

business on August 29, 1998, (ii) by the railroad products division of a predecessor of Seller and such division's predecessors, or (iii) by the Business on or after August 29, 1988 but prior to the Closing Date which claims or causes of action are filed on or prior to August 29, 1998 (other than workers' compensation claims and toxic tort claims described in Section 6.3(c)(D)); provided, however, that upon the occurrence of a Whitman Event, the liabilities and obligations described in clauses (i) and (ii) above shall cease to be Retained Asbestos Product Liabilities and shall become Assumed Liabilities for all purposes under this Agreement.

"Retained Assets" shall have the meaning set forth in Section 2.2.

"Retained Liabilities" shall have the meaning set forth in Section 2.4.

"Retained Off-Site Environmental Liabilities" shall mean all Environmental Liabilities and Costs with respect to the disposal of Hazardous Substances transported from the Assets or the Business to locations not owned or leased by the Business (i) to the extent such disposal occurred prior to August 29, 1988, (ii) to the extent such disposal occurred on or after August 29, 1988 and prior to the Closing Date and was transported from a property of the Business other than the Owned Real Property, or (iii) to the extent such disposal occurred on or after August 29, 1988 and prior to the Closing