

**STATE OF KANSAS  
DEPARTMENT OF HEALTH AND ENVIRONMENT**

In the Matter of:	)	
	)	
Environmental Contamination at the	)	
	)	Case No. 15-E-20 BER
Tri-County Public Airport Site	)	
Morris County, Kansas	)	
	)	
Beechcraft Corporation,	)	
Respondent	)	
	)	

**FIRST AMENDMENT TO CONSENT AGREEMENT AND FINAL ORDER**

WHEREAS, the Parties hereto, the Kansas Department of Health and Environment ("KDHE") and Beechcraft Corporation, ("Respondent") entered into a CONSENT AGREEMENT AND FINAL ORDER (the "CAFO"), under the above-captioned on September 15, 2015;

WHEREAS, Paragraph 67 and 69 of that Order provided that

67. Successors, Assigns and Agents. The obligations of this CAFO apply to and are binding upon Respondent and any upon any successors, assigns, or other entities or persons otherwise bound by law. Respondent shall provide a copy of this CAFO to all officers, employees, and agents whose duties might reasonably include compliance with any provision of this CAFO.

69. Amendment. This CAFO may be amended by mutual consent of KDHE and Respondent, and any such amendment shall be in writing.

And;

WHEREAS, The stock of Respondent, Beechcraft Corporation was purchased by Textron Inc. effective March 14, 2014. Ownership shares of Beechcraft Corporation were transferred from Textron Inc. to Textron Aviation Inc. on May 26, 2014 and Beechcraft Corporation became a

In the Matter of the  
Tri-County Public Airport Site  
Beechcraft Corporation  
BER File No. C5-064-70163  
CASE NO. 15-E-20 BER

wholly owned subsidiary of Textron Aviation Inc. ("TAI"). Effective January 1, 2017 Beechcraft Corporation merged into TAI and Beechcraft Corporation ceased to exist. As a result of the legal merger, TAI should be substituted for Beechcraft Corporation as the Respondent party.

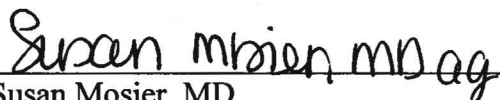
NOW, THEREFORE, TAI, enters into this FIRST AMENDMENT TO CAFO, by which it agrees to the assumption of the terms, conditions and performance of the CAFO. This assumption shall not be effective as an amendment to the CAFO until approved by the Secretary of KDHE.


IN WITNESS WHEREOF, the Parties who have provided their signatures below, attest that each party has full knowledge of and has consented to this FIRST AMENDMENT TO CAFO, and represents and warrants that each person who executes this FIRST AMENDMENT TO CAFO on its behalf is duly authorized to execute this FIRST AMENDMENT TO CAFO on behalf of the respective Party and legally bind the Party represented to the FIRST AMENDMENT TO CAFO. TAI additionally represents and warrants that it has authority to sign the FIRST AMENDMENT TO CAFO as successor by legal merger to Beechcraft Corporation.

**IT IS SO ORDERED.**

Kansas Department of Health and Environment

By:

  
\_\_\_\_\_  
Susan Mosier, MD  
Secretary

  
\_\_\_\_\_  
Date

In the Matter of the  
Tri-County Public Airport Site  
Beechcraft Corporation  
BER File No. C5-064-70163  
CASE NO. 15-E-20 BER

Textron Aviation Inc.

By:



Name: Ronald W Graper

Title: Sr VP of ISC

Date: 4/21/17

In the Matter of the  
Tri-County Public Airport Site  
Beechcraft Corporation  
BER File No. C5-064-70163  
CASE NO. 15-E-20 BER