

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE

MAINE PEOPLE’S ALLIANCE and)
NATURAL RESOURCES DEFENSE)
COUNCIL, INC.,)

Plaintiffs,)

v.)

1:00-CV-00069-JAW

HOLTRACHEM MANUFACTURING)
COMPANY, LLC and)
MALLINCKRODT US LLC,)

Defendants.)

**QUARTERLY PROGRESS REPORT FOR THE THIRD QUARTER OF 2023
GREENFIELD PENOBSCOT ESTUARY REMEDIATION TRUST LLC, TRUSTEE
FOR PENOBSCOT ESTUARY MERCURY REMEDIATION TRUST**

Greenfield Penobscot Estuary Remediation Trust LLC, not individually but solely in its representative capacity as Trustee for the Penobscot Estuary Mercury Remediation Trust, respectfully files this Quarterly Progress Report for the Third Quarter of 2023. This report is submitted in accordance with the Consent Decree in the above-captioned case (ECF 1187) and covers the period from July 1, 2023, through September 30, 2023.

Respectfully,

GREENFIELD PENOBSCOT ESTUARY
REMEDICATION TRUST LLC, TRUSTEE

By: /s/ Anna Grace
Senior Counsel

December 29, 2023

QUARTERLY PROGRESS REPORT FOR THE THIRD QUARTER 2023

GREENFIELD PENOBSCOT ESTUARY REMEDIATION TRUST LLC, TRUSTEE
for PENOBSCOT ESTUARY MERCURY REMEDIATION TRUST



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**QUARTERLY PROGRESS REPORT FOR THIRD QUARTER 2023
GREENFIELD PENOBSCOT ESTUARY REMEDIATION TRUST LLC, TRUSTEE
FOR PENOBSCOT ESTUARY MERCURY REMEDIATION TRUST**

I. Overview

A. Introduction

Greenfield Penobscot Estuary Remediation Trust LLC (the Trustee), not individually but solely in its representative capacity as Trustee of the Penobscot Estuary Mercury Remediation Trust (the Remediation Trust), respectfully submits this Quarterly Progress Report for the Third Quarter of 2023 (the 3Q23 Progress Report). The Trustee prepared this 3Q23 Progress Report in accordance with the Consent Decree in the case *Me. People's All. and Nat. Res. Def. Council, Inc. v. HoltraChecm Mfg. Co., LLC and Mallinckrodt US LLC*, Case No. 1:00-cv-0069-JAW (D. Me.) (the Consent Decree). The Consent Decree requires the Trustee to submit quarterly reports describing progress to date toward fulfilling the Trustee's and the Remediation Trust's obligations under the Consent Decree. This 3Q23 Progress Report is the fourth such report prepared and submitted by the Trustee.

B. Report Contents and Structure

The Consent Decree requires the Trustee to submit to the Beneficiaries and file with the U.S. District Court for the District of Maine (the Court) a written report describing the cumulative actions taken by the Remediation Trust or the Trustee in the performance of duties required under the Consent Decree.¹ The Statement of Work (Appendix A to the Consent Decree) refers to these reports as Quarterly Progress Reports, and requires the Trustee to submit and file the reports within ninety days after the end of each calendar quarter. Each report must also include financial statements and receipts and disbursements for the preceding quarter, and a description of plans for upcoming Work.

Under Paragraph 25(c) of the Statement of Work, each Quarterly Progress Report "should be a standalone document that succinctly summarizes the current status of the Work without a need to refer to other documents or reports." Paragraph 25(b) of the Statement of Work sets out specific categories of information that must be included in each Quarterly Progress Report, as follows: (i) actions taken toward achieving compliance with the Consent Decree; (ii) a summary of key results of sampling, tests, and all other data generated by the Remediation Trust and its contractors; (iii) a list and brief description of submitted Deliverables; (iv) a description of activities relating to the Work scheduled for the next four months; (v) an updated Milestone Work Schedule; (vi)

¹ Capitalized terms not defined herein have the meanings ascribed to them in the Consent Decree.

modifications to work plans or schedules; (vii) activities undertaken in support of the Community Involvement Plan; (viii) updates to the form, location, or management of the project database; and (ix) financial statements, and receipts and disbursements.

The 3Q23 Progress Report presents the information required by the Consent Decree in six Sections. Section II summarizes the Trustee's and the Remediation Trust's Work progress during the Reporting Period (defined below) and Work planned during the following four months. Section II is organized into five parts. The first part covers Work that spans the entire Site, and the remaining parts describe Work performed or planned in each of the Work Categories described in Paragraphs 10, 11, 12, and 14 of the Consent Decree. Section III presents a Milestone Work Schedule, as required by Paragraphs 25(b)(v) and 32 of the Statement of Work. Section IV provides a summary of the status of activities undertaken in support of the Community Involvement Plan. Section V provides a summary of activities concerning the form, location, or management of the project database. Section VI describes activities that are administrative in nature and funded by the Administrative Account, including activities related to the financial affairs of the Remediation Trust, insurance, general contracting and procurement, and Beneficiary communications. Section VII presents the financial statements of the Remediation Trust and Trust Accounts through the end of the most recent calendar quarter, including receipts and disbursements of the Remediation Trust during the Reporting Period. Section VIII provides links to previous Quarterly Progress Reports.

C. Period Covered by the 3Q23 Progress Report

This 3Q23 Progress Report summarizes the status of the Work during the period July 1, 2023, through the end of the most recent quarter, September 30, 2023 (the Reporting Period or 3Q23). This report also includes a description of activities planned for October 1, 2023, through January 31, 2024.²

II. Summary of Remediation Trust Work in Progress

Section II of the 3Q23 Progress Report provides a summary of the Remediation Trust's and the Trustee's actions taken during the Reporting Period in performance of duties related to the remediation Work in the Penobscot River Estuary. Paragraphs 10 through 14 of the Consent Decree generally describe the required remediation Work, organized into five categories to which funding is specifically allocated, referred to as Work Categories. The Work Categories are: Orrington Reach (CD ¶ 10), Mobile Sediments and Surface Deposits (CD ¶ 11), the Orland River and East Channel around Verona Island (CD ¶ 12), Beneficial Environmental Projects (CD ¶ 13), and Long-Term

² For cumulative actions taken by the Remediation Trust and the Trustee during prior reporting periods, please see the links to the previously filed Quarterly Progress Reports, available in Section VIII.

Monitoring (CD ¶ 14).³ The Statement of Work further describes the activities that must be performed to carry out the Work required by the Consent Decree, including remediation-related activities.

This Section II of the 3Q23 Progress Report is presented in five parts, with the first part describing activities that relate to all Work Categories, and the remaining parts describing activities that relate to each individual Work Category. Consistent with Paragraph 25(b)(i-iv) of the Statement of Work, each part of this Section II provides the following information concerning remediation-related Work: (i) a summary of actions taken toward achieving compliance with the Consent Decree; (ii) a summary of key results of sampling, tests, and all other data received or generated by the Trustee and its contractors; (iii) a list and brief description of all Deliverables the Trustee submitted to the Beneficiaries; and (iv) a description of all activities relating to the Work that are scheduled for the four months following the Reporting Period.

A. All Remediation Work Categories

This Part II.A describes Work performed by the Remediation Trust that relates to all remediation Work Categories (i.e., Work benefitting and applying to the entire Site). The Remediation Trust is pursuing these activities on a Site-wide basis to save costs that would otherwise be incurred if implemented separately. Costs associated with Site-wide Work are allocated among and paid from the individual Work Category Subaccounts in accordance with the funding allocations specified in the Consent Decree.

1. Actions Taken to Achieve Compliance with the Consent Decree for All Remediation Work Categories

a) Contracting and Project Management

During 3Q23, the Trustee continued to manage the activities of the two environmental and engineering firms retained to assist the Trustee and the Remediation Trust in carrying out the purposes of the Consent Decree, including the performance of various aspects of the remediation Work. These activities included coordination and status meetings, review of plans and deliverables, financial oversight, scheduling, and ensuring Work was performed in compliance with contract terms, Work authorizations, and Consent Decree requirements.

³ Activities undertaken to comply with requirements related to the Beneficial Environmental Projects Work Category are described in the Third Quarter of 2023 Progress Report submitted by Greenfield Penobscot Beneficial Environmental Project Trust LLC, the Trustee for the Penobscot Estuary Beneficial Environmental Projects Trust (the Project Trust). Future Quarterly Progress Reports for the Remediation Trust may include information regarding the performance of duties related to Beneficial Environmental Projects after termination of the Project Trust.

b) Site-wide Pre-Design Activities

The Trustee completed the bathymetric survey, using multibeam sonar to map subtidal riverbed elevations and morphologic features. The bathymetric survey was performed as a Site-wide effort to support: (i) remedial design for Orrington Reach and Mobile Sediments and Surface deposits; (ii) remedy evaluations for the Orland River and East Channel; and (iii) hydrodynamic modeling of estuary conditions required for design and permitting for the Orrington Reach Thin Layer Cap (TLC). Bathymetric data collected by the Trustee and lidar⁴ data collected by the U.S. Geological Survey (USGS) in 2020 and 2021 will be used to map surface elevations for intertidal flats and the riverbed.

2. Summary of Sampling, Testing, and Data for All Remediation Work Categories

The bathymetric survey performed during the Reporting Period spanned numerous transects throughout the estuary. Submerged hazards restricted vessel access and limited data collection at the edge of the intertidal zone, resulting in localized data gaps between bathymetric data and the USGS lidar data. To the extent possible, data collection was timed to coincide with high tides. Overall data collection successfully mapped subtidal riverbed elevations and morphologic features within the Bangor and Orrington reaches. Visual field observations and preliminary interpretations of real-time data were also recorded to support assessment of riverine conditions.

During the Reporting Period, the Trustee performed no sampling or testing applicable to all Work Categories.

3. Deliverables Submitted to Beneficiaries for All Remediation Work Categories

During the Reporting Period, the Trustee submitted no Deliverables applicable to all Work Categories.

4. Work Scheduled for the Period from October 1, 2023, through January 31, 2024.

a) Site-wide Pre-Design Activities

The Trustee expects that additional multibeam bathymetry data collection will be performed in October 2023 to cover the remaining reaches in the estuary. During the

⁴ Light Detection and Ranging (lidar) is a technology used to create high-resolution models of ground elevation.

fourth quarter of 2023, the Remediation Trust will evaluate whether additional lidar data is needed to augment available USGS lidar data. The bathymetric survey and lidar data will be used to update the hydrodynamic model of the Penobscot River estuary.

b) Feasibility Framework

During the period October 1, 2023, through January 31, 2024, the Trustee will identify key feasibility factors and criteria, and develop a framework for evaluating the feasibility of the remedial activities contemplated by the Consent Decree (the Feasibility Framework).⁵ The Trustee's objective in developing the Feasibility Framework is to establish a process for determining whether the remedies specified in the Consent Decree are Feasible within the shortest possible time after the information needed for such an evaluation becomes available. In the event the Trustee determines that any portion of the Work is not Feasible, reaching such a determination earlier would avoid unnecessary expenditures of Remediation Trust funds, thereby preserving such funds for potential other benefits to the Penobscot River estuary, as provided under the Consent Decree. Part of the Trustee's adaptive management approach, the Feasibility Framework is intended for feasibility evaluations regarding all Work Categories, and will be updated as new information becomes available.

B. Orrington Reach

Under Paragraph 10(a) of the Consent Decree, "[t]he remediation Work in the Orrington Reach shall be capping 130 acres of intertidal sediments, primarily on the east side of Orrington Reach." Capping in the Orrington Reach Work Category is also referred to as the TLC because a thin layer cap is currently contemplated for Orrington Reach. Funds required for this Work Category must be "allocated to any and all Work, including remedy design, permitting, implementation, remedy-specific monitoring, and maintenance in the Orrington Reach." (CD ¶ 10.) The following is a summary of the activities performed by the Remediation Trust or the Trustee in connection with the Orrington Reach Work Category.

1. Actions Taken to Achieve Compliance with the Consent Decree for the Orrington Reach

a) Access

During 3Q23, the Trustee continued efforts to obtain access to parcels for Orrington Reach pre-design investigations and wetlands assessment needed to support preparation of the Natural Resources Protection Act (NRPA) permit application.

⁵ Under the Consent Decree, "with respect to the remedial activities contemplated by [the Decree], determinations of feasibility will be made by the Trustee...." See CD ¶ 1(q).

b) Permitting

During 3Q23, in accordance with Paragraph 36 of the Statement of Work, the Trustee continued efforts to consult and coordinate with applicable authorities to facilitate permitting for the Orrington Reach TLC. In support of these efforts, on July 19, 2023, the Trustee met with representatives from key state agencies (Maine Department of Environmental Protection (DEP), Maine Department of Inland Fisheries & Wildlife (MDIFW), Maine Department of Marine Resources (DMR), National Oceanic and Atmospheric Administration (NOAA), and U.S. Army Corps. of Engineers (USACE)) to continue preliminary discussions concerning: (i) the approach to permitting the capping Work required by the Consent Decree and (ii) interagency coordination among the multiple state and federal agencies or permitting authorities with jurisdiction over one or more elements of the TLC.

c) River Flow Velocity Monitoring

The Trustee retrieved the river flow velocity monitoring instrument platform on August 25, 2023. Velocity and water quality data were successfully downloaded from the platform instruments. The Trustee plans to use flow velocity data from the spring freshet to update and calibrate the existing hydrodynamic model.

d) Orrington Reach TLC Design Work Plan

As required by Paragraph 5 of the Statement of Work, during 3Q23, the Trustee finalized the TLC Design Work Plan (Orrington Reach Capping Remedy), which was submitted to the Beneficiaries on July 8, 2023. The TLC Design Work Plan summarizes information on existing conditions, incorporates the results of the Orrington Reach Basis of Design (initiated in 2022), and describes the following TLC design elements:

- Sediment Investigation. Based on a review of existing data, the Trustee determined that additional sediment data is needed to support TLC design and permitting, including mercury concentration data needed to select the area of the Orrington Reach to be capped. Sediment data will also be used to analyze certain geotechnical properties. During 3Q23, the Trustee completed a Sediment Pre-Design Investigation Work Plan as a separate Deliverable (see II.A.(e), below).
- Hydrodynamic Modeling. The Trustee will use bathymetric, lidar, and river flow velocity data to update, calibrate, and refine the existing hydrodynamic model to estimate TLC shear stresses under variable river conditions and determine various other design parameters. As previously

described, bathymetric, velocity, and lidar data, including recent USGS lidar data, will be incorporated into the Trustee's hydrodynamic model.

- CapSim Modeling. Based on the results of pre-design investigations, the Trustee will use a CapSim model to evaluate the fate and transport of mercury-contaminated sediment. The CapSim modeling results will be used to determine cap thickness and composition.
- Other Design Elements. The TLC Design Work Plan identifies various other factors to be considered in the selection of TLC material sources, and options for construction (i.e., placement) of the TLC. The TLC Design Work Plan also recommends a phased approach to construction and consideration of a pilot study of the proposed capping placement method.

e) Sediment Pre-Design Investigation Work Plan

To support TLC design, during 3Q23, the Trustee completed a Sediment Pre-Design Investigation Work Plan (Orrington Reach Capping Remedy), to address intertidal flat sediment data gaps. A draft of the Sediment Pre-Design Investigation Work Plan was submitted to the Beneficiaries for comment or objection on July 18, 2023. A final version and response to Beneficiary comments was submitted on August 15, 2023. This work plan identifies investigation objectives and describes the number, location, and depth(s) of sampling, sample collection methodologies, and analytical (i.e., laboratory) protocols. The Trustee performed field collection of the first phase of sediment samples in accordance with the work plan during the week of August 14, 2023. Sediment data will be used to refine areas for placement of the TLC and augment existing data on mercury concentrations.

f) Coastal Wetland Assessment Plan

The Trustee submitted the final Coastal Wetland Assessment Plan (Orrington Reach Capping Remedy) to the Beneficiaries on August 6, 2023. The Coastal Wetland Assessment Plan describes the scope and methodology the Trustee will follow to survey wetlands that may be affected by capping. The resulting information will be used to evaluate wetland functions and values, possible impacts to protected and endangered species, and loss of habitat. Results of the wetland assessment will be incorporated into the NRPA permit application for the TLC.

g) Advisory Committee Meetings

At the Trustee's request, the Remediation Trust Advisory Committee convened on July 13 and September 22, 2023, to discuss the Orrington Reach TLC design and investigation plans.

2. Summary of Sampling, Testing, and Data for the Orrington Reach

The first phase of field collection for the sediment pre-design investigation was performed the week of August 14, 2023. The Orrington Reach flow velocity monitoring instrument platform was retrieved on August 25, 2023. Velocity and water quality data were successfully downloaded from the platform instruments.

3. Deliverables Submitted to Beneficiaries for the Orrington Reach

The final TLC Design Work Plan was submitted to the Beneficiaries on July 8, 2023. The final Coastal Wetland Assessment Work Plan was submitted to the Beneficiaries on August 6, 2023. Draft and final versions of the Sediment Pre-Design Investigation Work Plan were submitted to the Beneficiaries on July 18 and August 15, 2023, respectively.

4. Work Scheduled for the Period from October 1, 2023, through January 31, 2024.

During the period from October 1, 2023, through January 31, 2024, the Trustee expects to prepare and submit to the Beneficiaries a draft Ice Scour Evaluation Work Plan. This work plan will present proposed data collection efforts to evaluate the potential impacts of ice scour on the Orrington Reach TLC. The Trustee also expects to review river flow velocity data and water quality data, and to prepare the Orrington Reach River Flow Velocity Monitoring Investigation Report. Sediment data collected as part of the sediment pre-design investigation will be reviewed and the Trustee will begin the Orrington Reach TLC preliminary design. The Trustee will also continue feasibility evaluations, including evaluating the benefits of implementing a TLC pilot to support permitting efforts. Finally, the Trustee expects to continue activities related to obtaining access to properties from landowners, as required to enable performance of Orrington Reach remediation Work.

C. Mobile Sediments and Surface Deposits

Paragraph 11(a) of the Consent Decree provides that “[t]he remediation Work for Mobile Sediments and Surface Deposits will be removal of a portion of these materials from the Site... including delineation, design, permitting, any approvals needed to perform the Work, implementation, and remedy-specific monitoring for removal of Mobile sediments and/or Surface Deposits... [which] may include debris removal, dredging, backfilling, creation of access channels, construction of landside and waterside staging and support facilities, and other reasonable activities consistent with good engineering practices that are necessary to carry out the safe and effective removal of Mobile Sediments and/or Surface Deposits.”

1. Actions Taken to Achieve Compliance with the Consent Decree for Mobile Sediments and Surface Deposits

a) Mobile Sediments and Surface Deposits Preliminary Design Work Plan

As required by Paragraph 5 of the Statement of Work, during the Reporting Period, the Trustee continued preparing a draft Mobile Sediments and Surface Deposits Preliminary Design Work Plan to guide the design of removal activities. This work plan will include: (i) an evaluation of existing data and information on Site conditions; (ii) a preliminary Basis of Design; (iii) a description of the project approach; and (iv) data collection and analyses recommended to address key data gaps and support a preliminary design.

b) Mobile Sediments and Surface Deposits Pre-Design Investigation Work Plan

As part of preparing the Preliminary Design Work Plan described above, the Trustee has begun identifying information needed to support remedy feasibility evaluations, design, and permitting. After completing the Preliminary Design Work Plan, the Trustee will prepare a Pre-Design Investigation Work Plan, which will include a description of the investigations needed to address key gaps in the existing data set.

2. Summary of Sampling, Testing, and Data for Mobile Sediments and Surface Deposits

During the Reporting Period, the Trustee (i) performed no sampling or testing, and (ii) did not receive or generate new data for the Mobile Sediments and Surface Deposits Work Category.

3. Deliverables Submitted to Beneficiaries for Mobile Sediments and Surface Deposits

During the Reporting Period, the Trustee submitted no Deliverables for the Mobile Sediments and Surface Deposits Work Category.

4. Work Scheduled for the Period from October 1, 2023, through January 31, 2024.

The Trustee will continue to develop the approach to removal action design and evaluate the pre-design investigation objectives and scope during the period October 1, 2023, through January 31, 2024. The Trustee will also continue to identify the

information needed to support remedy feasibility evaluations. The scope of data collection will build on information and data from the Phase III Engineering Report and will be coordinated with the Orrington Reach and the Orland River and East Channel investigations to minimize investigation costs and maximize the benefits from remedial action projects for the Estuary.

D. Orland River and East Channel around Verona Island

Paragraph 12 of the Consent Decree provides that remediation Work that may be considered for the Orland River and East Channel around Verona Island Work Category “includes EMNR, capping, and/or dredging. Such remedies may need to be coordinated or sequenced with other remedies, such as the Mobile Sediment or Surface Deposit removals.” The following is a summary of activities performed by the Trustee in connection with the Orland River and East Channel around Verona Island Work Category.

1. Actions Taken to Achieve Compliance with the Consent Decree for Orland River and East Channel

No Work was performed for the Orland River and East Channel around Verona Island Work Category during the Reporting Period.

2. Summary of Sampling, Testing, and Data for Orland River and East Channel

During the Reporting Period, the Trustee (i) performed no sampling or testing, and (ii) did not receive or generate new data for the Orland River and East Channel around Verona Island Work Category.

3. Deliverables Submitted to Beneficiaries for Orland River and East Channel

During the Reporting Period, the Trustee submitted no Deliverables to the Beneficiaries for the Orland River and East Channel around Verona Island Work Category.

4. Work Scheduled for the Period from October 1, 2023, through January 31, 2024.

Planning for the Orland River and East Channel around Verona Island Work Category will be based on information developed during preparation of the work plans, pre-design investigations, and initial feasibility evaluations for the Orrington Reach and the Mobile Sediments and Surface Deposits Work Categories.

E. Long-Term Monitoring

Paragraph 14 of the Consent Decree requires the performance of Long-Term Monitoring every three years for at least 30 years (through 2050-2051) and up to 45 years (through 2065-2066). Under the Consent Decree, Long-Term Monitoring activities “are intended to provide repeated, readily comparable data over time regarding mercury concentrations in biota, sediment, and water at the Site.” (CD ¶ (1)(t).) The following is a summary of duties performed by the Trustee in connection with the Long-Term Monitoring Work Category.

1. Actions Taken to Achieve Compliance with the Consent Decree for Long-Term Monitoring

During 3Q23, the Trustee continued performance of Long-Term Monitoring activities in accordance with the 2023 Long-Term Monitoring Plan. The Trustee also continued to seek and obtain access from property owners as required to perform Long-Term Monitoring sampling.

2. Summary of Sampling, Testing, and Data for Long-Term Monitoring

During 3Q23, the Trustee continued to conduct sampling activities in accordance with the 2023 Long-Term Monitoring Plan, as follows⁶:

- Sediment
 - The Trustee collected sediment samples from sampling locations where access permissions were granted by landowners of adjacent parcels. Approximately half of the sediment sampling locations were co-located with biota sampling locations. The collected samples were shipped to the analytical laboratory for Total Hg, Total MeHg, and TOC analysis.
- Aquatic Species Sampling
 - Eel

Approximately 70 percent of the planned 100 samples were collected for eels, including two samples each from the two reference locations.

⁶ For sampling locations, see the 2023 Long-Term Monitoring Plan on the Remediation Trust website at <http://www.penobscotrивerremediation.com/resources>.

The samples were shipped to the analytical laboratory for Total Hg analysis.

- Polychaete

All the planned 35 polychaete samples were collected during the Reporting Period, including 5 samples from the reference location. Polychaete composite samples, taxonomically identified and separated by taxa, were representative of either *Nereididae spp.* or *Glycera dibranchiate*. Samples were shipped to the analytical laboratory for Total Hg analysis.

- Lobster

More than 90 percent of the planned 120 lobster samples were collected during the Reporting Period, including 10 samples from the reference location. The samples were shipped to the analytical laboratory for Total Hg analysis.

- Tomcod

More than 55 percent of the planned 180 tomcod samples were collected during the Reporting Period, including 9 samples from the reference location. The samples were shipped to the analytical laboratory for Total Hg analysis.

- Mummichog

Approximately 48 percent of the planned 120 mummichog samples were collected during the Reporting Period, including 4 samples from the reference location. The samples were shipped to the analytical laboratory for Total Hg analysis.

- Rainbow smelt

No rainbow smelt were observed or captured at the proposed sampling locations during the Reporting Period. The lack of observed and collected rainbow smelt will be evaluated in light of previous years' results and considered during planning of future sampling events.

3. Deliverables Submitted to Beneficiaries for Long-Term Monitoring

During the Reporting Period, the Trustee submitted no Deliverables to the Beneficiaries for the Long-Term Monitoring Work Category.

4. Work Scheduled for the Period from October 1, 2023, through January 31, 2024

During the period from October 1, 2023, through January 31, 2024, the Trustee will complete all work identified in the 2023 Long-Term Monitoring Plan, except for American Black Duck sampling. Work planned for this period includes surface water sampling in October 2023, and completing sediment sampling. In furtherance of this work, the Trustee will continue to seek and obtain access from landowners. Results will be presented in the 2023 Long-Term Monitoring Report, expected to be completed in the second or third quarter of 2024.

III. Milestone Work Schedule

Section III presents the current Milestone Work Schedule, as required by Paragraph 25(b)(v) and Paragraph 32 of the Statement of Work.

A. Third Quarter 2023 Milestone Work Schedule Summary

The Milestone Work Schedule presents the estimated timeframes and sequence for major Work activities to be performed during the five-year period starting with the last quarter of 2022. The schedule is based on the information available to the Trustee when the 3Q23 Progress Report was prepared and will be updated in future Quarterly Progress Reports to add new information as appropriate, including estimates of percentage of completion for key Work elements, and show any material adjustments to the schedule. Milestones for key submittals and specific Work completion targets will be added in the future as appropriate.

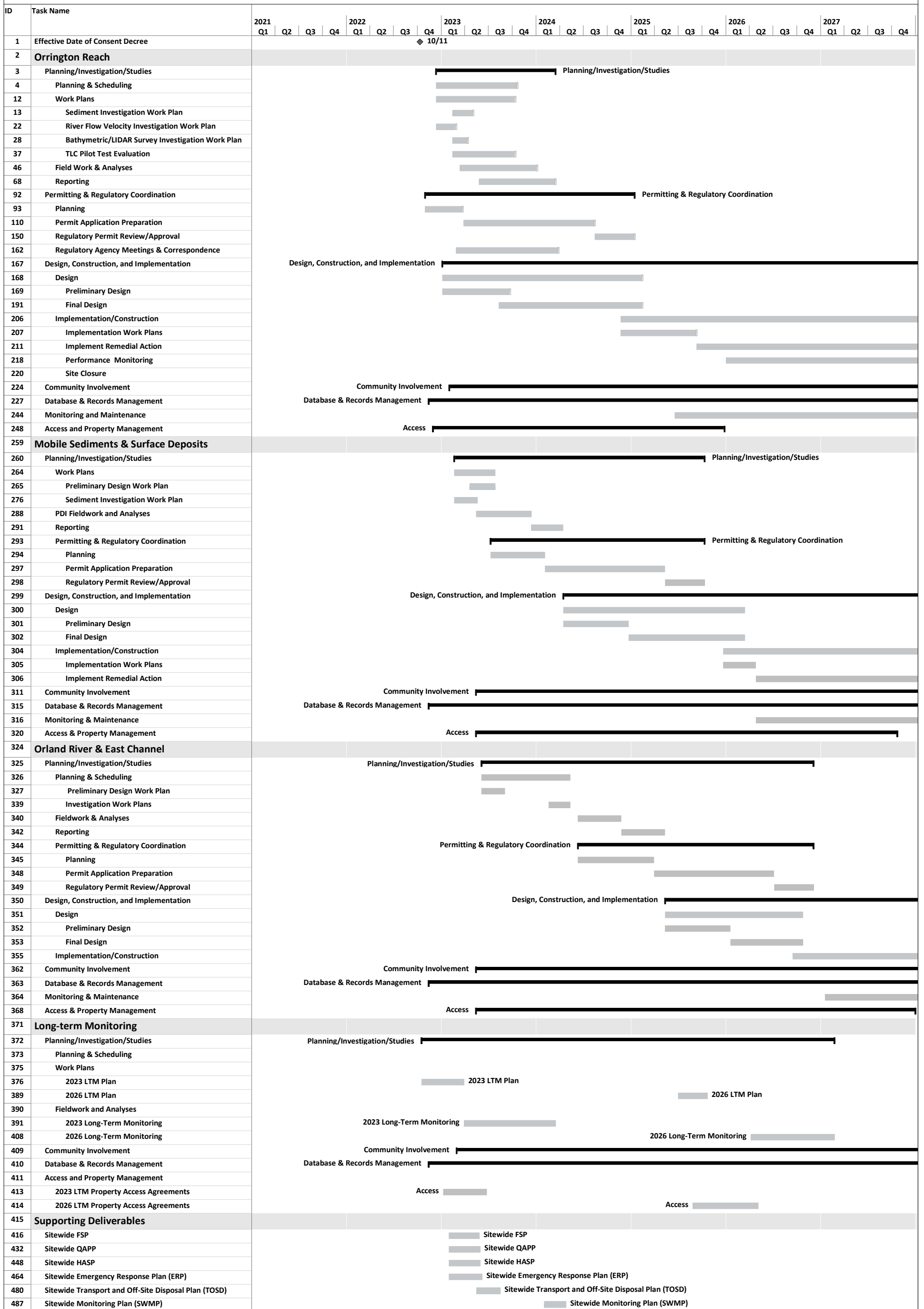
B. Anticipated Delays

There were no delays encountered during the Reporting Period that may materially affect the future schedule for implementation of the Work. The dates and timeframes shown in the Milestone Work Schedule may be affected by several factors that the Trustee will endeavor to anticipate but cannot control. These factors include: (i) weather and seasonal fluctuations, which may affect field investigations, Long-Term Monitoring sampling events, and remedy implementation schedules; (ii) coordination with permitting authorities and agency review periods and approval timeframes, which will determine the start date of any activity requiring a permit; (iii) responsiveness of landowners to the Trustee's request for access to their property to perform Work; and (iv) community involvement activities that may identify interests or concerns that could warrant adjustments to the timing of specific tasks. If events related to these factors or

other circumstances result in a material change to the Milestone Work Schedule, the Trustee will notify the Beneficiaries and update the Milestone Work Schedule accordingly.

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Figure 3.1 Anticipated Milestone Schedule
 Penobscot Estuary Mercury Remediation Trust
 Greenfield Penobscot Estuary Remediation Trust LLC,
 Trustee 3Q23 Progress Report



Legend

Summary
Task



IV. Community Involvement Activities

A. Activities in Support of Community Involvement During the Reporting Period

1. Remediation Trust Website

Consistent with Paragraph 22(a) of the Statement of Work, the Trustee continued to maintain its publicly available website by periodically updating website content, including by posting to the website Deliverables and other materials developed by the Trustee.

2. Meetings with Town Officials and Other Community Involvement Activities

Under Paragraph 21 of the Statement of Work, the Trustee is “responsible for developing and implementing community involvement activities to notify the public of planned Work activities.” In fulfillment of this requirement, the Trustee held a community meeting and drop-in session July 19, 2023, at the Orrington Town Hall Annex, to introduce the Remediation Trust and the Trustee, explain the Orrington Reach TLC (and the need for access permissions to perform TLC investigations), learn about community interests and concerns, and respond to questions. During the Reporting Period, the Trustee also continued to receive and respond to email and telephone communications from residents and received and replied to inquiries and/or interview requests from the local news media. Additionally, the Trustee participated in Orland River Day on September 9, 2023.

The Trustee also distributed a flyer about the July 19 community meeting and drop-in session through a mass mailing and via bulk deliveries to certain Town offices and libraries. The Trustee also disseminated information about the event by placing paid advertising in a local newspaper, issuing a press release to local and regional news media, asking Town officials to post event information on Town websites and/or social media, and sharing the flyer and details on the Remediation Trust website.

3. Community Involvement Coordinator

Consistent with Paragraph 24 of the Statement of Work, which requires that the Trustee designate a Community Involvement Coordinator (CIC), the Trustee’s Director of Communications continued to serve as Interim CIC.

B. Activities in Support of Community Involvement During the Period from October 1, 2023, through January 31, 2024

1. Remediation Trust and Project Trust Office

As required by Paragraph 41(c) of the Consent Decree, the Trustee expects to establish an office located near the Site. The office location will be posted to the Remediation Trust website and included in future fact sheets and flyers.⁷

2. Remediation Trust Website

The Trustee will continue to update the Remediation Trust website to reflect Work progress, as appropriate, and to post Deliverables and other materials as required by the Consent Decree.

3. Meetings with Town Officials and Other Community Involvement Activities

Consistent with the requirements of Paragraph 21 of the Statement of Work, the Trustee will continue to meet with officials and residents of towns within and near the Site to introduce the Remediation Trust and the Trustee, listen to community interests and concerns, respond to questions, and explain the Remediation Trust Work activities.

4. Preparation of Materials for Public Dissemination

The Trustee will continue to prepare fact sheets, as needed, concerning the Remediation Trust Work activities to be performed in 2024. The Trustee may prepare other materials to foster public awareness of Remediation Trust Work. Consistent with Paragraph 23 of the Statement of Work, the Trustee will provide the Beneficiaries with prior notice of information proposed for public dissemination.

5. Community Involvement Coordinator

The Trustee's Director of Communications will continue to serve as Interim CIC.

6. Community Involvement Plan

The Trustee expects to continue to incorporate information gained through ongoing community interaction into the development of the Community Involvement Plan during the period October 1, 2023, through January 31, 2024.

⁷ As of the date of filing of this 3Q23 Quarterly Progress Report, the office location is 90 Heritage Park Road, Suite 1, Bucksport, Maine 04416. Office hours are to be determined and will be shared on the Remediation Trust website.

V. Updates to Project Database

Paragraph 26 of the Statement of Work requires the Remediation Trust to “maintain a project database containing all data generated by the Trustee and its contractors necessary to complete the required Work....” The database must include all Site data provided by the Beneficiaries, and the Trustee must provide the Beneficiaries with access to the project database. Paragraph 25(b)(viii) of the Statement of Work requires the Quarterly Progress Report to include a summary of updates to the form, location, or management of the project database.

A. Actions Taken to Achieve Compliance with the Consent Decree

During the Reporting Period, the Trustee continued development of the Data Hosting Platform, which will function as a centralized analytical database.⁸ Tasks performed to develop the Data Hosting Platform included: (i) identifying filters and formats for user queries and reports; (ii) completing import of historical data to the production platform; (iii) creating a Data Platform User Guide; and (iv) facilitating access while maintaining protocols to ensure data security.

B. Activities in Support of Updates to Project Database for the Period from October 1, 2023, through January 31, 2024

The Trustee will continue to develop and review the functionality and features of the Project Database, including continuing to establish protocols to meet project data quality objectives, ensure data security, and support user queries and reports.

VI. Administrative Activities

Section VI of the 3Q23 Progress Report describes activities undertaken by the Trustee or the Remediation Trust associated with administration or management of the Remediation Trust, including taxes, investment and safekeeping of assets, insurance, and financial affairs. Section VI also covers administrative activities the Trustee expects to undertake during the period from October 1, 2023, through January 1, 2024. All costs related to the administrative activities described in this Section are paid from the Administrative Account for the Remediation Trust.

⁸ For a description of planned Data Hosting Platform capabilities, see the Quarterly Progress Report for the First Quarter of 2023.

A. Actions taken to Achieve Compliance with Consent Decree and Fulfill Administrative Duties

1. Communications with Beneficiaries

During the Reporting Period, the Trustee participated in two videoconferences with the Remediation Trust Advisory Committee, including Beneficiary representatives. The purpose of these meetings was to discuss the TLC Design Work Plan (see Section II(B)(1)(g); Table 6-1).

Paragraph 27 of the Statement of Work requires the Trustee to submit draft and final copies of Deliverables to the Beneficiaries. The Consent Decree and the Statement of Work include additional specific requirements concerning the submission of various required notices and other documents to the Beneficiaries. This includes submissions to provide opportunity for Beneficiary comment or objection within prescribed timeframes set forth in the Consent Decree, the Remediation Trust Agreement, and the Statement of Work. A list of all such notifications and submittals to the Beneficiaries during the Reporting Period is included in Table 6-2.

Table 6-1	
Beneficiary Meetings During Reporting Period	
Date	Purpose of Meeting
July 13, 2023	Advisory Committee Meeting to Discuss TLC Design Work Plan
September 22, 2023	Advisory Committee Meeting to Discuss TLC Design Work Plan

Table 6-2	
Beneficiary Notification, Consultation, or Submittal During Reporting Period	
Date	Brief Description and Reference to Consent Decree
July 6, 2023	Notice of Stakeholder Questions Concerning Request for Access
July 8, 2023	Final TLC Design Work Plan - Orrington Reach Capping Remedy and Response to Beneficiary Comments (SOW ¶¶ 27, 30)
July 10, 2023	Notice of Informal Stakeholder Communication Concerning Orrington Reach TLC
July 10, 2023	Notice and Opportunity to Participate in Preparation of Materials for Public Dissemination for July 19, 2023, Community Meeting Concerning Orrington Reach TLC (SOW ¶ 23)

July 18, 2023	Draft Sediment Pre-Design Investigation Work Plan – Orrington Reach Capping Remedy (CD ¶ 31; SOW ¶¶ 6, 27, 29, 30)
August 6, 2023	Final Coastal Wetland Assessment Plan – Orrington Reach Capping Remedy (SOW ¶¶ 27, 30)
August 7, 2023	Request for Access to Perform Wetland Assessment and Pre-Design Investigation Activities
August 14, 2023	Request to Revise 2023 Annual Budgets for the Remediation Trust
August 15, 2023	Final Sediment Pre-Design Investigation Work Plan – Orrington Reach Capping Remedy (SOW ¶ 6(a))
August 23, 2023	Invoice for Trustee Fees and Expenses for May 2023, for Beneficiary Comment or Objection (TA § 3.2.4)
August 24, 2023	Notice Concerning Obstacles to Recovery of River Flow Velocity Equipment
August 24, 2023	Notice of Anticipated Submittal Schedule for Deliverables
August 25, 2023	Notice and Opportunity to Comment or Object to Retention of Web Designer (CD ¶ 39; TA § 4.1.2)
August 29, 2023	Notice of Successful Recovery of River Flow Velocity Equipment
September 5, 2023	Slide Presentation from July 13, 2023, Advisory Committee Meeting
September 5, 2023	Invoice for Trustee Fees and Expenses for June 2023, for Beneficiary Comment or Objection (TA § 3.2.4)
September 29, 2023	Draft 2024 Annual Budgets, Work Plans, and Cash Flow Projections for Beneficiary Comment or Objection (CD ¶ 34; TA § 2.4.2)
September 29, 2023	Quarterly Progress Report for Second Quarter 2023 (CD ¶ 38; SOW ¶ 25; TA § 6.1)

2. Financial Affairs

The Trustee took the following actions related to management of the Trust’s financial affairs to achieve compliance with the Consent Decree during the Reporting Period.

a) Investments

Remediation Trust funds remain invested in accordance with the investment parameters set forth in Section 2.5.1 of the Remediation Trust Agreement.

b) Banking

In accordance with Section 3.4 of the Remediation Trust Agreement, the Remediation Trust continued to retain a local bank in Maine to provide checking (i.e., working) account services to support disbursement of operational expenses.

c) Tax Reporting

The Trustee has fulfilled its obligations under Paragraph 22(d) of the Consent Decree and Section 6.3 of the Remediation Trust Agreement so that the Remediation Trust qualifies as a Qualified Settlement Fund for which no grantor trust election has been made pursuant to Section 468B of the Internal Revenue Code of 1986, as amended (and related Treasury regulations), including by filing the required documents with the Internal Revenue Service (IRS) and obtaining the IRS Section 1.468B-3 Statement from Mallinckrodt. Additionally, in accordance with Section 6.3.1 of the Trust Agreement, on September 27, 2023, the Trustee received from Mallinckrodt the IRS Section 1.468B-1 Relation-Back Election Form.

d) Trustee Invoices

In accordance with Section 3.2.4 of the Remediation Trust Agreement, on August 8, 2023, and September 5, 2023, the Trustee submitted to the Beneficiaries for comment or objection invoices detailing its fees and expenses for May 2023 and June 2023, respectively.

e) Recordkeeping and Financial Controls

In accordance with Paragraph 36 of the Consent Decree, the Trustee maintains proper books, records, and accounts relating to the Remediation Trust. In addition, consistent with its fiduciary duties, the Trustee established a comprehensive, fully integrated financial and project controls system designed to safeguard funds dedicated to the protection of human health and the environment, ensure compliance with the requirements of the Consent Decree, and provide timely, meaningful financial information to the Beneficiaries. By employing a broad range of internal and third-party controls, the Trustee has established efficient, cost-effective, consistent protocols that, among other things: (i) clearly define roles, responsibilities, and authorities; (ii) ensure accuracy of financial, technical, and legal information; and (iii) provide multiple points of independent verification and validation of financial matters, as further described in the Quarterly Progress Report for the Fourth Quarter of 2022 prepared and submitted by the Remediation Trust.

f) Financial Assurance

Paragraph 20 of the Consent Decree requires Mallinckrodt to secure a surety bond in the amount of \$65 million for the benefit of the Remediation Trust and the Project Trust that substantially conforms to the form of surety bond set out in Appendix D to the Consent Decree. During 3Q23, the Trustee continued to diligently monitor the adequacy of the financial assurance (including the surety bond and the surety company that issued the bond), as required by Paragraph 20(d) of the Consent Decree.

3. Records and Data Management

The Trustee continued to maintain records management protocols and repositories (for working and permanent files) during the Reporting Period.

B. Administrative Activities Planned for October 1, 2023, through January 31, 2024

1. Communications with Beneficiaries

The Trustee will continue to participate in meetings with the Beneficiaries, provide written notices and submissions to the Beneficiaries as required, and consult with the Beneficiaries as needed to carry out its responsibilities.

2. Financial Affairs

a) Investments

During the period from October 1, 2023, through January 31, 2024, the Trustee expects to finalize an investment policy statement for the Remediation Trust and to prepare a notice to the Beneficiaries concerning updates to the investment allocation.

b) Banking

During the period from October 1, 2023, through January 31, 2024, the Trustee plans to continue its banking relationship with the local bank in Maine.

c) Budgets

During the period from October 1, 2023, through January 31, 2024, the Trustee will submit to the Beneficiaries the Five-Year Forecast (as required by Paragraph 35(a) of the Consent Decree), and the proposed final and final 2024 Annual Budgets, Work Plans, and Cash Flow Forecasts (as required by Paragraphs 34(c) and 34(d) of the Consent Decree).

d) Financial and Project Controls

The Trustee will maintain comprehensive financial and project controls to fulfill its fiduciary duties to the Beneficiaries.

e) Tax Return

The Trustee will prepare and file IRS Form 1120-SF, U.S. Income Tax Return for Settlement Funds, pursuant to Section 468B of the Internal Revenue Code of 1986.

f) Funding of Remediation Trust

The Trustee will submit to Mallinckrodt a request for payment of \$25 million to the Remediation Trust pursuant to Paragraph 19(d) of the Consent Decree.

g) Third Party Auditor

The Trustee will continue to communicate with the Beneficiaries and the Court-approved public accounting firm regarding planning for the 2022/2023 audit that will be performed in the first or second quarter of 2024.

3. Records and Data Management

The Trustee will maintain the comprehensive online storage and records management systems for permanent and working files.

VII. Financial Statements

As required under Paragraph 25(b)(ix) of the Statement of Work, financial statements of the Remediation Trust and Trust Accounts for the Reporting Period are set forth on the following pages.

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Accountant's Compilation Report

To the Trustees and Beneficiaries
Greenfield Penobscot Estuary Remediation Trust LLC
Trustee of the Penobscot Estuary Mercury Remediation Trust

The Trustees are responsible for the accompanying special purpose financial statements of the Penobscot Estuary Mercury Remediation Trust, which comprise the statements of net trust assets as of June 30, 2023 and December 31, 2022, and the related statements of changes in net trust assets for the six months ended June 30, 2023 and the year ended December 31, 2022 and for determining that the special purpose basis of accounting is an acceptable financial reporting framework. We have performed a compilation engagement in accordance with *Statements on Standards for Accounting and Review Services* promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by the trustees. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

The financial statements are prepared in accordance with the special purpose basis of accounting in accordance with the requirements of the Trust's obligations under ¶ 38 of the Consent Decree approved and entered by the U.S. District Court for the District of Maine (*Maine Peoples Alliance and NRDC v. Holtrachem Manufacturing Company, LLC*, et al., No. 1:00-cv-00069-JAW (D. Maine)), which is a basis of accounting other than accounting principles generally accepted in the United States.

Management has elected to omit substantially all the disclosures ordinarily included in special purpose financial statements prepared in accordance with the prescribed format basis of accounting. If the omitted disclosures were included in the special purpose financial statements, they might influence the user's conclusions about the Trust's assets, liabilities, net assets, additions, and deductions. Accordingly, the special purpose financial statements are not designed for those who are not informed about such matters.

Supplementary Information

The Trust Administrative Account, Trust Remediation Account (General), Orrington Reach Work Category Subaccount, Mobile Sediments and Surface Deposits Work Category Subaccount, Orland River and East Channel Work Category Subaccount, and Long-Term Monitoring Work Category Subaccount Supplemental Statements of Net Trust Assets, Supplemental Statements of Changes in Net Trust Assets, and Supplemental Schedule of Detail Changes in Net Trust Assets and Budget to Actual Information are presented for purposes of additional analysis and are not a required part of the special purpose financial statements. This information is the representation of the trustees. The information was subject to our compilation engagements; however, we have not audited or reviewed the supplementary information and, accordingly, do not express an opinion, a conclusion, nor provide any form of assurance on such supplementary information.

We are not independent with respect to Greenfield Penobscot Estuary Remediation Trust LLC.

Wipfli LLP

Wipfli LLP

September 5, 2023

Penobscot Estuary Mercury Remediation Trust (Remediation Trust)
Statement of Net Trust Assets
As of June 30, 2023

	Trust Remediation Account¹							
	Remediation Trust Total	Trust Administrative Account	Total Trust Remediation Account	Trust Remediation Account (General)	Orrington Reach Work Category Subaccount	Mobile Sediments and Surface Deposits Work Category Subaccount	Orland River and East Channel Work Category Subaccount	Long-Term Monitoring Work Category Subaccount
Assets								
Cash	\$ 539,007.73	\$ 55,135.71	\$ 483,872.02	\$ -	\$ 229,647.99	\$ 126,488.09	\$ 48,985.84	\$ 78,750.10
Due from Project Trust	373.85	373.85	-	-	-	-	-	-
Investments, money market funds	18,654,774.18	404,329.64	18,250,444.54	-	7,650,446.87	6,807,019.60	1,948,180.96	1,844,797.11
Total Assets	\$ 19,194,155.76	\$ 459,839.20	\$ 18,734,316.56	\$ -	\$ 7,880,094.86	\$ 6,933,507.69	\$ 1,997,166.80	\$ 1,923,547.21
Liabilities								
Accounts Payable	\$ 1,135,929.79	\$ 64,146.55	\$ 1,071,783.24	\$ -	\$ 439,999.79	\$ 194,142.60	\$ 48,261.85	\$ 389,379.00
Due to (from) Inter-Trust Work Category Subaccounts	-	-	-	-	(4,944.82)	-	-	4,944.82
Total Liabilities	1,135,929.79	64,146.55	1,071,783.24	-	435,054.97	194,142.60	48,261.85	394,323.82
Net Trust Assets	18,058,225.97	395,692.65	17,662,533.32	-	7,445,039.89	6,739,365.09	1,948,904.95	1,529,223.39
Total Liabilities & Net Trust Assets	\$ 19,194,155.76	\$ 459,839.20	\$ 18,734,316.56	\$ -	\$ 7,880,094.86	\$ 6,933,507.69	\$ 1,997,166.80	\$ 1,923,547.21

Statement of Changes in Net Trust Assets
For the Six Months Ended June 30, 2023

	Trust Remediation Account¹							
	Remediation Trust Total	Trust Administrative Account	Total Trust Remediation Account	Trust Remediation Account (General)	Orrington Reach Work Category Subaccount	Mobile Sediments and Surface Deposits Work Category Subaccount	Orland River and East Channel Work Category Subaccount	Long-Term Monitoring Work Category Subaccount
Total Deductions from Net Trust Assets	\$ (1,582,140.46)	\$ (157,344.11)	\$ (1,424,796.35)	\$ -	\$ (639,896.49)	\$ (241,420.50)	\$ (70,362.89)	\$ (473,116.47)
Total Additions to Net Trust Assets	421,070.40	8,325.33	412,745.07	-	243,717.83	101,055.21	34,160.77	33,811.26
Change in Net Trust Assets	(1,161,070.06)	(149,018.78)	(1,012,051.28)	-	(396,178.66)	(140,365.29)	(36,202.12)	(439,305.21)
Net Trust Assets, Beginning	19,219,296.03	544,711.43	18,674,584.60	-	7,841,218.55	6,879,730.38	1,985,107.07	1,968,528.60
Funding	-	-	-	-	-	-	-	-
Net Trust Assets, Ending	\$ 18,058,225.97	\$ 395,692.65	\$ 17,662,533.32	\$ -	\$ 7,445,039.89	\$ 6,739,365.09	\$ 1,948,904.95	\$ 1,529,223.39

¹The Beneficial Environmental Projects Work Category Subaccount is not included in these financial statements. As described in the Consent Decree, Committed Funding for Beneficial Environmental Projects is allocated to the Penobscot Estuary Beneficial Environmental Projects Trust (Project Trust) until the termination of the Project Trust.

Penobscot Estuary Mercury Remediation Trust (Remediation Trust)
Statement of Net Trust Assets
As of December 31, 2022

	Trust Remediation Account¹							
	Remediation Trust Total	Trust Administrative Account	Total Trust Remediation Account	Trust Remediation Account (General)	Orrington Reach Work Category Subaccount	Mobile Sediments and Surface Deposits Work Category Subaccount	Orland River and East Channel Work Category Subaccount	Long-Term Monitoring Work Category Subaccount
Assets								
Cash	\$ 600,396.37	\$ 185,817.37	\$ 414,579.00	\$ -	\$ 264,624.00	\$ 55,985.00	\$ 42,985.00	\$ 50,985.00
Due from Project Trust	2,051.10	2,051.10	-	-	-	-	-	-
Investments, money market funds	19,108,626.78	85,987.31	19,022,639.47	10,350,000.00	5,786,714.04	955,949.39	969,005.19	960,970.85
Total Assets	\$ 19,711,074.25	\$ 273,855.78	\$ 19,437,218.47	\$ 10,350,000.00	\$ 6,051,338.04	\$ 1,011,934.39	\$ 1,011,990.19	\$ 1,011,955.85
Liabilities								
Accounts Payable	\$ 491,778.22	\$ 179,144.35	\$ 312,633.87	\$ -	\$ 210,119.49	\$ 32,204.01	\$ 26,883.12	\$ 43,427.25
Due to (from) Inter-Trust Accounts ²	-	(450,000.00)	450,000.00	10,350,000.00	(2,000,000.00)	(5,900,000.00)	(1,000,000.00)	(1,000,000.00)
Total Liabilities	491,778.22	(270,855.65)	762,633.87	10,350,000.00	(1,789,880.51)	(5,867,795.99)	(973,116.88)	(956,572.75)
Net Trust Assets	19,219,296.03	544,711.43	18,674,584.60	-	7,841,218.55	6,879,730.38	1,985,107.07	1,968,528.60
Total Liabilities & Net Trust Assets	\$ 19,711,074.25	\$ 273,855.78	\$ 19,437,218.47	\$ 10,350,000.00	\$ 6,051,338.04	\$ 1,011,934.39	\$ 1,011,990.19	\$ 1,011,955.85

Statement of Changes in Net Trust Assets
For the Year Ended December 31, 2022

	Trust Remediation Account¹							
	Remediation Trust Total	Trust Administrative Account	Total Trust Remediation Account	Trust Remediation Account (General)	Orrington Reach Work Category Subaccount	Mobile Sediments and Surface Deposits Work Category Subaccount	Orland River and East Channel Work Category Subaccount	Long-Term Monitoring Work Category Subaccount
Total Deductions from Net Trust Assets	\$ (611,454.55)	\$ (260,524.68)	\$ (350,929.87)	\$ -	\$ (248,415.49)	\$ (32,204.01)	\$ (26,883.12)	\$ (43,427.25)
Total Additions to Net Trust Assets	143,977.28	3,934.51	140,042.77	-	104,162.34	11,934.39	11,990.19	11,955.85
Change in Net Trust Assets	(467,477.27)	(256,590.17)	(210,887.10)	-	(144,253.15)	(20,269.62)	(14,892.93)	(31,471.40)
Net Trust Assets, Beginning	9,336,773.30	351,301.60	8,985,471.70	8,983,935.00	1,536.70	-	-	-
Funding	10,350,000.00	450,000.00	9,900,000.00	(8,983,935.00)	7,983,935.00	6,900,000.00	2,000,000.00	2,000,000.00
Net Trust Assets, Ending	\$ 19,219,296.03	\$ 544,711.43	\$ 18,674,584.60	\$ -	\$ 7,841,218.55	\$ 6,879,730.38	\$ 1,985,107.07	\$ 1,968,528.60

¹The Beneficial Environmental Projects Work Category Subaccount is not included in these financial statements. As described in the Consent Decree, Committed Funding for Beneficial Environmental Projects is allocated to the Penobscot Estuary Beneficial Environmental Projects Trust (Project Trust) until termination of the Project Trust.

²Pursuant to ¶ 19(c) of the Consent Decree, required 2022 funding in the amount of \$15,000,000 was received from Mallinckrodt in December 2022. Of the total \$15,000,000 received, the portion allocated to the Remediation Trust in the amount of \$10,350,000 was deposited into the Trust Remediation Account (General). Funds were distributed to the Administrative Account and Work Category Subaccounts after the 2023 final budgets were issued. The remaining \$4,650,000 was allocated to the Penobscot Estuary Beneficial Environmental Projects Trust.

Penobscot Estuary Mercury Remediation Trust (Remediation Trust)
Trust Administrative Account
Supplemental Statements of Net Trust Assets
As of June 30, 2023 and December 31, 2022

	<u>June 30, 2023</u>	<u>December 31, 2022</u>
Assets		
Cash	\$ 55,135.71	\$ 185,817.37
Due from Project Trust	373.85	2,051.10
Due from Trust Remediation Account (General) ¹	-	450,000.00
Investments, money market funds	404,329.64	85,987.31
Total Assets	<u>\$ 459,839.20</u>	<u>\$ 723,855.78</u>
Liabilities		
Accounts Payable	\$ 64,146.55	\$ 179,144.35
Total Liabilities	<u>64,146.55</u>	<u>179,144.35</u>
Net Trust Assets, Administrative	395,692.65	544,711.43
Total Liabilities & Net Trust Assets	<u>\$ 459,839.20</u>	<u>\$ 723,855.78</u>

Supplemental Statements of Changes in Net Trust Assets
For the Six Months Ended June 30, 2023 and the Year Ended December 31, 2022

	<u>Six Months Ended June 30, 2023</u>	<u>Year Ended December 31, 2022</u>
Total Deductions from Net Trust Assets	\$ (157,344.11)	\$ (260,524.68)
Total Additions to Net Trust Assets	8,325.33	3,934.51
Change in Net Trust Assets	<u>(149,018.78)</u>	<u>(256,590.17)</u>
Net Trust Assets, Administrative Beginning	544,711.43	351,301.60
Funding	-	450,000.00
Net Trust Assets, Administrative Ending	<u>\$ 395,692.65</u>	<u>\$ 544,711.43</u>

¹Pursuant to ¶ 19(c) of the Consent Decree, 2022 funding was received from Mallinckrodt in December 2022. The required 2022 funding for the Trust Administrative Account, in the amount of \$450,000, was deposited into the Trust Remediation Account (General) and transferred into the Administrative Account after the 2023 final budgets were issued.

Penobscot Estuary Mercury Remediation Trust (Remediation Trust)
Trust Administrative Account
Supplemental Schedule of Detail Changes in Net Trust Assets and Budget to Actual
For the Six Months Ended June 30, 2023

	Second Quarter Ended June 30, 2023	Six Months Ended June 30, 2023	Revised Annual Budget	Variance	% of Budget
Deductions from Net Trust Assets:					
1.A · Trust Management and Beneficiary Communications	\$ 38,963.50	\$ 88,353.73	\$ 178,000.00	\$ (89,646.27)	49.6%
1.B · Financial Affairs	18,747.72	52,684.05	174,000.00	(121,315.95)	30.3%
1.C · General Contracting and Procurement	5,585.00	6,184.00	21,000.00	(14,816.00)	29.4%
1.D · Insurance	-	-	5,000.00	(5,000.00)	0.0%
1.E · Records and Data Management	1,583.01	10,122.33	40,000.00	(29,877.67)	25.3%
Total Deductions from Net Trust Assets	<u>64,879.23</u>	<u>157,344.11</u>	<u>418,000.00</u>	<u>(260,655.89)</u>	<u>37.6%</u>
Additions to Net Trust Assets:					
Investment Income, net of expenses	6,184.93	8,325.33	-	8,325.33	
Total Additions to Net Trust Assets	<u>6,184.93</u>	<u>8,325.33</u>	<u>-</u>	<u>8,325.33</u>	
Change in Net Trust Assets	<u>\$ (58,694.30)</u>	<u>\$ (149,018.78)</u>	<u>\$ (418,000.00)</u>	<u>\$ 268,981.22</u>	
Net Trust Assets, Administrative Beginning		544,711.43			
Funding		-			
Net Trust Assets, Administrative Ending		<u>\$ 395,692.65</u>			

Supplemental Schedule of Detail Changes in Net Trust Assets and Budget to Actual
For the Year Ended December 31, 2022

	Year Ended December 31, 2022	Revised Annual Budget	Variance	% of Budget
Deductions from Net Trust Assets:				
1.A · Trust Management and Beneficiary Communications	\$ 68,794.78	\$ 74,600.00	\$ (5,805.22)	92.2%
1.B · Financial Affairs	74,263.97	87,000.00	(12,736.03)	85.4%
1.C · General Contracting and Procurement	75,050.00	82,100.00	(7,050.00)	91.4%
1.D · Insurance	18,563.93	26,000.00	(7,436.07)	71.4%
1.E · Records and Data Management	11,312.50	23,500.00	(12,187.50)	48.1%
1.F · Pre-Effective Date Setup Activities	12,539.50	13,600.00	(1,060.50)	92.2%
Total Deductions from Net Trust Assets	<u>260,524.68</u>	<u>306,800.00</u>	<u>(46,275.32)</u>	<u>84.9%</u>
Additions to Net Trust Assets:				
Investment Income, net of expenses	3,934.51	-	3,934.51	
Total Additions to Net Trust Assets	<u>3,934.51</u>	<u>-</u>	<u>3,934.51</u>	
Change in Net Trust Assets	<u>\$ (256,590.17)</u>	<u>\$ (306,800.00)</u>	<u>\$ 50,209.83</u>	
Net Trust Assets, Administrative Beginning		351,301.60		
Funding		450,000.00		
Net Trust Assets, Administrative Ending		<u>\$ 544,711.43</u>		

Penobscot Estuary Mercury Remediation Trust (Remediation Trust)
Trust Remediation Account (General)
Supplemental Statements of Net Trust Assets
As of June 30, 2023 and December 31, 2022

	<u>June 30, 2023</u>	<u>December 31, 2022</u>
Assets		
Cash	\$ -	\$ -
Investments, money market funds	-	10,350,000.00
Total Assets	<u>\$ -</u>	<u>\$ 10,350,000.00</u>
Liabilities		
Accounts Payable	\$ -	\$ -
Due to (from) Inter-Trust Accounts ¹	-	10,350,000.00
Total Liabilities	-	10,350,000.00
Net Trust Assets, Remediation (General)	-	-
Total Liabilities & Net Trust Assets	<u>\$ -</u>	<u>\$ 10,350,000.00</u>

Supplemental Statements of Changes in Net Trust Assets
For the Six Months Ended June 30, 2023 and the Year Ended December 31, 2022

	<u>Six Months Ended June 30, 2023</u>	<u>Year Ended December 31, 2022</u>
Total Deductions from Net Trust Assets	\$ -	\$ -
Total Additions to Net Trust Assets	-	-
Change in Net Trust Assets	-	-
Net Trust Assets, Remediation (General) Beginning	-	8,983,935.00
Funding	-	(8,983,935.00)
Net Trust Assets, Remediation (General) Ending	<u>\$ -</u>	<u>\$ -</u>

¹Pursuant to ¶ 19(c) of the Consent Decree, required 2022 funding in the amount of \$15,000,000 was received from Mallinckrodt in December 2022. Of the total \$15,000,000 received, the portion allocated to the Remediation Trust in the amount of \$10,350,000 was deposited into the Trust Remediation Account (General). Funds were distributed to the Administrative Account and Work Category Subaccounts after the 2023 final budgets were issued. The remaining \$4,650,000 was allocated to the Penobscot Estuary Beneficial Environmental Projects Trust.

Penobscot Estuary Mercury Remediation Trust (Remediation Trust)
Trust Remediation Account (General)
Supplemental Schedule of Detail Changes in Net Trust Assets and Budget to Actual
For the Six Months Ended June 30, 2023

	Second Quarter Ended June 30, 2023	Six Months Ended June 30, 2023	Annual Budget	Variance	% of Budget
Deductions from Net Trust Assets:					
A - Planning, Investigation, and Studies	\$ -	\$ -	\$ -	\$ -	0.0%
B - Design, Construction, and Implementation	-	-	-	-	0.0%
C - Community Involvement	-	-	-	-	0.0%
D - Database and Records Management	-	-	-	-	0.0%
E - Permitting and Regulatory Coordination	-	-	-	-	0.0%
F - Trustee Technical, Contract, and Project Management	-	-	-	-	0.0%
H - Access and Property Management	-	-	-	-	0.0%
Total Deductions from Net Trust Assets	-	-	-	-	0.0%
Additions to Net Trust Assets:					
Investment Income, net of expenses	-	-	-	-	
Total Additions to Net Trust Assets	-	-	-	-	
Change in Net Trust Assets	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	
Net Trust Assets, Remediation (General) Beginning		-			
Funding		-			
Net Trust Assets, Remediation (General) Ending		<u>\$ -</u>			

Supplemental Schedule of Detail Changes in Net Trust Assets and Budget to Actual
For the Year Ended December 31, 2022

	Year Ended December 31, 2022	Annual Budget	Variance	% of Budget
Deductions from Net Trust Assets:				
A - Planning, Investigation, and Studies	\$ -	\$ -	\$ -	0.0%
B - Design, Construction, and Implementation	-	-	-	0.0%
C - Community Involvement	-	-	-	0.0%
D - Database and Records Management	-	-	-	0.0%
E - Permitting and Regulatory Coordination	-	-	-	0.0%
F - Trustee Technical, Contract, and Project Management	-	-	-	0.0%
H - Access and Property Management	-	-	-	0.0%
Total Deductions from Net Trust Assets	-	-	-	0.0%
Additions to Net Trust Assets:				
Investment Income, net of expenses	-	-	-	
Total Additions to Net Trust Assets	-	-	-	
Change in Net Trust Assets	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	
Net Trust Assets, Remediation (General) Beginning		8,983,935.00		
Funding		(8,983,935.00)		
Net Trust Assets, Remediation (General) Ending		<u>\$ -</u>		

Penobscot Estuary Mercury Remediation Trust (Remediation Trust)
Orrington Reach Work Category Subaccount
Supplemental Statements of Net Trust Assets
As of June 30, 2023 and December 31, 2022

	<u>June 30, 2023</u>	<u>December 31, 2022</u>
Assets		
Cash	\$ 229,647.99	\$ 264,624.00
Due from Trust Remediation Account (General) ¹	-	2,000,000.00
Due from Long-Term Monitoring Work Category Subaccount	4,944.82	-
Investments, money market funds	7,650,446.87	5,786,714.04
Total Assets	<u>\$ 7,885,039.68</u>	<u>\$ 8,051,338.04</u>
Liabilities		
Accounts Payable	\$ 439,999.79	\$ 210,119.49
Total Liabilities	<u>439,999.79</u>	<u>210,119.49</u>
Net Trust Assets, Orrington Reach	<u>7,445,039.89</u>	<u>7,841,218.55</u>
Total Liabilities & Net Trust Assets	<u>\$ 7,885,039.68</u>	<u>\$ 8,051,338.04</u>

Supplemental Statements of Changes in Net Trust Assets
For the Six Months Ended June 30, 2023 and the Year Ended December 31, 2022

	<u>Six Months Ended June 30, 2023</u>	<u>Year Ended December 31, 2022</u>
Total Deductions from Net Trust Assets	\$ (639,896.49)	\$ (248,415.49)
Total Additions to Net Trust Assets	<u>243,717.83</u>	<u>104,162.34</u>
Change in Net Trust Assets	(396,178.66)	(144,253.15)
Net Trust Assets, Orrington Reach Beginning	7,841,218.55	1,536.70
Funding	-	7,983,935.00
Net Trust Assets, Orrington Reach Ending	<u>\$ 7,445,039.89</u>	<u>\$ 7,841,218.55</u>

¹Pursuant to ¶ 19(c) of the Consent Decree, 2022 funding was received from Mallinckrodt in December 2022. The required 2022 funding for the Orrington Reach Work Category Subaccount, in the amount of \$2,000,000, was deposited into the Trust Remediation Account (General) and transferred into the Subaccount after the 2023 final budgets were issued.

Penobscot Estuary Mercury Remediation Trust (Remediation Trust)
Orrington Reach Work Category Subaccount
Supplemental Schedule of Detail Changes in Net Trust Assets and Budget to Actual
For the Six Months Ended June 30, 2023

	Second Quarter Ended June 30, 2023	Six Months Ended June 30, 2023	Revised Annual Budget	Variance	% of Budget
Deductions from Net Trust Assets:					
2.A - Planning, Investigation, and Studies	\$ 141,238.46	\$ 250,637.18	\$ 1,346,000.00	\$ (1,095,362.82)	18.6%
2.B - Design, Construction, and Implementation	23,140.64	76,067.45	271,000.00	(194,932.55)	28.1%
2.C - Community Involvement	15,174.44	20,895.35	114,000.00	(93,104.65)	18.3%
2.D - Database and Records Management	3,407.75	3,767.25	51,000.00	(47,232.75)	7.4%
2.E - Permitting and Regulatory Coordination	27,306.71	51,779.09	133,000.00	(81,220.91)	38.9%
2.F - Trustee Technical, Contract, and Project Management	113,688.56	211,483.82	567,000.00	(355,516.18)	37.3%
2.G - Monitoring and Maintenance	-	-	5,000.00	(5,000.00)	0.0%
2.H - Access and Property Management	11,407.87	25,266.35	128,000.00	(102,733.65)	19.7%
Total Deductions from Net Trust Assets	<u>335,364.43</u>	<u>639,896.49</u>	<u>2,615,000.00</u>	<u>(1,975,103.51)</u>	<u>24.5%</u>
Additions to Net Trust Assets:					
Investment Income, net of expenses	94,812.07	243,717.83	-	243,717.83	
Total Additions to Net Trust Assets	<u>94,812.07</u>	<u>243,717.83</u>	<u>-</u>	<u>243,717.83</u>	
Change in Net Trust Assets	<u>\$ (240,552.36)</u>	<u>\$ (396,178.66)</u>	<u>\$ (2,615,000.00)</u>	<u>\$ 2,218,821.34</u>	
Net Trust Assets, Orrington Reach Beginning		7,841,218.55			
Funding		-			
Net Trust Assets, Orrington Reach Ending		<u>\$ 7,445,039.89</u>			

Supplemental Schedule of Detail Changes in Net Trust Assets and Budget to Actual
For the Year Ended December 31, 2022

	Year Ended December 31, 2022	Revised Annual Budget	Variance	% of Budget
Deductions from Net Trust Assets:				
2.A - Planning, Investigation, and Studies	\$ 46,899.51	\$ 71,250.00	\$ (24,350.49)	65.8%
2.B - Design, Construction, and Implementation	86,229.51	96,000.00	(9,770.49)	89.8%
2.C - Community Involvement	2,925.00	20,200.00	(17,275.00)	14.5%
2.D - Database and Records Management	1,535.00	5,700.00	(4,165.00)	26.9%
2.E - Permitting and Regulatory Coordination	50,107.86	71,600.00	(21,492.14)	70.0%
2.F - Trustee Technical, Contract, and Project Management	54,727.50	91,900.00	(37,172.50)	59.6%
2.H - Access and Property Management	5,991.11	20,300.00	(14,308.89)	29.5%
Total Deductions from Net Trust Assets	<u>248,415.49</u>	<u>376,950.00</u>	<u>(128,534.51)</u>	<u>65.9%</u>
Additions to Net Trust Assets:				
Investment Income, net of expenses	104,162.34	-	104,162.34	
Total Additions to Net Trust Assets	<u>104,162.34</u>	<u>-</u>	<u>104,162.34</u>	
Change in Net Trust Assets	<u>\$ (144,253.15)</u>	<u>\$ (376,950.00)</u>	<u>\$ 232,696.85</u>	
Net Trust Assets, Orrington Reach Beginning		1,536.70		
Funding		7,983,935.00		
Net Trust Assets, Orrington Reach Ending		<u>\$ 7,841,218.55</u>		

Penobscot Estuary Mercury Remediation Trust (Remediation Trust)
Mobile Sediments and Surface Deposits Work Category Subaccount
Supplemental Statements of Net Trust Assets
As of June 30, 2023 and December 31, 2022

	<u>June 30, 2023</u>	<u>December 31, 2022</u>
Assets		
Cash	\$ 126,488.09	\$ 55,985.00
Due from Trust Remediation Account (General) ¹	-	5,900,000.00
Investments, money market funds	6,807,019.60	955,949.39
Total Assets	<u>\$ 6,933,507.69</u>	<u>\$ 6,911,934.39</u>
Liabilities		
Accounts Payable	\$ 194,142.60	\$ 32,204.01
Total Liabilities	<u>194,142.60</u>	<u>32,204.01</u>
Net Trust Assets, Mobile Sediments and Surface Deposits	<u>6,739,365.09</u>	<u>6,879,730.38</u>
Total Liabilities & Net Trust Assets	<u>\$ 6,933,507.69</u>	<u>\$ 6,911,934.39</u>

Supplemental Statements of Changes in Net Trust Assets
For the Six Months Ended June 30, 2023 and the Year Ended December 31, 2022

	<u>Six Months Ended June 30, 2023</u>	<u>Year Ended December 31, 2022</u>
Total Deductions from Net Trust Assets	\$ (241,420.50)	\$ (32,204.01)
Total Additions to Net Trust Assets	<u>101,055.21</u>	<u>11,934.39</u>
Change in Net Trust Assets	(140,365.29)	(20,269.62)
Net Trust Assets, Mobile Sediments and Surface Deposits Beginning	6,879,730.38	-
Funding	-	6,900,000.00
Net Trust Assets, Mobile Sediments and Surface Deposits Ending	<u>\$ 6,739,365.09</u>	<u>\$ 6,879,730.38</u>

¹Pursuant to ¶ 19(c) of the Consent Decree, 2022 funding was received from Mallinckrodt in December 2022. The required 2022 funding for the Mobile Sediments and Surface Deposits Work Category Subaccount, in the amount of \$5,900,000, was deposited into the Trust Remediation Account (General) and transferred into the Subaccount after the 2023 final budgets were issued.

Penobscot Estuary Mercury Remediation Trust (Remediation Trust)
Mobile Sediments and Surface Deposits Work Category Subaccount
Supplemental Schedule of Detail Changes in Net Trust Assets and Budget to Actual
For the Six Months Ended June 30, 2023

	Second Quarter Ended June 30, 2023	Six Months Ended June 30, 2023	Revised Annual Budget	Variance	% of Budget
Deductions from Net Trust Assets:					
3.A - Planning, Investigation, and Studies	\$ 63,296.79	\$ 141,459.76	\$ 1,062,000.00	\$ (920,540.24)	13.3%
3.B - Design, Construction, and Implementation	-	-	-	-	0.0%
3.C - Community Involvement	5,286.31	12,801.18	56,000.00	(43,198.82)	22.9%
3.D - Database and Records Management	3,081.25	3,440.75	40,000.00	(36,559.25)	8.6%
3.E - Permitting and Regulatory Coordination	-	-	30,000.00	(30,000.00)	0.0%
3.F - Trustee Technical, Contract, and Project Management	42,257.66	81,525.31	183,000.00	(101,474.69)	44.5%
3.G - Monitoring and Maintenance	-	-	-	-	0.0%
3.H - Access and Property Management	2,193.50	2,193.50	30,000.00	(27,806.50)	7.3%
Total Deductions from Net Trust Assets	<u>116,115.51</u>	<u>241,420.50</u>	<u>1,401,000.00</u>	<u>(1,159,579.50)</u>	<u>17.2%</u>
Additions to Net Trust Assets:					
Investment Income, net of expenses	76,857.72	101,055.21	-	101,055.21	
Total Additions to Net Trust Assets	<u>76,857.72</u>	<u>101,055.21</u>	<u>-</u>	<u>101,055.21</u>	
Change in Net Trust Assets	<u>\$ (39,257.79)</u>	<u>\$ (140,365.29)</u>	<u>\$ (1,401,000.00)</u>	<u>\$ 1,260,634.71</u>	
Net Trust Assets, Mobile Sediments and Surface Deposits Beginning		6,879,730.38			
Funding		-			
Net Trust Assets, Mobile Sediments and Surface Deposits Ending		<u>\$ 6,739,365.09</u>			

Supplemental Schedule of Detail Changes in Net Trust Assets and Budget to Actual
For the Year Ended December 31, 2022

	Year Ended December 31, 2022	Revised Annual Budget	Variance	% of Budget
Deductions from Net Trust Assets:				
3.A - Planning, Investigation, and Studies	\$ 20,575.51	\$ 22,150.00	\$ (1,574.49)	92.9%
3.B - Design, Construction, and Implementation	-	-	-	0.0%
3.C - Community Involvement	3,070.75	30,000.00	(26,929.25)	10.2%
3.D - Database and Records Management	1,535.00	5,700.00	(4,165.00)	26.9%
3.E - Permitting and Regulatory Coordination	-	-	-	0.0%
3.F - Trustee Technical, Contract, and Project Management	7,022.75	7,200.00	(177.25)	97.5%
3.H - Access and Property Management	-	4,800.00	(4,800.00)	0.0%
Total Deductions from Net Trust Assets	<u>32,204.01</u>	<u>69,850.00</u>	<u>(37,645.99)</u>	<u>46.1%</u>
Additions to Net Trust Assets:				
Investment Income, net of expenses	11,934.39	-	11,934.39	
Total Additions to Net Trust Assets	<u>11,934.39</u>	<u>-</u>	<u>11,934.39</u>	
Change in Net Trust Assets	<u>\$ (20,269.62)</u>	<u>\$ (69,850.00)</u>	<u>\$ 49,580.38</u>	
Net Trust Assets, Mobile Sediments and Surface Deposits Beginning		-		
Funding		6,900,000.00		
Net Trust Assets, Mobile Sediments and Surface Deposits Ending		<u>\$ 6,879,730.38</u>		

Penobscot Estuary Mercury Remediation Trust (Remediation Trust)
Orland River and East Channel Work Category Subaccount
Supplemental Statements of Net Trust Assets
As of June 30, 2023 and December 31, 2022

	<u>June 30, 2023</u>	<u>December 31, 2022</u>
Assets		
Cash	\$ 48,985.84	\$ 42,985.00
Due from Trust Remediation Account (General) ¹	-	1,000,000.00
Investments, money market funds	1,948,180.96	969,005.19
Total Assets	<u>\$ 1,997,166.80</u>	<u>\$ 2,011,990.19</u>
Liabilities		
Accounts Payable	\$ 48,261.85	\$ 26,883.12
Total Liabilities	48,261.85	26,883.12
Net Trust Assets, Orland River and East Channel	1,948,904.95	1,985,107.07
Total Liabilities & Net Trust Assets	<u>\$ 1,997,166.80</u>	<u>\$ 2,011,990.19</u>

Supplemental Statements of Changes in Net Trust Assets
For the Six Months Ended June 30, 2023 and the Year Ended December 31, 2022

	<u>Six Months Ended June 30, 2023</u>	<u>Year Ended December 31, 2022</u>
Total Deductions from Net Trust Assets	\$ (70,362.89)	\$ (26,883.12)
Total Additions to Net Trust Assets	34,160.77	11,990.19
Change in Net Trust Assets	(36,202.12)	(14,892.93)
Net Trust Assets, Orland River and East Channel Beginning	1,985,107.07	-
Funding	-	2,000,000.00
Net Trust Assets, Orland River and East Channel Ending	<u>\$ 1,948,904.95</u>	<u>\$ 1,985,107.07</u>

¹Pursuant to ¶ 19(c) of the Consent Decree, 2022 funding was received from Mallinckrodt in December 2022. The required 2022 funding for the Orland River and East Channel Work Category Subaccount, in the amount of \$1,000,000, was deposited into the Trust Remediation Account (General) and transferred into the Subaccount after the 2023 final budgets were issued.

Penobscot Estuary Mercury Remediation Trust (Remediation Trust)
Orland River and East Channel Work Category Subaccount
Supplemental Schedule of Detail Changes in Net Trust Assets and Budget to Actual
For the Six Months Ended June 30, 2023

	Second Quarter Ended June 30, 2023	Six Months Ended June 30, 2023	Revised Annual Budget	Variance	% of Budget
Deductions from Net Trust Assets:					
4.A - Planning, Investigation, and Studies	\$ 11,753.99	\$ 25,487.97	\$ 259,000.00	\$ (233,512.03)	9.8%
4.B - Design, Construction, and Implementation	-	-	-	-	0.0%
4.C - Community Involvement	2,349.45	5,689.39	32,000.00	(26,310.61)	17.8%
4.D - Database and Records Management	2,635.25	2,882.25	20,000.00	(17,117.75)	14.4%
4.E - Permitting and Regulatory Coordination	-	-	25,000.00	(25,000.00)	0.0%
4.F - Trustee Technical, Contract, and Project Management	15,038.06	33,303.78	92,000.00	(58,696.22)	36.2%
4.G - Monitoring and Maintenance	-	-	-	-	0.0%
4.H - Access and Property Management	2,999.50	2,999.50	14,000.00	(11,000.50)	21.4%
Total Deductions from Net Trust Assets	<u>34,776.25</u>	<u>70,362.89</u>	<u>442,000.00</u>	<u>(371,637.11)</u>	<u>15.9%</u>
Additions to Net Trust Assets:					
Investment Income, net of expenses	22,097.44	34,160.77	-	34,160.77	
Total Additions to Net Trust Assets	<u>22,097.44</u>	<u>34,160.77</u>	<u>-</u>	<u>34,160.77</u>	
Change in Net Trust Assets	<u>\$ (12,678.81)</u>	<u>\$ (36,202.12)</u>	<u>\$ (442,000.00)</u>	<u>\$ 405,797.88</u>	
Net Trust Assets, Orland River and East Channel Beginning		1,985,107.07			
Funding		-			
Net Trust Assets, Orland River and East Channel Ending		<u>\$ 1,948,904.95</u>			

Supplemental Schedule of Detail Changes in Net Trust Assets and Budget to Actual
For the Year Ended December 31, 2022

	Year Ended December 31, 2022	Revised Annual Budget	Variance	% of Budget
Deductions from Net Trust Assets:				
4.A - Planning, Investigation, and Studies	\$ 16,158.12	\$ 22,150.00	\$ (5,991.88)	72.9%
4.B - Design, Construction, and Implementation	-	-	-	0.0%
4.C - Community Involvement	2,108.00	13,700.00	(11,592.00)	15.4%
4.D - Database and Records Management	1,535.00	5,700.00	(4,165.00)	26.9%
4.E - Permitting and Regulatory Coordination	-	-	-	0.0%
4.F - Trustee Technical, Contract, and Project Management	7,082.00	7,200.00	(118.00)	98.4%
4.H - Access and Property Management	-	4,800.00	(4,800.00)	0.0%
Total Deductions from Net Trust Assets	<u>26,883.12</u>	<u>53,550.00</u>	<u>(26,666.88)</u>	<u>50.2%</u>
Additions to Net Trust Assets:				
Investment Income, net of expenses	11,990.19	-	11,990.19	
Total Additions to Net Trust Assets	<u>11,990.19</u>	<u>-</u>	<u>11,990.19</u>	
Change in Net Trust Assets	<u>\$ (14,892.93)</u>	<u>\$ (53,550.00)</u>	<u>\$ 38,657.07</u>	
Net Trust Assets, Orland River and East Channel Beginning		-		
Funding		2,000,000.00		
Net Trust Assets, Orland River and East Channel Ending		<u>\$ 1,985,107.07</u>		

Penobscot Estuary Mercury Remediation Trust (Remediation Trust)
Long-Term Monitoring Work Category Subaccount
Supplemental Statements of Net Trust Assets
As of June 30, 2023 and December 31, 2022

	<u>June 30, 2023</u>	<u>December 31, 2022</u>
Assets		
Cash	\$ 78,750.10	\$ 50,985.00
Due from Trust Remediation Account (General) ¹	-	1,000,000.00
Investments, money market funds	1,844,797.11	960,970.85
Total Assets	<u>\$ 1,923,547.21</u>	<u>\$ 2,011,955.85</u>
Liabilities		
Accounts Payable	\$ 389,379.00	\$ 43,427.25
Due to Orrington Reach Work Category Subaccount	4,944.82	-
Total Liabilities	<u>394,323.82</u>	<u>43,427.25</u>
Net Trust Assets, Long-Term Monitoring	1,529,223.39	1,968,528.60
Total Liabilities & Net Trust Assets	<u>\$ 1,923,547.21</u>	<u>\$ 2,011,955.85</u>

Supplemental Statements of Changes in Net Trust Assets
For the Six Months Ended June 30, 2023 and the Year Ended December 31, 2022

	<u>Six Months Ended June 30, 2023</u>	<u>Year Ended December 31, 2022</u>
Total Deductions from Net Trust Assets	\$ (473,116.47)	\$ (43,427.25)
Total Additions to Net Trust Assets	33,811.26	11,955.85
Change in Net Trust Assets	<u>(439,305.21)</u>	<u>(31,471.40)</u>
Net Trust Assets, Long-Term Monitoring Beginning	1,968,528.60	-
Funding	-	2,000,000.00
Net Trust Assets, Long-Term Monitoring Ending	<u>\$ 1,529,223.39</u>	<u>\$ 1,968,528.60</u>

¹Pursuant to ¶ 19(c) of the Consent Decree, 2022 funding was received from Mallinckrodt in December 2022. The required 2022 funding for the Long-Term Monitoring Work Category Subaccount, in the amount of \$1,000,000, was deposited into the Trust Remediation Account (General) and transferred into the Subaccount after the 2023 final budgets were issued.

Penobscot Estuary Mercury Remediation Trust (Remediation Trust)
Long-Term Monitoring Work Category Subaccount
Supplemental Schedule of Detail Changes in Net Trust Assets and Budget to Actual
For the Six Months Ended June 30, 2023

	Second Quarter Ended June 30, 2023	Six Months Ended June 30, 2023	Revised Annual Budget	Variance	% of Budget
Deductions from Net Trust Assets:					
6.A - Planning, Investigation, and Studies	\$ 290,789.55	\$ 317,696.05	\$ 1,231,000.00	\$ (913,303.95)	25.8%
6.B - Design, Construction, and Implementation	-	-	-	-	0.0%
6.C - Community Involvement	1,620.36	4,840.34	10,000.00	(5,159.66)	48.4%
6.D - Database and Records Management	2,989.75	3,696.25	45,000.00	(41,303.75)	8.2%
6.E - Permitting and Regulatory Coordination	476.00	10,287.50	15,000.00	(4,712.50)	68.6%
6.F - Trustee Technical, Contract, and Project Management	49,385.84	122,929.01	191,000.00	(68,070.99)	64.4%
6.G - Monitoring and Maintenance	-	-	20,000.00	(20,000.00)	0.0%
6.H - Access and Property Management	2,068.00	13,667.32	48,000.00	(34,332.68)	28.5%
Total Deductions from Net Trust Assets	<u>347,329.50</u>	<u>473,116.47</u>	<u>1,560,000.00</u>	<u>(1,086,883.53)</u>	<u>30.3%</u>
Additions to Net Trust Assets:					
Investment Income, net of expenses	21,827.20	33,811.26	-	33,811.26	
Total Additions to Net Trust Assets	<u>21,827.20</u>	<u>33,811.26</u>	<u>-</u>	<u>33,811.26</u>	
Change in Net Trust Assets	<u>\$ (325,502.30)</u>	<u>\$ (439,305.21)</u>	<u>\$ (1,560,000.00)</u>	<u>\$ 1,120,694.79</u>	
Net Trust Assets, Long-Term Monitoring Beginning		1,968,528.60			
Funding		-			
Net Trust Assets, Long-Term Monitoring Ending		<u>\$ 1,529,223.39</u>			

Supplemental Schedule of Detail Changes in Net Trust Assets and Budget to Actual
For the Year Ended December 31, 2022

	Year Ended December 31, 2022	Revised Annual Budget	Variance	% of Budget
Deductions from Net Trust Assets:				
6.A - Planning, Investigation, and Studies	\$ 26,536.00	\$ 27,550.00	\$ (1,014.00)	96.3%
6.B - Design, Construction, and Implementation	-	-	-	0.0%
6.C - Community Involvement	1,302.25	4,000.00	(2,697.75)	32.6%
6.D - Database and Records Management	1,535.00	5,700.00	(4,165.00)	26.9%
6.E - Permitting and Regulatory Coordination	1,087.50	12,300.00	(11,212.50)	8.8%
6.F - Trustee Technical, Contract, and Project Management	12,966.50	14,300.00	(1,333.50)	90.7%
6.H - Access and Property Management	-	-	-	0.0%
Total Deductions from Net Trust Assets	<u>43,427.25</u>	<u>63,850.00</u>	<u>(20,422.75)</u>	<u>68.0%</u>
Additions to Net Trust Assets:				
Investment Income, net of expenses	11,955.85	-	11,955.85	
Total Additions to Net Trust Assets	<u>11,955.85</u>	<u>-</u>	<u>11,955.85</u>	
Change in Net Trust Assets	<u>\$ (31,471.40)</u>	<u>\$ (63,850.00)</u>	<u>\$ 32,378.60</u>	
Net Trust Assets, Long-Term Monitoring Beginning		-		
Funding		2,000,000.00		
Net Trust Assets, Long-Term Monitoring Ending		<u>\$ 1,968,528.60</u>		

VIII. Previous Quarterly Progress Reports

The Quarterly Progress Reports for the previous Reporting Periods can be found at the following hyperlinks:

[Quarterly Progress Report for the Second Quarter of 2023](#)

[Quarterly Progress Report for the First Quarter of 2023](#)

[Quarterly Progress Reports for the Fourth Quarter of 2022](#)