**Exhibit B. EUR Opinion**

## Non-Aqueous Phase Liquids (NAPL) Variance Restriction and Obligation

In accordance with RCSA section 22a-133k-2(g)(3)(B) the Commissioner may approve a variance to remove NAPL to the maximum extent practicable when the requirements of RCSA section 22a-133k-2(g)(1) are satisfied provided an ELUR is in effect for the Subject Area unless such NAPL is subject to regulation under RCSA section 22a-449(d)-101 et seq.

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| **Restrictions and Obligations Applicable to the Subject Area** |
| In accordance with RCSA section 22a-133k-2(g)(3)(B) the Grantor shall ensure that use, occupancy, and activity of and at Subject Area(s) ***Subject Area*** as depicted on Exhibit C of this ELUR are restricted and obligations complied with as follows:  Except for ongoing remediation, the disturbance and exposure of NAPL is prohibited;  NAPL shall be contained or removed to the maximum extent prudent;  There shall be no migration of such NAPL;  Compliance with applicable groundwater criteria for groundwater impacted by such NAPL has been achieved; and  If applicable, PCBs shall be remediated in compliance with 40 CFR Part 761.  Construction of buildings is prohibited if there are volatile organic substances located at or above the seasonal low water table.  Where the NAPL contains volatile organic substances located at or above the seasonal low water table and is beneath a building without mitigation in accordance with RCSA section 22a-133k-3(c)(3), compliance with volatilization criteria for soil vapor in accordance with RCSA section 22a-133k-3(c)(2) shall be achieved.  **Subject Area *Subject Area*** is the entire Property.  or  **Subject Area *Subject Area*** is/are a portion or portions thereof the Property. |

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| **Type and Location of Substances at the Subject Area** |
| *Substances in groundwater by category at subject area*  *Describe type of NAPL* |
| **How Compliance with the Restrictions and Obligations Will Ensure Future Compliance with the RSRs at the Subject Area** |
| Compliance with the restrictions and obligations are necessary to adequately protect human health and the environment.  If humans were to come into contact with the substance(s) present in such NAPL, these substance(s) may pose an unacceptable risk to human health. Provided the NAPL is not exposed or disturbed, such NAPL does not pose an unacceptable risk to human health. The ELUR prohibits the disturbance and exposure of NAPL.  If the NAPL is not contained or removed to the maximum extent prudent or if the NAPL migrates, such NAPL may pose an unacceptable risk human health or groundwater quality. Provided the NAPL is contained or removed to the maxium extent prudent, such NAPL does not pose an unacceptable risk to human health or groundwater quality. The ELUR requires that NAPL be contained or removed to the maximum extent prudent and requires that there shall be no migration of NAPL.  If groundwater exceeds the applicable groundwater criteria because of the presence of NAPL, such groundwater and NAPL may pose a risk to human health or groundwater quality. Provided the groundwater is in compliance with the applicable groundwater criteria such groundwater does not pose a risk to human health or groundwater quality. The ELUR requires compliance with applicable groundwater quality criteria.  If NAPL containing volatile organic substances is located at or above the seasonal low water table beneath a building, the substances present in such NAPL, may pose an unacceptable risk to human health. Provided a building is not present, such NAPL does not pose an unacceptable risk to human health. The ELUR prohibits construction of buildings over such NAPL or where NAPL containing volatile organic substances is located beneath an existing building without mitigation in accordance with RCSA section 22a-133k-3(c)(3), compliance with the volatilization criteria for soil vapor in accordance with RCSA section 22a-133k-3(c)(2) is required.  If NAPL containing PCBs are not remediated in accordance with 40 CFR Part 761 such PCBs may pose an unacceptable risk to human health and groundwater quality. Provided PCBs are remediated in compliance with 40 CFR Part 761 such PCBs do not pose an unacceptable risk to human health and groundwater quality. The ELUR requires PCBs to be remediated in accordance with 40 CFR Part 761. |
| **Reasons Why the Restrictions and Obligations Chosen are Appropriate for the Conditions Present at the Subject Area** |
| The restriction or limitation and obligations are consistent with the RSRs because:  The current condition of the Subject area is in compliance with the restrictions and obligations of this ELUR;  The Commissioner has approved a variance for NAPL in accordance with section 22a-133k-2(g)(2);  The NAPL at the parcel is located at the Subject Area;  The NAPL has been removed to the maximum extent prudent;  There is no migration of NAPL;  Compliance with applicable groundwater criteria for groundwater impacted by NAPL has been achieved;  Construction of buildings is prohibited if there are volatile organic substances located at or above the seasonal low water table; and  When NAPL contains volatile organic substances located at or above the seasonal low water table and is beneath a building without mitigation in accordance with RCSA section 22a-133k-3(c)(3), compliance with volatilization criteria for soil vapor in accordance with RCSA section 22a-133k-3(c)(2) has been achieved. |