

**STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

In the matter of the Closure and Remediation of MOSF # 2-2120 Pursuant to the Requirements set forth in Articles 3, 17, 27 & 71 of the New York State Environmental Conservation Law ("ECL"), Article 12 of the Navigation Law of the State of New York and Titles 6 and 17 of the Official Compilation of Codes, Rules and Regulations ("6 NYCRR" and "17 NYCRR") of the State of New York

**AMENDMENT TO ORDER ON
CONSENT**

-by-

Case No. 12-1111-A-SBC

Kinder Morgan Liquids Terminals LLC
ExxonMobil Oil Corporation
NP Staten Island Industrial, LLC
Respondents.

WHEREAS:

1. The New York State Department of Environmental Conservation (the "Department") entered an Order on Consent with Respondents Kinder Morgan Liquids Terminals LLC ("Kinder Morgan"), ExxonMobil Oil Corporation ("ExxonMobil") and NP Staten Island Industrial, LLC ("NorthPoint") in the within matter on September 15, 2020.
2. Pursuant to Section VII.B. of the Order on Consent, Respondent NorthPoint was entitled to provide a written notice to the Department by no later than October 30, 2020 stating that it had not and would not be completing its contemplated purchase of the Facility site (as defined in the Order on Consent) and, in the event that NorthPoint provided said notice, NorthPoint would be released from the Order on Consent and from all requirements and obligations established thereby.
3. In order to provide an extended period for the consummation of its contemplated purchase of the Facility site, NorthPoint has requested that the October 30, 2020 deadline for the provision of such notice be extended to December 31, 2020.

4. The Department with the consent of all Respondents has agreed to NorthPoint's request and, accordingly, enters the following amendment to the Order on Consent.

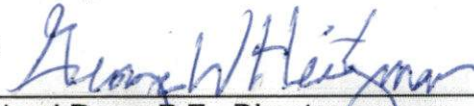
THE COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION HEREBY ORDERS THAT:

- I. Section VII.B. of the Order on Consent is hereby amended to replace "October 30, 2020" with "December 31, 2020".
- II. Except as amended by Section I hereof, all provisions of the Order on Consent shall remain unaltered and in full force and effect.
- III. This Amendment to the Order on Consent shall take effect when it is signed by Respondents and a designee of the Commissioner.

DATED: 10/27/20, 2020

BASIL SEGGOS
COMMISSIONER
NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By:

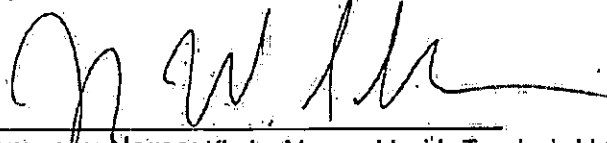


Michael Ryan, P.E., Director
Division of Environmental Remediation

CONSENT BY RESPONDENT

Respondent hereby consents to the issuing and entering of this Amendment to Order on Consent without further notice, and agrees to be bound by the terms, conditions and provisions contained in this Amendment to Order on Consent.

10/21/20
Date



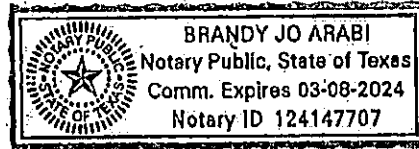
Company Name: Kinder Morgan Liquids Terminals LLC
Name: John W. Schlosser
Title: President

ACKNOWLEDGMENT

STATE OF Texas
COUNTY OF Harris ss:

On the 21st day of October in the year 2020, before me personally came John W. Schlosser to me known, who being, by me duly sworn, did depose and say that he/she is John Schlosser of Kinder Morgan Liquids Terminals LLC and that he/she executed the above instrument; and that he/she signed his/her name thereto by authority of said company.

Notary Public, Signature and Office
of individual taking acknowledgment:



Brandy Jo Arabi

CONSENT BY RESPONDENT

Respondent hereby consents to the issuing and entering of this Amendment to Order on Consent without further notice, and agrees to be bound by the terms, conditions and provisions contained in this Amendment to Order on Consent.

26 Oct 2020
Date

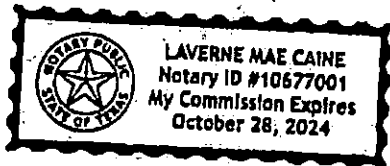
L M Rocci
Company Name: Leon M Rocci Oil Cooperative
Name: LEN M ROCCHI
Title: General Administrator

ACKNOWLEDGMENT

STATE OF Texas
COUNTY OF Harris ss:

On the 26th day of October in the year 2020, before me personally came Len M Rocchi to me known, who being by me duly sworn, did depose and say that he/she is _____ of _____ and that he/she executed the above instrument; and that he/she signed his/her name thereto by authority of said company.


Notary Public, Signature and Office of individual taking acknowledgment:



CONSENT BY RESPONDENT

Respondent hereby consents to the issuing and entering of this Amendment to Order on Consent without further notice, and agrees to be bound by the terms, conditions and provisions contained in this Amendment to Order on Consent.

10-23-20
Date




Company Name: NP Staten Island Industrial, LLC
Name: Nathaniel Hagedorn
Title: Authorized Signatory

ACKNOWLEDGMENT

STATE OF Missouri
COUNTY OF Platte) ss:

On the 23rd day of October in the year 2020, before me personally came Nathaniel Hagedorn to me known, who being by me duly sworn, did depose and say that he/she is Authorized Signatory of NP Staten Island Industrial, LLC and that he/she executed the above instrument; and that he/she signed his/her name thereto by authority of said company.

Notary Public, Signature and Office of individual taking acknowledgment:


Lisa Beasley
