

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

<p>INTERFAITH COMMUNITY ORGANIZATION, <i>et al.</i>, Plaintiffs, v. HONEYWELL INTERNATIONAL INC., <i>et al.</i>, Defendants</p>	<p>Civil Action No. 95-2097 (DMC) <i>In re: Consolidated Special Master Proceedings</i></p>
<p>JERSEY CITY MUNICIPAL UTILITIES AUTHORITY, Plaintiff, v. HONEYWELL INTERNATIONAL INC., Defendant</p>	<p>Civil Action No. 05-5955 (DMC)</p>
<p>JERSEY CITY INCINERATOR AUTHORITY, Plaintiff, v. HONEYWELL INTERNATIONAL INC., Defendant</p>	<p>Civil Action No. 05-5993 (DMC)</p>
<p>HACKENSACK RIVERKEEPER, INC., <i>et al.</i>, Plaintiffs, v. HONEYWELL INTERNATIONAL INC., <i>et al.</i>, Defendants.</p>	<p>Civil Action No. 06-0022 (DMC) <i>Document Electronically Filed.</i></p>

CONSENT ORDER REGARDING THE AMOUNT OF FINANCIAL ASSURANCES

WHEREAS, Honeywell is conducting remediation of hexavalent chromium contamination at Study Area 5, Study Area 6 North, Study Area 6 South, and Study Area 7 pursuant to court orders in *Interfaith Community Organization v. Honeywell*, D.N.J., Civ. No.

95-2097 (DMC)(hereafter "*ICO v. Honeywell*") and *Hackensack Riverkeeper v. Honeywell International Inc.*, D.N.J., Civ. No. 06-cv-0022, consolidated with *Jersey City Municipal Utilities Authority v. Honeywell International Inc.*, D.N.J., Civ. No. 05-cv-5955, and *Jersey City Incinerator Authority v. Honeywell International Inc.*, D.N.J., Civ. No. 05-cv-5993 (hereafter "the Consolidated Litigation"); and

WHEREAS, Honeywell is required to provide financial assurances for its remedial obligations pursuant to the court orders which are collectively defined in the Amended Consent Order Regarding Financial Assurances as the Consent Decrees; and

WHEREAS, the Court has appointed a Special Master to oversee implementation of the remedies provided in the Final Judgment and certain Consent Decrees as well as the implementation of financial assurances under the Consent Decrees; and

WHEREAS, the Parties have set forth certain agreements as to financial assurances in the Amended Consent Order Regarding Financial Assurances, submitted concurrently with this Order; and

WHEREAS, Honeywell has proposed to satisfy its financial assurance obligations as set forth in paragraph 7 of the Amended Consent Order Regarding Financial Assurances through the provision of a Letter or Letters of Credit meeting the requirements of the Consent Decrees; and

WHEREAS, the Parties have agreed and the Special Master has approved the amount of financial assurances required to satisfy the financial assurance obligations described in paragraph 7 of the Amended Consent Order Regarding Financial Assurances;

NOW, THEREFORE, it is **ORDERED** and **DECREED** as follows:

1. **Definitions.** Terms used in this Consent Order shall have the same definitions as those set forth in Article I of this Court's Amended Consent Order Regarding Financial Assurances.

2. **Entry of Order in Both Cases.** This Consent Order shall be entered in both *ICO v. Honeywell* and the Consolidated Litigation.

3. **Amount of Financial Assurances.** To satisfy the financial assurance obligations set forth in paragraph 7 of the Amended Consent Order Regarding Financial Assurances, through December 31, 2012, Honeywell shall obtain a Letter or Letters of Credit (hereafter "Letters of Credit") in the total amount of \$151 million. The Letters of Credit shall satisfy all requirements pertaining to letters of credit as set forth in the Amended Consent Order Regarding Financial Assurances and the Consent Decrees.

4. **Parties' Right to Seek Adjustments, Reductions or Other Changes in Financial Assurances.** Nothing in this Order shall in any way alter or amend the rights of any Party to seek adjustments, reductions or other changes in the amount, type or combination of financial assurances, as provided for in the Consent Decrees or in the Amended Consent Order Regarding Financial Assurances, or as may be provided for in any subsequent order that may be entered in *ICO v. Honeywell* or in the Consolidated Litigation.

5. **Parties' Substantive Rights and Obligations.** Nothing in this Order shall provide any Party with substantive rights or obligations under Consent Decrees to which it is not a Party.

6. **Signatures.** This Consent Order may be signed simultaneously or in counterparts by the respective signatories, which shall be as fully valid and binding as if a single document was signed by all of the signatories.

Consented to and approved for entry:



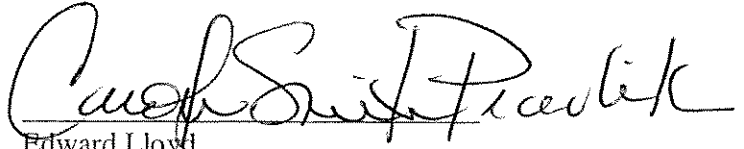
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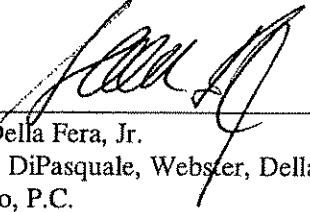
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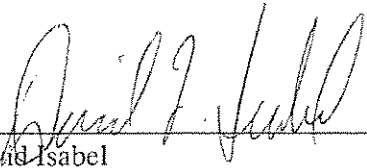
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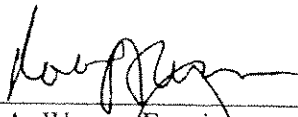
Counsel for New Jersey City University

APPROVED and **ENTERED** as an Order of this Court this ____ day of _____, 2010.

Hon. Dennis M. Cavanaugh
United States District Judge

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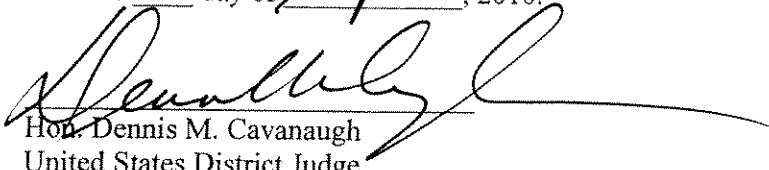
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APPROVED and **ENTERED** as an Order of this Court this 21 day of Sept, 2010.



Hon. Dennis M. Cavanaugh
United States District Judge