## Exhibit B. EUR Opinion

## No Build Restriction – Restriction and Obligation Form

In accordance with RCSA section 22a-133k-3(c)(5), remediation of polluted groundwater to the Volatilization Criteria described in RCSA section 22a-133k-3(c)(1) that is less than thirty feet below the ground surface may not be required if no building exists over the polluted groundwater provided that an EUR is in effect for the Subject Area. This restriction is in the form of a NAUL.

|  |
| --- |
| **Restrictions and Obligations Applicable to the Subject Area** |
| In accordance with RCSA section 22a-133k-3(c)(5), the owner shall ensure that use, occupancy, and activity of and at Subject Area(s) ***Subject Area*** as depicted on Exhibit C of this EUR are restricted and obligations complied with as follows:  Construction of a building at the Subject Area is prohibited; and  **Subject Area *Subject Area*** is the entire property as depicted on Exhibit C. EUR Survey.  or  **Subject Area *Subject Area*** is/are a portion, or portions thereof the property as depicted on Exhibit C. EUR Survey. |

|  |
| --- |
| **Activities Permitted and Activities and Uses Inconsistent with Maintaining Compliance with the NAUL** |
| **Activities Permitted**  Activities which do not involve the construction of a building.  **Activities and Uses Inconsistent with Maintaining Compliance with the NAUL**  Construction of a building. |

|  |
| --- |
| **Type of Substances at the Subject Area** |
| *Enter substance by type or category for Subject Area* |

|  |
| --- |
| **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 a building was constructed at the Subject Area, or existing at the subject area the volatilization of volatile organic substances from the polluted groundwater may pose an unacceptable risk to human health.  Such polluted groundwater does not pose an unacceptable risk to human health, provided that a building is not constructed or existing at the Subject Area as required by the EUR. |
| **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 the EUR;  A building is not present at the Subject Area; and  Groundwater at the parcel which contains substances at concentrations greater than the applicable volatilization criteria are within the limits of the Subject Area. |