake Avenue
Ballston Spa, New York 12020

Agent Authorized to Accept Service on Behalf of Above-signed Party:

Robert J. Alessi, Esq.
DLA Piper LLP (US)
677 Broadway, Suite 1205
Albany, NY 12207-2996

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
CLEVELAND WRECKING (defined in the Settlement Agreement in this action as "Cleveland Wrecking Company and its respective officers, directors, employees, shareholders, successors, predecessors, agents, and assigns, whether pursuant to contract, by operation of law, or otherwise, including, but not limited to, URS Corporation, Cleveland Wrecking Company, Inc., CWC Liquidation Corp., CWC Acquisition Corp. and CRI Resources, Inc.")

Date: March 7, 2012

James P. Sheridan

Name: 

Title: President

Address: 628 East Edna Place

Covina, CA 91723

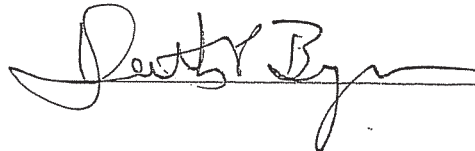
Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Carey D. Schreiber, Esq.
Winston & Strawn LLP
200 Park Avenue
New York, NY 10166

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
COUNTY OF DUTCHESS, NEW YORK

Date: 10/7/14



Name: Keith P. Byron

Title: Senior Assistant County Attorney

Address: _____

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Keith Byron, Esq.
Dutchess County Attorney
22 Market St.
Poughkeepsie, NY 12601-3222

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
EASTERN ALLOYS, INC.

Date: 6/21/11

JOHN MALMAGREEN

Name: John Malmagreen

Title: VP MANUFACTURING

Address: HENRY HENNING DR.

MAYBROOK, NY 12543

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Allyson M. Phillips
Young, Sommer, Ward, Ritzenberg, Baker & Moore, LLC
Executive Woods
Five Palisades Drive
Albany, NY 12205

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
FEDERAL BLOCK CORP.

Date: 6/14/11

Jacqueline Montfort

Name: Jacqueline Montfort

Title: President

Address: 44 Elm Street

Fishkill, NY 12524

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Charles S. Warren, Esq.
Kramer Levin Naftalis & Frankel LLP
1177 Avenue of the Americas
New York, NY 10036-2714

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
HARRISON AND BURROWES BRIDGE
CONSTRUCTORS, INC.

Date: 4-13-16



Name: JEFFREY L. DISTEFANO

Title: C.E.O.

Address: BOX 335
GLENMONT, NY 12077

Agent Authorized to Accept Service on Behalf of Above-signed Party:

Allyson M. Phillips, Esq.
Young, Summer, LLC
Executive Woods
Five Palisades Drive
Albany, NY 12205

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
J&M SCRAP CORP.

Date: 9/10/12

Michael Rothman

Name: Michael Rothman

Title: Pres

Address: 562 Saddle Ridge Rd
Woodmere, N.Y. 11598

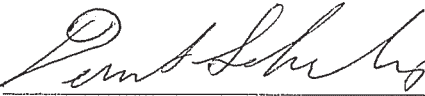
Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Stephen W. Livingston, Esq.
Lynne, Gartner, Dunne & Covello, LLP
330 Old Country Road, Suite 103
Mineola, NY 11501

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
J&P AUTO WRECKING, INC.

Date: 2/4/13



Name: Demetrios Sakellis

Title: President

Address: 987 Long Island Avenue
River Park, NY 11729

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Terry S. Triades, Esq.
Triades & Triades
214-05 39th Avenue
Bayside, New York 11361

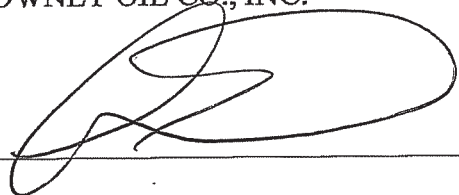
EXHIBIT A

(Part 2 of 2)

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
J.R. DOWNEY OIL CO., INC.

Date: 05/14/12



Name: Cory J. Downey

Title: Vice President

Address: P.O. Box 306

Cold Spring, N.Y. 10516

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

William J. Florence, Jr., Esq.
One Park Place
Suite 300
Peekskill, NY 10566

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
JAMES H. MALOY, INC.

Date: 6/21/11



Name: John E. Maloy Jr.

Title: V.P.

Address: 421 Albany Shaker Rd
Londonville NY

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Allyson M. Phillips
Young, Sommer, Ward, Ritzenberg, Baker & Moore, LLC
Executive Woods
Five Palisades Drive
Albany, NY 12205

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
LOYAL SERVICE CENTER, INC.

Date: MARCH 19, 2017



Name: MICHAEL HAGOPIAN

Title: PRESIDENT

Address: 160 ROUTE 17M
HARRISMAN, NY 10926

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Richard H. Sarajian
Montalbano, Condon & Frank, P.C.
67 N. Main St.
New City, NY 10956-8070

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
MRE MANAGEMENT CORP.

Date: May 10, 2012



Name: John R. Martabano, Jr.

Title: President

Address: 27 Radio Circle, Mt. Kisco, NY 10549

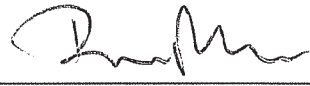
Agent Authorized to Accept Service on Behalf of Above-Signed Party:

P. Daniel Hollis, III, Esq.
Shamberg Marwell Davis & Hollis, P.C.
55 Smith Ave.
Mt. Kisco, NY 10549

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
MID-ISLAND SALVAGE CORP.

Date: 1/11/13



Name: David Marro

Title: President

Address: 1007 Long Island Ave
Deer Park NY 11729

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

David Marro
Mid Island Salvage
1007 Long Island Ave
Deer Park NY 11729

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
MONTFORT BROS., INC.

Date: 6/14/11

Jacqueline Montfort

Name: Jacqueline Montfort

Title: President

Address: 404 Elm Street
Fishkill, NY 12524

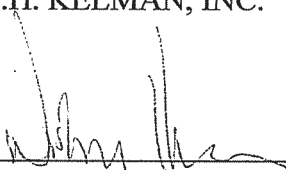
Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Charles S. Warren, Esq.
Kramer Levin Naftalis & Frankel LLP
1177 Avenue of the Americas
New York, NY 10036-2714

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
N.H. KELMAN, INC.

Date: 1/3/13



Name: NATHAN O. KELMAN

Title: V. P.

Address: 41 EUCLID STREET

CONROES, NY 12047

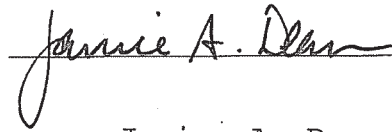
Agent Authorized to Accept Service on Behalf of Above-Signed Party:

John J. Henry, Esq.
Whiteman Osterman & Hanna LLP
One Commerce Plaza
Albany, NY 12260

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
NEW YORK STATE THRUWAY
AUTHORITY AND CANAL
CORPORATION

Date: 6/20/11



Name: Janice A. Dean

Title: Assistant Attorney General

Address: Office of the NYS Attorney
General, 120 Broadway, 26th
Floor, New York, NY 10271

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

N/A

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
NICHOLSON GROUP, INC.

Date: _____

5/10/11



Name: MARC GIARVE

Title: TREASURER

Address: 41 COLUMBIA ST.
BUFFALO N.Y. 14204

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

J. Michael Lennon, Esq.
Blair & Roach, LLP
2645 Sheridan Dr.
Tonawanda, NY 14150

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
PARKWAY IRON & METALS CO., INC.

Date: 1.22.13

Steven Teudler

Name: Steven Teudler

Title: VP

Address: 613-639 RT 462

Clifton N.J. 07015

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Alexander G. Benisatto, Esq.
Shapiro, Croland, Reiser, Apfel & Di Iorio, LLP
Continental Plaza II
411 Hackensack Ave.
Hackensack, New Jersey 07601

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
PINE BUSH EQUIPMENT CO., INC.

Date: 12-13-12

Holly Bodnar

Name: Holly Bodnar

Title: President

Address: 97 Rte 302

Pine Bush NY 12566

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Nicholas Ward Willis, Esq.
Keane & Beane, PC
445 Hamilton Ave., #1500
White Plains, NY 10601-1835

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
PITTSFIELD PIPERS, INC.

Date: 2/9/12



Name: Floyd Passardi

Title: President

Address: 73 Fourth St.

Pittsfield, MA 01201

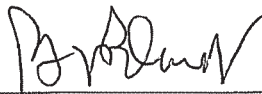
Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Ronald Steinvurzel, Esq.
Steinvurzel Law Group, P.C.
34 South Broadway, Suite 401
White Plains, NY 10601

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
PIZZAGALLI CONSTRUCTION
COMPANY, ALSO KNOWN AS PC
CONSTRUCTION COMPANY

Date: 10/14/11



Name: Peter M. Bernhardt

Title: President

Address: 193 Tilley Drive

South Burlington, VT 05403

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

John J. Henry, Esq.
Whiteman Osterman & Hanna LLP
One Commerce Plaza
Albany, NY 12260

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY.
REBENA CONSTRUCTION CO., INC.

Date: 7/20/11



Name: RAYMOND J. COSTANTINO

Title: President

Address: 251 Upper North Rd

HICITUND, NY 12528

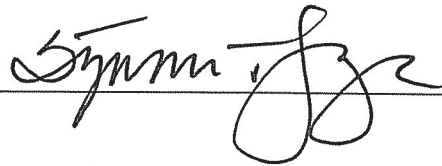
Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Eugene J. Rizzo, Esq.
Rizzo & Kelley
272 Mill St.
Poughkeepsie, NY 12601

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
RUST INTERNATIONAL INC.

Date: 5-22-12



Name: Stephen T. Joyce

Title: Group Director-CSMG

Address: 4 Liberty Lane West

Hampton, NH 03842

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Joseph F. O'Dea, Esq.
Saul Ewing LLP
Centre Square West
1500 Market St.
38th Floor
Philadelphia, PA 19102-2186

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
SLOBODA BROTHERS, INC.

Date: 7/21/11

Sloboda Bros Inc

Name: John H Sloboda

Title: Pres.

Address: 140 St Elmo Rd

Walkkill, NY 12589

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

John H. Sloboda
Sloboda Brothers, Inc.
140 St. Elmo Rd.
Walkill, NY 12589-3240

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
SUN UP ENTERPRISES INC.

Date:

5/4/12.

Name:

[Handwritten Signature]

Title: Harold Buesner, President

Address: No 7 Rt. 376

Weppingers Falls, NY 12590

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Elizabeth M. Corrado, Esq.
Gellert & Klein, P.C.
75 Washington St.
Poughkeepsie, NY 12601

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
T.A. PREDEL & CO., INC.

Date: 1/29/13

Name: Mary E. Predel

Title: Pres.

Address: 201 Edison Ave

Schenectady NY 12305

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Mary E. Predel
T.A. Predel & Co., Inc.
201 Edison Ave.
Schenectady, New York 12305

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
THALLE CONSTRUCTION CO., INC.

Date: 12/18/12



Name: Gregg J. Pacchiana

Title: President

Address: 900 NC 86 N

Hillsborough NC 27278

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Gregg J. Pacchiana
Thalle Construction Co., Inc.
900 NC Highway 86 North
Hillsborough, North Carolina 27278-8226

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
TRONCILLITO FARMS, INC.

Date: 12/4/11

Mary E. Troncillito

Name: _____

Title: Sec./Treas

Address: 275 Lattintown Rd
Marlboro, NY 12542

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Mary E. Troncillito
Troncillito Farms, Inc.
275 Lattintown Rd.
Marlboro, NY 12542

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
URS CORPORATION (defined in the Settlement Agreement in this action as "URS Corporation and its respective officers, directors, employees, shareholders, successors, predecessors, agents, and assigns, whether pursuant to contract, by operation of law, or otherwise, including but not limited to URS E&C Holdings, Inc. (f/k/a Washington Holdings, Inc.), Rust Constructors, Inc. and Rust Engineering (to the extent a subsidiary of URS Corporation)")

Date: March 6, 2012

Joseph Masters, Vice President

Name: 

Title: V.P.

Address: 600 Montgomery St, 26th Floor
San Francisco, CA 94111-2728

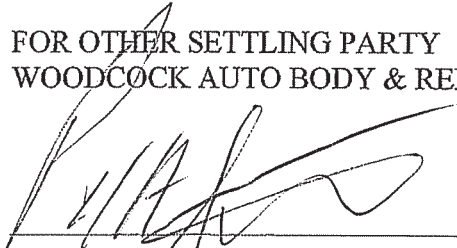
Agent Authorized to Accept Service on Behalf of Above-Signed Party:

Carey D. Schreiber, Esq.
Winston & Strawn LLP
200 Park Avenue
New York, NY 10166

THE UNDERSIGNED PARTY enters into this Consent Decree in the matter of United States v. City of Newburgh, *et al.* relating to the Consolidated Iron and Metal Co. Superfund Site.

FOR OTHER SETTLING PARTY
WOODCOCK AUTO BODY & REPAIRS, INC.

Date: 2/10/13



Name: Paul A. Stegen

Title: President

Address: 71 Woodcock Ave Road
Walden, NY 10992

Agent Authorized to Accept Service on Behalf of Above-Signed Party:

James A. Randazzo, Esq.
Gaines, Gruner, Ponzini & Novick, LLP
11 Martine Ave., 8th Floor
White Plains, NY 10606

APPENDIX H

LIST OF ADDED PARTIES

1	Avis Rent A Car System, LLC	18	Montfort Bros., Inc.
2	B. Millens Sons, Inc.	19	N.H. Kelman, Inc.
3	Balchunas Auto Collision, Inc.	20	NYS Thruway Authority and Canal Corp.
4	C&H Salvage Corp.	21	Nicholson Group, Inc.
5	Capitol Scrap Metal Co. (Capitol Bag Waste Co., Inc.)	22	Parkway Iron & Metals Co., Inc.
6	Cleveland Wrecking	23	Pine Bush Equipment Co., Inc.
7	County of Dutchess, New York	24	Pittsfield Pipers, Inc.
8	Eastern Alloys, Inc.	25	Pizzagalli Construction Company
9	Federal Block Corp.	26	Rebena Construction Co., Inc.
10	Harrison and Burrowes Bridge Constructors, Inc.	27	Rust International Inc.
11	J&M Scrap Corp.	28	Sloboda Brothers, Inc.
12	J&P Auto Wrecking, Inc.	29	Sun Up Enterprises Inc.
13	J.R. Downey Oil Co., Inc.	30	T.A. Predel & Co., Inc.
14	James H. Maloy, Inc.	31	Thalle Construction Co., Inc.
15	Loyal Service Center, Inc.	32	Troncillito Farms, Inc.
16	MRE Management Corp.	33	URS Corporation
17	Mid-Island Salvage Corp. Inc.	34	Woodcock Auto Body & Repairs,