

AFFIDAVIT OF TIMOTHY MCKENNA

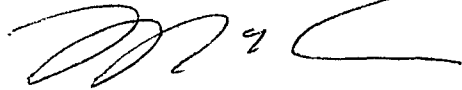
I, Timothy McKenna, under oath do hereby depose and say:

1. This affidavit is offered in support of DEP Docket No. 2006-124.
2. I am over eighteen years of age and understand the meaning of an oath.
3. The averments made in this Affidavit are made upon my personal knowledge and from my review of the property owned by Northeast Concepts Inc. on the west side of Mashapaug Road, Assessors Map 10 Parcel A-06, in Holland, Massachusetts ("Site"), on or about April 5, 2007 at 9:50 AM. To the extent any averment is made upon information and belief, that averment is so identified.
4. I am employed as an Environmental Analyst III by the Massachusetts Department of Environmental Protection ("Department"). My principal work location is Springfield, Massachusetts. I have been employed by Department since 1998. My principal duties with the Department include technical assistance, outreach, and enforcing compliance with various statutes and regulations of the Commonwealth, including the Massachusetts Wetlands Protection Act. I hold a Masters of Science degree.
5. I inspected the Site on April 5, 2007 at 9:50 AM. The inspection was made from the road. I did not enter the property. I observed a skidder on the Site access road; a skidder is a vehicle used for dragging timber through the forest. The access road was very muddy and disturbed by what appeared to be fresh vehicle tracks from the skidder. From these observations, I concluded that there are forestry harvesting activities actively ongoing at the Site. Based on a

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telephone conversation I had some time ago with a State Forester, Northeast Concepts Inc. is acting in accordance with a valid Forest Cutting Plan. I did not observe any activity at the Site that I considered to be in noncompliance with the Massachusetts Wetlands Protection Act, MGL ch. 131 s. 40. Based on my April 5, 2007 observations, the August 10, 2006 Unilateral Administrative Order, UAO-WE-06-6W009, has been complied with.

Signed Under the Penalties of Perjury.

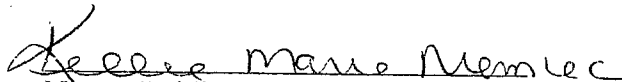


Name Timothy McKenna

NOTARY IS PREFERABLE BUT NOT REQUIRED.

Commonwealth of Massachusetts
Hampden, SS

On this 11th day of April, 2007, Timothy McKenna appeared before me and executed this document as his free act and deed.


Notary Public

My Commission Expires: 6/18/2010