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DATE
21 November 2025

SUBJECT
401 Gage Street Bennington, Vermont Institutional Control Plan

REFERENCE
0796117

On behalf of Energizer Holdings, Inc. (Energizer), Environmental Resources Management, Inc. (ERM) has prepared this Institutional Control Plan (ICP) for Site activities at 401 Gage Street, Bennington, Vermont (Site). The Site is managed by Vermont Department of Environmental Conservation (VTDEC) as Site Number 2006-3509. As part of the 1.) Groundwater Supplemental Corrective Action Plan (CAP) dated 16 July 2025 and 2.) Vapor Intrusion (VI) Supplemental CAP dated 08 July 2024 purpose of the ICP is to identify a series of actions or restrictions for the protection of human health and the environment from exposure to the Site contaminants of concern (COCs). This plan was developed in accordance with the VTDEC Investigation and Remediation of Contaminated Properties §35-901 Rule (IRule). Currently, the Site is no longer active with industrial operations. For any future uses of the Site that deviate from non-residential will require review and approval from VTDEC prior to implementation. The ICP will be implemented by Energizer and Energizer will conform with the requirements of the ICP until the property is sold. Following the sale of the property, the new/future property owners will be responsible for conforming with the requirements of the ICP.

EXPOSURE PATHWAYS & RESTRICTIONS

This ICP will be implemented to eliminate exposure pathways of Site COCs. The potential exposure pathways of COCs at the Site to receptors come from contact, ingestion, or inhalation of impacted indoor air, soil, or groundwater. The receptors that could potentially be exposed to the impacted indoor air, soil, and groundwater include future commercial/industrial workers and future construction/utility workers. The plan for eliminating exposure to the source of each of these pathways (indoor air, soil, groundwater) is explained in the following sections.

VAPOR INSTRUSION

The soil gas below Plant 1, Plant 2, and the Boiler House does pose the risk to receptors of inhalation of soil gas vapors containing volatile organize compounds (VOCs) via vapor intrusion. In September 2025, the construction of the vapor intrusion mitigation system (VIMS) was completed

for Plant 1 and Plant 2 in accordance with the VI Supplemental CAP. The VIMS was constructed with the Target Zone of Influence delineated based on the indoor air exceedances of the non-residential standard listed in Appendix A, §35-APX-A2 (IRule). There are some areas that exceed the non-residential sub-slab soil gas standard listed in Appendix A, §35-APX-A2 (IRule), the VIMS was not installed in these areas as the indoor air results were below the non-residential standard listed in Appendix A, §35-APX-A2 (IRule). The effectiveness of the VIMS is evaluated by the VIMS Long Term Monitoring Work Plan dated 01 October 2025.

The VTDEC approval letter of the Supplemental CAP was filed with the Town of Bennington Land Records Office on 08 May 2025 in Book 586, Page 597 and notes the VIMS is designed to mitigate the vapor intrusion risk to non-residential indoor air standards for VOCs [the non-residential indoor air standards listed in VTDEC Appendix A, §35-APX-A2 (IRule)]. If a future property owner plans to redevelop the Site for residential use, the future property owner will be required to evaluate the potential risk for vapor intrusion for their proposed redevelopment plan and upgrade the VIMS to meet the residential standards [the residential indoor air standards listed in VTDEC Appendix A, §35-APX-A2 (IRule)] with approval from VTDEC.

The following Institutional Controls apply for the for the existing buildings:

- The VIMS, including, but not limited to suction points, conveyance piping, equipment, instrumentation, controls, and electrical components, must remain in-place and be protected. The VIMS must operate continuously, with the exception of maintenance of the VIMS equipment, while Plant 1 and Plant 2 are occupied.
- The VIMS is designed to mitigate the vapor intrusion risk to the non-residential indoor air standards listed in VTDEC Appendix A, §35-APX-A2 (IRule). Should the Site move to residential use in the future, a Vermont Licensed Engineer should review the existing VIMS design, configuration, and performance to evaluate how the system should be expanded to meet the residential risk levels (including but not limited to contaminant screening levels, system alarm/notifications, and contingency/backup equipment). This evaluation and re-design should be documented in a revised CAP which requires submission and approval by VTDEC.
- Any future redevelopment of the Site must maintain the required set back of a minimum of ten (10) feet between a VIMS blower discharge stack and any air intake locations or openings to occupied spaces.
- The retrofit vapor barrier must be maintained in accordance with the manufacturer's recommendations. No drilling through the retrofit vapor barrier or altering to the finished floors is permitted.

The following Institutional Controls apply for any proposed buildings:

- Should any future development of proposed buildings that are planned for occupancy (regular use of the building or structure for more than an aggregate of four hours per month), a

notification is required to be sent to VTDEC, and a vapor intrusion assessment plan must be developed, reviewed and approved with VTDEC prior to beginning development activities.

SOIL

A soil management plan will be prepared for the Site for activities which may have the potential for exposure to receptors through ingestion or direct contact. The soil management plan will be reviewed and approved by VTDEC. The soil management plan must be followed for any activities that may have receptors potentially exposed to soil.

GROUNDWATER

The Site groundwater impacts include select VOCs and perfluorinated and polyfluorinated alkyl substances (PFAS) compounds and poses the risk to receptors of ingestion or contact. Vermont Agency of Natural Resources (VTANR) has reclassified groundwater for an area located in the Towns of Bennington and Shaftsbury, and the Village of North Bennington as of 02 November 2021. The reclassification of groundwater from Class III to Class IV is due to the presence of PFAS above the applicable regulatory standards. The boundaries of this reclassification include the Site property, and the restrictions imposed by this order serve as an institutional control for groundwater for the Site COCs. The Bennington Groundwater Reclassification order:

- Prohibits the installation of new drinking water supply wells unless there are extenuating circumstances approved by VTANR for residents or businesses located within 200 feet of a municipal water line;
- Requires that the VTDEC be notified of any new wells for industrial, commercial, and geothermal use so they can assess the suitability of such well or use in light of the Class IV designation;
- Does not affect the existing use of overburden wells or springs as a potable or public water supply; and
- Allows existing water supplies that have had PFAS to be considered potable in the future depending on established criteria.

There are currently no Site-impacted drinking water wells downgradient of the Site. Therefore, there are no current exposure pathways for receptors based on the groundwater reclassification. Impacted groundwater downgradient of the Site is located in a neighborhood of Bennington in which homes are located within 200 feet of a municipal water line. Due to the availability of municipal water lines, the groundwater reclassification order prohibits installation of drinking water wells without a VTANR waiver. Similarly, installation of industrial, commercial, or geothermal wells requires notification to VTDEC and an assessment of suitability. Although the reclassification is specific to PFAS, the need for an agency waiver or assessment and submittal of this ICP provides a sufficient institutional control to prevent installation of wells and exposure of the receptors to Site-impacted groundwater via direct contact or ingestion.

Based on the limitations imposed by the Bennington Groundwater Reclassification of 02 November 2021, this institutional control is sufficient for limiting exposure to contaminated groundwater beneath and downgradient of the Site.

A groundwater management plan will be prepared for the Site for construction activities which may have the potential for exposure to receptors through ingestion or direct contact. The groundwater management plan will document the personal protective equipment, air monitoring, groundwater sampling, and action levels required to limit exposure to the impacted groundwater. The groundwater management plan will be reviewed and approved by VTDEC. The groundwater management plan must be followed for any construction activities that may have receptors potentially exposed to groundwater.

The groundwater monitoring activities are conducted as outlined by the groundwater Long Term Monitoring Plan dated 21 February 2025.