



**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA)
AND THE NEW MEADOWLANDS STADIUM (NMS)**

Purpose

The purpose of this Memorandum of Understanding (MOU) is to document the partnership between the New Meadowlands Stadium (NMS) and the United States Environmental Protection Agency (EPA) on sustainable development initiatives. Our joint commitment to this program of responsible stewardship of the environment is voluntary, but our sustainability goals for the design, construction and operation of the New Meadowlands Stadium are nevertheless significant. We seek in partnership to develop and implement among the most innovative and comprehensive green programs and practices in professional sports. Our goals are to use natural resources efficiently, conserve water and energy, and minimize waste. These sustainable goals are a work in progress and our partnership will continue to evolve over the coming years. In order to help us achieve these goals, we seek to further enhance and formalize our working relationship now through the execution of this MOU.

The MOU spells out design, construction and operational green principles, programs and practices that will help to ensure that NMS meets high environmental standards and reduces its carbon footprint. NMS' goal of ongoing innovation and industry leadership as well as its comprehensive commitment to sustainability in the design, construction and operation phases of its development are best achieved by working in partnership with the EPA. We expect to: use EPA's environmental stewardship programs to develop policies, practices, and specifications for environmentally efficient standards; increase stewardship awareness; partner with local and state governments; and address environmental concerns swiftly. NMS recognizes EPA's program requirements of outreach and involvement, data collecting and reporting, and will strive to become a recognized leader and a candidate for EPA environmental stewardship awards.

Our sustainable development initiatives, to date, for the design, construction and operation phases of the New Stadium Project include:

I. DESIGN AND CONSTRUCTION PHASES

- **Brownfields Redevelopment**

The New Stadium Project is a redevelopment project located on a brownfield site and in a Smart Growth zone. The New Stadium will not occupy any undeveloped lands or “green fields”, nor will it have any impacts on environmentally sensitive areas or wildlife habitat in the Meadowlands area. The West Site of the Meadowlands Sports Complex, where the New Stadium Project is under construction, currently houses the existing Giants Stadium and expansive paved areas of roadways and parking areas. The New Stadium Project replaces the existing stadium at the Complex, which will be demolished (see below).

- **Green Construction Activities**

The New Stadium commits to the following goals during the construction phase:

The NMS will participate in the National Clean Diesel Campaign & the Clean Construction USA Programs. NMS will use ultra low sulfur diesel fuel and diesel particulate filters on construction equipment, resulting in a reduction goal of up to 35% in total diesel particulate emissions.

On and off road diesel construction equipment will use ultra low sulfur diesel fuel for all of the following vehicle types - sweepers, rollers, bulldozers, back hoes, crawler cranes, excavators, loaders, fork lift trucks, drill rigs, yard trucks. Goal: 100% compliance.

Major equipment will reduce emissions by utilizing diesel particulate filters (DPF). In cases where the use of a DPF is not feasible, a diesel oxidation catalyst is an acceptable alternative. An average of six pieces of off-road site equipment have the DPF filter, or 25% of the total.

Enhanced idling reduction measures reduce fuel consumption and pollution by setting a reasonable time limit for idling and actively enforcing this limit. NMS will implement idling reduction measures throughout the construction phase of the New Stadium Project.

NMS anticipates a 13% particulate matter emission reduction with the use of ultra low sulfur fuels; an additional 80-90% particulate materials reduction as a result of the use of diesel particulate filters, and an additional 40-60% reduction in particulate materials due to use of equipment with diesel oxidation catalysts. Total particulate reduction from the fourth quarter of 2007 through the fourth quarter of 2008 equals almost 120,000 grams.

- **Air Quality Monitoring during Construction**

NMS commits to onsite air quality sampling to assess particulate matter – A perimeter air monitoring program was established to monitor the airborne dust concentrations resulting from onsite construction activities with four air monitoring stations in place. The meters are equipped with weather tight enclosures and have data logging capabilities of up to two weeks. The meters are equipped with both visual and audio alarms that will identify any

conditions which exceed pre-established action levels. The results of the air monitoring program are reviewed weekly and formal reports of air sampling are maintained on site.

We will institute a dust mitigation program (wet down site roadways continuously throughout the construction work day).

- **Construction Debris Recycling Program**

NMS has implemented with its design builder a Construction Phase Waste Management Plan with a protocol for salvaging and recycling construction materials, including asphalt, wood, metal, paper/cardboard, sheetrock and concrete.

NMS commits to a construction debris recycling goal of 75%. Overall, NMS has diverted almost 3000 tons of material since the beginning of construction in May 2007 through December 2008, recycling 82% of the total waste generated during construction operations.

In addition, approximately 200 tons of asphalt millings have been reused onsite for utility work.

An estimated 1800 tons of concrete have been reused onsite during construction operations. Any excess excavated fill material from the construction site is being reused onsite, whenever possible, to limit export of fill materials to landfills and the import of new clean fill materials.

Our construction office recycling protocols and sound environmental management efforts for 2008 have resulted in 41,645 pounds of paper recycled, 145,758 gallons of water saved, 85,372 KW hours of electricity saved, and 9,578 gallons of oil saved.

- **“Buy Local” Program for Materials to Reduce Transportation Environmental Impacts and Costs**

We commit to the purchase of 70% of the total construction costs, which is equal to roughly \$1 billion in total costs, through a buy local program. To date, we have purchased \$680 million from the local marketplace. 83% of our contractors are from New Jersey, New York and Pennsylvania with 73% from New Jersey. 100% of our workforce, or 1200 workers, are local.

Among the products that will be purchased locally are the following items: Structural Pre-cast (\$35 million) from plants in New Jersey and Pennsylvania; Masonry products (\$12 million), Concrete (\$20 million) and engineered fill and stone (\$5 million) from New Jersey; metal panels (\$5 million) and ceilings from Pennsylvania.

- **Use of low Volatile Organic Compounds (VOC)**

NMS will use low VOC materials in products such as adhesives, paints and coatings, carpets, ceilings, lighting, composite wood and agrifiber products, and other interior finish materials. Of the 230 plus interior finish products specified to date, 42% (98/231) list a green certification of some type (Greenguard, Green Label, Forest Stewardship Council, etc.) and/or have low VOCs or recycled content.

Products with recycled content and without polluting materials include carpet, flooring, ceilings, wall panels and counter tops in club areas (160,000 square feet).

All paint products shall meet the Federal Ozone Transport Commission and VOC guidelines for Architectural Industrial Maintenance coatings. NMS will also seek to purchase LEED standard paint types.

- **Using Plastic Lumber**

The use of plastic lumber or other post-consumer recycled materials will be considered for plaza seating, site benches, and other plaza furnishings.

- **Coal Combustion Products and Re-use of Other Industrial Materials**

Use of coal combustion products (e.g., fly ash) in the concrete mix is specified for 100% of the site work concrete (e.g., all plazas, curbs, light pole foundations, etc.) as well as in appropriate areas inside the new stadium. The site work comprises over 17,200 cubic yards of concrete. In terms of the overall project, we commit to over 25% of the total cubic yards of concrete will use coal combustion products.

Structural steel will be manufactured from 80-85% post consumer and industrial steel scrap. To date, 22,000 tons of scrap have been utilized in the manufacturing of the structural steel for the New Stadium. An additional 2280 tons of scrap have been utilized in the manufacturing of the rebar installed for the New Stadium.

NMS has used salvaged pipe piles with a goal of 100% compliance. All piles for the new stadium will be manufactured from post industrial steel scrap and salvage from unused piles from the petrochemical industry. Over 8000 piles, totaling an estimated 16,000 tons, were made from rejected oil well casings.

Use of recycled plastic and iron for stadium seating - Stadium general admission seating will be made with a goal of 20% post consumer plastics and 80% iron. Stadium general admission seating will utilize 560 tons of scrap iron and 51 tons of scrap plastic. Club and suite seats will be made with a goal of 30% post consumer plastics and 40% iron.

The stadium façade is constructed of aluminum architectural fins covering 70% of the structure. The fins are made with over 10% recycled aluminum. This equates to an estimated 40 tons of recycled aluminum.

- **Re-Use of Industrial Materials From the Recycling of Existing Giants Stadium**

The demolition materials from the existing stadium will be used to fill the hole associated with the dismantling of the existing stadium to the greatest practicable level, thereby limiting the use of off site landfill space. NMS has developed a protocol that will allow us to use historic fill material excavated from the site, asphalt millings, recycled concrete aggregate and crushed concrete and masonry generated during demolition of the existing Giants Stadium.

The goal is to use 100% on-site fill material to fill the approximately 210,000 cubic yard hole created by the demolition of existing Giants Stadium. Thus, 210,000 cubic yards of clean fill will be saved with the use of demolition materials and onsite historic fill.

Stadium seating, bathroom fixtures, and other equipment and materials will be salvaged or may be donated. In addition, approximately 100,000 tons of concrete and 20,000 tons of steel will be diverted from offsite landfills.

- **Water Conservation and the Use of WaterSense Products**

The New Stadium is committed to water conservation measures with a goal of reducing water demand by an estimated 11,000,000 gallons per year or more compared to the existing stadium (41 million gallons for the existing Giants Stadium and 30 million gallons estimated per year for the New Stadium). Our projections indicate that the average annual water demand will be reduced by at least 25%.

Four measures alone generate 8,900,000 gallons per year in water demand savings – (1) synthetic turf, (2) waterless urinals, (3) drought resistant, low irrigation native plantings, and (4) granite dust parking medians. Other improvements in the new stadium involve the installation of water conservation fixtures to decrease demand for potable water. The use of WaterSense labeled products, where appropriate, will also be considered. The major water conservation design features include:

Selection of synthetic turf as opposed to natural grass for New Stadium playing field – savings of 3,500,000 gallons of water per year.

Use of waterless urinals throughout the men's restrooms in New Stadium – savings of 2,700,000 gallons of water per year. Through the use of waterless urinals, NMS expects to reduce sanitary sewer flows and water demand by 20-25% per event day.

Use of native plant species, which are low water plantings, and high-efficiency irrigation systems, with a 95% efficiency rate compared to conventional irrigation systems that operate at an efficiency rate of 60%, resulting in the goal of saving 700,000 gallons of water per year. High efficiency irrigation systems deliver water directly to the soil and plantings, minimizing overspray, overwatering and water loss due to evaporation and wind.

Use of low-flush toilets in restrooms — rate of 1.6 gallons per flush compared to 3.5 gallons per flush.

Use of low-flow showerheads — rate of 2.5 gallons per minute per head compared to 5.5 gallons per minute for conventional.

Use of sensed and metered faucets — all restrooms will have sensed and metered faucets to reduce water demand and conserve potable water; battery powered lavatory faucets with 0.5 gallons per minute flow restrictors have been purchased, as compared to typical metered faucets that use up to 2 gallons per minute.

The Re-use of granite dust for parking lot medians is discussed below.

• **Re-use and Reduction of Stormwater Run-off**

NMS will consult EPA's GreenScapes Program that supports many of the sustainability efforts underway and provides guidance on green and sustainable stormwater and landscape techniques.

NMS has taken steps to reduce stormwater run-off and recharge the groundwater by the use of permeable pavements and on site bio-retention basins. NMS has selected brick pavers and stone dust in primary walkways. This permeable pavement system will account for approximately 220,000 square feet of surface area.

NMS will cover parking lot medians with decomposed granite dust — equal to 4.5 acres or four football fields — as opposed to grass or plantings to eliminate the need for irrigation, saving approximately 2,000,000 gallons of water per year.

An on site lagoon system will be used for storm sewer and rain water collection to control runoff rates and to serve as a sedimentation basin to settle out solids and fines. No additional storm water retention systems are needed as a result of the use of the existing lagoons, which are connected to the storm sewer systems.

Energy Conservation and the Energy Star Program

The New Stadium is more than twice as large as the existing Giants Stadium in terms of square footage (approximately 2.1 million square feet compared to 1,100,000 square feet for the existing Giants Stadium). Despite this nearly doubling in size, NMS only expects demand to increase from 9 MVA or 8.1 megawatts for the existing Giants Stadium to 11.53 MVA or 10.377 megawatts for the New Stadium. This translates to a 4.64 watts per square foot requirement for the New Stadium vs. a 6.75 watts per square foot usage pattern in the existing Giants Stadium.

NMS will join the ENERGY STAR® Program that offers assistance in reducing energy demand by at least 10% and conserving resources. NMS expects to achieve a reduction in energy usage on a per square foot basis of approximately 30% over the existing Giants Stadium.

NMS, in cooperation with the Energy Star Program, expects to achieve these reductions through the following steps:

Use of energy efficient and United States Environmental Protection Agency (USEPA) ENERGY STAR labeled equipment (concession equipment) and lighting.

Concession Equipment: All refrigerators, freezers, deep fryers, dishwashers, hot food holding cabinets, ice machines and steam cookers will be ENERGY STAR compliant.

Automated Lighting Control System: A lighting control system will be installed to encompass the entire New Stadium including all sports lighting, site lighting, interior space light and security lighting. A microprocessor-based system will minimize energy consumption by allowing easy manipulation of the entire system from multiple locations. Occupancy sensors will also be utilized to turn off the lighting in spaces when they are unoccupied such as office spaces, toilet rooms, storage rooms and other minimally utilized spaces. An architectural dimming system will further reduce energy consumption by selectively reducing lighting levels in certain public areas such as the Club Lounge, Team Stores, and Player Locker Rooms.

Use of Direct Digital Control (DDC) and Heating, Ventilating, and Air Conditioning (HVAC) controls to manage energy use.

Heat Recovery Systems: Thermal energy will be recovered from exhaust air and transferred to incoming outdoor air (e.g., locker rooms).

Demand Controlled Ventilation: CO₂ sensors will be installed to measure occupancy in spaces with variable occupancy. In response to the CO₂ levels, the outdoor air will be varied, thereby saving energy by heating or cooling less outdoor air when space occupancy is low (e.g., club lounges, team store, locker rooms).

Use of architectural features, such as fins, to mitigate light penetration (the shade created by the fins in conditioned spaces reduces solar gain and thus reduces cooling requirements). Fin system covers 70% of the New Stadium façade.

Use of energy efficient Low E coating/glazing of windows – Glazing balances visible light transmission and energy saving shading coefficient. New Stadium glass transmits 56% less destructive UV light, is 51% better as an insulator, and is 24% better at reducing heat gain than in the existing Giants Stadium, while only sacrificing 3% of the total visible light.

Purchase of high efficiency tube fluorescent light bulbs in stadium light fixtures.

Use of non-ozone depleting mechanical equipment in all service areas (mechanical, electrical, elevator rooms, etc.).

Selection of state of the art stadium lighting which is a more efficient light than in the existing Giants Stadium. The luminaries specified in the new stadium are 84% efficient and minimize light spill. The new fixtures have a tighter beam spread, oval reflector system, and internal glare cut off skirts, which produces lighting efficiencies and minimizes wasted light to the sky. The luminaries at the existing stadium are 77% efficient.

Stadium field lighting will be aimed downward to illuminate the playing surface, resulting in less light waste. The New Stadium lighting will be targeted and directed to provide efficient illumination of the football field and stadium interior. The luminaries will be designed to minimize spillover in accordance with the Dark Sky Association's guidelines.

Parking lot luminaries meet "nighttime friendly" criteria and are consistent with LEED and Green Globes criteria. Fixtures have 0% uplight, meet IESNA definition for full cutoff optics and reduce high angle brightness.

NMS will initiate a building commissioning process prior to opening day to confirm that all equipment is functioning at its most energy efficient levels and capacities.

- **Use of Alternative Fuels**

NMS will target use of biodiesel generators for stadium emergency power back up systems.

Outdoor transformers will use biodegradable fuels and reusable fluids. There will be 16 transformers on site, each of which will contain 190 gallons of biodegradable oil, so that we are avoiding the use of over 3000 gallons of toxic petroleum based oil. The biodegradable oil also lasts longer than the petroleum. Plus, when the transformer itself is decommissioned, virtually all of the parts can be recycled since they have not been contaminated by toxic petroleum based oil.

- **Use of Alternative Renewable Energy**

NMS is currently assessing the feasibility of renewable energy alternatives for the new stadium. NMS has joined with the New Jersey Sports and Exposition Authority (NJSEA) in the development of a Request for Proposal (RFP) process to select a vendor who will design, finance, build and maintain alternative energy systems on site related to solar and potentially wind power. NMS is planning for the installation of alternative energy systems (solar panels) in the new stadium before opening day in September 2010. NMS is also investigating with the NJSEA the purchase of alternative energy resources in the marketplace (e.g., wind power).

II. OPERATIONS PHASE

- **Energy Benchmarking and Usage Reduction**

Under the Energy Star Program, NMS will benchmark energy and conduct a utility audit of building systems and engage in periodic audit updates (every 3 years). The audit findings will be used to assess opportunities to further reduce energy usage.

- **Join the EPA WasteWise Program That Offers Support for the Reduction of Solid Waste Generation, Increases in Recycling Rates and Composting of Food Waste – Event Days**

NMS will join the EPA WasteWise Program that offers assistance in the development and implementation of a solid waste recycling and management plan. NMS will develop a Recycling Program Plan for event days (in stadium, post game separation and pick up of recycling), office procedures and employees.

Establishment of in-house senior staff team that develops and oversees new green initiatives, creates logos and marketing promotions, sets benchmarks and best practice goals, and interfaces with NFL and team entities on sustainable development programs.

NMS will seek to reduce solid waste production by 25% through the following activities:

Installation of recycling bins in parking lots close to trash bins for tailgating patrons (sorted by type).

Installation of recycling and compostable bins within the stadium for patrons (sorted by type – cardboard, mixed paper, plastic, and aluminum).

Development of a fan-oriented recycling public relations campaign with in-stadium messages, courtesy patrols with recycling information and bags for separation of recycling streams.

Use of compostable serving items in the concessions, including concession plates, cups, cup holders/carriers, boats, etc. These compostable items will be sorted and sent to local farms for compost or sent to the NJ certified compost facility.

Sorting of concessionaire's waste streams by recyclable (cooking oils), compostable (food waste), and non-recyclable. Compostable waste will be made available to local farms or others for mulch and other uses or sent to the NJ certified compost facility.

If permitted by local governing agencies, food service concessionaire will donate leftover food to local food bank (TBD).

Separate and bale on site all corrugated paper product/cardboard.

Development of program for recycling and collection of office electronics (computers, printers, monitors), furnishings, light bulbs, paper, plastic.

Work with team store vendor, once selected, to establish team store green programs with these potential goals: (1) all corrugated boxes will be made from recycled cardboard or waste paper, (2) packaging fill material will be made from 100% recycled materials, (3) shopping bags will be made from recycled materials, and (4) team store catalogs will be made from recycled paper.

Development of program for recycling of office electronics (computers, printers, monitors), furnishings, paper, plastic.

Development of waste management protocols for hazardous materials (X-Ray room, etc.).

- **Donation or Salvaging of Materials Following Events (building supplies, plants, centerpieces, decorations, etc).Reduction of Solid Waste Generation and Increase Recycling Rates – Daily Office Management and Administration**

NMS will seek to perform the following sustainable activities:

Purchase Energy Star office equipment (cordless phones, computers, monitors, fax machines, copiers, scanners, etc).

Purchase alternative fuel vehicles for onsite use (gators, carts, etc).

Use the EPA's EPEAT Guidance in assessing the purchase of green electronic products, as practical.

Use 30% post-consumer recycled paper supply in office and NMS publications.

Conserve hard copy print run requirements and develop other strategies to reduce paper.

Install automatic hand dryers in office bathrooms (no paper towels).

Use the EPA's Environmentally Preferable Products list in the selection of green products for cleaning purposes (floor wax, carpet shampoo, window cleaner, etc.), where appropriate.

Require the use of green products in the RFP for cleaning services at the new stadium.

Develop green procurement standard specifications for maintenance-related RFPs.

Sponsor employee "green" programs (e.g., community tree planting, clothes donation programs, etc.).

- **Reducing Greenhouse Gas (GHG) Emissions Through Enhancing and Promoting the Use of the Mass Transit System**

NMS will facilitate the development of an on-site NJ Transit train station with links to regional rail network for daily service to the Complex.

It is estimated that the promotion of mass transit will result in 8000-10,000 fans or more using the new rail system to the Complex on game days and another 2000-3000 fans will use the public bus system. In total, approximately 3000-4000 cars will be off the roadways on game day through these alternative transportation options.

NMS will also develop programs that encourage ride sharing/car pooling and expects to implement a parking by permit only system at the new stadium and offer one permit for every four general admission tickets, thereby facilitating car pooling. We expect average car occupancy to increase from 2.6 passengers per car for the existing stadium to over 3 passengers per car.

NMS will also support fans' use of alternative fuel vehicles (preferred close-in parking for hybrid or biodiesel vehicles or an electric car recharging station). There are also plans to use alternative fuel vehicles for on site fan shuttle bus and support services.

NMS will provide bicycle racks for staff and patrons as well as offer Transit Checks to employees to reduce automobile trips to the Complex and promote use of mass transit. Management will offer flexible work arrangements and telecommunicating on non-event days for staff, as appropriate.

- **Promoting the Use of Green Energy and Solid Waste Recycling with Other Stakeholders**

NMS will encourage the New Jersey Sports and Exposition Authority (NJSEA) to purchase power from alternative energy providers – particularly wind and solar - and to study other energy saving and power generator ideas on a regular basis via a green power procurement program. The goal is to operate the new stadium using 25-35% of the electricity from an alternative source, depending on prices in the market.

NMS will facilitate recycling by fans and employees through NMS drop off programs related to Earth Day, etc. (e.g., drop off of batteries, light bulbs, fluorescent tubes, compact fluorescent lamps).

NMS will also develop comprehensive fan education and participation programs such as public service announcements; scoreboard messages; “green” program goals and achievements via web site portal; Green Promotional Events (such as Carbon Neutral Day – 1 day per team via a tree giveaway program, battery, light bulb, and clothing recycling).

III. Measurement and Reporting

In addition to the reporting items associated with EPA Partnership Programs, NMS will submit a status report to EPA twice per year starting six months after the mutual execution of this MOU. The report will include an update on the various activities identified herein. EPA will use this data to determine the environmental benefits associated with NMS “green” activities.

IV. Terms and Conditions

This MOU is not a contractual or a financial obligation instrument. Nothing in this MOU shall obligate EPA or NMS to expend appropriations or to enter into any contract or other obligations or be cited as the basis for the promise or transfer of funds. Collaboration under this MOU shall be in accordance with applicable statutes and regulations.

This MOU does not restrict EPA or NMS from participating in similar activities or arrangements with other entities or Federal agencies (domestic or foreign).

Either Party may unilaterally withdraw at any time from this MOU by transmitting a signed writing to that effect to the other Party. By mutual agreement, which may be either formal or informal, the Parties may modify the list of intended activities set forth above, and/or determine the practical manner by which the goals, purposes and activities of this MOU will be accomplished. Modification to other written parts of this MOU must be made in writing and signed by either the Parties or their designees.

Nothing in this MOU shall be construed to authorize or permit any violation of any Federal, State or local law, including, but not limited to, any environmental law administered and/or enforced by EPA. Access to all documents generated pursuant to the activities set forth in this MOU that constitute agency records for purposes of the Freedom of Information Act (“FOIA”), 5 U.S.C. §552, shall be governed by the provisions of the FOIA.”

NMS agrees that it does not expect, nor will it ever seek to compel from EPA in any judicial forum, the payment of money, services or other thing of value from EPA based upon the terms of this MOU. The foregoing provision does not in any way affect any legal rights accruing to NMS by virtue of any other law, contract and/or assistance agreement.

NMS understands and acknowledges that EPA's relationship with NMS in no way affects, alters or otherwise constrains EPA's right to provide similar (or identical) services to, or establish similar (or identical) relationships with, any other entity.

NMS understands that EPA's participation in this MOU does not constitute an endorsement, express or implied, of (a) any policy advocated by NMS or (b) any goods or services purchased, offered, sold or utilized by NMS in the accomplishment of any of the objectives of this MOU.

The parties agree that any copyrightable subject matter, including, but not limited to journal articles, training, educational or informational material or software, created jointly by the parties, from the activities conducted under the MOU may be copyrighted by NMS. NMS hereby grants to the Government a royalty-free nonexclusive, irrevocable right to reproduce, make derivative works, and publish said copyrightable subject matter arising from this MOU.

Any intellectual property developed collaboratively by the Parties will be governed by the Federal Copyright Statute at Title 17 of the United States Code and/or by the Federal Patent Statute at Title 35 of the United States Code. NMS shall maintain full right, title and interest in any intellectual property right, including a copyright, in any work product developed solely by NMS in furtherance of the objectives of this MOU.

This MOU does not authorize NMS to use any EPA logo, trademark or other intellectual property without the prior approval of EPA. This MOU does not authorize EPA to use any NMS logo, trademark or other intellectual property without the prior approval of NMS.


The EPA enters into this MOU under the authority of Section 103 of the Clean Air Act, 42 U.S.C. §7403, Section 104 of the Clean Water Act, 33 U.S.C. §1254, and Section 8001 of the Solid Waste Disposal Act, 42 U.S.C. §6981, Section 6604 of the Pollution Prevention Act, and Section 324A of the Energy Policy and Conservation Act, , 42 U.S.C. §6294a, which provide EPA with authority to undertake cooperative efforts with private organizations to promote the coordination and acceleration of research, studies, training, and other efforts to prevent, reduce and eliminate pollution.

This MOU does not create any right or benefit, substantive or procedural, enforceable by law or equity, by persons who are not party to this MOU, against NMS or EPA, their officers or employees, or any other person. This MOU does not direct or apply to any person outside of EPA and NMS.

V. Effective Date and Administration

This MOU will become effective upon signature by the Regional Administrator of EPA Region 2 and the President of the New Meadowlands Stadium Company or their designees. It may be modified or amended by written agreement between both parties. This MOU will terminate at the end of five (5) years from the date of signature unless revised or extended at that time by written agreement of the parties. It may be terminated at any time by either party upon the issuance of a written notice to the other party. The Parties will review annually the provisions of this MOU and its implementation.

Signed:

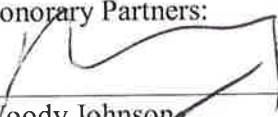

George Pavlou
Regional Administrator
U.S. Environmental Protection Agency



Mark C. Lamping
President and CEO
New Meadowlands Stadium Company

Date: 6/1/09

Date: 6-1-09

Honorary Partners:


Woody Johnson
New York Jets


John Mara
New York Giants

Date: 6/1/09

Date: 6/1/09

Participating Partners and Signatories:

Signed:

Frank Falciani
Skanska, NMS Design Builder

Jim Houser
Delaware North NMS
Concessionaire

David Kaplan
Skanska

360 Architecture
Design Architect, NMS

Ewing Cole
Architect of Record, NMS

Langan Engineering &
Environmental Services