

FORM E
CONTRACTUAL CONSENT OF LANDOWNER

Pagnotti Enterprises, Inc. is the current landowner; however, Inter Port Commerce Center, Inc., the developer of the overall project area, is in the process of purchasing and subdividing the land. As the current landowner, Pagnotti has provided contractual consent to the 10 acres of the property that includes the 4.4 acres of permit area. Upon completion of the land sale, Inter Port Commerce Center, Inc. will execute a Form E Contractual Consent of Landowner and the new Form E will be submitted to the Department.

Date Prepared/Revised January 2023
DEP USE ONLY
Date Received

FORM E CONTRACTUAL CONSENT OF LANDOWNER

This form must be fully and accurately completed. All required information must be typed or legibly printed in the spaces provided. If additional space is necessary, identify each attached sheet as Form E, reference the item number and identify the date prepared. The "date prepared/revised" on any attached sheets needs to match the "date prepared/revised" on this page.

Check Type(s) of Facility/Activity

- Hazardous
- Municipal
- Residual

General References: 25 Pa. Code, Section 271.123, 287.123.

Instructions: This form should be completed by *each* owner owning a parcel of land within the permit area. The parcel relative to **this** form and the outline of the entire proposed permit area should be identified on the map, to be attached.

SECTION A. SITE IDENTIFIER

Applicant/permittee: North East Waste Systems, LLC

Site Name: North East Waste Systems Transfer Facility

Facility ID (as issued by DEP):

SECTION B. SECOND PARTY APPLICATIONS

Complete this part if person/municipality operates the facility on the land which is owned by someone else.

(I)(We), the undersigned, being the landowner(s) of 10 acres of land located in
 City of Hazleton, Luzerne County,
(Name and Type of Municipality) (Name of County)
 Pennsylvania, as described in the deed(s) recorded in the Record of Deeds Office at Deed Book(s) and page(s)
(Deed Book and Page), and shown by crosshatched lines on the map is signed in the

original by the landowner upon which North East Waste Systems, LLC
(Solid Waste Management Facility Applicant)

hereinafter ("waste management facility applicant"), proposes to engage in waste storage treatment, processing, disposal, or associated pollution abatement or pollution prevention activities, (hereinafter "waste management activities"), for which application for permit will be made to the Department of Environmental Protection (hereinafter "The Department") under The Pennsylvania Solid Waste Management Act, Act 97 of July 7, 1980 (P.L. 380, 34 P.S., §6018 *et seq.*, hereinafter "the Act), and of which application this consent will be made a part, DO HEREBY ACKNOWLEDGE THAT THE SOLID WASTE MANAGEMENT FACILITY APPLICANT AND HIS/HER AGENTS AND REPRESENTATIVES HAVE THE RIGHT TO ENTER UPON AND USE THE LAND FOR THE PURPOSES OF CONDUCTING WASTE MANAGEMENT ACTIVITIES. The right the landowner grants herein is not _____ the subject of pending civil litigation.
(is/is not)

Furthermore, (I)(We), the undersigned, do here by irrevocably grant to the Commonwealth of Pennsylvania or any of its authorized agents, or employees, and grant to solid waste management facility applicant the right to enter upon the aforesaid land before the initiation of the solid waste management activities or operations, for the duration of the solid waste management activities or operations, and for a period of up to ten (10) years after final closure certification, for the purposes of inspection, monitoring, and maintenance and for the purpose of conducting such pollution abatement or pollution prevention activities required by the Act, or deemed necessary by the Department to carry out any purpose of the Act, the regulations promulgated thereunder and the terms of the permit as the Department deems necessary. (I)(We) do hereby grant in addition to the Commonwealth, for the aforesaid period of time, a right of entry across any adjoining or contiguous lands owned by (us)(me) in order to have access to the land described herein. It is specifically agreed and understood that this Contractual Consent gives the Commonwealth the right to enter, inspect the premises, and abate or prevent pollution as a matter within the police power but does not obligate the Commonwealth to do so, does not constitute any ownership interest by the Commonwealth in the aforesaid land, and does not affect or limit any rights available to the Commonwealth under applicable law.

THE LANDOWNER Agrees _____ TO ALLOW THE ABOVE-NAMED SOLID WASTE MANAGEMENT APPLICANT
(Agrees or Does Not Agree)
 TO TRANSFER OR ASSIGN, BY WRITTEN AGREEMENT, THIS CONTRACTUAL CONSENT TO ANOTHER SOLID WASTE MANAGEMENT FACILITY APPLICANT.

SECTION B. SECOND PARTY APPLICATIONS (continued)

This Consent shall terminate and become null and void if the solid waste management facility applicant does not apply to the Department of Environmental Protection for a permit to conduct solid waste management activities on the aforesaid land within two (2) year(s) from the date of this Consent.

(Number of years)

Nothing in this Consent shall preclude or limit the landowner's authority to terminate the right or privilege of the solid waste management facility applicant to conduct waste management activities on the aforesaid land. In the event of said termination, the landowner shall allow the solid waste management facility applicant ample time to bring to closure all waste management activities. When necessary, the landowner shall allow the solid waste management facility applicant access to the land to carry out pollution prevention or pollution abatement activities as required by the Act or deemed necessary by the Department to carry out any purpose of the Act.

This Contractual Consent shall be deemed to be a recordable document. Prior to the initiation of solid waste management facility operations under the permit, this Consent shall be recorded by North East Waste Systems, LLC
(Solid Waste Management Facility Applicant)

and entered into the deed book (d.b.v.) index at the office of the recorder of deeds in the county(ies) in which the solid waste management facility is to be located.

SECTION C. SINGLE PARTY APPLICATIONS

Complete this part if person/municipality operates the facility on his/her/its own land.

(I)(We), the undersigned, being the landowner(s) of 10 acres of land located in

City of Hazleton

(Name and Type of Municipality)

Luzerne

(Name of County)

Pennsylvania, as described in the deed(s) recorded in the Record of Deeds Office at Deed Book(s) and page(s)

(Deed Book and Page)

and shown by crosshatched lines on the map attached hereto which is signed in the original by the landowner upon which waste storage, treatment, processing, beneficial use, disposal, or associate pollution abatement or pollution prevention activities, (hereinafter "waste management activities"), will be engaged in under the Pennsylvania Solid Waste Management Act, Act of July 7, 1980 (P.L. 380, 34 P.S., §6018 *et seq.*, hereinafter "the Act"), and of which application this consent will be made a part, hereby irrevocably grant to the Commonwealth of Pennsylvania or any of its authorized agents or employees, the right to enter upon the aforesaid land. The right of entry applies before the initiation of the solid waste management activities or operations, for the duration of the solid waste management activities or operations at the facility, and for a period of up to 10 years after final closure certification, for the purpose of inspection, monitoring and maintenance and for the purpose of conducting such pollution abatement or pollution prevention activities required by the Act, or deemed necessary by the Department to carry out any purpose of the act, the regulations promulgated thereunder and the terms of the permit as the Department deems necessary.

(I)(We) do hereby grant in addition to the Commonwealth, for the aforesaid period of time, a right of entry across any adjoining or contiguous lands owned by (us)(me) in order to have access to the land described herein. It is specifically agreed and understood that this contractual consent gives the Commonwealth the right to enter, inspect the premises, and abate or prevent pollution as a matter within the police power but does not obligate the Commonwealth to do so, does not constitute any ownership interest by the Commonwealth in the aforesaid land, and does not affect or limit any rights available to the Commonwealth under applicable law.

This Consent shall terminate and become null and void if the solid waste management facility applicant does not apply to the Department of Environmental Protection for a permit to conduct solid waste management activities on the aforesaid land within 2 year(s) from the date of this Consent.

(Number of years)

This Contractual Consent shall be deemed to be a recordable document. Prior to the initiation of solid waste management facility operations under the permit, this Consent shall be recorded by Pagnotti Enterprises, Inc.

(Landowner)

and entered into the deed book (d.b.v.) index at the office of the recorder of deeds in the county(ies) in which the solid waste management facility is to be located.

SECTION D. CERTIFICATION

In witness whereof and intending to legally bind (myself) (ourselves), (my) (our) heirs, legal representatives, successors and assigns, (I) (we) have hereunto set (my) (our) hand(s) and seal this _____, day _____, of _____, 20_____.

If the Landowner is an individual:

(Signature of Landowner)

(Printed or Typed Name of Landowner)

ATTEST:

(Signature of Witness)

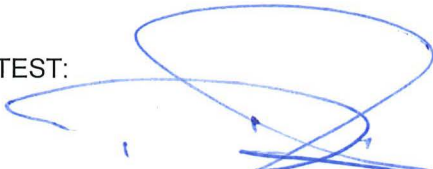
(Signature of Witness)

(Printed or Typed Name of Witness)


(Printed or Typed Name of Witness)

If the Landowner is a Corporation, Company, Limited Liability Company (LLC) or Partnership:

ATTEST:



(Signature of President, Vice President, Manager or Partner)



(Signature of Secretary, Treasurer, Member or Partner)

David Swisher

(Printed or Typed Name)

MARK H. DESPREND

(Printed or Typed Name)

Chief Operating Officer

(Title)

TREASURER

(Title)

Affix Corporate Seal:

SECTION E.

ACKNOWLEDGEMENT OF INDIVIDUALS OR PARTNERS

STATE OF _____ :
COUNTY OF _____ : SS

On _____, before me, the undersigned Notary, personally appeared
(Date)

_____ (Name(s)), known to me (or satisfactorily proven) to be the
person whose name is subscribed to this instrument, and who acknowledged that _____ executed the same and
(He, She or They)
desires it to be recorded.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

SEAL) _____ My Commission Expires: _____
(Notary Public) (Date)

ACKNOWLEDGEMENT OF CORPORATIONS, COMPANIES, OR LLCs

STATE OF PENNSYLVANIA :
COUNTY OF LUZERNE : SS

Commonwealth of Pennsylvania - Notary Seal
Kenton J. Fuller, Notary Public
Luzerne County
My commission expires February 28, 2026
Commission number 1222326
Member, Pennsylvania Association of Notaries

On January 25, 2023, before me, the undersigned Notary, personally appeared
(Date)

David Swisher, who acknowledged (herself) (himself) to be the
(Name(s))

Chief Operating Officer of Pagnotti Enterprises, Inc.
(Title of Person) (Name of Corporation, Company, or LLC)

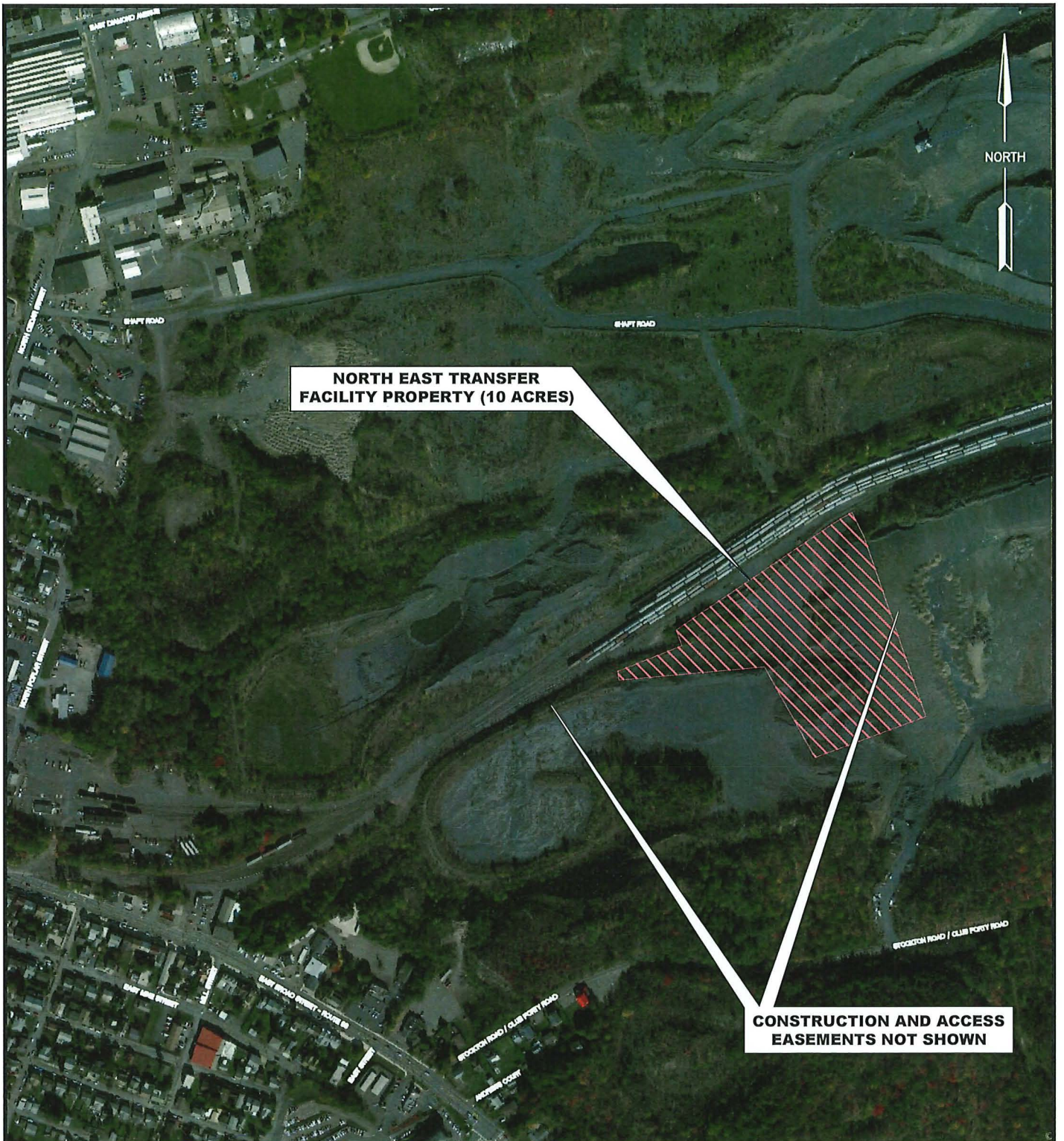
and that s(he), as such officer, being authorized to do so, executed the foregoing instrument on behalf of the said corporation,
company, or LLC and desires that this instrument be recorded.

IN WITNESS WHEREOF, I have hereunder set my hand and official seal.

(SEAL) Kenton J. Fuller My Commission Expires: Feb. 28, 2026
Notary Public (Date)

This instrument has been recorded in _____ County, Pennsylvania, this _____ day _____,
at Book _____, Page(s) _____.

(Signed + Print Name) (Sealed)



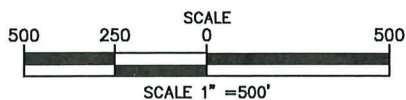
Pagnotti Enterprises, Inc.

SIGNATURE _____

DATE 1/25/2023

PRINTED NAME David Swisher

PRINTED TITLE Chief Operating Officer



NORTH EAST WASTE SYSTEMS, LLC
NORTH EAST SYSTEMS TRANSFER FACILITY
 HAZLETON CITY LUZERNE COUNTY PENNSYLVANIA

FIGURE 1 - FORM E MAP