

**WEST VIRGINIA VOLUNTARY REMEDIATION AGREEMENT FOR  
INVESTIGATION AND REMEDIATION ACTIVITIES**

**between**

**The West Virginia Department of Environmental Protection**

**and**

**Friends of the Cheat, Inc.**

**and**

**West Virginia Division of Multimodal Transportation Facilities**

**Modification No. 2**

The undersigned parties to the Voluntary Remediation Agreement executed on August 28, 2020, between the West Virginia Department of Environmental Protection (WVDEP) and Friends of the Cheat, Inc. and West Virginia Division of Multimodal Transportation Facilities (Applicants) hereby agree to modify said Agreement to reflect the following change(s) to the site activities:

**I. INTRODUCTION**

1. *The West Virginia Department of Environmental Protection (WVDEP), by its Secretary, and Friends of the Cheat, Inc. and West Virginia Division of Multimodal Transportation Facilities (“Applicants”) hereby enter into this Voluntary Remediation Agreement (“Agreement”) pursuant to the Voluntary Remediation and Redevelopment Act, W.Va. Code §22-22-1 et seq. (“the Act”), for the purpose of investigating and remediating the property that is subject of this Agreement (“the Site”).*

**VIII. ADDRESSES FOR ALL CORRESPONDENCE**

25. *The parties shall send all documents required by this Agreement, including reports, approvals, notifications, disapprovals, and other correspondence electronically to the following addresses or to alternate addresses as Applicant or WVDEP may designate in writing.*

- a. *Documents to be submitted to WVDEP should be sent to:*

West Virginia Department of Environmental Protection  
Office of Environmental Remediation  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Phone: (304) 926-0499  
Email: DEPOERFileCopy@wv.gov

*A copy of all documents should be sent to the WVDEP project manager:*

West Virginia Department of Environmental Protection

Office of Environmental Remediation  
Attn: W. Matthew Gadd  
131A Peninsula Street  
Wheeling, WV 26003  
Phone: 304-926-0499 x00097  
Email: William.M.Gadd@wv.gov

*b. Documents to be submitted to Applicants should be sent to:*

Attn: Owen Mulkeen, Associate Director  
Friends of the Cheat, Inc.  
1343 North Preston Highway  
Kingwood, WV 26537  
Phone: 304-329-3621  
Email: [owen@cheat.org](mailto:owen@cheat.org)

*and*

Attn: Lucinda K. Butler, Commissioner  
West Virginia Division of Multimodal Transportation Facilities  
1900 Kanawha Boulevard, East  
Building 5 – Room 132  
Charleston, WV 25305  
Phone: 304-414-4645  
Email: [Cindy.K.Butler@wv.gov](mailto:Cindy.K.Butler@wv.gov)

*A copy of all documents should be sent to the LRS:*

Marc Glass  
Downstream Strategies, LLC  
911 Greenbag Road  
Morgantown, WV 26508  
Phone: 304-216-5294  
Email: [mglass@downstreamstrategies.com](mailto:mglass@downstreamstrategies.com)

## **X. PROJECT MANAGER/LICENSED REMEDIATION SPECIALIST**

*27. The WVDEP Project Manager for the Site is identified in Paragraph 25 of this Agreement. Applicant has designated Marc Glass (LRS #175) as Applicant's licensed remediation specialist and project manager for the Site. The LRS is responsible for the supervision of all activities under this Agreement. The WVDEP project manager is the WVDEP-designated representative at the Site. To the maximum extent possible, Applicant and WVDEP shall direct all communications and all documents (including reports, approvals, and other correspondence) concerning the activities performed pursuant to the terms and conditions of this Agreement through the project managers.*

*During the implementation of this Agreement, the project managers shall, whenever possible, operate by consensus and shall attempt in good faith to resolve disputes informally through discussion of the issues. Each party has the right to change its respective project manager or LRS and shall notify the other party of the change in writing within fourteen (14) days and shall execute a modification to this Agreement within thirty (30) days.*

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

Agreed to by:

**Applicant**

Friends of the Cheat, Inc.

Printed Name: Owen Mulkeen

Title: Associate Director



04/17/2024

Signature

Date

**Applicant**

West Virginia Division of Multimodal Transportation Facilities

Printed Name: Lucinda K. Butler

Title: Commissioner



Lucinda Butler (Apr 17, 2024 15:44 EDT)

04/17/2024

Signature

Date

**West Virginia Department of Environmental Protection**

Printed Name: Robert Rice

Title: Director, Division of Land Restoration

Signature

Date









# CRRT Agreement Mod #2 VRP #20018 (final approve for sigs)

Final Audit Report

2024-04-17

Created:	2024-04-17
By:	Marc Glass (mglass@downstreamstrategies.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAp2O4Cxbru8XqpmmlPQVsscEgyu4eKTrv

## "CRRT Agreement Mod #2 VRP #20018 (final approve for sigs)" History

-  Document created by Marc Glass (mglass@downstreamstrategies.com)  
2024-04-17 - 7:43:25 PM GMT- IP address: 73.214.218.233
-  Document emailed to Owen Mulkeen (owen@cheat.org) for signature  
2024-04-17 - 7:43:36 PM GMT
-  Document emailed to Lucinda Butler (cindy.k.butler@wv.gov) for signature  
2024-04-17 - 7:43:36 PM GMT
-  Email viewed by Lucinda Butler (cindy.k.butler@wv.gov)  
2024-04-17 - 7:43:47 PM GMT- IP address: 129.71.250.16
-  Document e-signed by Lucinda Butler (cindy.k.butler@wv.gov)  
Signature Date: 2024-04-17 - 7:44:03 PM GMT - Time Source: server- IP address: 129.71.250.16
-  Email viewed by Owen Mulkeen (owen@cheat.org)  
2024-04-17 - 7:47:45 PM GMT- IP address: 65.246.54.49
-  Document e-signed by Owen Mulkeen (owen@cheat.org)  
Signature Date: 2024-04-17 - 7:48:06 PM GMT - Time Source: server- IP address: 65.246.54.49
-  Agreement completed.  
2024-04-17 - 7:48:06 PM GMT