

DEED NOTICE

IN ACCORDANCE WITH N.J.S.A. 58:10B-13, THIS DOCUMENT IS TO BE RECORDED IN THE SAME MANNER AS ARE DEEDS AND OTHER INTERESTS IN REAL PROPERTY.

Prepared by: _____

[Signature]

Russell Bershad

[Print name below signature]

Recorded by: _____

[Signature, Officer of County Recording Office]

[Print name below signature]



20150413010030050 1/23
04/13/2015 10:03:54 AM DEED
Bk: 9032 Pg: 535
Pamela E. Gardner
Hudson County, Register of Deeds
Receipt No. 1004696

DEED NOTICE

This Deed Notice is made as of the 1st day of April, 2015, by Bayfront Redevelopment, LLC, a wholly owned subsidiary of Honeywell International Inc., 101 Columbia Road, Morristown, NJ 07962 (together with its successors and assigns, collectively "Owner").

1. THE PROPERTY. Bayfront Redevelopment, LLC, is the owner in fee simple of certain real property designated as Block 26101, Lot 1.02, on the tax map of the City of Jersey City, Hudson County; the New Jersey Department of Environmental Protection (NJDEP) Program Interest Number (Preferred ID) for the contaminated site which includes this property is 008809; and the property is more particularly described in Exhibit A, which is attached hereto and made a part hereof (the "Property").

2. REMEDIATION.

i. The NJDEP has approved this Deed Notice as an institutional control for the Property, which is part of the remediation of the Property.

ii. N.J.A.C. 7:26C-7 requires the Owner, among other persons, to obtain a soil remedial action permit for the soil remedial action at the Property. That permit will contain the monitoring, maintenance and biennial certification requirements that apply to the Property.

3. SOIL CONTAMINATION. G. Heller Enterprises, Inc., prior owner of the Property, in cooperation with Honeywell International Inc. (Honeywell), remediated contaminated soil at the Property, such that soil contamination remains in certain areas of the Property in concentrations that do not allow for the unrestricted use of the Property; this soil contamination is described, including the type, concentration and specific location of such contaminants, in Exhibit B, which

Action Report dated February 1998, and the New Jersey Department of Environmental Protection issued a No Further Action Letter for soils dated March 27, 1998. As a result, there is a statutory requirement for this Deed Notice and engineering controls in accordance with N.J.S.A. 58:10B-13. (NOTE: An institutional control for groundwater referred to as a Classification Exception Area [CEA] was approved by the NJDEP on February 16, 2012; CEA information can be obtained from the NJDEP via Open Public Records Act records request.)

4. CONSIDERATION. In accordance with the remedial action for the Property, and in consideration of the terms and conditions of that remedial action, and other good and valuable consideration, Owner has agreed to subject the Property to certain statutory and regulatory requirements that impose restrictions upon the use of the Property, to restrict certain uses of the Property, and to provide notice to subsequent owners, lessees and operators of the restrictions and the monitoring, maintenance, and biennial certification requirements outlined in this Deed Notice and required by law, as set forth herein.

5A. RESTRICTED AREAS. Due to the presence of contamination remaining at concentrations that do not allow for unrestricted use, the Owner has agreed, as part of the remedial action for the Property, to restrict the use of certain parts of the Property (the "Restricted Areas"); a narrative description of these restrictions is provided in Exhibit C, which is attached hereto and made a part hereof. The Owner has also agreed to maintain a list of these restrictions on site for inspection by governmental officials, operators, tenants, lessees, and contractors and workers intending to conduct invasive work within the Restricted Area.

5B. RESTRICTED LAND USES. The following statutory land use restrictions apply to the Restricted Areas:

i. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(10), prohibits the conversion of a contaminated site, remediated to non-residential soil remediation standards that require the maintenance of engineering or institutional controls, to a child care facility, or public, private, or charter school without the Department's prior written approval, unless a presumptive remedy is implemented; and

ii. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(12), prohibits the conversion of a landfill, with gas venting systems and or leachate collection systems, to a single family residence or a child care facility without the Department's prior written approval.

5C. ENGINEERING CONTROLS. Due to the presence and concentration of these contaminants, the Owner has also agreed, as part of the remedial action for the Property, to the placement of certain engineering controls on the Property; a narrative description of these engineering controls is provided in Exhibit C.

5D. WORKER PROTECTION PLAN. Honeywell has prepared a Worker Protection Plan for use by the owner, lessee and/or operators for the protection of workers who may be potentially exposed to chromium-impacted soils or groundwater in conjunction with utility or other ground intrusive work on the Property; the Worker Protection Plan identifies health and

safety requirements for the protection of personnel and contractors who may perform ground intrusive activities (e.g., digging, drilling, excavation) that may disturb existing engineering controls and provides a basis for worker awareness to inform workers of potential hazards associated with chromium-impacted media. The Owner shall make the Worker Protection Plan available to operators, tenants, contractors and/or utility workers intending to conduct invasive work within the Restricted Area to prevent unauthorized disturbance of engineering controls and potential exposure to contaminants

6A. CHANGE IN OWNERSHIP AND REZONING.

i. The Owner and the subsequent owners and lessees, shall cause all leases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly requiring all holders thereof to take the Property subject to the restrictions contained herein and to comply with all, and not to violate any of the conditions of this Deed Notice. Nothing contained in this Paragraph shall be construed as limiting any obligation of any person to provide any notice required by any law, regulation, or order of any governmental authority.

ii. The Owner and the subsequent owners shall provide written notice to the Department of Environmental Protection on a form provided by the Department and available at www.nj.gov/srp/forms within thirty (30) calendar days after the effective date of any conveyance, grant, gift, or other transfer, in whole or in part, of the owner's interest in the Restricted Area.

iii. The Owner and the subsequent owners shall provide written notice to the Department, on a form available from the Department at www.nj.gov/srp/forms, within thirty (30) calendar days after the owner's petition for or filing of any document initiating a rezoning of the Property to residential.

6B. SUCCESSORS AND ASSIGNS. This Deed Notice shall be binding upon Owner and upon Owner's successors and assigns, and subsequent owners, lessees and operators while each is an owner, lessee, or operator of the Property.

7A. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

i. The Owner and all subsequent owners and lessees shall notify any person, including, without limitation, tenants, employees of tenants, and contractors, intending to conduct invasive work or excavate within the Restricted Areas, of the nature and location of contamination in the Restricted Areas, of the precautions necessary to minimize potential human exposure to contaminants, and, of the Worker Protection Plan that must be followed.

ii. Except as provided in Paragraph 7B, below, no person shall make, or allow to be made, any alteration, improvement, or disturbance in, to, or about the Property which disturbs any engineering control at the Property without first obtaining a soil remedial action permit modification pursuant to N.J.A.C. 7:26C-7. Nothing herein shall constitute a waiver of the obligation of any person to comply with all applicable laws and regulations including,

without limitation, the applicable rules of the Occupational Safety and Health Administration.

iii. Notwithstanding subparagraph 7Aii., above, a soil remedial action permit modification is not required for any alteration, improvement, or disturbance provided that the owner, lessee or operator:

(A) Notifies the Department of Environmental Protection of the activity by calling the DEP Hotline, at 1-877-WARN-DEP or 1-877-927-6337 within twenty-four (24) hours after the beginning of each alteration, improvement, or disturbance; and then notifies Honeywell (by calling 855-727-2658) and the Owner at least seventy-two (72) hours before the beginning of each alteration, improvement, or disturbance;

(B) Restores any disturbance of an engineering control to pre-disturbance conditions within sixty (60) calendar days after the initiation of the alteration, improvement or disturbance;

(C) Follows the Worker Protection Plan and all applicable worker health and safety laws and regulations during the alteration, improvement, or disturbance, and during the restoration;

(D) Takes appropriate measures so that human exposure to contamination in excess of the remediation standards does not occur; and

(E) Describes, in the next biennial certification the nature of the alteration, improvement, or disturbance, the dates and duration of the alteration, improvement, or disturbance, the name of key individuals and their affiliations conducting the alteration, improvement, or disturbance, a description of the notice the Owner gave to those persons prior to the disturbance.

7B. EMERGENCIES. In the event of an emergency which presents, or may present, an unacceptable risk to the public health and safety, or to the environment, or immediate environmental concern, see N.J.S.A. 58:10C-2, any person may temporarily breach an engineering control provided that that person complies with each of the following:

i. Immediately notifies the Department of Environmental Protection of the emergency, by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337 and then notifies Honeywell by calling 855-727-2658;

ii. Hires a Licensed Site Remediation Professional, unless the Restricted Areas includes an unregulated heating oil tank, to respond to the emergency;

iii. Limits both the actual disturbance and the time needed for the disturbance to the minimum reasonably necessary to adequately respond to the emergency;

iv. Implements all measures necessary to limit actual or potential, present or future risk of exposure to humans or the environment to the contamination;

v. Notifies the Department of Environmental Protection when the emergency or immediate environmental concern has ended by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337; and

vi. Restores the engineering control to the pre-emergency conditions as soon as possible, and provides notification to the Department of Environmental Protection within sixty (60) calendar days after completion of the restoration of the engineering control, including: (a) the nature and likely cause of the emergency; (b) the potential discharges of or exposures to contaminants, if any, that may have occurred; (c) the measures that have been taken to mitigate the effects of the emergency on human health and the environment; (d) the measures completed or implemented to restore the engineering control; and (e) the changes to the engineering control or site operation and maintenance plan to prevent reoccurrence of such conditions in the future.

8. TERMINATION OF DEED NOTICE.

i. This Deed Notice may be terminated only upon filing of a Termination of Deed Notice, available at N.J.A.C. 7:26C Appendix C, with the office of the Hudson County Register of Deeds expressly terminating this Deed Notice.

ii. Within thirty (30) calendar days after the filing of a Termination of Deed Notice, the owner of the property shall apply to the Department for termination of the soil remedial action permit pursuant to N.J.A.C. 7:26C-7.

9. ACCESS. The Owner, and the subsequent owners, lessees and operators agree to allow the Department, its agents and representatives access to the Property to inspect and evaluate the continued protectiveness of the remedial action that includes this Deed Notice and to conduct additional remediation to provide for the protection of the public health and safety and of the environment if the subsequent owners, lessees and operators, during their ownership, tenancy, or operation, and the Owner fail to conduct such remediation pursuant to this Deed Notice as required by law. The Owner, and the subsequent owners and lessees, shall also cause all leases, subleases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly requiring that all holders thereof provide such access to the Department.

10. ENFORCEMENT OF VIOLATIONS.

i. This Deed Notice itself is not intended to create any interest in real estate in favor of the Department of Environmental Protection, nor to create a lien against the Property, but merely is intended to provide notice of certain conditions and restrictions on the Property and to reflect the regulatory and statutory obligations imposed as a conditional remedial action for this site.

ii. The restrictions provided herein may be enforceable solely by the Department against any person who violates this Deed Notice. To enforce violations of this Deed Notice, the Department may initiate one or more enforcement actions pursuant to N.J.S.A. 58:10-23.11, and N.J.S.A. 58:10C, and require additional remediation and assess damages pursuant to N.J.S.A. 58:10-23.11, and N.J.S.A. 58:10C.

11. SEVERABILITY. If any court of competent jurisdiction determines that any provision of this Deed Notice requires modification, such provision shall be deemed to have been modified automatically to conform to such requirements. If a court of competent jurisdiction determines that any provision of this Deed Notice is invalid or unenforceable and the provision is of such a nature that it cannot be modified, the provision shall be deemed deleted from this instrument as though the provision had never been included herein. In either case, the remaining provisions of this Deed Notice shall remain in full force and effect.

12A. EXHIBIT A. Exhibit A includes the following maps of the Property and the vicinity:

- i. Exhibit A-1: Vicinity Map - A map that identifies by name the roads, and other important geographical features in the vicinity of the Property;
- ii. Exhibit A-2: Metes and Bounds Description - A tax map of lots and blocks as wells as metes and bounds description of the Property, including reference to tax lot and block numbers for the Property;
- iii. Exhibit A-3: Property Map - A scaled map of the Property, scaled at one inch to 200 feet or less, and if more than one map is submitted, the maps shall be presented as overlays, keyed to a base map; and the Property Map shall include diagrams of major surface topographical features such as buildings, roads, and parking lots.

12B. EXHIBIT B. Exhibit B includes the following descriptions of the Restricted Areas:

- i. Exhibit B-1: Restricted Area Map - A separate map for each restricted area that includes:
 - (A) As-built diagrams of each engineering control, including caps, fences, slurry walls, (and, if any) ground water monitoring wells, extent of the ground water classification exception area, pumping and treatment systems that may be required as part of a ground water engineering control in addition to the deed notice;
 - (B) As-built diagrams of any buildings, roads, parking lots and other structures that function as engineering controls; and
 - (C) Designation of all soil and sediment sample locations within the restricted areas that exceed any soil or sediment standard that are keyed into one of the tables described in the following paragraph.

ii. Exhibit B-2: Restricted Area Data Table - A separate table for each restricted area that includes either (A) or (B) through (F) (Data not available electronically; it is provided on the figure presented as Exhibit B-2):

(A) Only for historic fill extending over the entire site or a portion of the site and for which analytical data are limited or do not exist, a narrative that states that historic fill is present at the site, a description of the fill material (e.g., ash, cinders, brick, dredge material), and a statement that such material may include, but is not limited to, contaminants such as PAHs and metals;

(B) Sample location designation from Restricted Area map (Exhibit B-1) (Locations are shown on Exhibit B-2);

(C) Sample elevation based upon mean sea level (Sample elevations are not available based on information provided by historic reports. Sample depth intervals were provided however, the ground surface elevation has changed due to the implemented remedial action and development of the property);

(D) Name and chemical abstract service registry number of each contaminant with a concentration that exceeds the unrestricted use standard (CAS Numbers are provided on Exhibit B-2);

(E) The restricted and unrestricted use standards for each contaminant in the table; and (applicable standards for each contaminant are provided on Exhibit B-2);

(F) The remaining concentration of each contaminant at each sample location at each elevation (concentrations are provided on Exhibit B-2).

12C. EXHIBIT C. Exhibit C includes narrative descriptions of the institutional controls and engineering controls as follows:

i. Exhibit C-1: Deed Notice as Institutional Control: Exhibit C-1 includes a narrative description of the restriction and obligations of this Deed Notice that are in addition to those described above, as follows:

(A) Description and estimated size of the Restricted Areas as described above;

(B) Description of the restrictions on the Property by operation of this Deed Notice;
and

(C) The objective of the restrictions.

ii. Exhibit C-2: Asphalt Pavement / Geomembrane Liner Cap: Exhibit C-2 includes a narrative description of the Asphalt Pavement / Geomembrane Liner Cap as follows:

(A) Description of the engineering control;

(B) The objective of the engineering control; and

(C) How the engineering control is intended to function.

iii. Exhibit C-3: Concrete / Geomembrane Liner Cap: Exhibit C-3 includes a narrative description of the Concrete / Geomembrane Liner Cap as follows:

(A) Description of the engineering control;

(B) The objective of the engineering control; and

(C) How the engineering control is intended to function.

iv. Exhibit C-4: Vegetative / Geomembrane Liner Cap: Exhibit C-4 includes a narrative description of the Vegetative / Geomembrane Liner Cap as follows:

(A) Description of the engineering control;

(B) The objective of the engineering control; and

(C) How the engineering control is intended to function.

13. SIGNATURES. IN WITNESS WHEREOF, Owner has executed this Deed Notice as of the date first written above.

ATTEST:

Bayfront Redevelopment, LLC

Maria Kaouris

By

William J. Hague

Maria Kaouris -

[Signature]

[Print name and title] Remediation manager

Signature

Director

STATE OF NEW JERSEY SS.:
COUNTY OF HUDSON

I certify that on April 1st, 2015, Maria Kaouris personally came before me, and this person acknowledged under oath, to my satisfaction, that:

(a) this person is the Remediation Manager of Honeywell International Inc., of which Bayfront Redevelopment, LLC, the corporation named in this document, is a wholly owned subsidiary;

(b) this person is the attesting witness to the signing of this document by the proper corporate officer William J. Hague who is Director of Remediation Design & Construction for Honeywell International Inc, of which Bayfront Redevelopment LLC is a wholly owned subsidiary;

(c) this document was signed and delivered by the corporation as its voluntary act and was duly authorized;

(d) this person knows the proper seal of the corporation which was affixed to this document;

(e) this person signed this proof to attest to the truth of these facts.

Cheryl L. Toles

[Signature]

Cheryl L. Toles

[Print name and title of attesting witness]

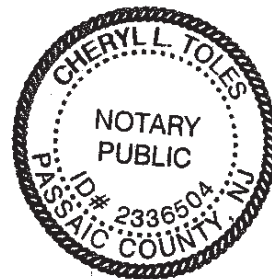
Signed and sworn before me on Apr. 1, 2015

Cheryl L. Toles

, Notary Public

Cheryl L. Toles

[Print name and title]



Record and Return to:
Annette M. Wall, Senior Paralegal
Gibbons P.C.
One Gateway Center
Newark, New Jersey 07102

Exhibit A

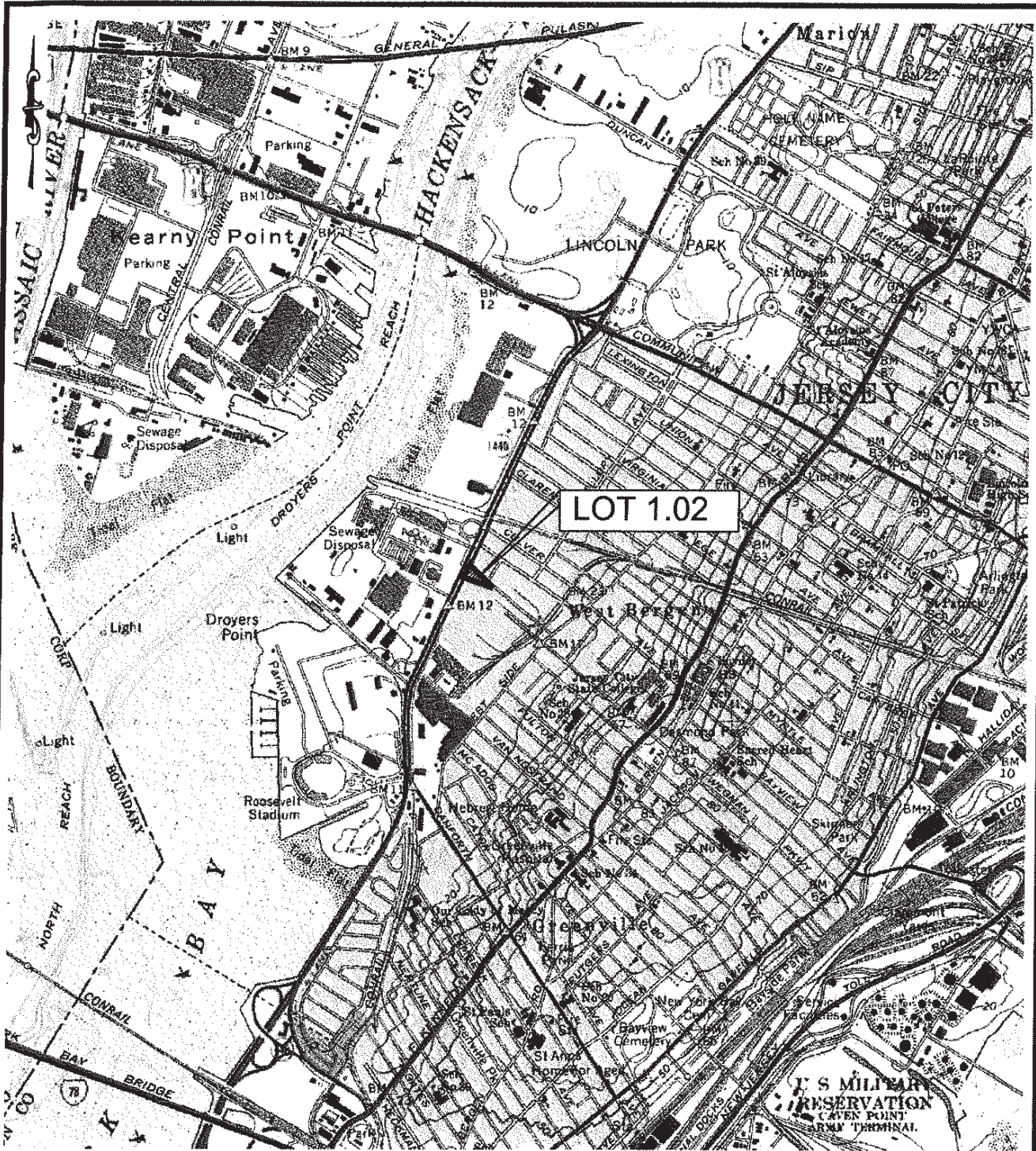
A-1: Vicinity Map

A-2A: Metes and Bounds Description

A-2B: Tax Map of Lots and Blocks

A-3: Property Map

FILE: P:\CADD\JONERWELL\JERSEY CITY\SA 5 SITE 117 THE HOME DEPOT\3480050136-6100-A1VM-0000.DWG, DATE: 03/25/2013 11:37:45AM Layout: let 1.02



SOURCE: USGS QUADRANGLE MAP, 7.5 MIN SERIES
JERSEY CITY, NJ-NY 1967, PHOTO REVISED 1981

NOTE:
REFER TO OTHER EXHIBIT FIGURES FOR DETAILS

0 2000 4000
SCALE IN FEET

AMEC PROJ No.: 3480050361
DRAWING: 3480050136-6100-A1VM-0000

PREPARED/DATE:
STR 02/15/13

CHECKED/DATE:
US 02/18/13

amec

ENVIRONMENT & INFRASTRUCTURE
200 AMERICAN METRO BLVD, SUITE 113
HAMILTON, NEW JERSEY 08619

EXHIBIT A-1
VICINITY MAP
DEED NOTICE

BLOCK 26101, LOT 1.02
SA 5 - SITE 117 FORMER RYERSON STEEL
JERSEY CITY, NEW JERSEY

Exhibit A-2A

Metes and Bounds Description

All that certain lot, tract or parcel of land situate, lying and being in the City of Jersey City, in the County of Hudson and the State of New Jersey, designated as Proposed Lot 1.02 as shown on a map entitled "Minor Subdivision Plat for Bayfront Redevelopment, LLC, Lot 1 Block 26101 (Formerly Block 1285.05), City of Jersey City, Hudson County, New Jersey" prepared by Maser Consulting, P.A. dated September 9, 2011, last revised April 2, 2012, being a portion of Lot 1, Block 26101 (formerly Block 1285.05), and being more particularly bounded and described as follows, to wit:

BEGINNING at the intersection of the Easterly line of Block 21902, Lot 1, (lands now or formerly of Bayfront Redevelopment LLC, as shown on the aforementioned minor subdivision plat, said lands also being lands formerly of the Morris Canal Banking Company as recited in a deed from DDR Southeast Jersey City, L.L.C., to Jersey City Fields, LLC, dated September 12, 2008 and recorded in the Hudson County Clerk's Office on September 18, 2008 in deed book 8611, page 257), with the division line between Block 26101 (formerly Block 1285.05) Lot, 1 and Block 21902 Lot 13 and running; thence—

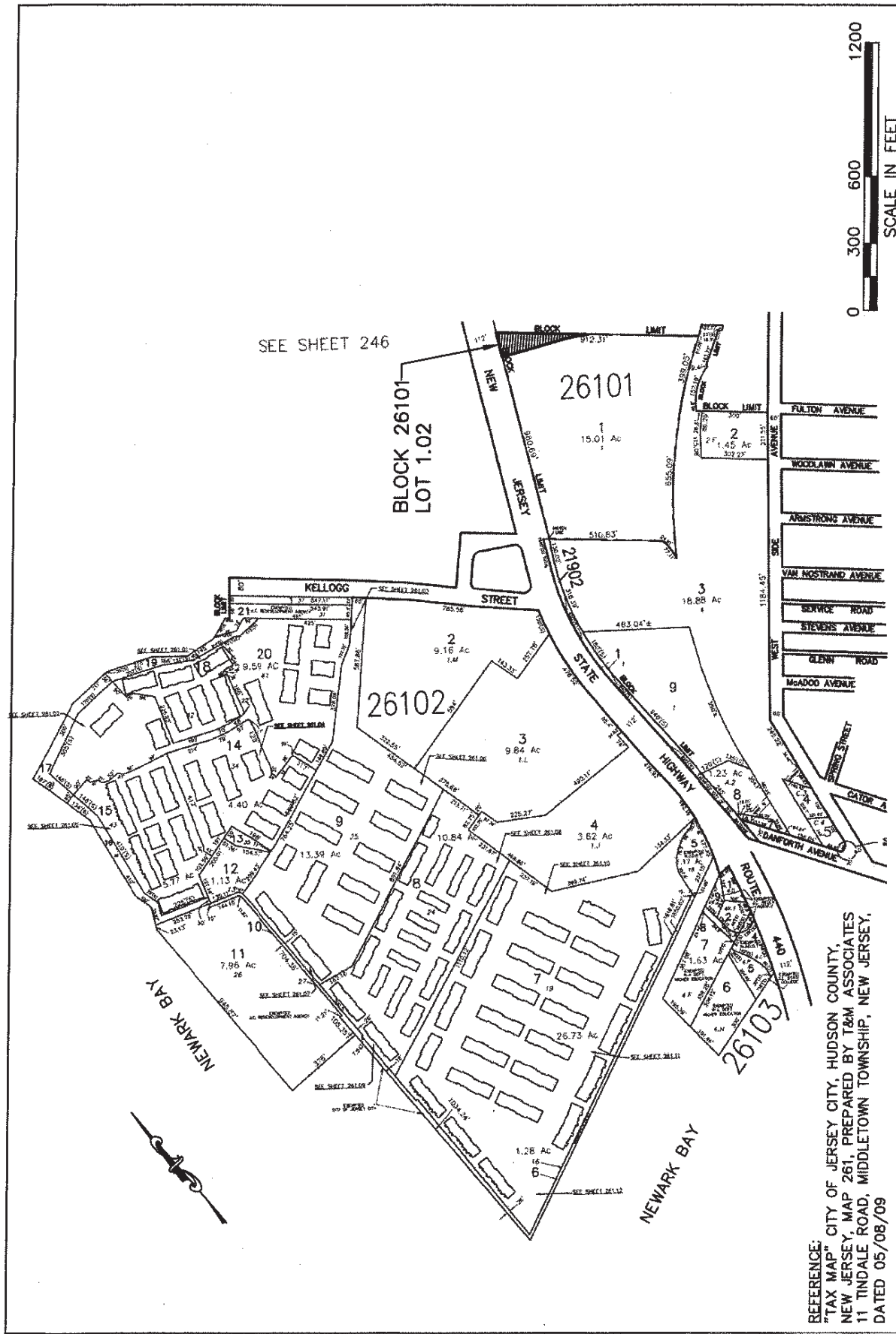
1. **S 49°06'18" E, 385.30 feet** along said division line to a point of cusp, being the eastern most corner of the herein described parcel, thence —

Running through said Lot 1, along the proposed subdivision line as laid down on the aforementioned minor subdivision plat, the following two (2) courses:

2. Along a non-tangent arc to the left having a radius of **470.00'**, and arc length of **157.65'** (central angle of **19°13'05"**), said arc being connected by a chord bearing **N 58° 42'51" W**, a chord distance of **156.91** to a point of tangency, thence -
3. **N 68°19'24" W, 214.57 feet**, to the intersection of the same with the aforementioned Lot 1, Block 21902 easterly line, thence —
4. **N 24°46'42" E, 100.78 feet**, along said easterly line to the Point and Place of **BEGINNING**.

CONTAINING: 15,152 square feet / 0.347 acres of land more or less.

The foregoing description was prepared by the undersigned Land Surveyor for the firm of Maser Consulting P.A., and is based upon the above described minor subdivision plat.



amco

ENVIRONMENT & INFRASTRUCTURE
200 AMERICAN METRO BLVD, SUITE 113
HAMILTON, NEW JERSEY 08619

EXHIBIT A-2B
TAX MAP
BLOCK 26101, LOT 1.02
SA-5 SITE 117 FORMER RYERSON STEEL
JERSEY CITY, NEW JERSEY

AMEC PROJ No.: 3480050361		CHECKED/DATE: US 02/18/13
DRAWING: 3480050136-6100-A21M-0000		
PREPARED/DATE: STR 02/15/13	STATUS	

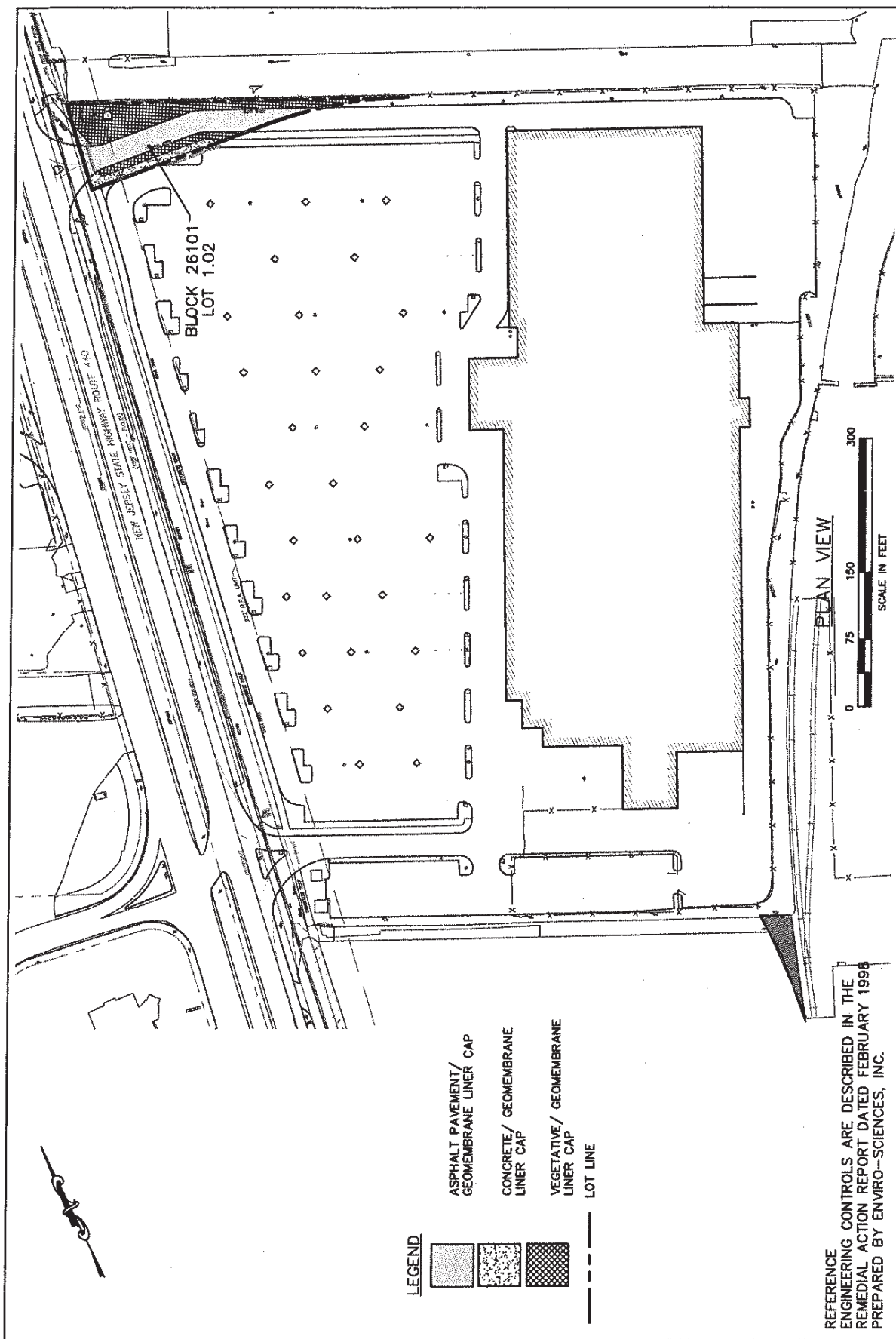
REFERENCE: CITY OF JERSEY CITY, HUDSON COUNTY,
NEW JERSEY, MAP 261, PREPARED BY T&M ASSOCIATES
11 TINDALE ROAD, MIDDLETOWN TOWNSHIP, NEW JERSEY,
DATED 05/08/09

Exhibit B

Exhibit B-1A: Restricted Areas and Engineering Control Location Map

Exhibit B-1B: Engineering Control As-Built Diagrams

Exhibit B-2: Restricted Area Map and Data Table - Total and Hexavalent Chromium



ameo

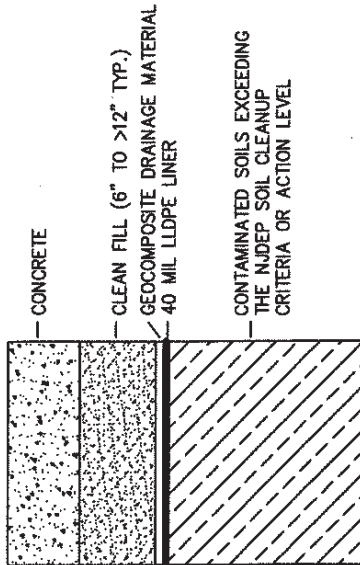
ENVIRONMENT & INFRASTRUCTURE
2000 AMERICAN METRO BLVD, SUITE 113
HAMILTON, NEW JERSEY 08619

EXHIBIT B-1A
RESTRICTED AREA AND ENGINEERING
CONTROL LOCATION MAP
BLOCK 26101, LOT 1.02
SA 5 - SITE 117 FORMER RYERSON STEEL
JERSEY CITY, NEW JERSEY

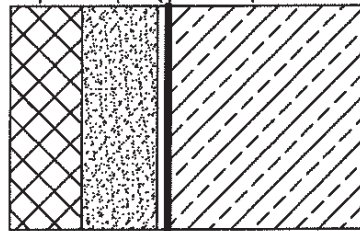
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PREPARED/DATE: STR 02/19/13	CHECKED/DATE: US 02/19/13
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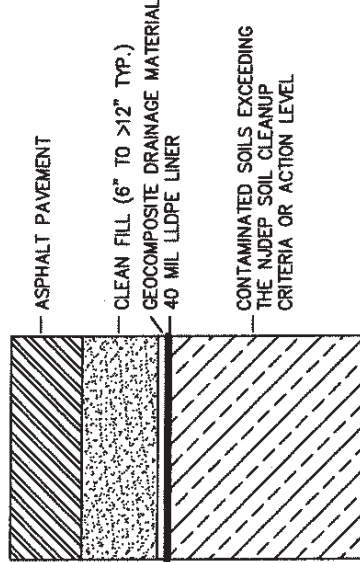
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CONCRETE/GEOMEMBRANE
LINER CAP



VEGETATIVE/GEOMEMBRANE
LINER CAP



ASPHALT
PAVEMENT/GEOMEMBRANE
LINER CAP

REFERENCE
ENGINEERING CONTROLS ARE DESCRIBED IN THE
REMEDIAL ACTION REPORT DATED FEBRUARY 1998
PREPARED BY ENVIRO-SCIENCES, INC.

REV	DATE	STATUS	CHKD BY

AMEC PROJ No.: 3480050361
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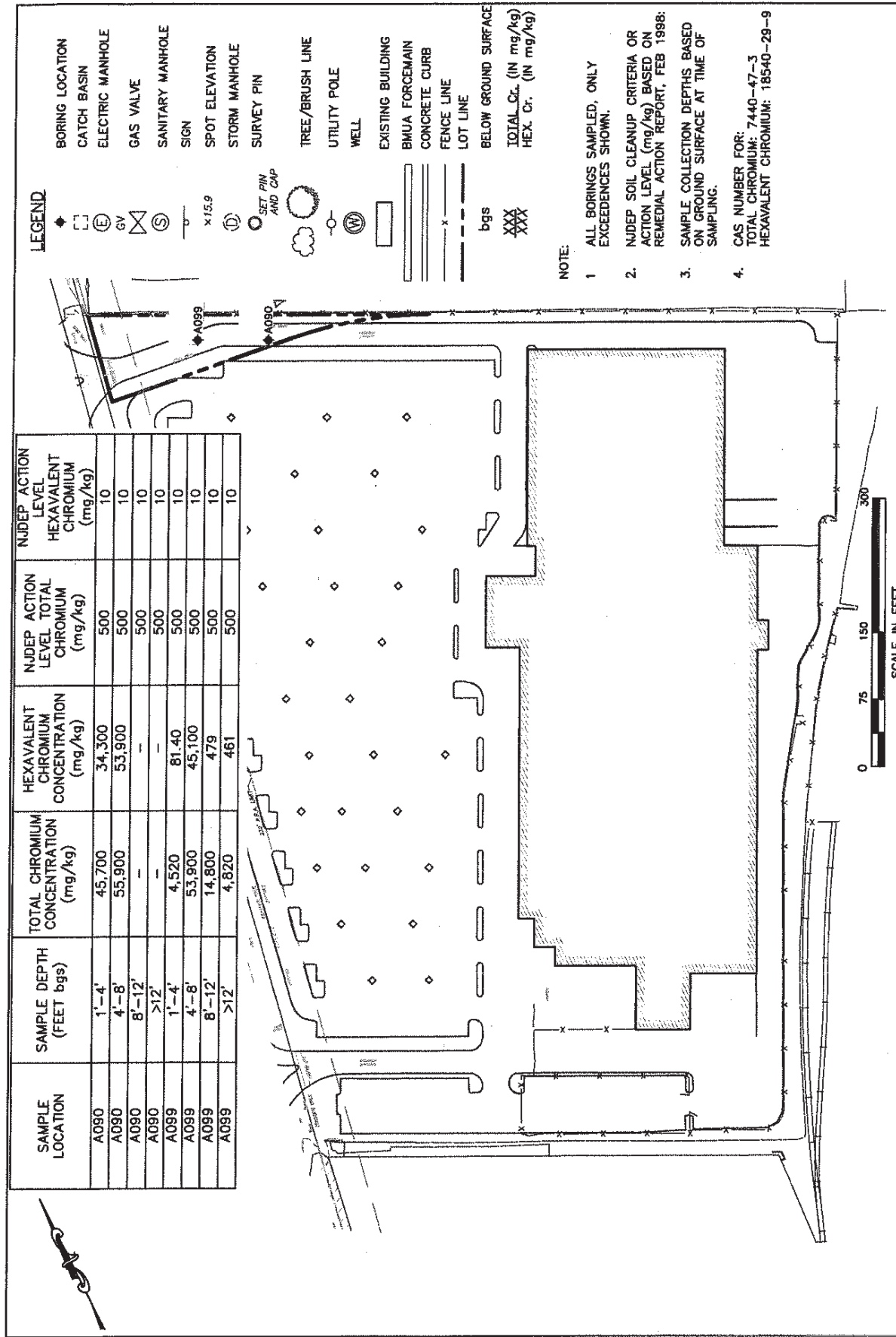
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STR 03/19/13

CHECKED/DATE:
US 03/19/13



ENVIRONMENT & INFRASTRUCTURE
200 AMERICAN METRO BLVD, SUITE 113
HAMILTON, NEW JERSEY 08619

EXHIBIT B-1B
ENGINEERING CONTROL AS-BUILT DIAGRAM
BLOCK 26101, LOT 1.02
SA 5 - SITE 117 FORMER RYERSON STEEL
JERSEY CITY, NEW JERSEY



LEGEND

- BORING LOCATION
- CATCH BASIN
- ELECTRIC MANHOLE
- GAS VALVE
- SANITARY MANHOLE
- SIGN
- SPOT ELEVATION
- STORM MANHOLE
- SURVEY PIN
- TREE/BRUSH LINE
- UTILITY POLE
- WELL
- EXISTING BUILDING
- BMUA FORCEMAIN
- CONCRETE CURB
- FENCE LINE
- LOT LINE
- BELOW GROUND SURFACE
- TOTAL Cr. (IN mg/kg)
- HEX. Cr. (IN mg/kg)

NOTE:

- ALL BORINGS SAMPLED, ONLY EXCEEDENCES SHOWN.
- NJDEP SOIL CLEANUP CRITERIA OR ACTION LEVEL (mg/kg) BASED ON REMEDIAL ACTION REPORT, FEB 1998:
- SAMPLE COLLECTION DEPTHS BASED ON GROUND SURFACE AT TIME OF SAMPLING.
- CAS NUMBER FOR:
TOTAL CHROMIUM: 7440-47-3
HEXAVALENT CHROMIUM: 18540-29-9

EXHIBIT B-2

RESTRICTED AREA AND DATA MAP

TOTAL AND HEXAVALENT CHROMIUM

BLOCK 26101, LOT 1.02

SA 5 - SITE 117 FORMER RYERSON STEEL

JERSEY CITY, NEW JERSEY

amec

ENVIRONMENT & INFRASTRUCTURE

200 AMERICAN METRO BLVD, SUITE 113

HAMILTON, NEW JERSEY 08619

AMEC PROJ No.: 3480050361

DRAWING: 3480050136-6100-RAMB-0000

PREPARED/DATE: STR 02/19/13

CHECKED/DATE: US 02/19/13

SCALE IN FEET

0 75 150 300

Exhibit C

C-1: Deed Notice as Institutional Controls C-2 through 4: Engineering Controls

Former Ryerson Steel / Mutual Chemical Site – NJDEP Chromium Site 117
Block 26101, Lot 1.02.
Jersey City, New Jersey 07305

Exhibit C-1 includes a description of the deed notice as institutional control including monitoring and reporting requirements.

Exhibit C-2 through 4 includes a description of engineering controls consisting of an LLDPE liner system with asphalt pavement, concrete or vegetation as a final surface cap; operations and maintenance, monitoring and reporting requirements.

Exhibit C-1

Deed Notice as Institutional Controls

Former Ryerson Steel / Mutual Chemical Site – NJDEP Chromium Site 117
Block 26101, Lot 1.02
Jersey City, New Jersey 07305

(A) General Description:

- (1) The Property shown on Exhibit B-1A known as Block 26101, Lot 1.02 is a Restricted Area. The estimated size of the Restricted Area is approximately 0.35 acres.
- (2) Proper precautions must be taken to prevent disturbance (i.e., excavation or digging) of the engineering controls when in the Restricted Area. See subsections 7A and 7B of the Deed Notice for requirements for Alterations, Improvements, Disturbances, and Emergencies.
- (3) The restrictions will prevent contact with soils above the NJDEP Soil Cleanup Criteria or Action Levels.

(B) Description of monitoring:

- (1) Quarterly visual inspections of the Restricted Area will be conducted to document that the engineering controls are in good condition and to determine whether any disturbances of the soil in the Restricted Area may have resulted in unacceptable exposure to the soil contamination.
- (2) Quarterly visual inspections of the Restricted Area will be conducted to determine whether there have been any land use changes subsequent to the filing of this Deed Notice or the most recent biennial certification, whichever is more recent.
- (3) Quarterly visual inspections of the Restricted Area will be conducted to determine whether the current land use on the Property is consistent with the restrictions in this Deed Notice.
- (4) A review will be conducted to determine if any newly promulgated or modified requirements of applicable regulations or laws apply to the Property.
- (5) A review will be conducted to determine if any new standards, regulations, or laws apply to the site that might necessitate additional sampling in order to evaluate the protectiveness of the remedial action which includes this Deed Notice. If necessary, this additional sampling will be performed.

(C) Biennial certification items:

A monitoring report will be included in the biennial certification. Components of the monitoring report will include the following:

- (1) A report of all conditions set forth in Deed Notice to document that they have been adhered to, including evaluation of any available documents created as a result of changes in land use or incidents.
- (2) A report that determines whether or not the land use at the Property has remained consistent with the restrictions in the Deed Notice.
- (3) A report that determines whether or not the Deed Notice continues to be protective of the public health and safety and of the environment.

Exhibits C-2 through C-4

Engineering Controls

C2: Asphalt Pavement/Geomembrane Liner Cap

C3: Concrete/Geomembrane Liner Cap

C4: Vegetative/Geomembrane Liner Cap

Former Ryerson Steel – NJDEP Chromium Site 117

Block 26101, Lot 1.02

Jersey City, New Jersey 07305

(A) General Description:

(1) Engineering controls (from the ground surface to contaminated soil) in areas of the geomembrane liner system consist of:

- a) Asphalt pavement, concrete, or vegetative surface cap followed by;
- b) A minimum of 6 inches to greater than 12 inches (typically) of clean fill material followed by;
- c) A geomembrane drainage material followed by;
- d) A 40-mil linear low density polyethylene (LLDPE) impervious geomembrane followed by;
- e) A woven felt material

(2) The objective of the Engineering Controls is to prevent direct contact with soils that are above the applicable NJDEP Soil Cleanup Criteria or Action Levels.

(3) The Engineering Controls are intended to function as a barrier to underlying soils that are above the applicable NJDEP Soil Cleanup Criteria or Action Levels.

(B) Description of the operation and maintenance:

Visual inspections of the Property will be performed quarterly to document that:

- (1) Each engineering control is in good condition and to document the integrity, operability, and effectiveness of each engineering control;
- (2) Each engineering control continues to function as designed and intended in order to protect the public health and safety and the environment;
- (3) Each alteration, excavation or disturbance of any engineering control is timely and appropriately addressed to maintain the integrity of the engineering control (also, see subsections 7A and 7B of this Deed Notice for directions on Alterations, Improvements, Disturbances, and Emergencies);

(4) The integrity of each institutional control is maintained so that the remedial action continues to be protective of the public health and safety and of the environment;

(5) Records of the inspections are maintained as listed in Deed Notice subparagraph 5A. Should the visual inspection indicate that other activities are necessary, those activities will be listed and executed; and

(6) A review of any new standards, regulations, or laws will be conducted to evaluate the protectiveness of the remedial action, which includes this Deed Notice. Should the review indicate that other activities are necessary, those activities will be listed and executed.

(C) Biennial Certification items:

The monitoring report will be included in the Biennial Certification. Components of the monitoring report will include the following:

(1) A report of all conditions set forth in Deed Notice subparagraph 2.ii to document that they have been adhered to, including an evaluation to determine whether the Engineering Controls are continuing to meet their original objectives and intended functions.

(2) A report to determine whether the Engineering Controls continue to operate as designed.

(3) A report to determine whether the Engineering Controls continue to be protective of the public health and safety and of the environment.