



STATE OF TENNESSEE  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
Division of Solid Waste Management  
Davy Crockett Tower, 7<sup>th</sup> Floor  
500 James Robertson Parkway  
Nashville, Tennessee 37243

May 6, 2025

Jason Painter  
Covoro Mining Solutions LLC  
2571 Fite Road  
Memphis, TN 38127

**CERTIFIED MAIL**  
**# 9589 0710 5270 2282 4758 25**  
**RETURN RECEIPT REQUESTED**

**RE: CLASS 3 PERMIT MODIFICATION**

**Dated:** April 27, 2023  
**Revisions Dates:** August 24, 2023; December 21, 2023; February 14, 2024; March 25, 2024; September 25, 2024  
**Facility:** Covoro Mining Solutions LLC Memphis Plant  
**Permittee:** Covoro Mining Solutions LLC  
**Location:** 2571 Fite Road, Memphis, TN 38127  
**Type:** Corrective Action  
**Units:** Solid Waste Management Units and Area(s) of Concern  
**EPA ID:** TND007024672  
**Permit:** TNHW-182  
**Modification:** 2 (D-52)

Dear. Mr. Painter,

The Division of Solid Waste Management (DSWM) has reviewed the Class 3 Permit Modification Request, dated April 27, 2023, with the most recent revisions submitted September 25, 2024, and the associated permit modification fee payment. This modification request has been submitted to update the Covoro Mining Solutions LLC's (Covoro) Hazardous Waste Management Corrective Action Permit TNHW-182 (Permit) to include a newly identified Solid Waste Management Unit and its associated Final Remedy, updates to the Site Inspection Form(s), and an update to the groundwater and surface water monitoring requirements including the Site-specific Sampling and Analysis Plan.

Jason Painter  
May 6, 2025  
Page 2

If you have any questions, please contact Brett Harris by email at [Brett.Harris@tn.gov](mailto:Brett.Harris@tn.gov) or by phone at 615-393-9221.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Brett Harris', with a long horizontal flourish extending to the right.

Brett Harris  
Hazardous Waste Permitting Manager

cc: Kim Sass, Covoro  
Lisa A. Hughey, Director, DSWM  
Craig Almanza, Deputy Director, DSWM  
Beverly Philpot, Hazardous Waste Program Manager, DSWM  
Brett Harris, Hazardous Waste Permitting/Corrective Action Manager, DSWM  
Jim Holt, Memphis Environmental Field Office Manager, DSWM  
[Records.SWM@tn.gov](mailto:Records.SWM@tn.gov)  
SWMHWP-TND007024672-COVORO-PERMM-CLASS 3 MOD REV-20250506-%-CENTRAL-2203



STATE OF TENNESSEE  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
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May 6, 2025

Jason Painter  
Covoro Mining Solutions LLC  
2571 Fite Road  
Memphis, TN 38127

**CERTIFIED MAIL**  
**# 9589 0710 5270 2282 4758 32**  
**RETURN RECEIPT REQUESTED**

**RE: RESPONSE TO COMMENTS**

**Class 3 Modification**

**Facility:** Covoro Mining Solutions LLC  
**Location:** 2571 Fite Road, Memphis, TN 38127  
**Type:** Corrective Action  
**Unit:** Solid Waste Management Units and Area(s) of Concern  
**EPA ID:** TND007024672  
**Permit:** TNHW-182  
**Modification:** 2(D-52)

Dear Mr. Painter:

Attached is a copy of the Response to Comments to the Class 3 Permit Modification for the Covoro Mining Solutions LLC. (Covoro) facility located at 2571 Fite Road, Memphis, Tennessee 38127.

If you have any questions or comments concerning the Response to Comments or the Class 3 Permit Modification, you may contact Brett Harris at [Brett.Harris@tn.gov](mailto:Brett.Harris@tn.gov) or by phone at 615-393-9221.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa A. Hughey".

Lisa A. Hughey  
Director, DSWM

cc: Kim Sass, Covoro  
Craig Almanza, Deputy Director of Central Operations, DSWM  
Beverly Philpot, Hazardous Waste Program Manager, DSWM  
Brett Harris, Hazardous Waste Permitting/Corrective Action Manager, DSWM  
Lucas McKinney, Environmental Consultant, DSWM  
Jim Holt, Memphis Environmental Field Office Manager, DSWM  
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SWMHWP-TND007024672-COVORO-PERMM-C3 MOD RESP TO COMM-20250506-CENTRAL-2203

**RESPONSE TO COMMENTS**  
Covoro Mining Solutions LLC. Class 3 Permit Modification

This document has been prepared in accordance with Tennessee Rule 0400-12-01-.07(7)(j). It has resulted from the Tennessee Division of Solid Waste Management's (DSWM) issuance of a draft Class 3 Permit Modification for Covoro Mining Solution LLC.'s (Covoro) hazardous waste management permit TNHW-182. The facility is located at located at 2571 Fite Road, Memphis, Tennessee 38127 (EPA ID Number TND007024672). The Class 3 Permit Modification requires Covoro to perform hazardous waste corrective action(s) at their Memphis Site. The Class 3 Permit Modification was made a part of Covoros' corrective action Permit TNHW-182, the existing Covoro permit, which expires June 26, 2030.

Section A of this document describes the efforts made by DSWM to obtain public input. Section B summarizes and responds to all significant comments received. Section C lists DSWM editorial changes.

**A. Public Involvement Opportunities**

As part of the permitting and permit modification process, Covoro held a pre-application public meeting on May 25, 2023, as announced in the May 4, 2023, edition of The Millington Star Newspaper. Covoro conducted a pre-application public meeting for the Class 3 Permit Modification on May 25, 2023. The purpose of the meeting was to inform the communities of Covoros' planned Class 3 modification request to include the addition of a newly identify Solid Waste Management Unit (SWMU), to update the Final Remedy for said SWMU, to update the Property Deed, and to modify the Sampling and Analysis plan to require annual sampling events as required by Rule 0400-12-01-.07(iii) requiring a 60-day comment period beginning on May 4, 2023, and ending on July 3, 2023. Covoro sent notice of the modification request and actual dates of the public comment period to the facility mailing list maintained by the Commissioner, to the appropriate units of State and local government as specified in items (7)(e)3(i)(II) through (V) of Rule 0400-12-01-.07 and published the notice in a local newspaper of general circulation.

The Notice of Public Hearing on the intent to modify the Covoro permit was published in The Millington Star Newspaper on January 30, 2025. The 45-day comment period comment on the intent to modify the permit began on January 30, 2023, and ended March 17, 2025. The public hearing was held on March 4, 2025, at the Woodstock Middle School, 5885 Woodstock Cuba Rd, Memphis, TN 38127, as well as via video teleconference. Public notice of the comment period and public hearing were sent to the mailing list January 30, 2025.

**B. Public Comment/Response Summary**

After the pre-application public meeting held on May 25, 2023, during the pre-application public notice 60-day comment period, comments were submitted by members of the public July 3, 2023. The comments received are summarized as three requests:

1. to sample the Site groundwater more frequently than every other year;
2. to repair and remediate the caustic leak identified by the new solid waste management unit 53 (SWMU 53); and
3. to recycle cooling water as required by Shelby County regulations.

**Comment:** According to the original permit, groundwater monitoring wells are tested every other year for cyanide, vinyl chloride, TCE, and barium on the southern end of the site. While the sampling results have been steady, POA requests samples are taken by an independent lab yearly to monitor for both quality and water levels. Annual groundwater sampling events will detect contaminants before discharging into the Loosahatchie and/or migrating deeper towards the water supply.

We also request that production wells are sampled for the contaminants of concern, along with water levels, to provide upstream comparisons and proactively monitor for issues on the north side of the plant. Due to the decades of industrial activity at the plant, legacy pollution throughout the site is of concern. POA encourages Covoro to collaborate with local scientists and engineers to track data on MSA quality and quantity at this site.

**Response:** The DSWM has updated the Sites' Groundwater and Surface Water Monitoring requirements and the associated Sampling and Analysis Plan to indicate that both groundwater and surface water sampling and monitoring events will be conducted annually.

**Comment:** POA appreciates the new regulatory standards to remediate HCN to residential levels. It was unclear in the permit application how far down soil samples were taken at the site of the hydrogen cyanide (HCN) leak. It was mentioned in the public meeting that there was contamination 2-3 inches below the soil. It is in the best interest of the community and onsite workers to ensure the contamination does not pose a threat to human health or the environment.

We request that the caustic leak outlined in SWMU 53 is fully repaired as part of the corrective action. We also request that SWMU 53 is remediated within the next two years. As drafted, the corrective action is institutional use restrictions and to remediate when the plant stops operating and is closed. There is no expected date for the Corovo operation to cease operating which places an unknown timeline for the corrective action to occur. We recommend addressing the issue now.

**Response:** The DSWM has confirmed that the caustic leak area has been repaired and the institutional controls are adequate to protect human health and the environment for current land use.

**Comment:** Local water regulations, (Section 11, C1) state: "At a minimum" the Shelby County Health Department "shall require the reuse of water for cooling through the use of cooling towers, evaporative condensers, or some other such device or method."

While this issue does not fall under the scope of this permit, POA aims to acknowledge the interconnectedness of water resources on site and encourages Covoro and Draslovka to invest in water reuse and recycling technologies to:

1. Reduce pumping from the MSA,
2. Avoid further migration of legacy contamination, and

3. Serve as an example of industry leadership and healthy water stewardship.

Lastly, POA supports and appreciates Covoro's designation of SWMU 40. When upgrading their trench system for wet weather conveyances, these buried, wood-lined trenches were discovered and had not been properly mapped in the 2020 permit. Increasing signage and implementing a new lining are best practices we support. The ongoing maintenance and upgrades at the Covoro facility are critical to ensure future operations are brought to the operating expectations of the 21st century and the predicted water needs of the next century.

Thank you for the consideration of these comments – we believe they support the mission of the Tennessee Department of Environment and Conservation and intended purpose of the Hazardous Waste Corrective Action permit.

**Response:** The current modification to the permit only addresses RCRA requirements and regulations. The DSWM refers POA to the Shelby County Health Department for further guidance and information.

During the public hearing held on March 4, 2025, 1 member of the public attended the hearing. Comments were received at the public hearing from Covoro; no additional comments were received during the 45-day comment period which ended March 17, 2025. The comments received at the public hearing include the following:

**Comment:** Page 5-2. Remove comment regarding groundwater conducted in odd numbered years and change to annual.

**Response:** The DSWM has updated the Notes on table 5-1 on page 5-2 to remove the reference of groundwater being sampled in odd numbered years and replaced that reference with annual groundwater sampling.

**Comment:** Page 5-4; 6-1, 6-3. Change Chemours Memphis to Covoro Mining Solutions LLC or Covoro.

**Response:** The DSWM has updated D. on page 5-4, the first paragraph on page 6-1, and IV. on page 6-3 to remove reference of Chemours Memphis and replace with Covoro Mining Solutions LLC.

## **C. DSWM EDITORIAL CHANGES TO FINAL PERMIT**

DSWM made the following editorial corrections to the final permit:

### **1. Section I. Standard Conditions**

Capitalized "Landfill" in the sentence "(RCRA Surface Impoundment, closed as landfill).

## **2. Attachment 6.2. RCRA Facility Investigation (RFI) Outline**

Corrected the first sentence. “The purpose of the RFI portion of the hazardous waste corrective action process is to evaluate the nature and extent of releases of hazardous wastes or hazardous constituents and to gather necessary [*information*] to update the conceptual site model and to support the Corrective Measures Study or Interim Measures.”

## **3. Attachment 6.4. Corrective Action Compliance Schedule**

Corrected reference to *Paragraph III.B.2* to *V.B.2* under Compliance Schedule, Notification Requirements for Newly Identified Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs).

Corrected reference to *Paragraph III.B.1 and III.B.2* to *V.D.1* under Confirmatory Sampling Work Plan for suspected AOCs and SWMUs.

State of Tennessee  
Department of Environment  
and Conservation  
Division of Solid Waste Management

Hazardous Waste Management Program  
Davy Crockett Tower  
500 James Robertson Parkway, 7<sup>th</sup> Floor  
Nashville, Tennessee 37243

**MODIFICATION TO  
HAZARDOUS WASTE MANAGEMENT PERMIT**

**Permittee:** Covoro Mining Solutions LLC  
**Owner/Operator:** Covoro Mining Solutions LLC  
**Facility:** Covoro Mining Solutions LLC Memphis Plant  
**Location:** 2571 Fite Road, Memphis, Tennessee 38127  
**Permit Type:** Corrective Action Only  
**Units:** Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs)  
**EPA ID:** TND007024672  
**Permit:** TNHW-182  
**Modification Type:** Class 3  
**Modification:** 2 (D-52)

Pursuant to the Tennessee Hazardous Waste Management Act, as amended (Tennessee Code Annotated 68-212-101 et seq.) and the regulations (Chapter 0400-12-01) promulgated thereunder by the Underground Storage Tanks and Solid Waste Disposal Control Board, hazardous waste management Corrective Action Permit No. TNHW-182, issued to Covoro Mining Solutions LLC, is hereby modified pursuant to Tennessee Hazardous Waste Management Rule 0400-12-01-.07(9)(c) as follows:

1. **Table of Content:**

Attachment 5.1, Deed Notice and Attachment 5.2, Tract 1 Land Parcel Description have been added.

2. **Table 1-6, List of solid waste management units (SWMUs) and areas of concern (AOCs) that require implementation of a Corrective Action Remedy:**

Modification to include the newly identified Solid Waste Management Unit (SWMU), SWMU 53 – HCN Refining Caustic Leak Area.

3. **Table 5-1, Corrective Action Remedies:**

Modification to include signage as a remedy for SWMU 40 – Wastewater Collection and Drainage Ditch Systems; to add SWMU 53 – HCN Refining Caustic Leak Area with a remedy of Industrial Use Restrictions; to update the corrective action remedy component for Site Groundwater of biennial sampling to annual sampling.

4. **Attachment 5, Corrective Action Remedies:**

Modification to add signage to the SWMU 40 inspection checklist and SWMU 53; and to correct the reference from Table 6-1 to the correct reference of Table 5-1. Modification to update the groundwater sampling schedule from biennial sampling to annual sampling. Modification to update all reference(s) of “Chemours Memphis” to “Covoro Mining Solutions LLC”.

Attachment 5.1, Deed Notice and Attachment 5.2, Tract 1 Land Parcel Information has been added to Attachment 5, Corrective Action Remedies.

5. **Figure 3, SWMU and AOC Locations:**

Modification to include the addition of SWMU 53 and the wood-lined trench location as part of SWMU 40.

6. **Attachment 6, Sampling and Analysis:**

Modification to update both the groundwater sampling schedule and the surface water sampling schedule from biennial sampling to annual sampling. Modification to update all reference(s) of “Chemours Memphis” to “Covoro Mining Solutions LLC”.

This permit modification is further subject to and conditioned upon the terms, conditions, limitations, standards, and schedules contained in or specified in the enclosures that are a part of this modification. These changes are hereby made a part of Permit Number TNHW-182, EPA ID No.: TND007024672. This modification is effective as of May 6, 2025, and shall remain in effect until June 26, 2030, revoked and reissued, or terminated under Rule 0400-12-01-.07(9). Failure to comply with the terms of this modification shall constitute a violation of the Permit.



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Lisa A. Hughey, CHMM  
Director, Division of Solid Waste Management

May 6, 2025

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Date

**ENCLOSURE**

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**PERMIT ATTACHMENTS**

ATTACHMENT 1. SUMMARY TABLES OF REQUIREMENTS FOR SWMUs AND AOCs

ATTACHMENT 2. RCRA FACILITY INVESTIGATION (RFI) OUTLINE

ATTACHMENT 3. CORRECTIVE MEASURES STUDY (CMS) OUTLINE

ATTACHMENT 4. CORRECTIVE ACTION COMPLIANCE SCHEDULE

ATTACHMENT 5. CORRECTIVE ACTION REMEDIES

ATTACHMENT 5.1. DEED NOTICE

ATTACHMENT 5.2. TRACT 1 LAND PARCEL DESCRIPTION

ATTACHMENT 6. MONITORING

**Table 1-4 List of solid waste management units (SWMUs) and areas of concern (AOCs) that require Interim Measures (IM):**

As of permit issuance, there are no units identified that require Interim Measures in accordance with the Specific Conditions for Corrective Action section of this permit.

**Table 1-5 List of solid waste management units (SWMUs) and areas of concern (AOCs) that require a Corrective Measures Study (CMS):**

As of permit issuance, there are no units identified that require a Corrective Measures Study in accordance with the Specific Conditions for Corrective Action section of this permit.

**Table 1-6 List of solid waste management units (SWMUs) and areas of concern (AOCs) that require implementation of a Corrective Action Remedy:**

SWMU/AOC	SWMU/AOC Name	Remedy	Dates of Operation	Final Remedy Determination
19-2	Landfill A-5, Landfill A-6, Landfill A-7, and Landfill A-8	Industrial Use Restrictions	1971-1973	July 2009*
19-4	Landfill A-9	Industrial Use Restrictions	1971-1973	July 2009*
24	Oil/Water Separators	Institutional/Administrative Controls	1953-Present	July 2009*
35	Divert Pond	Industrial Use Restrictions	1973-Present	July 2009*
37	Landfill B-1 and Landfill B-2	Institutional/Administrative Controls	1971-1973	July 2009*
40	Wastewater Collection and Drainage Ditch System	Industrial Use Restrictions	1950s-Present	July 2009*
42	Emergency Pond	Institutional/Administrative Controls	Unknown-1975	Corrective Measures Study Report-September 24, 2001
53	HCN Refining Caustic Wash Leak	Industrial Use Restrictions	1950s-Present	January 13, 2023**
AOC-GW	Site Groundwater	Monitoring	1979-Present	July 2009*

**Notes:**

The remedy components for Industrial Use Restrictions and Institutional/Administrative Controls are detailed in Attachment 5. Corrective Action Remedies.

\*Laboratory analytical soils data collected as part of historical RFI efforts completed at the Memphis Plant were evaluated against relevant USEPA Regional Screening Levels to determine final remedy disposition for the corrective action units.

\*\*Approval for Industrial Use Restrictions letter dated January 13, 2023, from TDEC.

<b>Table 5-1 Corrective Action Remedies</b>								
<b>SWMU/ AOC</b>	<b>SWMU/ AOC Name</b>	<b>Remedy</b>	<b>Remedy Components</b>					
			<b>Within Facility Security Fence</b>	<b>Signage</b>	<b>Cover Intact</b>	<b>Excavation Restrictions</b>	<b>Semi-Annual Inspections</b>	<b>Annual Sampling</b>
19-2	Landfills A-5 through A-8	Industrial Use Restrictions	X		X	X	X	
19-4	Landfill A-9	Industrial Use Restrictions	X		X	X	X	
24	Oil/Water Separators	Institutional/ Administrative Controls	X	X	X	X	X	
35	Divert Pond	Industrial Use Restrictions	X		X	X	X	
37	Landfills B-1 and B-2	Institutional/ Administrative Controls	X	X	X	X	X	
40	Wastewater Collection and Drainage Ditch System	Industrial Use Restrictions	X	X	X	X	X	
42	Emergency Pond	Institutional/ Administrative Controls		X	X	X	X	
53	HCN Refining Caustic Leak	Industrial Use Restrictions	X	X	X	X	X	
AOC-GW	Site Groundwater	Monitoring				X		X

**Notes:**

Remedy components for units requiring Institutional/Administrative Controls include restricted site access (for the active manufacturing facility), warning signs, cover materials present, excavation restrictions, and semi-annual visual inspections.

Remedy Components for units requiring Industrial Use Restrictions include restricted site access (for the active manufacturing facility), cover materials present, excavation restrictions, and semi-annual visual inspections.

Annual groundwater and surface water monitoring/sampling events are typically conducted in alternating quarters each year. (i.e., First quarter one year, second quarter the following year, third quarter the following year, etc..)

the Groundwater Protection Standards listed in Table 5-2 in any of the facility downgradient monitoring wells prior to the groundwater reaching the Loosahatchie River and Goats Creek.

<b>Table 5.2. Groundwater Protection Standards</b>	
<b>Constituent of Interest</b>	<b>Level (milligrams per liter)</b>
Trichloroethene	20
Vinyl Chloride	0.20
Total Cyanide	4
Barium	1624

- A. The permittee will maintain the groundwater monitoring wells for AOC GW, Site Groundwater, in accordance with the specifications in Table 6-1, Monitoring Well Construction Details, at the locations shown on Figure 4, Monitoring Well and Surface Water Sampling Locations.
- B. The permittee will annually collect groundwater samples following the sampling procedures specified in Section I of Attachment 6, Sampling and Analysis.
- C. The permittee will analyze the monitoring well samples collected for the evaluation of AOC Groundwater by using the methods specified in Attachment 6, Table 6-2, Analytical Criteria.
- D. By using the analytical results of each sampling event, the permittee will perform a Groundwater-to-Surface Water Discharge Analysis. The evaluation will compare the measured concentration of each constituent of interest (COI) to the values in Table 5-2, Groundwater Protection Standards. The purpose of the comparison is to determine if the concentration of each COI in the groundwater that discharges from the Covoro Mining Solutions LLC property to the Loosahatchie River is protective. If a sample result exceeds the Groundwater Protection Standard, further evaluation will be completed to determine if additional actions are required. The Groundwater-to-Surface Water Discharge Analysis must be performed within 60 calendar days of the receipt of the analytical results.
- E. The permittee will notify the Commissioner within 15 calendar days of identifying that a COI has exceeded the Groundwater Protection Standard from performing the Groundwater-to-Surface Water Discharge Analysis. The notification will include recommendations for further evaluation and other actions.

- F. The permittee will comply with all reporting requirements of this permit, including the submittal of annual compliance reports. The annual compliance reports will be submitted within 90 calendar days of receipt of analytical results.
- G. At such time that closure is necessary and with prior written approval by the Commissioner, the permittee shall close monitoring wells, piezometers, extraction wells or other probes in accordance with Shelby County monitoring well plugging and abandonment requirements and as approved by the Commissioner.

### **III. SURFACE WATER MONITORING**

This section provides the conditions for surface water monitoring. As follows, the permittee is required to monitor the surface water to ensure that constituent concentrations in groundwater do not impact the Loosahatchie River.

- A. The permittee will annually collect surface water samples following the sampling procedures specified in Section III of Attachment 6, Sampling and Analysis. Sampling locations are shown on Figure 4, Monitoring Well and Surface Water Sampling Locations.
- B. The permittee will analyze the surface water samples collected by using the methods specified in Attachment 6, Table 6-2, Analytical Criteria.
- C. The permittee will then perform a statistical evaluation of the surface water analytical results, by comparing the upgradient concentrations to the downgradient levels. The statistical comparison must be performed within 60 calendar days of the receipt of the analytical results.
- D. If the evaluation indicates a statistical increase in the downgradient surface water, the permittee will immediately perform a trend analysis of the upgradient and downgradient analytical results.
- E. If an increasing trend is identified in the downgradient sample, the permittee will notify the Commissioner within 15 calendar days of that determination. The permittee will include a recommendation for further action at that time.
- F. The permittee will include the results of the statistical evaluations of surface water analytical in their monitoring reports.

## **ATTACHMENT 6. SAMPLING AND ANALYSIS**

For the long-term monitoring requirements at the Covoro Mining Solutions LLC Site, this attachment provides the procedures to be followed by the permittee for the collection and chemical analysis of groundwater and surface water samples. All monitoring well and surface water locations are shown on Figure 4. Groundwater and surface water samples will be collected and analyzed annually to ensure continued protection of human health and the environment. Annual groundwater and surface water sampling events will be conducted in a different quarter of each year to account for seasonal changes.

### **I. SAMPLING AND ANALYSIS QUALITY CONTROL**

Table 6-2, Analytical Criteria, provides the constituents of interest (COIs) and the methods that will be performed on each groundwater, surface water, and control sample. Quality control sampling and analysis includes the collection of one duplicate, one matrix spike/matrix spike duplicate (MS/MSD), and one equipment rinsate blank (if reusable sampling equipment is used) for every 20 samples of each sample media and each sampling method used. Dedicated trip blanks will accompany volatile organic compound (VOC) sample containers at all times.

### **II. GROUNDWATER SAMPLING PROCEDURES**

Monitoring of AOC GW, Site Groundwater, will consist of annual sampling and analysis of the following wells: TW-01, TW-01A, TW-03A, TW-05R, TW-07, TW-07A, TW-08, TW-08A, TW-12A, TW-14, TW-18, TW-26, TW-29, and TW-39. Monitoring well construction details are provided in Table 6-1. Prior to sampling, static water level will be taken in all monitoring wells. In addition, a measurement will be taken from well DG-08 to assist in developing a potentiometric surface map for the groundwater aquifer.

Groundwater sampling will be conducted in accordance with the most recent version of the Groundwater Sampling Operating Procedure document SESDPROC-301-R4 or an equivalent method approved by the Commissioner. This document can be accessed from the EPA, Region 4, SESD's Field Branches Quality System and Technical Procedures website.

Groundwater sampling methods may include low-flow, minimum-purge or no-purge sampling. Collection of all groundwater samples will include field analysis for pH, dissolved oxygen, temperature, conductivity, and turbidity. Measurement of these parameters will be completed using a portable multi-parameter water quality meter and the resultant parameters will be recorded for placement in the facility operating record. Groundwater quality parameter measurements will be taken for each sampling event.

**III. SURFACE WATER SAMPLING PROCEDURES**

Surface water samples will be collected from the Loosahatchie River at facility upstream location SW-01 and at facility downgradient location SW-03, as shown on Figure 4. Surface water sampling will be conducted in accordance with the most recent version of the Surface Water Sampling Operating Procedure document SESDPROC-201-R4 or an equivalent method approved by the Commissioner. A copy of this document can be accessed from the EPA, Region 4, SESD’s Field Branches Quality System and Technical Procedures website.

Collection of surface water samples may include directly dipping the sample container into the surface water body or using a peristaltic pump equipped with disposable tubing. Following the collection of surface water samples, field analysis for pH, dissolved oxygen, temperature, conductivity, and turbidity will be completed using a portable multi-parameter water quality meter and the resultant parameters will be recorded for placement in the facility operating record.

**IV. LABORATORY ANALYTES AND METHODS**

Table 6-2, Analytical Criteria, provided the constituents of interest (COIs) and the methods that will be performed on all groundwater, surface water, and control samples.

<b>Table 6.2. Analytical Criteria</b>	
<b>Constituent of Interest</b>	<b>Method</b>
Trichloroethene, Vinyl Chloride	EPA Method 8260D or Current
Total Cyanide	EPA Method 9012B or Current
Barium	SW846 6010D or Current

Quality control sampling and analysis will be conducted in accordance with Section I of this attachment and the Covoro Mining Solutions LLC Facility’s site specific Quality Assurance Project Plan (QAPP) for sampling activities.

**V. INVESTIGATION-DERIVED WASTE**

Investigative-derived waste (IDW) generated from groundwater and surface water sampling activities will be containerized, characterized based on sampling results, and managed by disposal through the Site’s publicly owned treatment works (POTW) connection or by off-site disposal. Chemours Memphis Site personnel manage disposal activities.

**Semi-Annual SWMU Inspection Report  
Covoro Mining Solutions**

<b>SWMU 19-2</b>	<b>Landfills A-5 through A-8</b>	<b>Pavement, Soil, &amp; Gravel Cover</b>
Is adequate cover material present?	<input type="checkbox"/> Yes <input type="checkbox"/> No	[If no, action required - Specify below]
Are unpermitted excavations present?	<input type="checkbox"/> Yes <input type="checkbox"/> No	[If yes, action required – Specify below]
Action(s) Required: _____		

<b>SWMU 19-4</b>	<b>Landfill A-9</b>	<b>Soil &amp; Vegetation Cover</b>
Is adequate cover material present?	<input type="checkbox"/> Yes <input type="checkbox"/> No	[If no, action required - Specify below]
Are unpermitted excavations present?	<input type="checkbox"/> Yes <input type="checkbox"/> No	[If yes, action required – Specify below]
Action(s) Required: _____		

<b>SWMU 24</b>	<b>Oil/Water Separators</b>	<b>Concrete, Wood &amp; Gravel Cover</b>
Is adequate cover material present?	<input type="checkbox"/> Yes <input type="checkbox"/> No	[If no, action required - Specify below]
Are unpermitted excavations present?	<input type="checkbox"/> Yes <input type="checkbox"/> No	[If yes, action required – Specify below]
Are “No Excavation” warning sign(s) present per Table 5-1 of Corrective Action Permit?	<input type="checkbox"/> Yes <input type="checkbox"/> No	[If yes, action required – Specify below]
Action(s) Required: _____		

<b>SWMU 35</b>	<b>Divert Pong</b>	<b>Soil &amp; Vegetation Cover</b>
Is adequate cover material present?	<input type="checkbox"/> Yes <input type="checkbox"/> No	[If no, action required - Specify below]
Are unpermitted excavations present?	<input type="checkbox"/> Yes <input type="checkbox"/> No	[If yes, action required – Specify below]
Action(s) Required: _____		

Inspection records to be maintained at the site for five years. Inspection criteria on this form is required, however, from format may be modified as needed. Last revised – 04/03/19.

Class 2 Modification – 06/17/22  
Class 3 Modification – 05/06/25

**Semi-Annual SWMU Inspection Report  
Covoro Mining Solutions**

**SWMU 37**

**Landfills B1 and B2**

**Soil, Gravel, & Vegetation Cover**

Is adequate cover material present?  Yes  No

[If no, action required - Specify below]

Are unpermitted excavations present?  Yes  No

[If yes, action required – Specify below]

Are “No Excavation” warning sign(s) present per Table 5-1 of Corrective Action Permit?

Yes  No

[If yes, action required – Specify below]

Action(s) Required: \_\_\_\_\_

**SWMU 40**

**Wastewater System**

**Wood-lined, Soil, & Gravel Cover**

Is adequate cover material present?  Yes  No

[If no, action required - Specify below]

Are unpermitted excavations present?  Yes  No

[If yes, action required – Specify below]

Are “No Excavation” warning sign(s) present per Table 5-1 of Corrective Action Permit?

Yes  No

[If yes, action required – Specify below]

Action(s) Required: \_\_\_\_\_

**SWMU 42**

**Emergency Pond**

**Soil & Vegetation Cover**

Is adequate cover material present?  Yes  No

[If no, action required - Specify below]

Are unpermitted excavations present?  Yes  No

[If yes, action required – Specify below]

Are “No Trespassing” and “No Excavation” warning sign(s) present per Table 5-1 of Corrective Action Permit?

Yes  No

[If yes, action required – Specify below]

Action(s) Required: \_\_\_\_\_

Inspection records to be maintained at the site for five years. Inspection criteria on this form is required, however, from format may be modified as needed. Last revised – 04/03/19.

Class 2 Modification – 06/17/22  
Class 3 Modification – 05/06/25

**Semi-Annual SWMU Inspection Report  
Covoro Mining Solutions**

**SWMU 53**

**HCN Refining Caustic Leak**

**Gravel Cover**

Is adequate cover material present?  Yes  No

[If no, action required - Specify below]

Are unpermitted excavations present?  Yes  No

[If yes, action required – Specify below]

Are “No Excavation” warning sign(s) present per Table 5-1 of Corrective Action Permit?

Yes  No

[If yes, action required – Specify below]

Action(s) Required: \_\_\_\_\_

---

Date

Time

Inspector Name (Print)

Inspector Signature

Inspection records to be maintained at the site for five years. Inspection criteria on this form is required, however, from format may be modified as needed. Last revised – 04/03/19.

Class 2 Modification – 06/17/22

Class 3 Modification – 05/06/25

# FIGURE 3

## COVORO MINING SOLUTIONS LLC

SWMU AND AOC LOCATIONS  
COVORO MINING SOLUTIONS LLC  
MEMPHIS, TENNESSEE

**AECOM**  
**PROJECT NO. 60696333**  
**FIGURE NO. 3**  
**APRIL 27, 2023**

**EPA ID Number:** TND007024672

**Permit Number:** TNHW-182

**ATTACHMENT 5.1. DEED NOTICE**

**NOTICE OF INSTITUTIONAL CONTROLS**

**COVORO MINING SOLUTIONS LLC**

**James Stockbridge President**

**NOTARY**

**Ramiro Garcia**

**September 25, 2024**

**EPA ID Number:** TND007024672

**Permit Number:** TNHW-182

**ATTACHMENT 5.2. TRACT 1 LAND PARCEL DESCRIPTION**

**EXHIBIT B  
TRACT 1**

# FIGURE 3

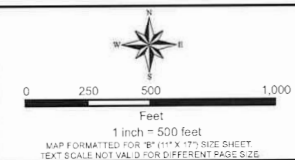
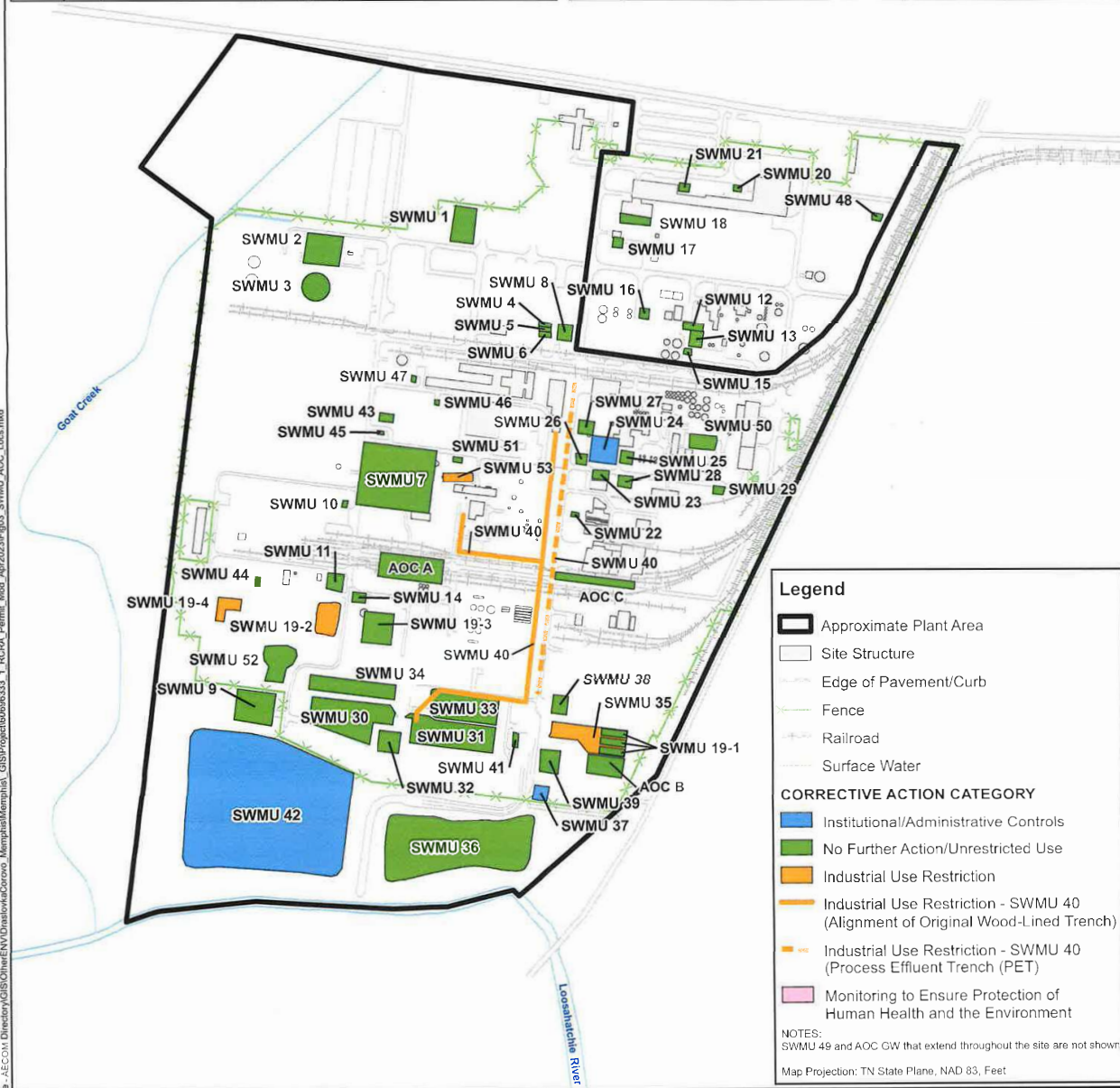
## COVORO MINING SOLUTIONS LLC

SWMU AND AOC LOCATIONS  
COVORO MINING SOLUTIONS LLC  
MEMPHIS, TENNESSEE

**AECOM**  
**PROJECT NO. 60696333**  
**FIGURE NO. 3**  
**APRIL 27, 2023**

SWMU #	SWMU Name	Category
1	Land Farm	No Further Action / Unrestricted Use
2	Acrylonitrile Drum Storage Area	No Further Action / Unrestricted Use
3	Acrylonitrile Contaminated Water Tank	No Further Action / Unrestricted Use
4	Acrylonitrile Wastewater Tank	No Further Action / Unrestricted Use
5	Acrylonitrile Catalyst Settler	No Further Action / Unrestricted Use
6	Acrylonitrile Hydrolyzers (2)	No Further Action / Unrestricted Use
7	Acrylonitrile Incinerator	No Further Action / Unrestricted Use
8	Acrylonitrile Thermal Oxidizer Incinerator, Units A, B, and C	No Further Action / Unrestricted Use
9	Sodium Weathering Area	No Further Action / Unrestricted Use
10	Na/Cl Storage Area	No Further Action / Unrestricted Use
11	Sodium Equipment Decontamination Pad	No Further Action / Unrestricted Use
12	MMA Skim Tub Storage Area	No Further Action / Unrestricted Use
13	MMA Spill Containment Area	No Further Action / Unrestricted Use
14	MMA Storage Area	No Further Action / Unrestricted Use
15	Weak Acid Treatment Tank	No Further Action / Unrestricted Use
16	Waste Acid Collection Sump	No Further Action / Unrestricted Use
17	Toluene Recovery System	No Further Action / Unrestricted Use
18	Acrylic Storage Area	No Further Action / Unrestricted Use
19-1	Landfills A-1 through A-3	No Further Action / Unrestricted Use
19-2	Landfills A-5 through A-8	Industrial Use Restriction
19-3	Landfill A-4	No Further Action / Unrestricted Use
19-4	Landfill A-9	Industrial Use Restriction
20	Waste Syrup Accumulation Areas	No Further Action / Unrestricted Use
21	Cyclones and Hopper	No Further Action / Unrestricted Use
22	NaCN Wastewater Storage and Treatment Tanks	No Further Action / Unrestricted Use
23	Waste Solvent Containers (H <sub>2</sub> O Process)	No Further Action / Unrestricted Use
24	Oil/Water Separators	Institutional/Administrative Controls
25	Palladium Catalyst Fines Collection Area	No Further Action / Unrestricted Use
26	Baghouse (Off of Alumina Roaster)	No Further Action / Unrestricted Use
27	Spent Alumina Collection Dumpsters (2)	No Further Action / Unrestricted Use

SWMU #	SWMU Name	Category
28	Spent Activated Carbon Collection Dumpsters (2)	No Further Action / Unrestricted Use
29	Diatomaceous Earth Dumpsters (2)	No Further Action / Unrestricted Use
30	Surface Impoundment D-1	No Further Action / Unrestricted Use
31	Surface Impoundment D-2	No Further Action / Unrestricted Use
32	Surface Impoundment D-3	No Further Action / Unrestricted Use
33	Decant Pond (East)	No Further Action / Unrestricted Use
34	Decant Pond (West)	No Further Action / Unrestricted Use
35	Divert Pond	Industrial Use Restriction
36	Lime Pond	No Further Action / Unrestricted Use
37	Landfills B-1 and B-2	Institutional/Administrative Controls
38	Chemfixed Waste Area	No Further Action / Unrestricted Use
39	Facility Incinerator & Storage Area	No Further Action / Unrestricted Use
40	Wastewater Collection & Drainage Ditch System	Industrial Use Restriction
41	Outfall Neutralization Tanks (2)	No Further Action / Unrestricted Use
42	Emergency Pond	Institutional/Administrative Controls
43	Salvage Yard	No Further Action / Unrestricted Use
44	Oil Accumulation Area	No Further Action / Unrestricted Use
45	PCB Contaminated Oil Accumulation Area	No Further Action / Unrestricted Use
46	Laboratory Waste Storage Area	No Further Action / Unrestricted Use
47	Lab Solvent Storage Area	No Further Action / Unrestricted Use
48	Construction Paint Thinner Storage Area	No Further Action / Unrestricted Use
49	Solid Waste Collection Dumpsters (10)	No Further Action / Unrestricted Use
50	Sodium Perborate Divert Pond	No Further Action / Unrestricted Use
51	Power #1 and #2 Boilers	No Further Action / Unrestricted Use
52	Hypochlorite Ponds	No Further Action / Unrestricted Use
53	HCN Refining Caustic Wash Leak	Industrial Use Restriction
AOC A	HCN Rail Car Loading Area	No Further Action / Unrestricted Use
AOC B	Fire Training Area	No Further Action / Unrestricted Use
AOC C	Solids Cyanides Loading Area	No Further Action / Unrestricted Use
AOC GW	Site Groundwater	Monitoring to Ensure Protection of Human Health and the Environment



TASK NUMBER:	1
DESIGNED BY:	M. GOSSETT
DRAWN BY:	C. DUFFY
DATA QUALITY CHECK BY:	M. GOSSETT

**AECOM**  
 AECOM  
 248 Chapman Road  
 Suite 101  
 Newark, DE 19702

**SWMU AND AOC LOCATIONS**

RCRA Corrective Action Permit -  
 Class 3 Permit Modification  
 Corvo Mining Solutions LLC  
 Memphis, Tennessee

PROJECT NUMBER:	60696333
DATE:	4/27/2023
FIGURE NUMBER:	3

C:\Users\sherry.duff@aec.com\Documents\GIS\Other\ENVD\Drawings\Corvo - Memphis\Memphis\_GIS\Project\60696333\_1\_RCRA\_Permit\_Mod\_Apr2023\Fig03\_SWMU\_AOC\_Loc.mxd

**EPA ID Number:** TND007024672

**Permit Number:** TNHW-182

**ATTACHMENT 5.1. DEED NOTICE**

**NOTICE OF INSTITUTIONAL CONTROLS**

**COVORO MINING SOLUTIONS LLC**  
**James Stockbridge President**

**NOTARY**  
**Ramiro Garcia**  
**September 25, 2024**

PREPARED BY and RETURN TO:  
Tennessee Department of Environment  
and Conservation  
Day Crockett Tower, 7<sup>th</sup> Floor  
500 James Robertson Parkway  
Nashville, TN 37243

## NOTICE OF INSTITUTIONAL CONTROLS

Notice is hereby given, that pursuant to Tennessee Code Annotated section 68-212-225 of the Hazardous Waste Management Act of 1983, the Commissioner of the Tennessee Department of Environment and Conservation (TDEC) had determined that institutional controls are an appropriate remedial action for SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW located on TRACT I as described in Exhibit B. Pursuant to section 68-212-225(d), the Register of Deeds shall record this Notice and index it in the grantor index under the names of the owners of the land.

### WITNESSETH:

WHEREAS, Covoro Mining Solutions LLC, (hereinafter "Grantor") is the owner of the real property described in Deed of record with the Shelby County Register of Deeds, which is more particularly described as Solid Waste Management Units (SWMUS) and specifically listed in Table 1 (SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and Areas of Concern (AOC) GW) located in TRACT I description in Exhibit B, and,

WHEREAS certain hazardous wastes, solid wastes, constituents, and related materials were introduced into SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW located in TRACT I by prior uses; and

WHEREAS those materials contain constituents regulated under the laws of the state of Tennessee; and

WHEREAS, certain investigations and remediation have been conducted and performed on SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW pursuant to Tennessee Hazardous Waste Management permit (No. TNHW-182) and corrective action program, and under the oversight of TDEC Division of Solid Waste Management; and

WHEREAS, the Grantor has agreed to impose certain institutional controls land use restrictions on SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW located in TRACT I as set forth below to limit any risk to human health and the environment arising from the presence of these materials and has agreed to preserve and maintain these restrictions.

NOW, THEREFORE, in consideration of the foregoing, the Grantor hereby declares that SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW should be held, sold, and conveyed subject to the institutional controls set forth below. Said institutional controls shall run with the land and shall be binding on all parties having any right, title, or interest in SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW located TRACT I or any part of the TRACT I property, and on their heirs, successors, successor-in-title, and assigns, and shall insure to the benefit of each owner therefor and to TDEC and the respective successors and assigns of such parties:

### **Location of Contamination**

SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW are located at 2571 Fite Road, Memphis, Tennessee 38127 (Facility ID TND007024672) and is more particularly described in Table 1.

### **Land Use Restrictions/Institutional Controls**

1. Prior to any invasive activity (beyond ordinary and reasonable landscaping and property maintenance activities) that would make contact with or remove soils from under SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW, the Grantor, its successors, and/or assigns shall notify TDEC in writing with a demonstration made to the satisfaction of TDEC That any such invasive activity or soil removal will be performed in such a way as to not pose a danger to public health, safety, or the environment. Such invasive work beneath SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW shall not commence until TDEC has issued its written approval which shall not be unreasonably withheld. Any approval granted by TDEC for the restricted activity shall be in writing, must contain reference to these Land Use Restrictions, and shall be filed with the Shelby County Register of Deeds. Soil sampling and environmental testing approved by TDEC can also be used to demonstrate that the invasive activity will not pose a danger to public health, safety, or the environment. TDEC approval to perform soil sampling or environmental testing does not require a filing with the Register of Deeds.
2. Remedy Components for units requiring Institutional/Administrative Controls include restricted site access (for the active manufacturing facility), warning signs, cover materials present, excavation restrictions and semi-annual visual inspections.

Remedy Components for units requiring Industrial Use Restrictions include restricted site access (for the active manufacturing facility), cover materials present, excavation restrictions and semi-annual visual inspections. No other physical requirements or administrative controls are required.

Biennial groundwater and surface water sampling events are typically conducted in the fourth quarter of odd-numbered calendar years. Table 1 identifies the solid waste management unit (SWMU) or area of concern (AOC) and the required remedy.

Table 1. Remedy Components for Areas of Concern / Solid Waste Management Unit								
SWM U/ AOC	SWMU/AOC Name	Remedy	Remedy Components					
			Within Facility	Signage	Cover Intact	Excavation Restrictions	Semi-Annual	Biennial Sampling
19-2	Landfills A-5 through A-8	Industrial Use Restrictions	X		X	X	X	
19-4	Landfill A-9	Industrial Use Restrictions	X		X	X	X	
24	Oil/Water Separators	Institutional/Administrative Controls	X	X	X	X	X	
35	Divert Pond	Industrial Use Restrictions	X		X	X	X	
37	Landfills B-1 and B-2	Institutional/Administrative Controls	X	X	X	X	X	
40	Wastewater Collection and Drainage Ditch System	Industrial Use Restrictions	X	X	X	X	X	
42	Emergency Pond	Institutional/Administrative Controls		X	X	X	X	
53	HCN Refining Caustic Leak	Industrial Use Restrictions	X	X	X	X	X	
AOC GW	Site Groundwater	Monitoring to Ensure Protection of Human Health and Environment				X		X

3. Prior to the removal or excavation of any soil, groundwater, or buried waste material on or in SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW, The Grantor, its successors, and/or assigns must notify TDEC and must demonstrate to the satisfaction of TDEC that (1) any such proposed removal will not pose a danger to public health, safety, or the environment, and (2) that such removed soil, groundwater, or wastes will be managed in accordance with any applicable regulations. The TDEC Division of Solid Waste Management shall approve any such proposed actions prior to commencement. Any approval granted by TDEC for such removals shall be in writing, must contain a reference to this instrument, and shall be filed with the Shelby County Register of Deeds.
4. No drinking water supply, or other domestic water well, shall be installed or used at SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW without prior notice to and approval of TDEC. Any such approval for additional wells shall be in writing, must contain a reference to this instrument, and shall be filed with the Shelby County Register of Deeds. Nothing in

this paragraph shall require any additional notice, approvals, or filings for any monitoring wells at SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW.

5. Unless and until TDEC provides written confirmation that groundwater monitoring is no longer required at the Site, there shall be no interference with access to groundwater monitoring wells onsite for purposes of groundwater monitoring activities or maintenance or repair of such wells.

#### **Enforcement**

Any owner of SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW or any unit of local government having jurisdiction over any part of SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW may enforce this Notice of Land Use Restrictions by means of a civil action. The Commissioner of TDEC may enforce this Notice of Land Use Restrictions through the issuance of an Administrative Order or by means of a civil action, including one to obtain an injunction against present or threatened violations of the restriction. Pursuant to T.C.A Section 68-212-213, any person who fails, neglects or refuses to comply with a land use restriction commits a Class B misdemeanor and is subject to the assessment of a civil penalty of up to ten thousand dollars (\$10,000) per day.

#### **Term**

This Notice of Land Use Restrictions shall run with and bind SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW unless and until this Declaration shall be made less stringent or canceled as set forth under the paragraph entitled "Amendment and Termination."

#### **Amendment and Termination**

This Notice of Land Use Restrictions may be made less stringent or canceled by the Commissioner of TDEC if the risk has been eliminated or reduced so that the less restrictive land use controls are protective of human health and environment. Contact the TDEC Division of Solid and Hazardous Waste Management for further information concerning SWMUs 19-2, 19-4, 24, 35, 37, 40, 42, 53, and AOC-GW and refer to Facility ID No. TND007024672. No amendment to or termination of this Notice of Land Use Restrictions shall be effective until such amendment or instrument is recorded by the Shelby County Register of Deeds. An amendment or termination of this land use restriction subject to TDEC approval must be approved in writing before any amendment or termination is made.

#### **Severability**

Invalidation of any of these covenants or restrictions by judgment or court order shall in no way effect other provisions, which shall remain in full force and effect.

COVORO MINING SOLUTIONS LLC,  
a Delaware limited liability company

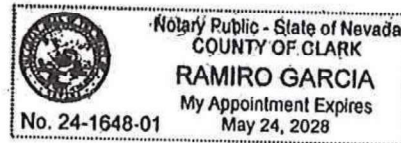
By:   
James Stockbridge, President

STATE OF NEVADA )  
COUNTY OF Clark )

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared **JAMES STOCKBRIDGE**, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence to be the person) and who, acknowledged himself to be the President of **Covoro Mining Solutions, LLC**, a Delaware limited liability company, (the "Company"), and that he, on behalf of such Company, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the Company by himself as the President of the said Company.

Witness my hand and seal at office on this 25th day of September, 2024.

  
Notary Public



My commission expires: 05/24/2028

**EPA ID Number:** TND007024672

**Permit Number:** TNHW-182

**ATTACHMENT 5.2. TRACT 1 LAND PARCEL DESCRIPTION**

**EXHIBIT B  
TRACT 1**

## Exhibit B

### TRACT 1

Beginning at a set iron pin at the intersection of the west right of way line of Old Millington Road and the south right of way line of Fite Road; thence from said point of Beginning and with said west right of way line the following two (2) courses to wit: (1) South 26°42'05" West for a distance of 2294.55 feet to a found concrete monument; (2) South 26°42'05" West for a distance of 812.91 feet to a point; thence with the Illinois Central Railroad line the following two (2) courses to wit: (1) South 49°34'05" West for a distance of 243.31 feet to a set iron pin; (2) South 49°34'05" West for a distance of 573.29 feet, passing a set iron pin at 532.13 feet, to a point in the Loosahatchie River; thence with said river the following six (6) courses to wit: (1) North 41°05'35" West for a distance of 38.33 feet to a point; (2) South 76°48'25" West for a distance of 300.00 feet to a point; (3) South 88°48'25" West for a distance of 235.00 feet to a point; (4) North 85°56'35" West for a distance of 620.00 feet to a point; (5) South 85°18'25" West for a distance of 440.00 feet to a point; (6) South 72°18'25" West for a distance of 146.92 feet to a point; thence North 08°08'10" East for a distance of 1647.68 feet, passing a set iron pin at 150.00 feet, to a set iron pin; thence continuing North 08°08'10" East for a distance of 54.03 feet to a set iron pin; thence continuing North 08°08'10" East for a distance of 591.90 feet to a set iron pin; North 81°51'50" West for a distance of 778.00 feet to a point; thence South 37°27'40" West for a distance of 40.53 feet to a point; thence North 81°51'50" West for a distance of 135.84 feet to a set iron pin on the east right of way line of U.S. Highway 51; thence along said east right of way line North 37°18'10" East for a distance of 752.77 feet to a set iron pin; thence South 62°49'19" East for a distance of 284.43 feet to a point; thence South 52°41'50" East for a distance of 341.22 feet to a set iron pin; thence North 08°08'10" East for a distance of 492.50 feet to a set iron pin; thence North 52°41'50" West for a distance of 381.20 feet to a set iron pin on said east right of way of U.S. Highway 51 North 37°18'10" East for a distance of 606.92 feet to a point; thence North 88°56'21" East for a distance of 393.26 feet to a point on the south right of way line of Fite Road; thence along said south right of way line the following two (2) courses to wit: (1) South 81°02'55" East for a distance of 1059.63 feet to a point; (2) South 79°55'20" East for a distance of 401.92 feet to a set PK Nail; thence with the Lucite line the following twelve (12) courses to wit: (1) South 09°11'46" West for a distance of 279.02 feet to a set PK Nail; (2) North 81°44'32" West for a distance of 91.36 feet to a set PK Nail; (3) South 08°15'40" West for a distance of 890.38 feet to a set PK Nail; (4) South 81°53'13" East for a distance of 810.58 feet to a set PK Nail; (5) North 84°32'44" East for a distance of 86.63 feet to a set PK Nail; (6) North 52°55'28" East for a distance of 250.83 feet to a set nail; (7) North 40°59'20" East for a distance of 110.27 feet to a set nail; (8) North 34°56'51" East for a distance of 142.88 feet to a set nail; (9) North 26°36'25" East for a distance of 69.94 feet to a set nail; (10) North 21°19'31" East for a distance of 99.57 feet to a set nail; (11) North 24°59'02" East for a distance of 79.28 feet to a set nail; (12) North 26°53'05" East for a distance of 523.92 feet to a set iron pin on said south right of way line of Fite Road; thence with said south right of way line South 83°01'05" East for a distance of 103.94 feet to the Point of Beginning. Containing 202.25 acres.