

IN THE CIRCUIT COURT OF MARYLAND  
FOR BALTIMORE COUNTY

STATE OF MARYLAND  
DEPARTMENT OF THE ENVIRONMENT

Respondent,

v.

EXXON MOBIL CORPORATION

Petitioners.

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Civil Case No. 03-C-06-004455

**PROPOSED ORDER OF RESOLUTION OF PETITIONER'S PETITION  
FOR ENFORCEMENT OF CONSENT DECREE AND FOR JUDICIAL REVIEW**

The Court has considered the Petition for Enforcement of Consent Decree and for Judicial Review (Paper 25/0) filed by Petitioner ExxonMobil Corporation (hereinafter "Petitioner" or "ExxonMobil") on April 18, 2018, pursuant to Md. Rules 2-506(b) and 7-201 *et seq.*, MD. CODE ANN., ENVIRONMENT § 4-412(b) and Section XII of the September 29, 2008 Consent Decree with Respondent State of Maryland Department of the Environment (hereinafter "Respondent" or "MDE"), seeking this Court's resolution of the dispute between the parties pertaining to Petitioner's proposals to (a) discontinue the bottled water delivery program and (b) modify the Private Supply Well (hereinafter "PSW") sampling program in Jacksonville, Maryland, and for judicial review of the reversals of MDE's approvals of Petitioner's proposals regarding bottled water delivery and sampling of PSWs.

~~Pursuant to this Court's instructions,~~ the parties negotiated and agreed upon a Proposed Resolution of the dispute regarding Petitioner's Proposed Discontinuation of Bottled Water Delivery Program and Proposed Modifications to PSW Sampling Program.

FILED JUN 13 2018

The Court did not instruct the parties to negotiate and reach an agreement. The parties were given time to attempt to resolve the matter.

Having reviewed the Proposed Resolution and confirmed with Petitioner and Respondent that the Proposed Resolution is acceptable to both parties, it is hereby ORDERED, ADJUDGED AND DECREED:

1. That the dispute regarding Petitioner’s Proposed Discontinuation of Bottled Water Delivery Program and Proposed Modifications to Private Supply Well Sampling is resolved;

2. That MDE approves Petitioner’s proposal to discontinue the delivery of bottled water to the 130 properties currently receiving bottled water effective June 6, 2018;

3. That MDE approves Petitioner’s proposal to modify the Private Supply Well Sampling Program and Petitioner’s periodic reporting requirements are modified such that the number and frequency of the private supply wells to be sampled are as follows:

Sampling Frequency	Number of Private Supply Wells Sampled		
	Current	Proposed	MDE Approved
Semi-Annual	127	21	32
Quarterly	86	16	16
Monthly	45	1	1
<b>Total</b>	<b>258</b>	<b>38</b>	<b>49</b>

	Required POET Systems		
	Current	Proposed	MDE Approved
POET Systems	14	9	9

4. That MDE will reissue its February 9, 2018 approvals on June 6, 2018 with effective dates of June 6, 2018 and setting forth the last bottled water delivery from ExxonMobil on July 2, 2018;

5. That MDE and ExxonMobil will perform the following actions pursuant to its approvals dated February 9, 2018 and re-approvals dated June 6, 2018 of Petitioner’s proposals, which are attached as Exhibit A and B to this Order and incorporated as if fully set forth herein.

### **Approved Discontinuation of Bottled Water Delivery Program**

- (a) Within fifteen (15) days of entry of this Order, MDE will send a general project update to the community advising that as a result of this Order, the ExxonMobil bottled water delivery program is discontinued with the last bottled water delivery being provided on July 2, 2018.
- (b) Within fifteen (15) days of entry of this Order, ExxonMobil will notify individual property owners of the termination of the ExxonMobil bottled water delivery program and that the last bottled water delivery will be on July 2, 2018;

### **Approved Modifications to Private Supply Well Sampling Program**

- (c) ExxonMobil shall discontinue sampling for all 127 private supply wells which are currently sampled on a semi-annual basis;
- (d) ExxonMobil shall sample the following thirty-two (32) private supply wells on a semi-annual schedule:

- 3500 Hampshire Glen Court
- 3502 Hampshire Glen Court
- 3504 Hampshire Glen Court
- 3505 Hampshire Glen Court
- 3507 Hampshire Glen Court (two private supply wells on property)
- 3510 Hampshire Glen Court
- 3600 Hampshire Glen Court
- 3604 Hampshire Glen Court
- 3606 Hampshire Glen Court
- 3608 Hampshire Glen Court
- 14355 Hampshire Knob Drive
- 14232 Jarrettsville Pike
- 14243 Jarrettsville Pike
- 14300 Jarrettsville Pike
- 14320 Jarrettsville Pike
- 14330 Jarrettsville Pike
- 14335 Jarrettsville Pike
- 14405 Jarrettsville Pike
- 14406 Katie Road
- 3235 Paper Mill Road

- 3320 Paper Mill Road
- 14208 Robcaste Road
- 14210 Robcaste Road
- 14219 Robcaste Road
- 14221 Robcaste Road
- 14225 Robcaste Road
- 3525 Southside Avenue
- 3605A Southside Avenue
- 3605B Southside Avenue
- 3605C Southside Avenue
- 3605D Southside Avenue

(e) ExxonMobil shall discontinue sampling the seventy-five (75) private supply wells currently sampled on a quarterly basis, except as noted above;

(f) ExxonMobil shall discontinue sampling eighteen (18) private supply wells currently sampled on a monthly basis, except as noted above and Exxon Mobil shall continue monthly private well sampling for 3627A Southside Avenue;

(g) ExxonMobil shall continue quarterly sampling of the following seven (7) private supply wells that are currently sampled on a quarterly basis:

- 14240 Jarrettsville Pike (two private supply wells on property)
- 14258 Jarrettsville Pike
- 14315 Jarrettsville Pike
- 14333 Jarrettsville Pike
- 14217 Robcaste Road
- 3635 Southside Avenue

(h) ExxonMobil shall conduct quarterly sampling of the following nine (9) private supply wells that are currently sampled on a monthly basis:

- 3503 Hampshire Glen Court
- 3506 Hampshire Glen Court
- 3508 Hampshire Glen Court
- 14242 Jarrettsville Pike
- 14301 Jarrettsville Pike
- 14307 Jarrettsville Pike (two private supply wells on property)
- 3313 Paper Mill Road
- 14223 Robcaste Road

(i) ExxonMobil shall remove the five POET systems located on the following properties but will continue sampling of each private well supply as set forth in provision (d):

- 3507 Hampshire Glen Court;
- 3604 Hampshire Glen Court;
- 3608 Hampshire Glen Court
- 14405 Jarrettsville Pike
- 14406 Katie Road

In the event that the owner of any of the above properties would like to keep the existing POET system, Exxon Mobil may convey ownership of the POET to the property owner.

(j) Revisions to the Private Supply Well Sampling Program as set forth in provisions (c) through (i) are effective June 6, 2018, with the final collection of samples from the private wells approved to be discontinued being completed during the first quarter of 2018.

(k) Within fifteen (15) days of entry of this Order, MDE will send a general project update to the community notifying them of the changes to the Private Supply Well Sampling Program based on the entry of this Order and MDE's review of data which took into consideration: proximity of properties to the 2006 release area and areas of documented petroleum-related impacts (liquid, adsorbed, and dissolved phase hydrocarbons), current concentrations in private supply wells, historical sampling results/trends, and proximity to groundwater monitoring/recovery wells and remediation systems.

- (1) Within fifteen (15) days of entry of this Order, Exxon Mobil will notify individual property owners of the changes to their sampling schedule (including no further sampling) and if a POET system is to be removed or conveyed.

6. The Court approves these modifications to the Consent Decree that result from the resolution of the dispute in accordance with MDE's approvals dated June 6, 2018.

7. MDE agrees to review and issue a formal response (i.e. approve, approve with modifications, decline and provide comments, or request additional information) to any and all future Exxon Mobil proposals or work plans within sixty (60) days of receipt. If MDE fails to issue a response within the sixty (60) day period, then ExxonMobil will submit the proposal or work plan for final approval to the MDE. Thereafter, if a response or written comments are not received from the MDE within sixty (60) days of the submission for final approval, then Exxon Mobil shall submit the matter for dispute resolution under Section XII of the September 2008 Consent Decree .

8. In addition to considering data such as proximity of properties to the 2006 release and areas of documented petroleum-related impacts (liquid, adsorbed, and dissolved phase hydrocarbons), current concentrations in private supply wells, historical sampling results and trends and proximity to groundwater monitoring/recovery wells and remediation systems, MDE agrees to consider the following flowcharts when reviewing and responding to future work plans or submissions that involve the following actions:

- (a) Conversion of a recovery well to a monitoring well as set out in Flowchart 1, which is attached as Exhibit C to this Order

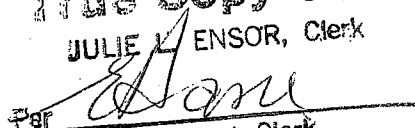
- (b) Discontinuation of sampling/gauging and abandonment of a monitoring well as set out in Flowchart 2, which is attached as Exhibit D to this Order;
- (c) Discontinuation of sampling a PSW including conveyance or removal of POETs as set out in Flowchart 3, which is attached as Exhibit E to this Order; and
- (d) Submittal of No Further Action Request for Property as set out in Flowchart 4, which is attached as Exhibit F to this Order;

The process described in this paragraph and Flowcharts 1 through 4 are the product of the agreed upon resolution of the dispute between MDE and ExxonMobil upon which ExxonMobil's Petition was based. As such, the process is not to be considered as precedent or MDE policy for other sites or other circumstances.

- 9. This Court shall have jurisdiction to enforce the terms and conditions of this Order.
- 10. Each party to this action shall bear its own costs and attorney's fees.
- 11. The effective date of the Order shall be the date of entry by this Court.

ENTERED this 5<sup>th</sup> day of June, 2018

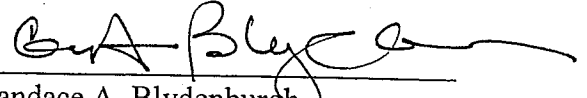
  
\_\_\_\_\_  
JUDGE JUDITH C. ENSOR

**True Copy Test**  
JULIE L. ENSOR, Clerk  
  
\_\_\_\_\_  
Assistant Clerk

**IT IS SO AGREED AND CONSENTED TO:**

**EXXONMOBIL CORPORATION**

Date: June 6, 2018



\_\_\_\_\_  
Candace A. Blydenburgh  
Counsel for Petitioner ExxonMobil  
Corporation

**IT IS SO AGREED AND CONSENTED TO:**

**STATE OF MARYLAND DEPARTMENT OF THE ENVIRONMENT**

Date: \_\_\_\_\_, 2018

\_\_\_\_\_  
[Name and Title]  
[Division]

Approved as to form and legal sufficiency

this \_\_\_\_\_ day of \_\_\_\_\_, 2008

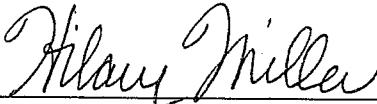
\_\_\_\_\_  
Matthew Zimmerman  
Senior Litigation Counsel



THE UNDERSIGNED PARTIES enter into this Order of Resolution in the matter of MDE v. Exxon Mobil, relating to the Jacksonville site.


**FOR THE STATE OF MARYLAND:**

6/6/18  
Date

  
\_\_\_\_\_  
HILARY MILLER  
Director, Land and Materials Administration  
1800 Washington Boulevard  
Baltimore, Maryland 21230

Approved as to Legal Sufficiency:

6/6/18  
Date

  
\_\_\_\_\_  
MATTHEW ZIMMERMAN  
Office of the Attorney General  
Maryland Department of the Environment

# **Exhibit A**



**Maryland**  
Department of  
the Environment

Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary  
Horacio Tablada, Deputy Secretary

June 6, 2018

Mr. Clarke Bozeman  
Project Manager  
ExxonMobil Environmental Services  
1900 East Linden Avenue, Building 28A  
Linden NJ 07036

**RE: APPROVAL OF PROPOSED DISCONTINUATION OF BOTTLED WATER DELIVERY PROGRAM**  
**Case No. 2006-0303-BA**  
**Former Exxon R/S No. 2-8077**  
**14258 Jarrettsville Pike, Phoenix**  
**Baltimore County, Maryland**

Dear Mr. Bozeman:

The Maryland Department of the Environment's (the Department) Oil Control Program (OCP) has completed its review of ExxonMobil's *Proposed Discontinuation of Bottled Water Delivery Program*, dated July 23, 2015.

Currently, there are 130 properties receiving bottled water. Among other points, the proposal notes that other than one property, all private supply well samples from properties receiving bottled water have been below State groundwater standards and action levels since 2011. The one exception is the 3627A Southside Avenue property, which continues to have methyl tertiary butyl ether (MTBE) detections above the State action level of 20 micrograms per liter ( $\mu\text{g/L}$ ). However, this property has a point of entry treatment (POET) system maintained by ExxonMobil that is effectively removing the MTBE and other detected gasoline constituents to meet applicable action levels.


The Department approves the proposal to discontinue the bottled water delivery program effective June 6, 2018. The Department will send a general project update to affected property owners within fifteen (15) days of the date of this letter to notify them of the end of the ExxonMobil bottled water delivery, with the last bottled water delivery being provided on July 2, 2018. As proposed, ExxonMobil will notify individual property owners of the termination of the ExxonMobil bottled water delivery program and that the last bottled water delivery will be on July 2, 2018.

While the Department agrees to these modifications to bottled water service pursuant to the Consent Decree and its negotiated requirements with respect to this case involving Former Exxon R/S No. 2-8077, the State of Maryland, including all of its departments, reserves all rights against Exxon Mobil Corporation with respect to all other past, present, and future cases in the State. The Department reserves the right to require the distribution of bottled water to affected residences based on new information or changing site conditions, if applicable.

Mr. Clarke Bozeman  
Case No. 2006-0303-BA  
Page 2

If you have any questions, please contact the case manager, Ms. Ellen Jackson, at 410-537-3482 (email: ellen.jackson@maryland.gov) or the OCP Program Manager, Mr. Christopher Ralston, at 410-537-3470 (email: chris.ralston@maryland.gov).

Sincerely,



Hilary Miller, Director  
Land and Materials Administration

HM/chr

cc: Joseph Perez, Esquire (ExxonMobil)  
Mr. Mark Schaaf (Kleinfelder East, Inc.)  
Mr. Kevin Koepenick (Baltimore County DEPS)  
Stephanie Cobb Williams, Esquire  
Mr. Andrew Miller  
Mr. Christopher Ralston

# **Exhibit B**



**Maryland**  
Department of  
the Environment

Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary  
Horacio Tablada, Deputy Secretary

June 6, 2018

Mr. Clarke Bozeman  
Project Manager  
ExxonMobil Environmental Services  
1900 East Linden Avenue, Building 28A  
Linden NJ 07036

**RE: APPROVAL OF PROPOSED MODIFICATIONS TO PRIVATE SUPPLY WELL  
SAMPLING PROGRAM**  
Case No. 2006-0303-BA  
Former Exxon R/S No. 2-8077  
14258 Jarrettsville Pike, Phoenix  
Baltimore County, Maryland

Dear Mr. Bozeman:

The Maryland Department of the Environment's (the Department) Oil Control Program (OCP) has completed its review of ExxonMobil's *Proposed Modifications to Private Supply Well Sampling Program*, dated July 16, 2016 and the *Proposed Modifications to Private Supply Well Sampling Program rev1*, dated December 8, 2017. The documents provided a proposed revision to the private supply well sampling program, including reductions in the number of wells to be sampled and a reduction in the sampling frequency of some wells which continue to be sampled.

In general, the Department is in agreement with the private supply well sampling program proposed by ExxonMobil. The Department's review of the data took into consideration:

- Proximity of properties to the 2006 release area and areas of documented petroleum-related impacts (liquid, adsorbed, and dissolved phase hydrocarbons);
- Current concentrations in private supply wells;
- Historical sampling results / trends; and
- Proximity to groundwater monitoring / recovery wells and remediation systems.

A summary of ExxonMobil's proposed modifications to the private supply well sampling program and the Department's responses are provided below and are further detailed in Table 1 (attached).

1. Semi-Annual Sampling

- ExxonMobil proposes to discontinue sampling for all 127 private supply wells currently sampled semi-annually.
- Additionally, ExxonMobil proposes semi-annual sampling of 21 private supply wells that were previously sampled on a monthly or quarterly basis.

The Department approves discontinuing sampling of the 127 private supply wells currently sampled semi-annually, and approves changing the sampling frequency for the proposed 21 private supply wells to semi-annual sampling. The Department also requires that the following 10 additional properties (11 private supply wells) be included in the semi-annual sampling group.

- 3507 Hampshire Glen Court – Continue sampling post point of entry treatment (POET) system removal / conveyance. (Note that the property has two wells and each is to be sampled.)
- 3510 Hampshire Glen Court – In close proximity to area of known impact and falls within area of other wells proposed to be sampled on a semi-annual basis.
- 3604 Hampshire Glen Court – Continue sampling post POET system removal / conveyance.
- 3608 Hampshire Glen Court – Continue sampling post POET system removal / conveyance.
- 14355 Hampshire Knob Drive – Continue sampling due to proximity and tertiary butyl alcohol (TBA) detections.
- 14232 Jarrettsville Pike – Continue sampling due to close proximity to spill location.
- 14243 Jarrettsville Pike – Continue sampling due to close proximity to spill location. Sampling may be coordinated with the current station owner in conjunction with high risk groundwater use area (HRGUA) compliance sampling.
- 14405 Jarrettsville Pike – Continue sampling post POET system removal / conveyance.
- 14406 Katie Road – Continue sampling post POET system removal / conveyance.
- 3235 Paper Mill Road – Continue sampling due to TBA detections.

\* 2. Quarterly Sampling

- ExxonMobil proposes to discontinue sampling 75 private supply wells currently sampled on a quarterly basis.
- ExxonMobil proposes to continue quarterly sampling of seven (7) private supply wells that are currently sampled quarterly.
- Additionally, ExxonMobil proposes quarterly sampling of nine (9) private supply wells that were previously sampled on a monthly basis.

The Department approves discontinuing sampling of the 75 private supply wells currently sampled quarterly (except as noted above), and approves quarterly private supply well sampling for the proposed 16 private supply wells.

3. Monthly Sampling

- ExxonMobil proposes to discontinue sampling of 18 private supply wells currently sampled on a monthly basis.
- ExxonMobil proposes continued monthly sampling of one private supply well.

The Department approves discontinuing sampling of the 18 private supply wells currently sampled monthly (except as noted above), and approves monthly private supply well sampling for the proposed property.

4. POET Systems

- ExxonMobil proposes the removal or conveyance of ownership for 5 of the 14 POET systems currently maintained by ExxonMobil.

The Department approves removal / conveyance of the five POET systems, but requires continued sampling of each private supply well semi-annually as discussed in item 1 above. The Department will re-evaluate this requirement after review of one year of semi-annual data following the removal / conveyance of the POET systems. The remaining nine POET systems will continue to be maintained by ExxonMobil and sampled as approved.

Table 1 (attached) provides a detail of the Department-approved modifications to the private supply well sampling program. The following table summarizes the Department's approved reductions to the number of private supply wells to be sampled.

**Approved Sampling Program Summary**

Sampling Frequency	Number of Private Supply Wells Sampled		
	Current	Proposed	Department Approved Changes
Semi-Annual	127	21	32
Quarterly	86	16	16
Monthly	45	1	1
<b>Total</b>	<b>258</b>	<b>38</b>	<b>49</b>

**Required POET Systems**

	Current	Proposed	Department Approved Changes
POET Systems	14	9	9

The Department approves the proposed revisions to the private supply well sampling program as described above effective June 6, 2018.

The Department will send a general project update to affected property owners to notify them of changes to the sampling program within fifteen (15) days of the date of this letter. ExxonMobil will notify individual property owners of changes to their sampling schedule (including no further sampling) and if a POET system is to be removed/ conveyed within fifteen (15) days of the date of this letter.

While MDE agrees to these modifications to sampling pursuant to the Consent Decree and its negotiated requirements with respect to this case involving Former Exxon R/S No. 2-8077, the State of Maryland, including all of its departments, reserves all rights against Exxon Mobil Corporation with respect to all other past, present, and future cases in the State. The Department reserves the right to require additional sampling based on new information, changing site conditions, or as a final sampling event prior to issuing case closure.



Mr. Clarke Bozeman  
Case No. 2006-0303-BA  
Page 4

If you have any questions, please contact the case manager, Ms. Ellen Jackson, at 410-537-3482 (email: ellen.jackson@maryland.gov) or the OCP Program Manager, Mr. Christopher Ralston, at 410-537-3470 (email: chris.ralston@maryland.gov).

Sincerely,



Hilary Miller, Director  
Land and Materials Administration

HM/chr

Enclosure – Table 1

cc: Joseph Perez, Esquire (ExxonMobil)  
Mr. Mark Schaaf (Kleinfelder East, Inc.)  
Mr. Kevin Koeppenick (Baltimore County DEPS)  
Stephanie Cobb Williams, Esquire  
Mr. Andrew Miller  
Mr. Christopher Ralston

Table 1. Approved Private Supply Well Sampling Program  
 Exxon Jacksonville, MDE Case No. 2006-0303BA  
 May 30, 2018

	Address	Lot ID	Current Sampling Frequency	ExxonMobil Proposed Sampling Frequency	MDE Approved Proposal OR Required Sampling (Bold Type)	Comment
1	3500 Hampshire Glen Court	M35P356L01	M	SA	Approved	
2	3502 Hampshire Glen Court	M35P356L02	M	SA	Approved	
3	3503 Hampshire Glen Court	M35P356L24	M	Q	Approved	POET System remains ExxonMobil responsibility.
4	3504 Hampshire Glen Court	M35P356L03	M	SA	Approved	
5	3505 Hampshire Glen Court	M35P356L23	M	SA	Approved	
6	3506 Hampshire Glen Court	M35P356L04	M	Q	Approved	POET System remains ExxonMobil responsibility.
7	3507 Hampshire Glen Court *	M35P356L2201	M	-	SA	Continue sampling post POET system removal / conveyance. *
8	3507 Hampshire Glen Court *	M35P356L2202	M	-	SA	Continue sampling post POET system removal / conveyance. *
9	3508 Hampshire Glen Court	M35P356L05	M	Q	Approved	POET System remains ExxonMobil responsibility.
10	3510 Hampshire Glen Court	M35P278L02H	M	-	SA	Property is in close proximity to area of known impact and falls within area of other wells proposed to be sampled on a semi-annual basis
11	3600 Hampshire Glen Court	M35P356L06	M	SA	Approved	
12	3604 Hampshire Glen Court	M35P356L09	M	-	SA	Continue sampling post POET system removal / conveyance.
13	3606 Hampshire Glen Court	M35P356L11	M	SA	Approved	POET System remains ExxonMobil responsibility.
14	3608 Hampshire Glen Court	M35P356L12	M	-	SA	Continue sampling post POET system removal / conveyance.
15	14355 Hampshire Knob Drive	M35P356L20	Q	-	SA	Continue sampling due to proximity and tertiary butyl alcohol (TBA) detections.
16	14232 Jarrettsville Pike	M35P210LNA	Q	-	SA	Continue sampling due to close proximity to spill location.
17	14240 Jarrettsville Pike *	M35P182LNA	Q	Q	Approved	
18	14240 Jarrettsville Pike *	M35P182LNA02	Q	Q	Approved	
19	14242 Jarrettsville Pike	M35P183LNA	M	Q	Approved	POET System remains ExxonMobil responsibility.
20	14243 Jarrettsville Pike	M35P217LNA	M	-	SA	Continue sampling due to close proximity to spill location; annual sampling performed by Amoco/BP for high risk groundwater use areas (HRGUA); therefore, ExxonMobil would only need to sample one-time per year if coordinated with Amoco/BP.
21	14258 Jarrettsville Pike	M35P185LNA	Q	Q	Approved	
22	14300 Jarrettsville Pike	M35P123LNA	M	SA	Approved	
23	14301 Jarrettsville Pike	M35P031LNA	M	Q	Approved	POET System remains ExxonMobil responsibility.
24	14307 Jarrettsville Pike *	M35P151LNA	M	Q	Approved	POET System remains ExxonMobil responsibility. *
25	14307 Jarrettsville Pike *	M35P151LB	M	Q	Approved	POET System remains ExxonMobil responsibility. *
26	14315 Jarrettsville Pike	M35P152L01	Q	Q	Approved	
27	14320 Jarrettsville Pike	M35P243LNA	M	SA	Approved	
28	14330 Jarrettsville Pike	M35P174LNA	M	SA	Approved	
29	14333 Jarrettsville Pike	M35P152L02	Q	Q	Approved	
30	14335 Jarrettsville Pike	M35P280LNA	Q	SA	Approved	
31	14405 Jarrettsville Pike	M35P314LNA	M	-	SA	Continue sampling post POET system removal / conveyance.
32	14406 Katie Road	M35P224L08	M	-	SA	Continue sampling post POET system removal / conveyance.
33	3235 Paper Mill Road	M35P310L08	Q	-	SA	Continue sampling due to TBA detections.
34	3313 Paper Mill Road	M35P054LNA	M	Q	Approved	POET System remains ExxonMobil responsibility.
35	3320 Paper Mill Road	M35P123LNAP	M	SA	Approved	
36	14208 Robcaste Road	M35P322L17	Q	SA	Approved	
37	14210 Robcaste Road	M35P322L18	M	SA	Approved	
38	14217 Robcaste Road	M35P322L05	Q	Q	Approved	
39	14219 Robcaste Road	M35P322L04	Q	SA	Approved	
40	14221 Robcaste Road	M35P322L03	M	SA	Approved	
41	14223 Robcaste Road	M35P322L02	M	Q	Approved	
42	14225 Robcaste Road	M35P322L01	M	SA	Approved	
43	3525 Southside Avenue	M35P277L03	Q	SA	Approved	
44	3605A Southside Avenue	M35P221L01	M	SA	Approved	
45	3605B Southside Avenue	M35P221L02	M	SA	Approved	
46	3605C Southside Avenue	M35P221L03	M	SA	Approved	
47	3605D Southside Avenue	M35P221L04	M	SA	Approved	
48	3627A Southside Avenue	M36P122LNA	M	M	Approved	POET System remains ExxonMobil responsibility.
49	3635 Southside Avenue	M36P226LNA	Q	Q	Approved	

**Notes:**

\* = two private supply wells on property

SA = semi annual

Q = quarterly

M = monthly

There are 46 properties in the PSW Program.

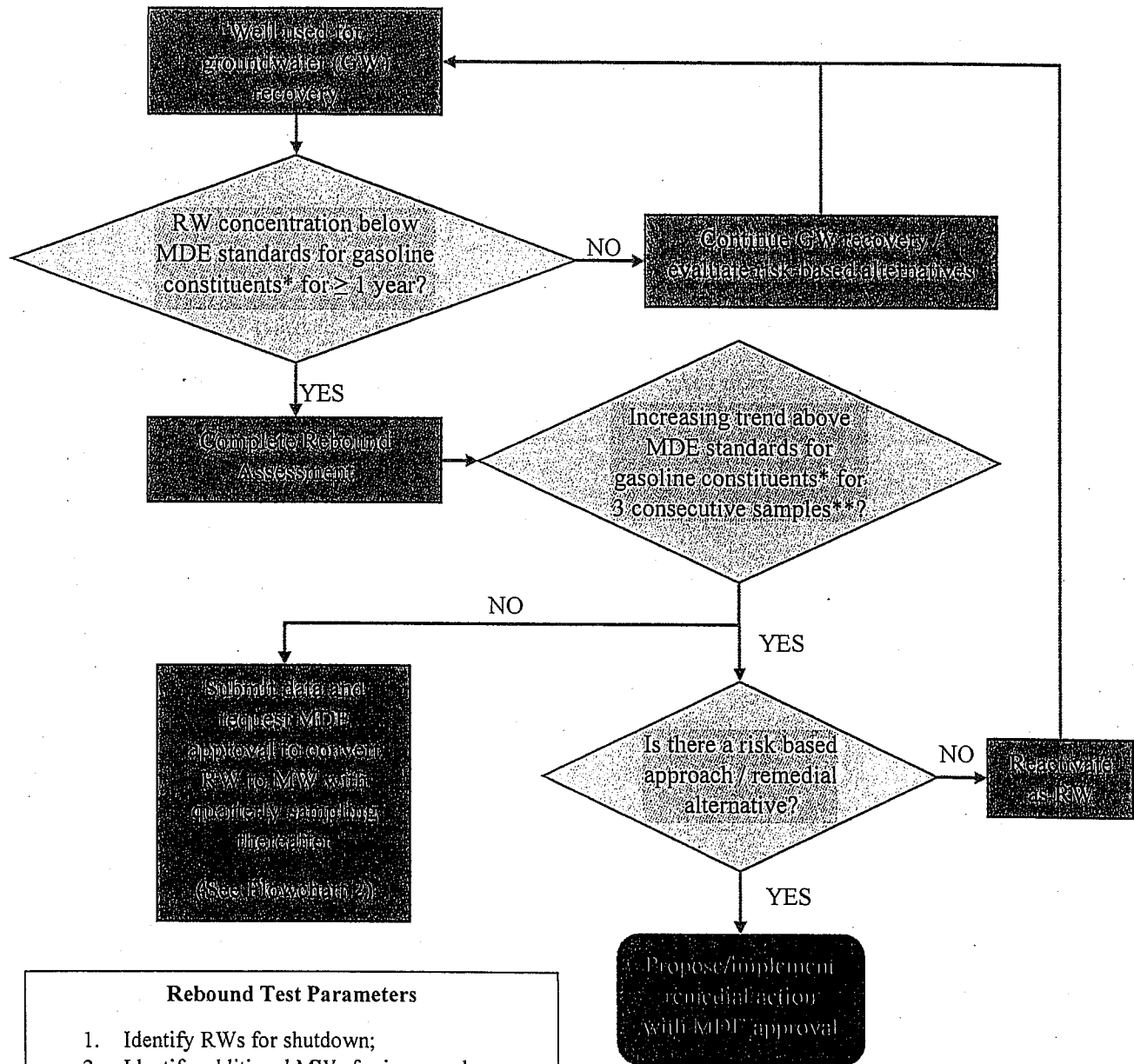
# **Exhibit C**

# Flowchart 1 Conversion of Recovery Well to Monitoring Well

Effective January 1, 2018

The process described in paragraph 8 of the Order of Resolution dated June 6, 2018 and the flow charts referenced herein are the product of the agreed upon resolution of a dispute between MDE and ExxonMobil are not to be considered precedent or MDE policy for other sites or other circumstances.

# Flowchart 1: Conversion of Recovery Well (RW) to Monitoring Well (MW)



- Rebound Test Parameters**
1. Identify RWs for shutdown;
  2. Identify additional MWs for increased sampling during rebound period;
  3. Submit proposed RW shutdown and rebound sampling plan to MDE for approval;
  4. After RWs turned off, monitor RWs and selected additional MWs monthly for 3 months; then continue monitoring quarterly thereafter.

\*MDE, June 2008, State of Maryland Department of the Environment, Cleanup Standards for Soil and Groundwater, Interim Final Guidance, Update No. 2.1

\*\*Three consecutive increasing sample results all above MDE standards for gasoline constituents

# **Exhibit D**

Flowchart 2  
Discontinuation of  
Sampling/Gauging and  
Abandonment of a  
Monitoring Well

Effective January 1, 2018

The process described in paragraph 8 of the Order of Resolution dated June 6, 2018 and the flow charts referenced herein are the product of the agreed upon resolution of a dispute between MDE and ExxonMobil are not to be considered precedent or MDE policy for other sites or other circumstances.





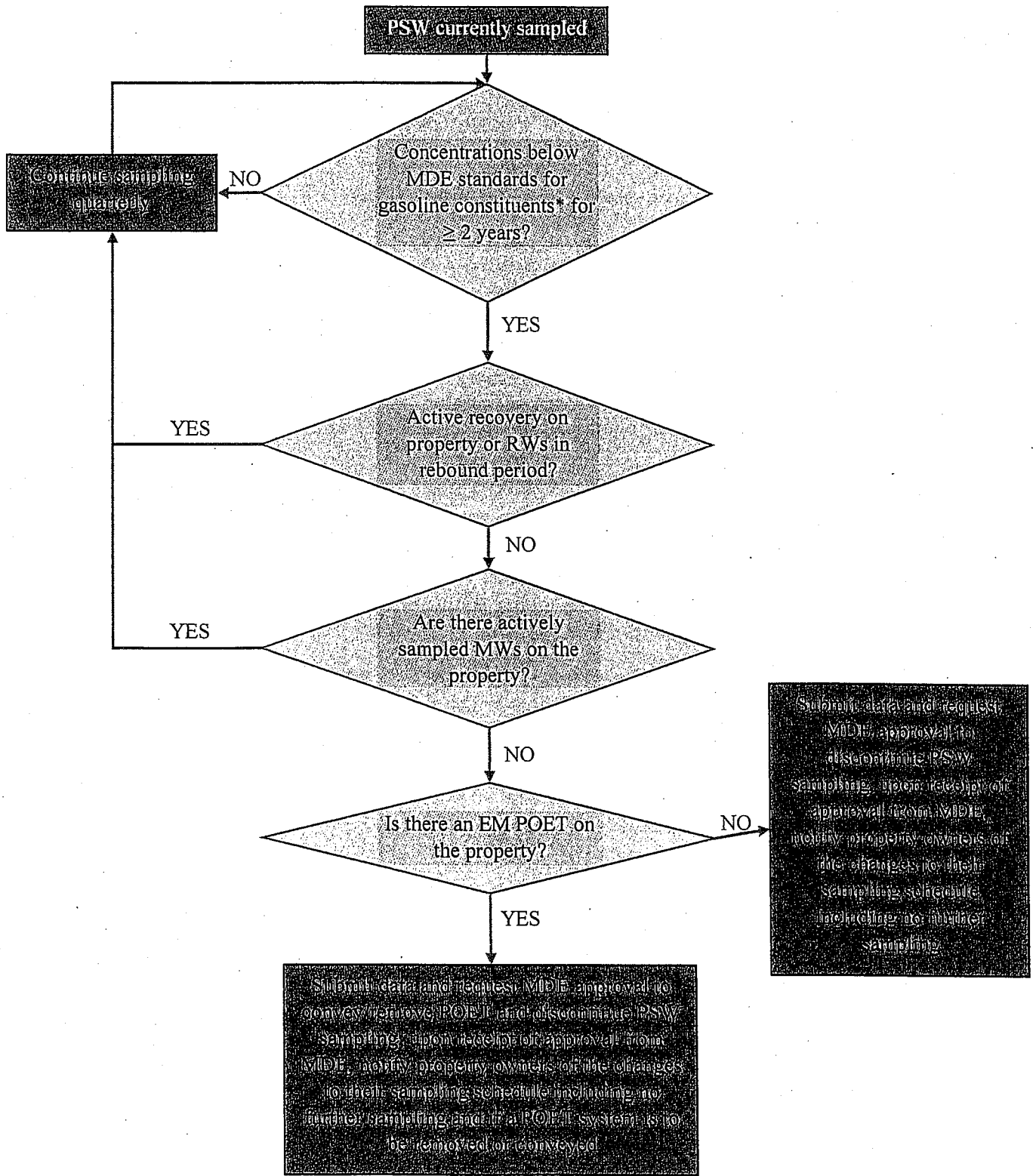
# **Exhibit E**

Flowchart 3  
Discontinuation of Sampling  
a PSW and Conveyance or  
Removal of POET

Effective June 6, 2018

The process described in paragraph 8 of the Order of Resolution dated June 6, 2018 and the flow charts referenced herein are the product of the agreed upon resolution of a dispute between MDE and ExxonMobil are not to be considered precedent or MDE policy for other sites or other circumstances.

### Flowchart 3: Private Supply Well (PSW) Sampling



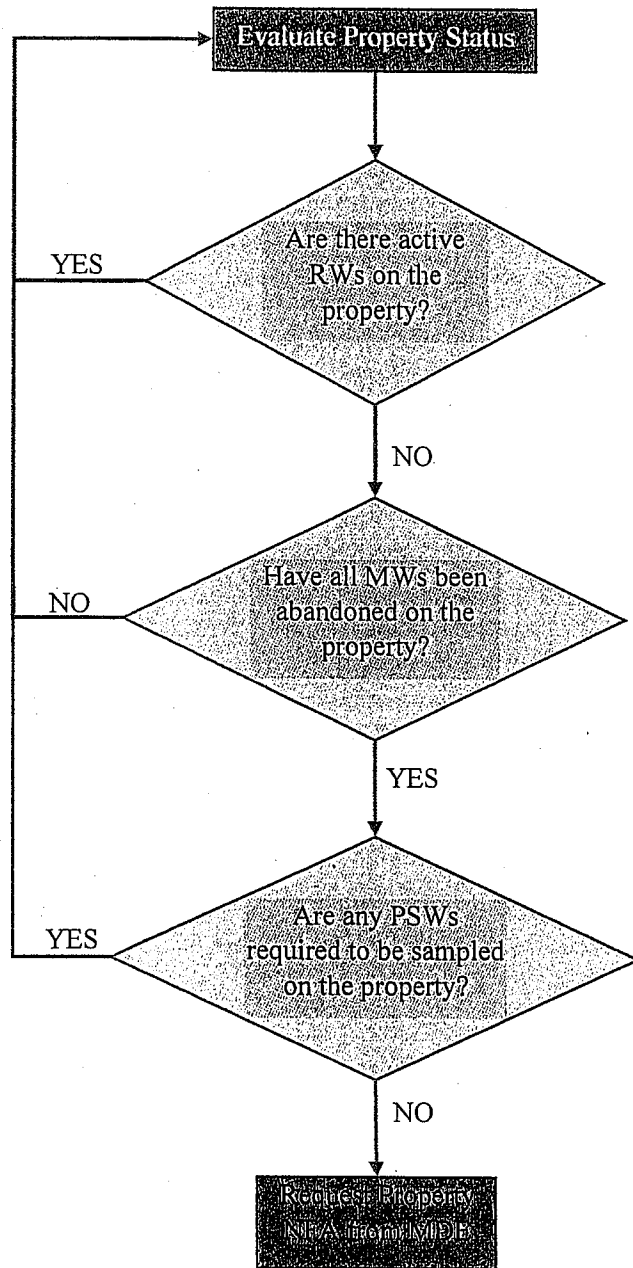
\*MDE, June 2008, State of Maryland Department of the Environment, Cleanup Standards for Soil and Groundwater, Interim Final Guidance, Update No. 2.1

# **Exhibit F**

# Flowchart 4 Submittal of No Further Action Request

The process described in paragraph 8 of the Order of Resolution dated June 6, 2018 and the flow charts referenced herein are the product of the agreed upon resolution of a dispute between MDE and ExxonMobil and are not to be considered precedent or MDE policy for other sites or other circumstances.

## Flowchart 4: No Further Action (NFA) Requests by Property



### NFA Requests and Approvals

Most NFA requests that are submitted by ExxonMobil and NFA granted by MDE will contain a list of property addresses in order to reduce the administrative burden associated with processing a separate NFA for each address. All efforts will be made to include an entire street or neighborhood in the list of addresses being submitted in a request. However, there may be the exception where an NFA is required for only one or a few addresses separate from other addresses on the street or in the neighborhood.