

LONG TERM MONITORING PLAN

STUDY AREA 5
NEW JERSEY CITY UNIVERSITY

COMMERCIAL AREA OF CONCERN (SITES 090 AND 184)
AND
FORMER MORRIS CANAL SITE (SITE 153 NORTH)

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1.0 INTRODUCTION

1.1 PURPOSE AND SCOPE

Honeywell has prepared this Long Term Monitoring Plan (LTMP) for the following subset of Study Area 5 (SA-5) New Jersey Department of Environmental Protection (NJDEP) chromium sites:

090	Baldwin Steel;
184	M.I. Holdings; and
153 North	Morris Canal (portion).

All of the sites are located in Jersey City, Hudson County, New Jersey. The LTMP satisfies the requirements of the “Consent Decree Regarding Remediation of the New Jersey City University (NJCU) Redevelopment Area” (Consent Decree) paragraphs 96 through 105, and other referenced paragraphs (including paragraphs 73, 74[a], 77, 82, 87 and 91[a]).

Honeywell is conducting environmental investigations and/or remediation activities at 22 sites, referred to by the NJDEP as the Hudson County Chromium Sites, including Sites 090, 184 and 153 North. This work is being conducted in accordance with the Administrative Consent Order (ACO) between Honeywell (formerly Allied Signal, Inc.) and the NJDEP dated June 17, 1993, the New Jersey Technical Requirements for Site Remediation (TRSR) (N.J.A.C. 7:26E), NJDEP’s Chromium Policy Directive, and the Consent Decree Regarding Remediation of the NJCU (Consent Decree) between the Jersey City Municipal Utilities Authority (JCMUA), Jersey City Incinerator Authority (JCIA), Hackensack Riverkeeper Inc., and Honeywell dated January 21, 2010.

According to the terms of the Consent Decree Paragraph 96:

Honeywell shall be responsible for implementing, monitoring, maintaining, repairing, and replacing the Chromium Remedy at (i) the NJCU Commercial AOC until Honeywell’s completion of further remedial activities pursuant to Paragraph 77 and its receipt of an Unrestricted Use No Further Action Determination for hexavalent chromium for the NJCU Commercial AOC; and (ii) Site 153 North until Honeywell’s completion of further remedial activities pursuant to

Paragraph 82 and its receipt of an Unrestricted use No Further Action Determination for hexavalent chromium for Site 153 North. Honeywell shall satisfy this responsibility through establishment and implementation of a Long Term Monitoring Plan.

The objectives of the LTMP are as follows:

- Provide monitoring to ensure that the integrity and effectiveness of the Chromium Remedies are maintained to protect human health and the environment; and
- Provide monitoring to ensure that the restrictions of the institutional controls, including the deed notices for the sites, are being satisfied.

1.2 DOCUMENT ORGANIZATION

This document was prepared in accordance with the requirements specified in the Consent Decree, the NJDEP TRSR and applicable provisions of the EPA Comprehensive Five-Year Review Guidance (OSWER Directive 9355.7-03B-P, dated June 2001), and contains the following sections:

Section 1: Introduction. This section describes the purpose, scope, and organization of the document.

Section 2: Site Background. This section provides site background information including location, contaminants of concern and remedial action work implemented.

Section 3: Monitoring Plan. This section provides details of the monitoring program and contingency plan.

Section 4: Reporting. This section describes the annual monitoring and biennial certification reporting requirements.

Section 5: Honeywell Program Organization. This section describes Honeywell's program organization for the monitoring program.

Section 6: References. This section lists references used in preparing this document.

Section 7: List of Acronyms/Abbreviations. This section includes a list of commonly referenced acronyms found throughout this document.

2.0 SITE BACKGROUND

2.1 SITE DESCRIPTION

This section presents background information for SA-5 NJCU (including Site 090 and Site 184) and Former Morris Canal (Site 153 North). Refer to **Figure 1**, Site Location Map.

2.1.1 NJCU Commercial AOC

The NJCU Commercial AOC is located in the western part of Site 090 and 184 (see **Figure 2**). Background information for these sites follows.

2.1.1.1 Baldwin Steel (Site 090)

The former Baldwin Steel property is located at 500 Route 440, designated as Block 1286, Lots 5 and 6D on the Jersey City tax maps. Site 090 encompasses approximately 6.8 acres, currently owned by NJCU.

The property consists of a rectangular parcel (approximately 1,000 feet long and about 300 feet wide) bordered on the north by M.I. Holdings (Site 184), on the east by an inactive rail spur line and property occupied by NJCU, on the south by a retail shopping center (Site 117; Former Ryerson Steel or Home Depot site), and on the west by the Former Morris Canal (Site 153 North) and Route 440. With the exception of paved parking areas bordering Route 440 and a paved corridor along the south side of the property (between the former Baldwin Steel building and aforementioned retail shopping center), the property was covered by the building slab (estimated 650 feet long by 250 feet wide or 162,000 square feet) of the former building previously used for steel fabrication and distribution.

2.1.1.2 M.I. Holdings (Site 184)

The former M.I. Holdings property is located southeast of the intersection of Carbon Place and Route 440, designated as Block 1286.5, Lots 1 and 2 on the Jersey City tax maps. The property encompasses approximately 7 acres and was formerly an active chemical manufacturing facility. The property is currently owned by NJCU.

Remedial actions completed for the NJCU Commercial AOC include engineering controls consisting of a cap with impervious geo-membrane liner (linear low density polypropylene (LLDPE)), geo-composite drainage layer, warning layer and clean soil cover (minimum 1 foot in paved areas, 2 feet in landscaped areas, and 3 feet in tree planting areas). Focused soil excavation was conducted to allow for clean utility

corridors for site redevelopment with new utilities to be installed above the cap. The cap area is shown on **Figure 2**. Relevant regulatory correspondence is included in **Appendix A**. As-built drawings of the NJCU chromium remedy are provided in **Appendix B**. It is anticipated that as-built figures associated with future site redevelopment by NJCU will be added to the LTMP for reference as an attachment as part of future periodic plan updates, when made available by NJCU.

2.1.2 Former Morris Canal (Site 153 North)

Site 153 North was the location of a portion of the former Morris Canal, which operated from the 1860s to early 1900s. COPR was allegedly used to fill portions of the canal during the period between 1924 and 1935. This strip of land designated as Block 1289.5 on the City of Jersey City Tax Map was owned by the Bayonne Municipal Utilities Authority (BMUA) for the purpose of constructing and maintaining a 36-inch sanitary sewer force main. Honeywell purchased the property from the BMUA in August 2007, and the BMUA maintains an easement for the existing sewer line.

Site 153 is divided into three sections designated as Site 153 North, Site 153 South Upper Segment and Site 153 South Lower Segment. Site 153 North comprises the portion of the Morris Canal abutting the NJCU property to the west.

This document addresses the Site 153 North Segment of the Former Morris Canal in accordance with the requirements of the Consent Decree Regarding Remediation of the New Jersey City University Redevelopment Area. Existing engineering controls for Site 153 North include asphalt pavement in the western portion (above and west of the BMUA force main sewer line) and a multi-layered cap system associated with the Commercial AOC in the eastern portion of Site 153 North (east of the force main). Site 153 South (Lower and Upper segments) has been remediated pursuant to the Consent Decree Regarding Sites 79 and 153 South. A separate LTMP has been prepared for Study Area 5 Sites 079 and 153 South in accordance with paragraphs 79 and 80 of that Consent Decree.

The engineering controls will be maintained in accordance with applicable requirements of the LTMP and Deed Notice requirements. The Deed Notice for Site 153 was recorded on November 30, 2010. The Deed Notice for the NJCU Commercial AOC is expected to be recorded during the second quarter of 2012. Copies of Deed Notices are included for reference in **Appendices C and D**. The

Deed Notices are instrumental in communicating the presence of contaminated soils and preventing the unauthorized disturbance of engineering controls. The Deed Notices specify requirements for notification to Honeywell and the NJDEP prior to any alteration, improvement, and/or disturbance of engineering controls with monitoring and reporting requirements to evaluate and document protectiveness of the engineering controls.

Future site redevelopment features in the NJCU Commercial AOC will include paved roads and parking areas, concrete sidewalks, landscaped areas, and underground utilities (i.e., electric, sewer, water). With the exception of existing utilities within the portion of the former Morris Canal abutting NJCU property and any extraction wells or monitoring wells associated with the remedial actions, all future utilities in the Commercial AOC are planned to be installed above the cap. Therefore, future utility work in the Commercial AOC would not be expected to involve disturbance of the cap.

3.0 MONITORING PLAN

This section provides the details of the LTMP and Contingency Plan addressing the integrity of the chromium remedies for the NJCU Commercial AOC and Site 153 North. **Table 1** provides a timetable containing the LTMP inspection/monitoring and reporting requirements. The primary purpose of the monitoring plan is to monitor and verify the effectiveness of the chromium remedy in protecting human health and the environment. Monitoring requirements specified in the Consent Decree (Paragraph 99) include:

- On-site monitoring during any development or construction in the NJCU Commercial AOC to ensure that at the conclusion of construction activities the cap and other engineering controls are restored as set forth in the Final 100% Remedial Design;
- Quarterly inspections of the NJCU Commercial AOC and Site 153 North to ensure that neither is being put to any prohibited use or any use that would jeopardize the integrity or effectiveness of the chromium remedy;
- Quarterly visual inspection monitoring of the grade and slope in the Commercial AOC to identify whether erosion has occurred or is occurring in a manner that jeopardizes the protectiveness of the Commercial AOC cap;
- Quarterly visual inspection monitoring to determine the occurrence of potential differential settlement or subsidence in the Commercial AOC such that the integrity of the chromium remedy may be impaired;
- Quarterly visual inspection monitoring to determine any disturbance other than the planned disturbance in connection with the NJCU commercial development, BMUA sewer repair or replacement in the Commercial AOC;
- Quarterly visual inspection monitoring to ensure that burrowing animals are not materially impairing the integrity of the chromium remedy in the Commercial AOC;
- Quarterly visual inspection monitoring of vegetative cover, including landscaping, if any, to ensure its integrity in the Commercial AOC;
- Quarterly groundwater elevation monitoring to ensure that groundwater levels are maintained in accordance with the requirement to maintain an inward gradient for shallow groundwater in the Commercial AOC cap, and in

accordance with the water level control plan developed pursuant to the SA-6 North Consent Decree, subject to modification as necessary, for the purposes of coordinating with the SA-5 shallow groundwater remedy;

- Quarterly groundwater quality sampling of the three (3) Commercial AOC sentinel wells for two years in accordance with the NJCU 100% Design Groundwater Trigger Document;
- Annual inspection of Site 153 North to ensure all pavement is in good condition and does not have potholes or cracks that penetrate the pavement;
- Annual inspection, and repair and/or replacement as necessary, of all warning signs on Site 153 North;
- On-site monitoring during any development, construction, or other activities in the Residential AOC that involve disturbance of the below 4 feet soils; and
- Annual review, updated as necessary based on changes to field conditions or regulatory requirements, of the Worker Training Manual.

Details of the Contingency Plan are provided in Section 3.3, which describes the corrective actions and remedy procedure to be implemented if the inspection program identifies evidence of degradation or disturbance of the chromium remedy.

3.1 COMMERCIAL AOC QUARTERLY INSPECTIONS AND MONITORING

3.1.1 Timing of Inspections

The quarterly inspections and monitoring will start in March 2012. Subsequent inspections will occur on the following months of each year: March, June, September and December, as set forth in paragraph 99(a) through 99(i) of the Consent Decree (see **Table 1**). The Contingency Plan, provided in Section 3.3, will be implemented if inspection indicates evidence of erosion, deterioration of the integrity of the cap remedy or recent construction activities impacting the remedy. Details regarding the inspection program are provided in the following sections.

3.1.2 Chromium Remedy Visual Inspections

Quarterly visual inspections of the chromium remedy installed on the NJCU Commercial AOC (including the eastern strip of Site 153 North which is part of the Commercial AOC) will be conducted to verify that there is no prohibited use or any use that would jeopardize the integrity of the remedy. Evidence of deterioration

(e.g., asphalt cracking, spalling, potholes, and vegetative coverage & erosion) or other evidence of disturbance (e.g., digging, drilling, excavation) will be recorded and evaluated. Field observations will include information on the extent of deterioration including dimensions and depth of cracks, potholes, or other disturbance of the capped area, including whether or not such deterioration or disturbance fully penetrates the surface cover (e.g., pavement) down to the underlying ground surface. Any prohibited use or unplanned use observed that jeopardizes the integrity of the remedy will be documented and all appropriate parties notified to cause such use to cease. Field observations regarding evidence of deterioration or disturbance of the chromium remedy will be addressed as indicated in the Contingency Plan.

The observations will be recorded on an inspection form and photo documentation provided. The NJDEP August 2005 Field Sampling Procedures Manual provides guidance for recordkeeping and photo documentation. An example quarterly/annual inspection form is included in **Appendix E**.

3.1.3 Surface Grade Visual Inspections

Quarterly visual inspections of the grade and slope in the NJCU Commercial AOC will be conducted to identify erosion issues that may have occurred or the signs of potential erosion within the chromium remedy area. Field observations regarding evidence of erosion that disturbs or jeopardizes the protectiveness of the chromium cap remedy shall be addressed as indicated in the Contingency Plan so as to maintain the cap integrity.

3.1.4 Differential Settlement Visual Inspections

Quarterly visual inspections of any differential settlement in the NJCU Commercial AOC will be conducted. If such settlement has occurred, it shall be evaluated and rectified appropriately. Corrective actions will restore the area to the original Final 100% Remedial Design specifications or to a level of protection at least equivalent to the original Chromium Remedy.

3.1.5 Disturbance Visual Inspections

Quarterly visual inspections of the NJCU Commercial AOC will be conducted to determine evidence of any disturbance, other than planned disturbance in connection with commercial development or BMUA sewer repair or replacement. Evidence of disturbance includes surface visual appearance of distinctive warning

layer materials or any other cap materials. In the event of disturbance, further evaluation or investigative measures will be undertaken to evaluate whether the integrity of the cap has been compromised or the contingency system for water level maintenance has been disturbed. Based on the results of the evaluation, appropriate action will be taken in accordance with paragraph 99(d) of the Consent Decree to repair or replace the cap or the contingency system for water levels maintenance, as applicable, so as to conform to the original Final 100% Remedial Design specifications or to a level of protection at least equivalent to the original chromium remedy. Corrective action requirements for asphalt pavement, groundwater levels, and vegetative cover are indicated in the Contingency Plan.

3.1.6 Burrowing Animals Visual Inspection

Quarterly visual inspections of NJCU Commercial AOC will be conducted to determine any material disturbance caused by burrowing animals affecting the integrity of chromium remedy. In the event of material disturbance, the burrowing animals will be removed and the cap repaired or replaced to the original Final 100% Remedial Design specifications. Corrective action requirements are indicated in the Contingency Plan (Section 3.3.4).

3.1.7 Vegetative Cover Visual Inspection

Quarterly visual inspections of vegetative cover in the NJCU Commercial AOC will be conducted to determine any material disturbance that could affect the integrity of the chromium remedy. Field observations will include information on the extent of degradation or disturbance including dimensions and depth of erosion or missing vegetation, or evidence of damage to surface cover materials (e.g., pavement) from tree roots. In the event of material disturbance to the cap, appropriate restoration procedures will be followed to repair or replace the cap to the original Final 100% Remedial Design specifications. Corrective action requirements for vegetative cover are indicated in the Contingency Plan (Section 3.3.4).

3.1.8 Groundwater Elevation Monitoring and Sampling

Groundwater elevations will be monitored quarterly from the three sentinel wells (184-MW-04, 184-MW-05, and 184-MW-06), two sumps (designated as sumps A & B) and two piezometers to ensure that an inward gradient of shallow groundwater is maintained in the NJCU Commercial AOC in accordance with the Groundwater Level Monitoring Plan that was submitted as part of 100% Design Report for Study

Area 6 North. Since the piezometer monitoring is directly connected to the operation and maintenance of the groundwater extraction and treatment system, water level monitoring is part of the Operation, Maintenance, and Monitoring (OM&M) plan for the filter station. Water levels and groundwater OM&M will be conducted in accordance with the Filter Station OM&M plan. In addition, water levels on Site 117 are being monitored as part of the quarterly SA-7 Groundwater Extraction and Treatment (GWET) LTMP requirements.

Groundwater samples will be collected quarterly for a two year period (8 rounds) from the three sentinel wells and analyzed for total and hexavalent chromium (both filtered and unfiltered) in accordance with the NJCU 100% Design Groundwater Trigger document. Following the two-year monitoring period, the sampling frequency and analytical program will be re-evaluated.

The Contingency Plan as indicated in Section 3.3.3 will be implemented if monitoring indicates evidence of an outward gradient of shallow groundwater in the NJCU Commercial AOC or if groundwater quality in the sentinel wells does not meet the Final 100% Design Specifications.

3.1.9 Residential AOC Monitoring

Monitoring will be conducted during any future development, construction, or other activities in the Residential AOC that involve potential disturbance of the below 4 feet soils (with respect to site redevelopment grade) to ensure that such activities are being undertaken in a manner consistent with the requirements of paragraph 73 of the Consent Decree for NJCU pertaining to the management of soils. Such monitoring will be coordinated between Honeywell and NJCU based on the development or construction work being performed.

3.2 SITE 153 NORTH ANNUAL INSPECTIONS

3.2.1 Timing of Inspections

The annual inspections and measurements will take place in April or May of each year as set forth in paragraph 99(j) of the Consent Decree (Refer to **Table 1**).

3.2.2 Chromium Remedy Inspections

An inspection to assess the protectiveness and integrity of asphalt pavement and concrete surfaces in the western portion of Site 153 North will be conducted

annually. In accordance with the Contingency Plan, potholes or cracks that do not fully penetrate the pavement shall be repaired as part of regular maintenance that is anticipated to occur annually.

Evidence of deterioration (e.g., asphalt cracking, spalling, and potholes, and vegetative coverage & erosion) or other evidence of disturbance such as excavation will be recorded and evaluated. Field observations will include information on the extent of deterioration including dimensions and depth of cracks, potholes, or other disturbance of the capped area including whether or not such deterioration or disturbance fully penetrates the pavement down to the underlying ground surface. Any prohibited use or unplanned use which is deemed to jeopardize the integrity of the remedy will be documented and Honeywell will notify all appropriate parties in accordance with paragraph 104(c) of Consent Decree, including Plaintiffs, NJCU, BMUA, and any party creating such disturbance. The observations will be recorded on an inspection form and photo documentation provided. The NJDEP August 2005 Field Sampling Procedures Manual provides guidance for recordkeeping and photo documentation. An example quarterly/annual inspection form is included in **Appendix E**.

3.2.3 Warning Sign Inspections

An annual inspection of all warning signs located at sewer and/or other utility access points within Site 153 North, including manhole covers, will be conducted as applicable. When necessary, warning signs must be repaired and/or replaced. An example warning sign is provided in **Appendix G**.

3.3 CONTINGENCY PLAN

The Contingency Plan addresses requirements to provide for the continued integrity of the capped areas in the event of: (a) any planned penetration of the NJCU Commercial AOC and the Site 153 North Capped Area; or (b) any planned penetration of any underground barrier wall; or (c) any planned activity that could compromise the integrity of the cap; or (d) any unplanned activity that causes a disturbance or penetration of the cap and remedial measures associated with NJCU Commercial AOC and 153 North Chromium Remedy. The Contingency Plan requires an annual plan update to notify NJDEP and Non-Honeywell Parties, as specified in the Consent Decree, of (a) any event penetrating or compromising the integrity of the Commercial AOC and 153 North Chromium Remedy; (b) steps taken

to identify the extent of the problem; and (c) remedial actions to address the problem. Corrective actions will be implemented to conform to the original Final 100% Remedial Design specifications or to a level of protection at least equivalent to the original Chromium Remedy. Annual plan updates, notification and reporting requirements are discussed in Section 4.0.

3.3.1 Asphalt Cap Degradation

Potholes or cracks that do not fully penetrate the pavement will be repaired as part of regular maintenance at least annually, in coordination with NJCU and/or BMUA as appropriate, to avoid further deterioration of the pavement, and in a manner which avoids interference with regular business operations. In most cases such repairs will be made with a sealant or pre-mixed, cold-placed asphalt, using appropriate hand tools, following manufacturers' specifications for placement and curing. An alternate method meeting standard engineering practices may be implemented by the repair contractor, subject to approval by Honeywell, NJCU and BMUA, as appropriate.

Potholes or cracks that fully penetrate the pavement must be repaired immediately (as soon as practicable, in coordination with the NJCU and/or BMUA) and in a manner which avoids interference with regular business operations. Such repairs may be carried out using sealant or pre-mixed, cold-placed asphalt, using appropriate hand tools, or, at the discretion of the repairing engineer, using other appropriate materials and application methods, following manufacturers' specifications for placement and curing of pavement. In accordance with the Consent Decree paragraph 99(j), if 10% or greater of a localized area or 25% or greater of the entire paved area has been impacted by potholes or cracks that penetrate the pavement, Honeywell will repave such portions as necessary to maintain the pavement in good condition, using material and methods that will be specified on a case-by-case basis by the repairing engineer.

Honeywell will communicate and coordinate with NJCU and/or BMUA regarding pavement repair or repaving work, as appropriate, and allow for representative(s) of NJCU and/or BMUA to be present during the work if needed.

3.3.2 Asphalt Cap Penetration

Future Building 7 Development

Prior to NJCU beginning the planned commercial development to construct planned Building 7 in the Commercial AOC area as shown conceptually on **Figure 2**, Honeywell and NJCU will cooperate in coordinating the construction schedule. The coordination will address any necessary and/or required disturbance, repair, and replacement of the Chromium Remedy. In accordance with the Consent Decree paragraph 76, Honeywell will seek and obtain NJDEP or Licensed Site Remediation Professional approval, if required by law, of any further Chromium Remedy activities required in relation to the construction of Building 7 prior to the construction work start.

Honeywell recognizes that construction of Building 7 may require relocation of clean fill, excavation and disposal of capped soils, removal of geomembrane, and other work that may impact components of the Chromium Remedy. In that circumstance, following the completion of work to be performed by NJCU, Honeywell will reinstall all components of the remedy to integrate the cap with the construction of the Building 7 area. Honeywell will also present the updated work plan for the additional chromium remedy in a document that will be subject to review and comments by the Non-Honeywell Parties with an interest and approval by NJDEP.

Other Planned or Emergency Disturbance

In accordance with the Consent Decree paragraph 81, the existing pavement surface in Site 153 North shall constitute the engineering control in areas not covered by the Commercial AOC cap. In the event that the existing pavement is disturbed, Honeywell shall restore the pavement (as soon as reasonably possible, in cooperation with BMUA) unless such pavement is replaced by an equivalent surface material which would then constitute part of the engineering control.

If sections of the BMUA force main sewer pipeline on Site 153 North are being replaced and/or repaired, Honeywell will remove the soil necessary to meet NJDEP's chromium requirement for non-residential use in effect at the time and arrange for the disposal of the excavated material at a facility licensed for the acceptance of this waste and also one approved by Honeywell. Areas of excavated materials will be restored with backfill meeting the following criteria: (i) meeting hexavalent chromium (Cr(VI)) concentrations of 1 mg/kg or less and (ii) ensuring that the

geofabric remain in place and new fill material doesn't become contaminated by any contaminated soil. Relevant site maps will be updated as necessary subsequent to removal of contaminated materials.

In addition to this LTMP, Honeywell is developing a Worker Training Manual in conformance with Occupational Safety and Health Administration (OSHA) rules and guidelines. The Worker Training Manual details appropriate steps to be implemented in order to protect workers from potential exposure to chromium. Refer to the Worker Training Manual for details on worker training requirements and coordination of work between Honeywell and BMUA. The Worker Training Manual and related attachments including Standard Operating Procedures for identification and coordination of work in chromium soils are still being developed in cooperation with the BMUA and NJCU; these documents contain details regarding procedures and response actions for emergency and non-emergency type work involving the disturbance of engineering controls and will be included as an attachment to the LTMP when finalized. Once finalized, the Worker Training Manual will be included as **Appendix H** to this LTMP. It is anticipated that Honeywell will provide initial and periodic training to BMUA and NJCU supervisory and maintenance personnel on the Worker Training Manual including health and safety requirements, chromium remedy awareness, and coordination of work involving the disturbance of engineering controls.

In the event of an emergency that presents the potential for exposure to workers or the public or environment to contaminated materials, NJCU/BMUA/current owner shall provide notification to the NJDEP Hot Line (1-877-WARNDEP or 1-877-927-6337) upon discovery of such conditions. The Honeywell Remediation Manager (contact information provided in Section 5.0) must also be notified by the NJCU/BMUA/current owner upon discovery of such conditions.

Arrangements must then be made for response action based on pre-established procedures between Honeywell and the owner/operator. To the extent the latter entities are performing work in areas potentially containing chromium-contaminated soils, these entities will need to use properly qualified personnel or contractor(s) to respond and take measures, in accordance with the provisions of the Worker Training Manual to mitigate impacts to workers, the public or the environment from the contaminated materials. The owner/operator will ensure that contractor(s) written plans are patterned after and at least as stringent as the

Worker Training Manual prepared by Honeywell. The contractor(s) plan shall describe the nature and extent of the work, identify the work activities that may result in contact with contaminated soils, measures to mitigate or control such contact, worker training requirements, health and safety requirements, waste handling and disposal requirements. Similar precautions will be followed by any Honeywell personnel or contractor(s) who may be providing response actions at any time. Upon conclusion of the emergency, the cap must be restored by the owner/operator and any required reports must be prepared and filed by Honeywell, as may be necessary for the particular emergency.

In addition, Deed Notice requirements will be applicable in the event of any alteration, improvement or disturbance of the engineering controls including the Site 153 North pavement cap and NJCU Commercial AOC cap. In accordance with Deed Notice requirements, the site owner/operator is required to provide notification to the NJDEP and Honeywell, and ensure that all applicable worker health and safety laws and regulations are followed during the disturbance and restoration of engineering controls. Refer to the Deed Notices for further details on notification and reporting requirements.

3.3.3 Commercial AOC Groundwater Levels

Three sentinel wells (184-MW-04, 184-MW-05, and 184-MW-06), two trench drain sumps (A & B) and two piezometers will be used to monitor groundwater levels in the Commercial AOC (see **Figure 2**). In accordance with paragraph 99(g), groundwater levels will be monitored quarterly to document that an inward gradient for the shallow groundwater in the Commercial AOC is maintained. The contingency groundwater extraction and treatment system will be activated based upon two triggers, hydraulic gradient and groundwater quality. The Final 100% Design Specifications identify the criteria triggering activation of the treatment system, including groundwater gradient and quality.

The hydraulic criteria for triggering trench drain pumping are detailed in Volume 2 of the 100% Design Report (Proposed Triggers for Operation of the SA-5 Contingent Groundwater Extraction and Treatment System). This trigger is defined as groundwater levels rising within 0.5 feet of critical subsurface structures. Critical subsurface structures will be identified and added to the LTMP as redevelopment progresses. With respect to horizontal groundwater gradient triggers, groundwater levels will be plotted using data from the three sentinel wells, two trench drains and

two piezometers to determine the general direction of groundwater flow and to monitor trends within the SA-5 NJCU remedy area. These data will be reviewed in the context of the complex flow field around the barrier walls, the presence of the “dead-end” zone in the southeastern corner of the Commercial AOC, and water quality data, to determine when the pumping of the trench drains is warranted.

In the event the trench drain pumping system is activated and requires operation, groundwater level measurements will be collected on a more frequent basis (e.g., daily, then weekly, then monthly) as necessary in order to adjust pumping rates in the trench drains so as not to induce excessively large inward gradients from Site 117 onto the NJCU property. Assuming equilibrium has been reestablished during pumping, the water level monitoring frequency will return to quarterly.

3.3.4 Vegetative Cover Degradation

Disturbances in the vegetative cover area such as soil erosion, differential settlement, or missing vegetation will be promptly (as soon as practicable in coordination with NJCU) corrected by either re-grading, repairing or replacement of vegetation, and if appropriate, the area restored to its original grade. Additional topsoil will be added along with planting of new grass or other vegetation to restore the vegetative cover areas.

If field conditions or weather do not permit prompt repair of vegetative cover, appropriate interim measures will be taken (e.g., geotextile mesh, silt fence or straw bales) to ensure that the affected area is adequately protected until site conditions allow for the implementation of the appropriate corrective actions.

Burrowing animals present a potential problem for maintaining the integrity of the cover, even in an urban environment. Once a burrow has been located, the inhabiting animal(s) will be removed to prevent further damage. If necessary, local animal control experts would be consulted for recommended control or removal methods. After the animal has been removed, the burrow will be inspected to determine the integrity of underlying cap layer. Areas exhibiting evidence of damage will be repaired by removing sufficient area of the soil cover to repair the damage section. Following repairs, the soil will be replaced in accordance with the original condition and will be seeded.

If field observations during the monitoring program indicate that tree roots are causing damage to nearby paved areas, then the vegetation causing the damage will be promptly removed and the pavement repaired as soon as practicable in coordination with NJCU and in a manner which avoids interference with regular business operations.

4.0 REPORTING

This section provides requirements for reporting and periodic plan updates. **Table 1** provides a timetable of the LTMP inspection/monitoring and reporting requirements.

4.1 QUARTERLY AND ANNUAL REPORTING

Honeywell will maintain written logs and/or other records to document monitoring and remediation activities undertaken as part of this LTMP. Monitoring and remediation activities will be documented in writing, utilizing industry standard methods (such as bound field books). Copies of records will be provided to the Parties, quarterly and/or annually, as required in paragraph 103 of the Consent Decree.

The Deed Notice for the NJCU Commercial AOC is anticipated to be recorded by March 2012 and will be included for reference in **Appendix C**. A Deed Notice for Site 153 (including Site 153 North and South) was recorded on November 30, 2010 (see **Appendix D**). The implementation of the LTMP including quarterly and annual cap inspections is scheduled to begin April 2012 in compliance with Deed Notice requirements. Honeywell anticipates that annual copies of inspection logs/records will be provided on or about March 31, 2013 and quarterly thereafter.

4.2 BIENNIAL CERTIFICATION REPORTS

A Biennial Certification Report for NJCU Commercial AOC will be prepared with the first submittal by March 31, 2014 summarizing the observations of the quarterly and annual inspections and documenting any changes or alteration to the engineering controls. The reporting form(s) required by the TRSR will be used for this Report. The current form is included in **Appendix F**.

As required by the TRSR, the Report will compare New Jersey laws, remediation standards, and other regulations applicable at the time the engineering or institutional controls were established with any relevant subsequently promulgated or modified laws, regulations or remediation standards to determine whether any changes in applicable laws, regulations, or remediation standards have occurred, and whether the institutional controls comply with the requirements of any new laws and regulations. The Report will also assess whether the remedy is functioning

as intended, whether the exposure assumptions and remedial action objectives used at the time of the remedy selection are still valid, and whether any other information has come to light that requires a reassessment of the protectiveness of the remedy. If necessary, any such decision points will be documented in the appropriate attachments of the NJDEP forms.

Copies of the Biennial Certification Report will be provided to the plaintiffs the stakeholder parties as set forth in paragraph 91 of the Consent Decree, and all parties mandated by the TRSR including:

- Office of the City Clerk
- Hudson County Clerk
- Owner of Property indicated on the Deed Notice.
- Current Property Owner/Operator

The Biennial Certification Reports are required to be submitted every two years from the recording date of Deed Notices. The Deed Notice recording dates are as follows:

Site	Deed Notice Recording Date	First Biennial Certification Due Date
NJCU Commercial AOC	March 30, 2012*	March 30, 2014 (estimated)
Site 153 North	November 30, 2010	November 30, 2012

* Estimated timing for recording of Deed Notice for NJCU Commercial AOC

4.3 MONITORING PLAN UPDATE AND PROCEDURES FOR CHANGES

In accordance with paragraph 99(l) of the Consent Decree, the LTMP will be reviewed annually and updated as needed based on changes to field conditions, regulatory requirements, of the Worker Training Manual and/or other relevant project documents for the NJCU Commercial AOC and Site 153 North. The process for making changes to the LTMP is described below.

In accordance with paragraph 100, any Party to the Consent Decree may propose changes to the scope of monitoring activities in the LTMP. If the parties agree to proposed changes, then the LTMP will be revised to incorporate the agreed upon changes, subject to approval by the NJDEP or a New Jersey Licensed Site

Remediation Professional. If the Parties are unable to reach agreement, the Party proposing the change may submit the dispute to the court for resolution.

4.4 CONTINGENCY PLAN UPDATE/NOTICE TO STAKEHOLDERS

In accordance with paragraph 101 of the Consent Decree, Contingency Plan requirements include annual notification to the relevant parties (NJDEP and Non-Honeywell Parties) of any event penetrating/compromising the cap or harming the integrity of the chromium remedy; the steps taken to identify the problem; and the standards for remedying the problem. This notification will be coordinated with annual notification to Riverkeeper documenting compliance with the requirement to notify other stakeholders (including owners, tenants, and utilities) regarding conditions and activities affecting NJCU Commercial AOC and Site 153 North pursuant to paragraph 104 of the Consent Decree:

- Notice, updated annually, to New Jersey One Call and any other underground utility companies that exist now or are implemented in the future that identifies the location of Cr(VI) contaminated fill at or near pipelines under Site 153 North. In order to address this requirement, Honeywell has provided notice to New Jersey One Call. However, New Jersey One Call has informed Honeywell that it cannot function as a hotline service for Cr(VI) issues as it is purely a utility hotline. As a result, in order to assure proper notification of affected entities, Honeywell has been providing notification to individual utility companies identified as having utilities within Site 153. The notification indicates that if a given utility company is contemplating work in the affected area, it needs to notify Honeywell in advance of implementing such work. Honeywell will strive to remain informed about any changes in the presence of utilities in the affected sites and will continue to provide appropriate annual updates.
- Notice describing any owner/operator or Honeywell planned or emergency excavation and safety measures implemented to protect individuals near Site 153 North and the NJCU Commercial AOC.
- Annual summary notice of the chromium remedy that is made available on any Honeywell developed website to inform the public of contamination at Study Area 5, Study Area 6 North and Study Area 6 South. This notice will include a description of remedial actions undertaken and contamination

remaining at the Commercial AOC. This annual update is required upon completion of the annual long-term monitoring requirements.

- NJCU shall provide Honeywell with a list of tenants in any development on the NJCU Commercial AOC, and Honeywell shall provide annual written notice to the tenants describing the long term monitoring or maintenance activities undertaken with respect to the chromium remedy.

Honeywell will provide a letter to the Riverkeeper documenting compliance with the above notification requirements on an annual basis. The first annual notification was provided by Honeywell on April 21, 2011.

Pursuant to paragraph 88 of the Consent Decree, NJCU is required to provide annual written notice, beginning on January 15, 2011, to Honeywell and the Riverkeeper indicating whether NJCU is in compliance with the Deed Notice and whether there are any uses in the Commercial AOC that are prohibited under the Deed Notice or paragraph 87 of the Consent Decree.

5.0 HONEYWELL PROGRAM ORGANIZATION

This section provides Honeywell's program organization and key personnel.

Honeywell Project Manager – Maria Kaouris, Remediation Manager

Honeywell has designated Maria Kaouris as the Remediation Manager and primary contact for this project. Her business address and telephone number follow:

Honeywell
101 Columbia Road
Morristown, NJ 07962
Phone (973) 445-3302

NJDEP Primary Contact – Tom Cozzi

The primary contact for the NJDEP for this project will be the NJDEP Case Manager, Mr. Cozzi. His business address and telephone number is:

New Jersey Department of Environmental Protection
Division of Responsible Party Site Remediation
401 E. State Street, P.O. Box 420
Trenton, NJ 08625
(609) 984-2905

Environmental Consultant – AMEC Environment and Infrastructure, Inc.

AMEC Environment and Infrastructure, Inc. (Amec) is responsible for conducting annual inspections and preparing the biennial certification reports. At the direction of Honeywell, Amec may also provide other services, such as oversight of cap repair, if necessary. Amec's address and telephone number are provided below:

AMEC Environment and Infrastructure, Inc.
American Metro Center
200 American Metro Blvd, Suite 113
Hamilton, NJ 08619
Phone: (609) 689-2829

AMEC's primary contacts are as follows:

Project Responsibility	Name	Telephone Number
Program Manager	Ed Gaven	609-631-2905
Project Manager	Kinjal Shah	609-631-6096
Principal Engineer	Brent O'Dell	609-631-2915
Designated Local Health & Safety Officer	Andrew Shust	609-631-2921

6.0 REFERENCES

- Mactec Engineering and Consulting, Inc., 2007. Final Supplemental Remedial Investigation Report/Remedial Action Selection Report/Remedial Action Work Plan; Study Area 5 New Jersey City University Redevelopment Former Baldwin Steel Site (Site 090) Former Mi Holdings Site (Site 184) Former Morris Canal Site (Site 153 North) Abutting Sites 090 and 184 Jersey City, NJ. July 2007.
- Mactec Engineering and Consulting, Inc., 2010. Chromium Remedy 100% Design Report, SA-5 NJCU Redevelopment, NJDEP Sites 090, 184 and 153, Jersey City, New Jersey; May 10, 2010.
- New Jersey Department of Environmental Protection, 2011. Technical Requirements for Site Remediation: N.J.A.C. 7:26E. Last Amended October 3, 2011.
- TetraTech NUS, 1999. Draft Remedial Investigation Report for Study Area 5, Sites 079, 090, 117, 153 and 184. Jersey City, New Jersey. November 1999.

7.0 LIST OF ACRONYMS AND ABBREVIATIONS

ACO	Administrative Consent Order	RA	Remedial Action
AMEC	AMEC E&I	RAR	Remedial Action Report
AOC	Area of Concern	RASR	Remedial Action Selection Report
bgs	below ground surface	RAWP	Remedial Action Work Plan
BMUA	Bayonne Municipal Utilities Authority	RI	Remedial Investigation
Cr(VI)	Hexavalent Chromium	SA	Study Area
EPA	Environmental Protection Agency	TRSR	Technical Requirements for Site Remediation
GWET	Groundwater Extraction and Treatment System		
HASP	Health and Safety Plan		
mg/kg	milligrams per kilogram		
N.J.A.C.	New Jersey Administrative Code		
NJCU	New Jersey City University		
NJDEP	New Jersey Department of Environmental Protection		
OM&M	Operations, Monitoring and Maintenance		
OSWER	Office of Solid Waste & Emergency Response		

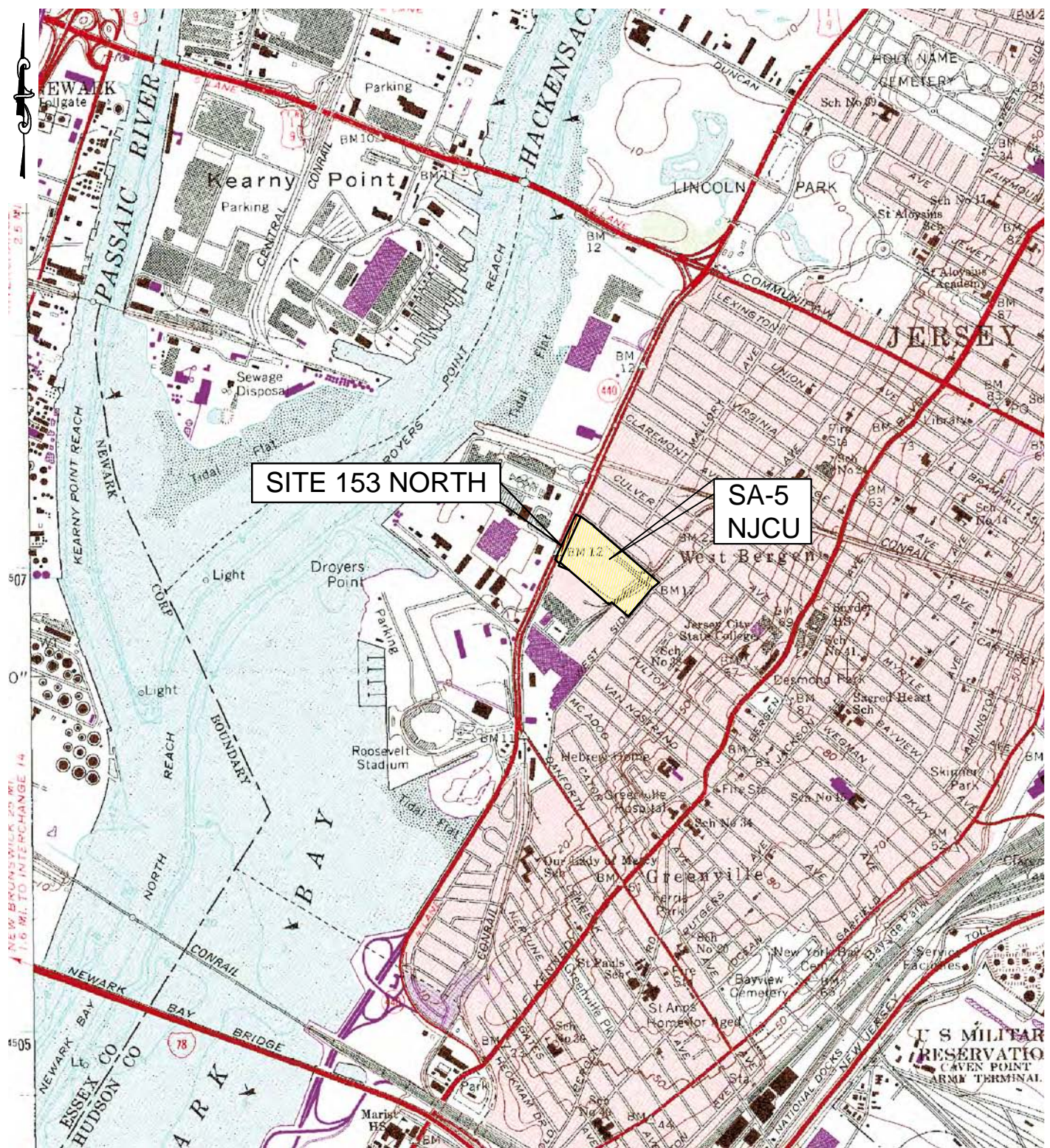
TABLE

Table 1
LTMP Inspection/Monitoring Report Timetable
Study Area 5 NJCU Commercial AOC and 153 North

Monitoring Plan Task	Frequency	Schedule	Reference/ Comment
INSPECTIONS / MONITORING			
NJCU Commercial AOC and Site 153 North Capped Area (pavement cap)	Quarterly	March 2012	Consent Decree Par. 99 (a). Deed Notice (According to master schedule tentative date for recording deed notice is 3/31/2012)
Grade and Slope of the NJCU commercial AOC site	Quarterly	March 2012	Consent Decree Par. 99 (b) Timing to be coordinated with annual cap inspections.
Degree of Cap settlement/ subsidence of Commercial AOC site	Quarterly	March 2012	Consent Decree Par. 99 (c) Timing to be coordinated with annual cap inspections.
NJCU Commercial AOC capping area for any disturbance due to commercial development and/or BMUA sewer line repair or replacement and/or animal burrowing.	Quarterly	March 2012	Consent Decree Par. 99 (e) & (d). Deed Notice (According to master schedule tentative date for recording deed notice is 3/31/2012)
Construction and development of NJCU Commercial AOC and Residential AOC below 4 feet soil	During Construction	-	Consent Decree Par. 99 (h & i).
NJCU Commercial AOC (Vegetative Cap)	Quarterly	March 2012	Consent Decree Par. 99 (f) Timing to be coordinated with annual cap inspections.
Commercial AOC GW Level Measurements (Three Sentinel Wells and Two Piezometers)	Quarterly	March 2012	Consent Decree Par. 99 (g) Timing to be coordinated with annual cap inspections.
Groundwater Sampling of Three Sentinel Wells	Quarterly	March 2012	NJCU 100% Design Groundwater Trigger Document
Site 153 North Capped Area (Pavement area, and warning signs)	Annual	April 2012	Consent Decree Par. 99 (j & k).
REPORTING			
Deed notice compliance <u>by NJCU</u>	Annual	First submittal by 1/15/2011; every years thereafter	Consent Decree Par. 88 Honeywell will remind NJCU 30 days prior to due date for submitting report.
Biennial Certification Report- NJCU commercial AOC	Biennial	First submittal by 3/31/2014; every 2 years thereafter	Consent Decree Par. 91 (a) (iii).
Biennial Certification Report- Site 153 North	Biennial	First submittal by 11/30/2012; every 2 years thereafter	Consent Decree Par. 91 (a) (iii).
Inspection Monitoring Logs – NJCU commercial AOC	Quarterly	Submit by 06/30/2012 and annually thereafter	Consent Decree Par.102 Maintain logs/submit with biennial report
Inspection Monitoring Logs – Site 153 North	Quarterly	Submit by 06/30/2012 and annually thereafter	Consent Decree Par.102 Maintain logs/submit with biennial report
LTMP/Contingency Plan Annual Review and Notification to Riverkeeper and NJDEP	Annual	March 2013 and annually thereafter	Consent Decree Par.101
Annual review of Worker Training Manual	Annual	March 2013 and annually thereafter	Consent Decree Par.99 (l)
PUBLIC NOTICE			
New Jersey One Call notification for the location and type of contamination at or near pipeline- 153 North	Annual	March 2013; every year thereafter	Consent Decree Par.104 (a)
Annual Notice to Stakeholders/Utilities	Annual	March 2013; every year thereafter	Consent Decree Par.104 (e)
Annual update website to inform the public about chromium remedies	Annual	March 2013; every year thereafter	Consent Decree Par.104 (d)

FIGURES

FILE: P:\CADD\HONEYWELL\JERSEY CITY\SA 5\SITE 90 & 184 NJCU\NJCU LTMP\SITE LOCATION MAP-1.DWG, DATE: 05/31/2011 10:41:14AM Layout: Layout



SOURCE: JERSEY CITY, NJ USGS QUADRANGLE MAP, 1983

MACTEC PROJ No.: 3480110255
DRAWING: SITE LOCATION MAP-1

PREPARED/DATE: DL 05/13/11
CHECKED/DATE: US 05/17/11

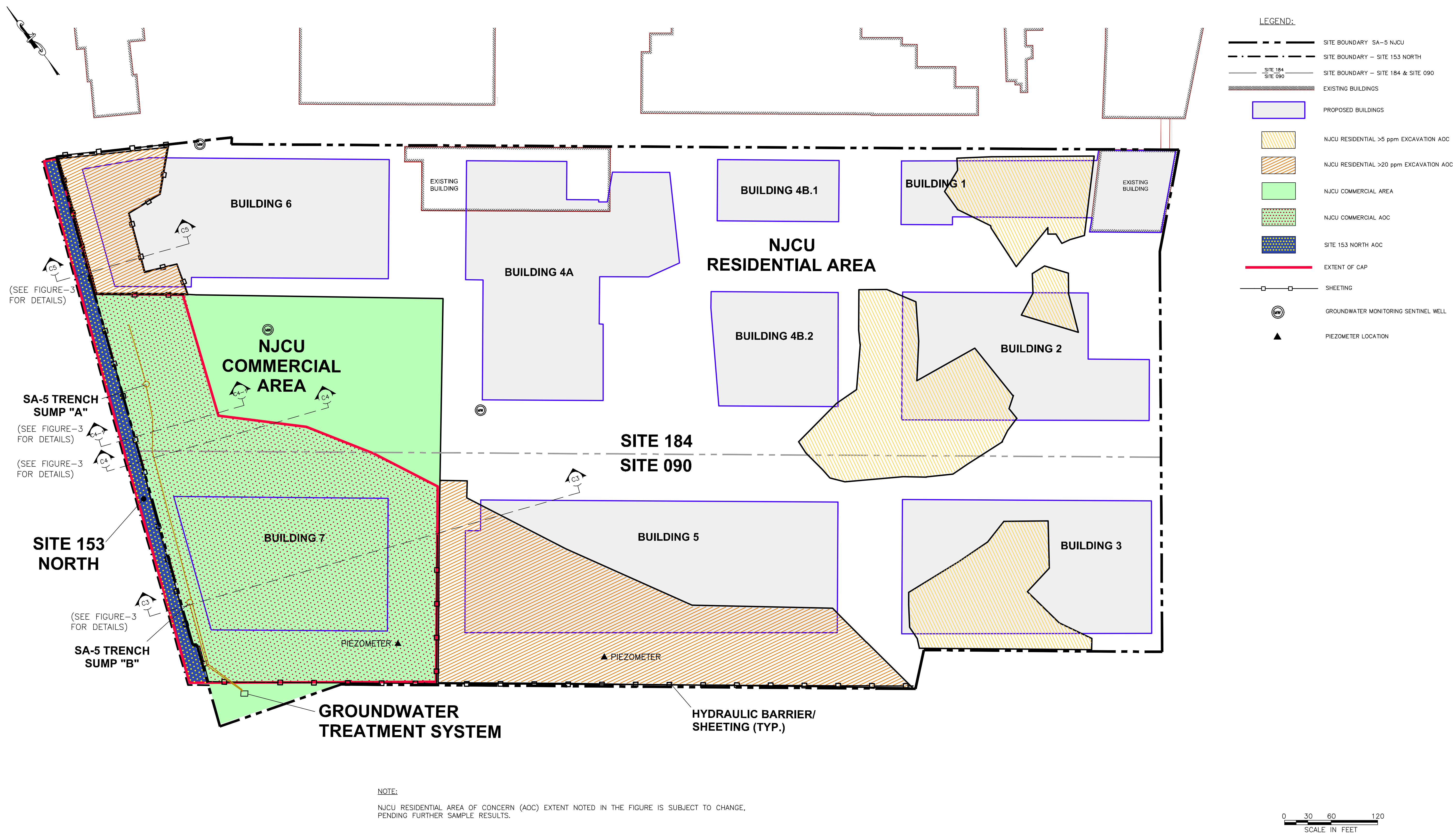


MACTEC Engineering and Consulting
200 American Metro Boulevard, Suite 113
Hamilton, NJ 08619

0 2000 4000
SCALE IN FEET

FIGURE
SITE LOCATION MAP
LONG TERM MONITORING PLAN
SA-5 NJCU AND SITE 153 NORTH
JERSEY CITY, NEW JERSEY

F:\CADD\HONOLULU\JERSEY CITY\SA-5\SITE 90 & 184\NJCU\NJCU LTMP.dwg Plt: 18 Nov. 2011 - 2:55pm strudkin Layout: FIGURE-2



SOURCE: HISTORIC SOIL DATA - DRAFT RIR STUDY AREA 5 (TETRA TECH NUS, NOV. 1999), RIR ADDENDUM (TETRA TECH NUS, OCT. 2004).
BASEMAP: PHASE I CONCEPT PLAN, LANGAN 2 MARCH 2007.
UTILITIES NOT SHOWN.

REV.	DATE	STATUS	PRPD BY	CHKD BY

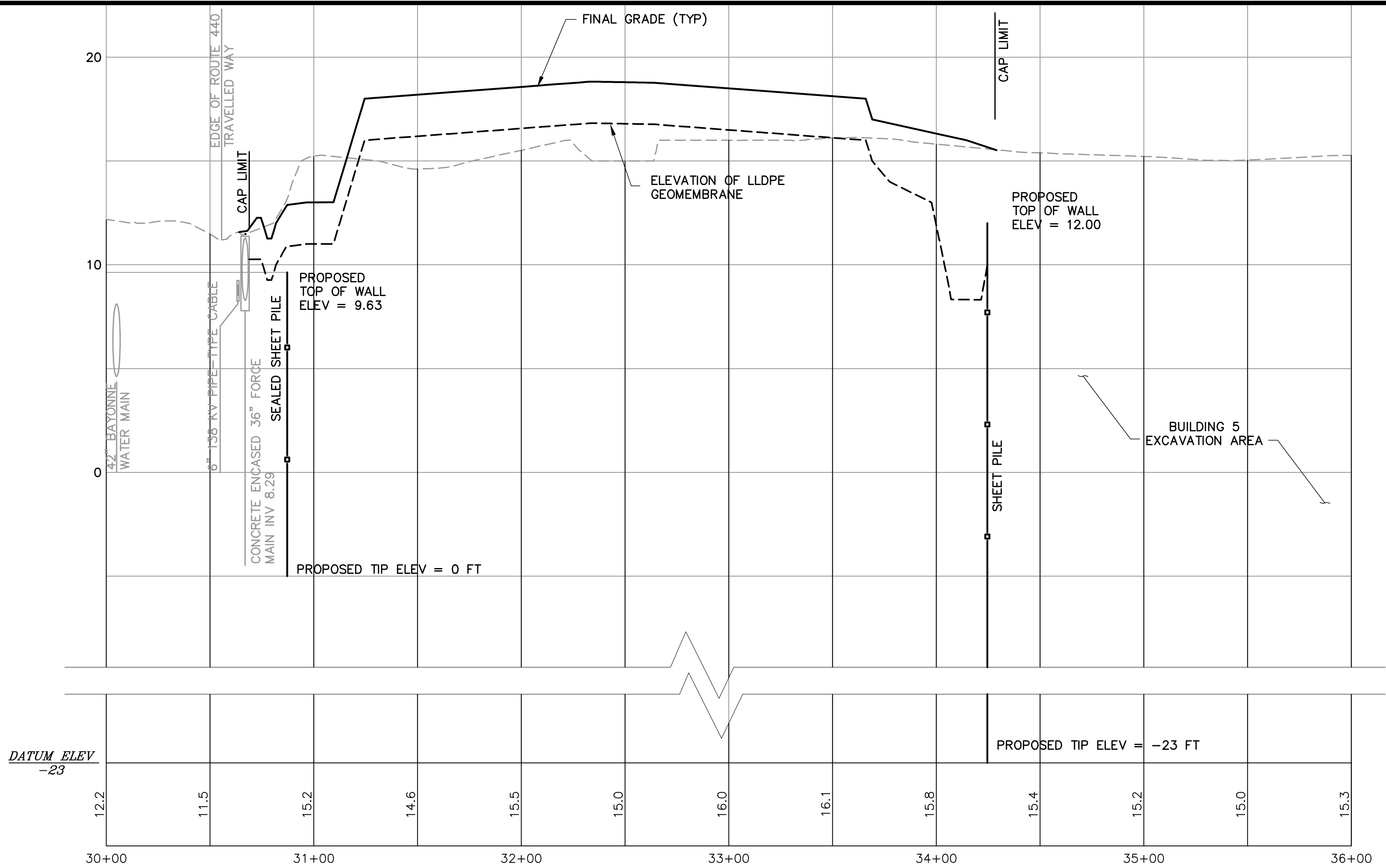
MACTEC PROJECT No. 3480110255 DRAWING: NJCU LTMP	
PREPARED/DATE: DL 05/17/11	CHECKED/DATE: US 06/14/11



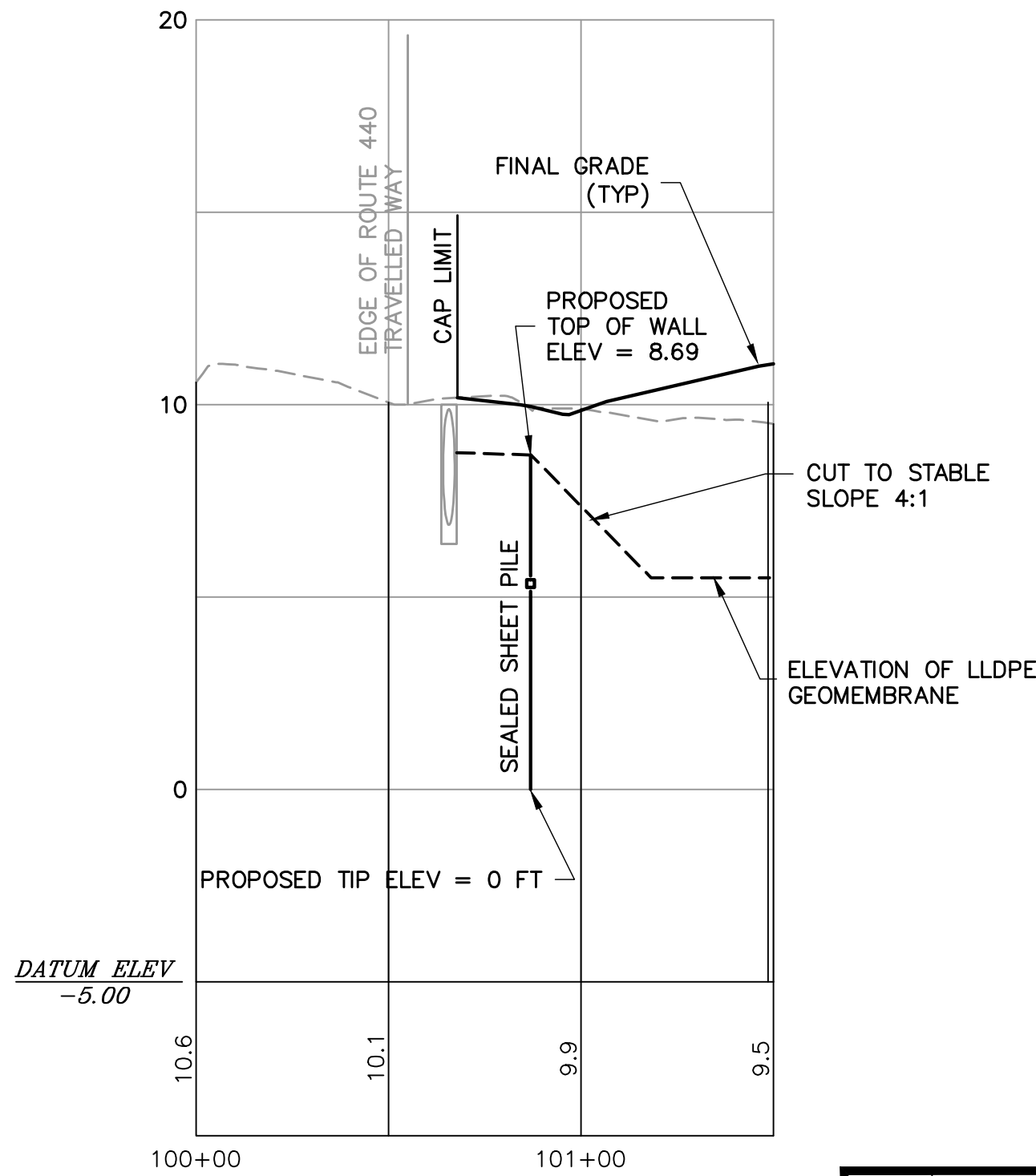
MACTEC Engineering and Consulting, Inc.
200 American Metro Boulevard, Suite 113
Hamilton, NJ 08619

FIGURE
ENGINEERING AND INSTITUTIONAL CONTROLS
LONG TERM MONITORING PLAN
SA-5 NJCU SITE 90/184 AND SITE 153 NORTH
JERSEY CITY, NEW JERSEY

P:\CADD\HONEYWELL\JERSEY CITY\SA 5\SITE 90 & 184\NJCUNJCU LTM\CAP CROSS SECTIONS.dwg, Fri, 03 Jun 2011 - 1:27pm dleech Layout: Layout



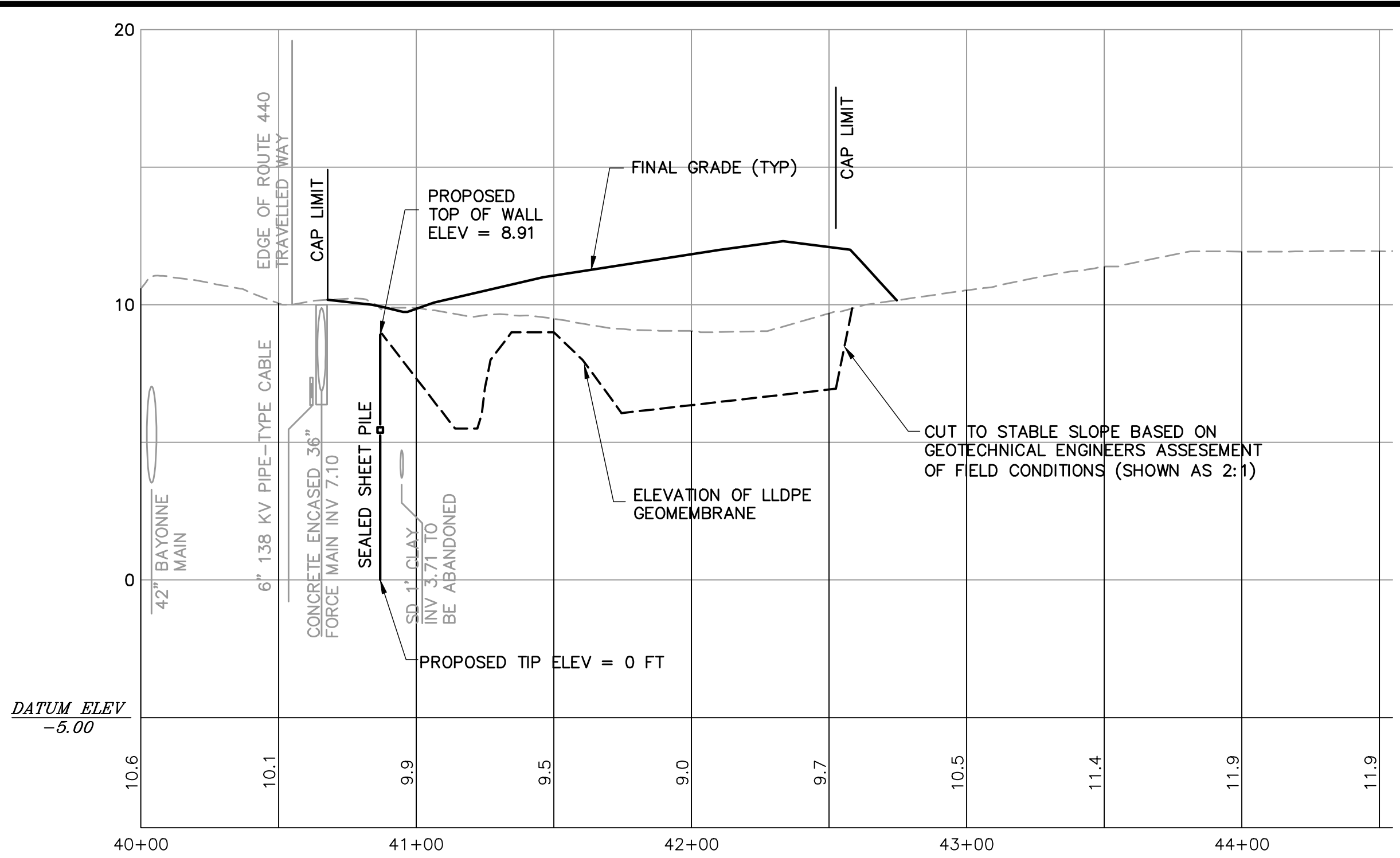
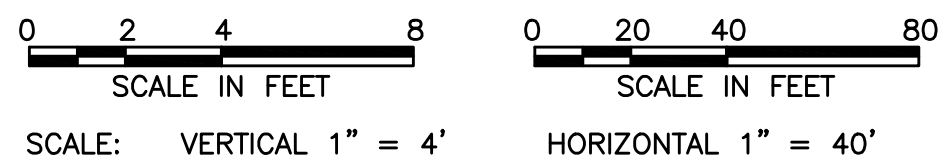
SECTION C3
(SEE FIGURE-2 FOR REFERENCE)



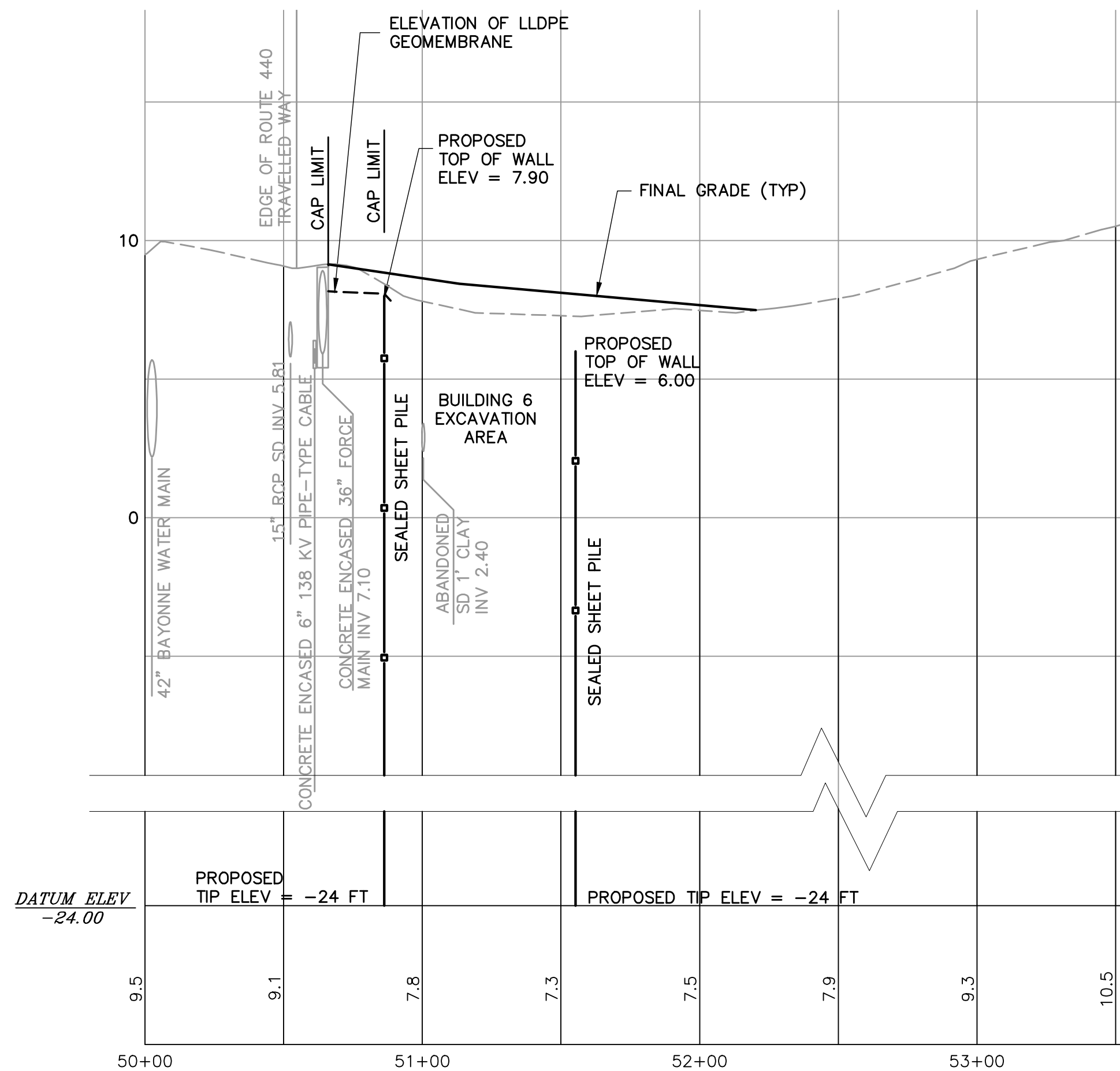
SECTION C4-1
(SEE FIGURE-2 FOR REFERENCE)

NOTES:

1. PROPOSED TOP OF WALL ELEVATIONS ARE SUBJECT TO CHANGE BASED ON SEVENSON PAVEMENT CONSTRUCTION.
2. TOP OF WALL ELEVATIONS SHOWN ARE PROPOSED. AS-BUILT INFORMATION WAS NOT AVAILABLE AT THE TIME THIS DRAWING WAS PREPARED.



SECTION C4
(SEE FIGURE-2 FOR REFERENCE)



SECTION C5
(SEE FIGURE-2 FOR REFERENCE)

3	04/11/11	REFLECTS: ADDENDUM #15 SUB-GRADE MODIFICATIONS	RJR	SGS	
REV.	DATE	STATUS	PRPD BY	CHKD BY	

MACTEC PROJECT No. 3480110255
DRAWING: CAP CROSS SECTIONS

PREPARED/DATE:
DL 05/17/11

CHECKED/DATE:
US 06/03/11



FIGURE 3
CAP CROSS SECTIONS
LONG TERM MONITORING PLAN
SA-5 NJCU SITE 90/184 AND SITE 153 NORTH
JERSEY CITY, NEW JERSEY

APPENDICES

APPENDIX A

RELEVANT REGULATORY CORRESPONDENCE

**State of New Jersey**

Department of Environmental Protection

Jon S. Corzine
GovernorLisa P. Jackson
CommissionerBureau of Case Management
401 East State Street
P.O. Box 028
Trenton, NJ 08625-0028
Phone #: 609-633-1455
Fax #: 609-633-1439

July 26, 2007

Honeywell Inc
Attn: Mr. John Morris, Remediation Portfolio Director
PO Box 1057
Morristown, NJ 07962-1057**Remedial Action Work Plan Approval**

Re: Remedial Action Work Plan – New Jersey City University
Hudson County Chromium Sites 090, 184 and 153 (partial)
Block 1286, Lots 5 & 6D; Block 1286.5, Lots 1 & 2; Block 1289.5, Lot E
Jersey City, NJ 07032
SRP PI# G000008789
EA ID #: SUB070005

Dear Mr. Morris:

The New Jersey Department of Environmental Protection (Department) has completed review of the Remedial Action Work Plan received on 7-12-2007. The Department has determined that the Remedial Action Work Plan is in compliance with the Technical Requirements for Site Remediation, N.J.A.C. 7:26E and other applicable requirements. The Department hereby approves the Remedial Action Work Plan, effective the date of this letter.

Pursuant to the schedule applicable to the site you shall submit a Remedial Action Design Report on December 21, 2007. Please submit the document by that date, or submit a written request for an extension at least 2 weeks prior to the due date. Failure to submit the Remedial Action Design Report in accordance with the schedule may result in the initiation of enforcement action. For your convenience, the regulations concerning the Department's remediation requirements can be found at <http://www.state.nj.us/dep/srp/regs/>.

Thank you for your cooperation in this matter. If you have any questions, please call Frank Faranca, CHMM, Site Manager at (609) 984-4071.

Sincerely,

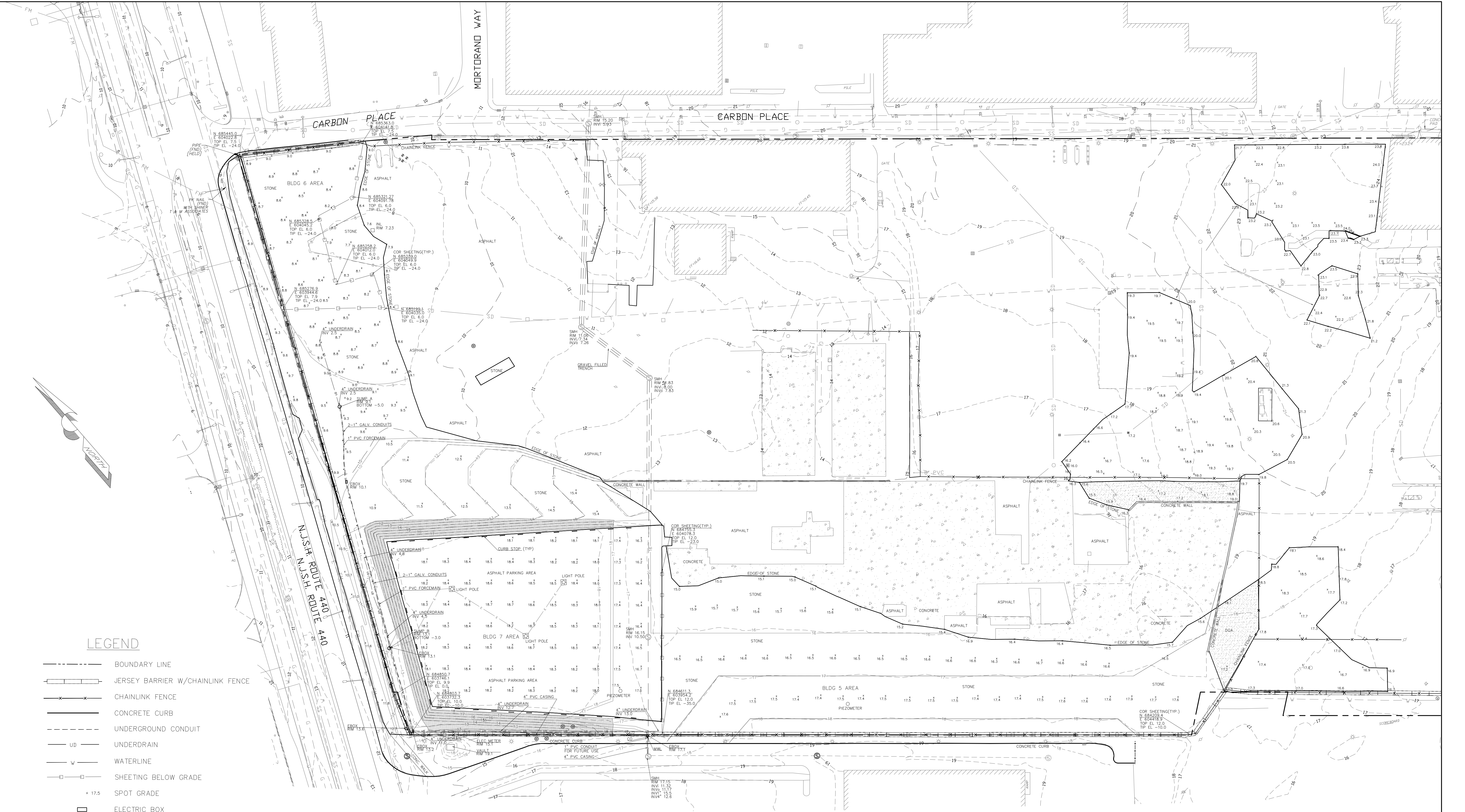
A handwritten signature in black ink, appearing to read 'E. Putnam', written over a horizontal line.

Edward Putnam, Assistant Director
Remedial Response Element

Cc: David Doyle, NJDEP/BEERA
David VanEck, NJDEP/BGWPA
Dan Gordon, Jersey City Engineering Department
William Matsikoudis, Jersey City Legal Department
Joseph Castagna, Jersey City Division of Health
Robert Ferraiuolo, Hudson Regional Health Commission
Hudson County Planning Board
Jersey City Municipal Clerk

APPENDIX B

**AS-BUILT DRAWINGS
NJCU CHROMIUM REMEDIATION**



LEGEND

BOUNDARY LINE

JERSEY BARRIER W/CHAINLINK FENCE

CHAINLINK FENCE

CONCRETE CURB

UNDERGROUND CONDUIT

UD

UNDERDRAIN

W

WATERLINE

SHEETING BELOW GRADE

x 17.5

SPOT GRADE

ELECTRIC BOX

SANITARY SEWER MANHOLE

MONITOR WELL

INLET

TOPSOIL/SEEDED AREA

CONCRETE AREA

CURB STOP

- NOTES
1. THIS MAP WAS PREPARED TO SHOW THE AS-BUILT CONDITIONS OF THE SITE POST CONSTRUCTION. THIS MAP WAS CREATED FROM FIELD MEASUREMENTS PERFORMED BY THIS FIRM THROUGH 12-22-11.

2. HORIZONTAL DATUM NAD 83, VERTICAL DATUM NGVD 29.

3. BOUNDARY LINE, AND BACKGROUND INFORMATION SHOWN HEREON OUTSIDE OF THE SURVEY LIMITS FROM PLANS ENTITLED "EXISTING CONDITIONS" PREPARED BY MACTEC LAST REVISED 05-06-10.

4. CONTOURS SHOWN HEREON IN A DASHED LINE TYPE REPRESENT THE ASBUILT AND EXISTING CONDITIONS. AND THE CONTOURS SHOWN IN A SOLID LINE TYPE REPRESENT THE PROPOSED FINAL GRADE AS SHOWN ON MACTEC DESIGN PLANS ENTITLED "POST CHROMIUM REMEDIATION GRADING AND DRAINAGE PLAN, ADDENDUM 3".

KENNY L. KENNON, P.L.S.

PROFESSIONAL LAND SURVEYOR LICENSE NO. 37195

AS-BUILT SURVEY

"FINAL EXISTING CONDITIONS"

BLOCK 1286.5, LOT 1 & BLOCK 1286, LOT 5

JERSEY CITY, NEW JERSEY

HONEYWELL SITE ID 37288, 37811 & 37460

KSS

KENNON SURVEYING SERVICES INC.

5 POWDER HORN DRIVE, SUITE 4

WARREN, NEW JERSEY 07059

PHONE 732-564-1818 CERTIFICATE OF AUTHORIZATION NO. 27944900 FAX 732-564-9999

date

01-13-12

scale

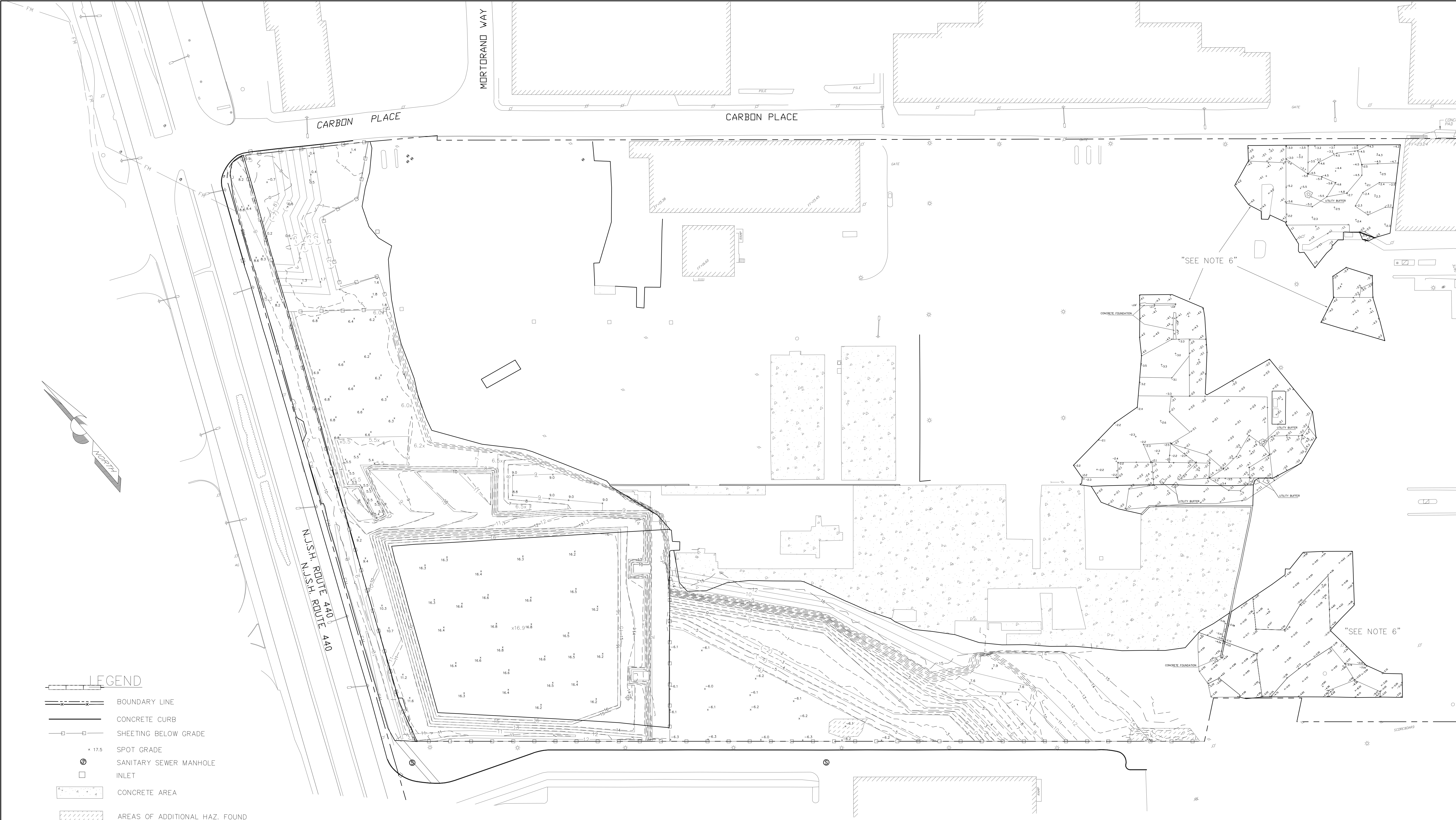
1" = 50'

proj. no.

2201

sheet

1 OF 2



- LEGEND**
- BOUNDARY LINE
 - CONCRETE CURB
 - SHEETING BELOW GRADE
 - SPOT GRADE
 - SANITARY SEWER MANHOLE
 - INLET
 - CONCRETE AREA
 - AREAS OF ADDITIONAL HAZ. FOUND

- NOTES**
- THIS MAP WAS PREPARED TO SHOW THE AS-BUILT CONDITIONS OF THE BOTTOM OF EXCAVATION.
 - HORIZONTAL DATUM NAD 83, VERTICAL DATUM NGVD 29.
 - BOUNDARY LINE, AND BACKGROUND INFORMATION SHOWN HEREON OUTSIDE OF THE SURVEY LIMITS FROM PLANS ENTITLED "EXISTING CONDITIONS" PREPARED BY MACTEC LAST REVISED 05-06-10.
 - CONTOURS SHOWN HEREON IN A DASHED LINE TYPE REPRESENT THE ASBUILT SUBGRADE. AND THE CONTOURS SHOWN IN A SOLID LINE TYPE REPRESENT THE PROPOSED SUBGRADE AS SHOWN ON MACTEC DESIGN PLANS ENTITLED "SOIL EXCAVATION PLAN", DATED 05-06-10, (FOR BUILDING 5 & 6) AND "MACTEC-CSP02 ADDNM15 SG-NO PILE -DRAFT FOR PLAINTIFF REVIEW", DATED 04-14-11, (BUILDING 7).
 - EXCAVATION DEPTHS FOR BUILDING 6 AREA WERE LIMITED BY THE EXISTING "MEADOW MAT SYSTEM".
 - SPOT GRADES SHOWN IN THE JERSEY CITY UNIVERSITY PARKING LOT REPRESENT THE DEPTH OF EXCAVATION.

KENNY L. KENNON, P.L.S.

PROFESSIONAL LAND SURVEYOR LICENSE NO. 37195

DATE: _____

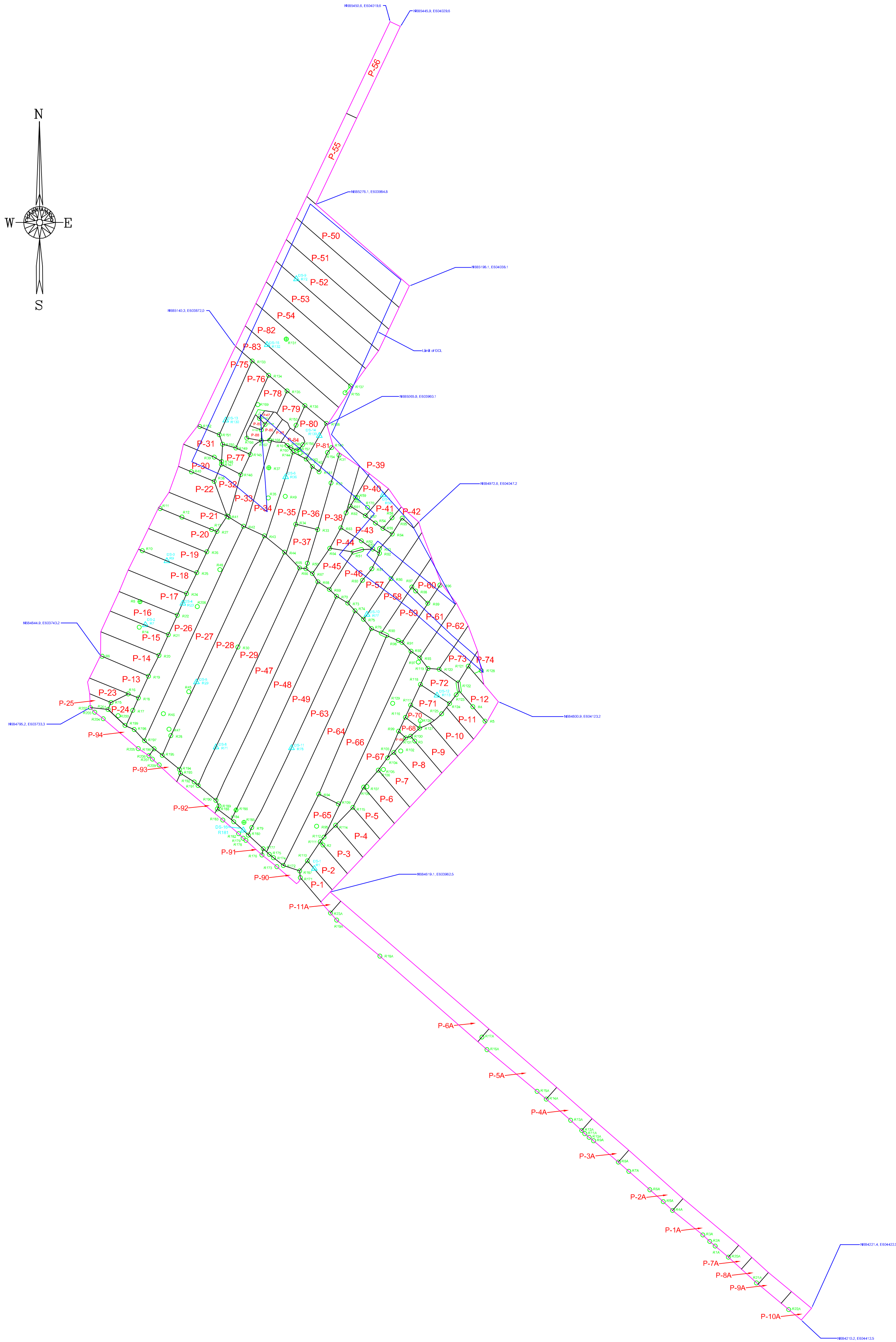
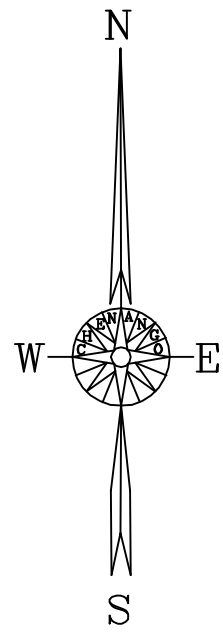
**AS-BUILT SURVEY
"SUB-GRADE"**

BLOCK 1286.5, LOT 1 & BLOCK 1286, LOT 5
JERSEY CITY, NEW JERSEY
HONEYWELL SITE ID 37288, 37811 & 37460

KSS KENNON SURVEYING SERVICES INC.
5 POWDER HORN DRIVE, SUITE 4
P.O. BOX 4477
WARREN, NEW JERSEY 07059

PHONE 732-564-1818 CERTIFICATE OF AUTHORIZATION NO. 27944900 FAX 732-564-9999

DATE	01-13-12	SCALE	1" = 50'	PROJ. NO.	2201	SHEET	2 OF 2
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LEGEND

- P-## PANEL IDENTIFICATION NUMBER
- APPROXIMATE LOCATION OF LINER LIMIT
- APPROXIMATE GCL LIMIT
- REPAIR LOCATION
- DESTRUCT LOCATION

PROJECT NO.: 10039		JOHNSON CITY, NY 13790	
SCALE: 1"=60'	29 Arbutus Road		
DRAWN BY: PRM	Chenango CONTRACTING		
SHEET: 1 OF 1	PHONE 607.729.8500 FAX 607.729.2415		
GEOMEMBRANE RECORD DRAWING HONEYWELL JERSEY CITY JERSEY CITY, NEW JERSEY		DATE	
		STATUS	

APPENDIX C

**DEED NOTICE
NJCU COMMERCIAL AOC
(To Be Provided When Finalized)**

APPENDIX D

DEED NOTICE

SITE 153 FORMER MORRIS CANAL

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

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: John J. Morris

[Signature]

John J. Morris

[425/445 Route 440 Property LLC]

[Print name below signature]



20101130010092950 1/172
11/30/2010 02:36:26 PM DEED
Bk: 8765 Pg: 187
Willie L. Flood
Hudson County, Register of Deeds
Receipt No. 474756

Recorded by:

[Signature, Officer of County Recording Office]

[Print name below signature]

DEED NOTICE CONCERNING CONTROLS INSTALLED TO CONTAIN CHROMIUM CONTAMINATION UNDERLYING PROPERTY AND RESTRICTIONS CONCERNING THE USE OF PROPERTY

This Deed Notice is made as of the 11th day of November, 2010, by Honeywell International Inc. ("Honeywell") and its subsidiary 425/445 Route 440 Property LLC, whose post office address is 101 Columbia Road, Morristown, New Jersey 07962. Owner shall mean 425/445 Route 440 Property LLC, together with its successors and assigns, including all successors in interest in the Property which is the subject of this Deed Notice as described fully below.

1. THE PROPERTY. 425/445 Route 440 Property LLC is the current owner in fee simple of certain real property designated as that portion of Block 1289.5, Lot E on the tax map of the City of Jersey City, Hudson County, New Jersey (Property); the New Jersey Department of Environmental Protection (NJDEP) Program Interest Number for the contaminated site which includes this Property is Hudson County Chromate Site No. 153 Program Interest (PI) #G000008767. The Property is known in parts as Site 153 South and Site 153 North pursuant to the Consent Decree Regarding Site 79 and 153 South and the Consent Decree Regarding Remediation of the New Jersey City University Redevelopment Area ("Consent Decrees"), which are attached hereto and entered as

\$1,753.00 - 142 Pages

orders of the Court in the following consolidated actions *JCMUA v. Honeywell International Inc.*, D.N.J., Civ. No. 05-05955; *JCIA v. Honeywell International Inc.*, D.N.J., Civ. No. 05-5993; and *Hackensack Riverkeeper, Inc. v. Honeywell International Inc.*, D.N.J., Civ. No. 06-22. The portion of the Property subject to this Deed Notice is described by metes and bounds in Exhibit A-1 and further defined as Site 153 South and Site 153 North in the Consent Decrees. The Consent Decrees restrict transfer, use and development of the Site 153 South and North portions of the Property without further remediation, pursuant to the terms of the Consent Decrees. To the extent that there is any conflict or inconsistency between the terms of this Deed Notice and the terms of the Consent Decrees, the Consent Decrees shall govern. To the extent that any action to be taken pursuant to this Deed Notice is in conflict with or inconsistent with the Consent Decrees, the Consent Decrees shall govern.

2. DEPARTMENT'S ASSIGNED BUREAU. The Bureau of State Case Management (BCM) was the New Jersey Department of Environmental Protection program that was responsible for the oversight of the remediation of the Property. The matter was Case No. Hudson County Chromate Site No. 153 Program Interest (PI) # G000008767.

3. SOIL CONTAMINATION. Honeywell, a corporation in the State of New Jersey whose post office address is 101 Columbia Road, Morristown, New Jersey 07962, is remediating the Property to address chromium-related soil contamination. The Remedial Action Work Plan for the NJCU Remediation Area, including that portion of the Property designated as Site 153 North abutting NJCU property was approved by NJDEP on July 26, 2007. Interim Remedial Action Work Plans for Site 153 South Lower and Upper Segments have been submitted to NJDEP on October 15, 2009 and May 21, 2010, respectively. Remedial actions were further approved pursuant to the Consent Decrees. Under the Consent Decrees and the Remedial Action Work Plan, soil contamination remains in the Property which contains contaminants in concentrations that do not allow for the unrestricted use of the Property. The soil contamination is described, including the type, concentration and specific location of such contaminants, in Exhibit B, which is attached hereto and made a part hereof. As a result of the contamination, there is a statutory requirement for this Deed Notice and engineering controls in accordance with N.J.S.A. 58:10B-13. The remedial actions and engineering controls are further described in Exhibit C. Under the terms of the Consent Decrees and this Deed Notice, Honeywell is responsible for monitoring and maintaining the soil remediation for the Site 153 North and South portions of the Property until such time as the Property is remediated to the level that would permit the removal of this Deed Notice pursuant to the Consent Decrees.

4. CONSIDERATION. In accordance with the NJDEP's approval of the Remedial Action Work Plan for the remediation of Hudson County Chromate Site No. 153 and in consideration of the terms and conditions of that approval, and in accordance with the Consent Decrees, and other good and valuable considerations, Owner has agreed to subject the Property to certain statutory and regulatory requirements which impose restrictions upon the use of the Property, to restrict certain uses of the Property, and to provide notice to easement holders, lessees and operators of the restrictions until the

Property is further remediated and no longer must be encumbered by this Deed Notice pursuant to the terms of the Consent Decree.

5A. RESTRICTED AREAS. Due to the presence of these contaminants throughout the Property, Owner has agreed, as part of the remedial action for the Property, to restrict the use of the Property (also referred to as the "Restricted Areas"); a narrative description of these restrictions, along with the associated monitoring and maintenance activities and the biennial certification requirements are provided in Exhibit C, which is attached hereto and made a part hereof. Owner has also agreed to maintain a list of these restrictions on site for inspection by governmental enforcement officials.

5B. ENGINEERING CONTROLS. Due to the presence and concentration of these contaminants, 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, along with the associated monitoring and maintenance activities and the biennial certification requirements are provided in Exhibit C. Honeywell shall be responsible for monitoring and maintenance of engineering controls and biennial certification requirements as specified in Paragraphs 7A&B.

5C. ADDITIONAL PROVISIONS PURSUANT TO CONSENT DECREE. The clean fill, caps and asphalt cover (also referred to as the Restricted Area) constitute engineering controls that must be maintained in accordance with the New Jersey Technical Requirements for Site Remediation, N.J.A.C. § 7:26E. Future uses of the Property are limited to open space, utility corridor, transportation, roadway, crossing, or access to adjacent properties.

6A. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

i. Except as provided in the Consent Decrees and Paragraph 6B, 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 except as (a) permitted in the Consent Decrees and (b) without first obtaining the express written consent of NJDEP. 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. To request the consent of the NJDEP, contact:

Department of Environmental Protection
Division of Remediation Management and Response
Bureau of Operation, Maintenance and Monitoring
Deed Notice Inspection Program
P.O. Box 413
401 E. State Street
Trenton, NJ 08625-0413

ii. Notwithstanding subparagraph 6A.i., above, NJDEP's express written consent is not required for any alteration, improvement, or disturbance provided that the owner, lessee or operator:

- (A) Takes such action in conformance with the Consent Decrees; and
- (B) Notifies NJDEP of the activity by calling the NJDEP 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;
- (C) Notifies Honeywell of the activity by calling 973-455-3302;
- (D) Restores or causes Honeywell to restore any disturbance of an engineering control to pre-disturbance conditions within sixty (60) calendar days after the initiation of the alteration, improvement or disturbance;
- (E) Ensures that all applicable worker health and safety laws and regulations are followed during the alteration, improvement, or disturbance, and during the restoration;
- (F) Ensures that exposure to contamination in excess of the applicable remediation standards does not occur;
- (G) Submits, or causes Honeywell to submit a written report, describing the alteration, improvement, or disturbance, to NJDEP within sixty (60) calendar days after the end of each alteration, improvement, or disturbance. The report shall include in the report 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, the amounts of soil generated for disposal, if any, the final disposition and any precautions taken to prevent exposure. Such a report shall be submitted to:

New Jersey Department of Environmental Protection
Division of Remediation Management and Response
Bureau of Operation, Maintenance and Monitoring
Deed Notice Inspection Program
P.O. Box 413
401 E. State Street
Trenton, NJ 08625-0413

6B. 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, any person may temporarily breach any engineering control provided that that person complies with each of the following:

- i. Immediately notifies NJDEP of the emergency, by calling the NJDEP Hotline at 1-877-WARNDEP or 1-877-927-6337;
- ii. Immediately notifies Honeywell of the emergency by calling 973-455-3302;
- 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 NJDEP when the emergency has ended by calling the NJDEP Hotline at 1-877-WARNDEP or 1-877-927-6337;
- vi. Notifies Honeywell when the emergency has ended by calling 973-455-3302; and
- vii. Restores or causes Honeywell to restore the engineering control to the pre-emergency conditions as soon as possible, and provides a written report to NJDEP of such emergency and restoration efforts within sixty (60) calendar days after completion of the restoration of the engineering control. The report must include all information pertinent to the emergency, potential discharges of contaminants, and restoration measures that were implemented, which, at a minimum, should specify: (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 recurrence of such conditions in the future. The report shall be submitted to:

Department of Environmental Protection
Division of Remediation Management and Response
Bureau of Operation, Maintenance and Monitoring
Deed Notice Inspection Program
P.O. Box 413
401 E. State Street
Trenton, NJ 08625-0413

7A. MONITORING AND MAINTENANCE OF DEED NOTICE, AND PROTECTIVENESS CERTIFICATION. Honeywell and the Owner shall monitor and maintain this Deed Notice, and certify to NJDEP on a biennial basis that the remedial

action that includes this Deed Notice remains protective of the public health and safety and of the environment. The specific obligations to monitor and maintain the deed notice shall include all of the following:

- i. Monitoring and maintaining this Deed Notice according to the requirements in Exhibit C, to ensure that the remedial action that includes the Deed Notice continues to be protective of the public health and safety and of the environment;
- ii. Conducting any additional remedial investigations and implement any additional remedial actions, that are necessary to correct, mitigate, or abate each problem related to the protectiveness of the remedial action for the Property prior to the date that the certification is due to NJDEP pursuant to iii, below, in order to ensure that the remedial action that includes this Deed Notice remains protective of the public health and safety and of the environment.
- iii. Certify to NJDEP as to the continued protectiveness of the remedial action that includes this Deed Notice, on a form provided by NJDEP and consistent with N.J.A.C. 7:26C-7.4(b)1, every two years on the anniversary of the date stamped on the Deed Notice that indicates when the Deed Notice was recorded.

7B. MONITORING AND MAINTENANCE OF ENGINEERING CONTROLS, AND PROTECTIVENESS CERTIFICATION. Honeywell and the Owner shall maintain all engineering controls at the Property and certify to the Department on a biennial basis that the remedial action of which each engineering control is a part remains protective of the public health and safety and of the environment. The specific obligations to monitor and maintain the engineering controls shall include the following:

- i. Monitoring and maintaining each engineering control according to the requirements in Exhibit C, to ensure that the remedial action that includes the engineering control continues to be protective of the public health and safety and of the environment;
- ii. Conducting any additional remedial investigations and implement any additional remedial actions, that are necessary to correct, mitigate, or abate each problem related to the protectiveness of the remedial action for the Property prior to the date that the certification is due to the Department pursuant to iii, below, in order to ensure that the remedial action that includes the engineering control remains protective of the public health and safety and of the environment.
- iii. Certify to NJDEP as to the continued protectiveness of the remedial action that includes the engineering control, on a form provided by NJDEP and consistent with N.J.A.C. § 7:26C-1.2 (a)1, every two years on the anniversary of the date stamped on the Deed Notice that indicates when the Deed Notice was recorded.

8. ACCESS. Owner agrees to allow NJDEP, 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 ensure the protection of the public health and safety and of the environment if persons responsible for monitoring the protectiveness of the remedial action, as described in Paragraph 7, above, fail to conduct such remediation pursuant to this Deed Notice as required by law. Owner 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.

9. NOTICES.

i. Owner shall cause all leases, grants, and easements for the Property 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. Owner shall notify any person intending to conduct invasive work or excavate within the Property on its behalf of the nature and location of contamination and, of the precautions necessary to minimize potential human exposure to contaminants.

iii. Owner shall provide written notice to NJDEP at least thirty (30) calendar days before the effective date of any conveyance, grant, gift, or other transfer, in whole or in part, of the owner's interest in the Property. Any such conveyance, grant or gift must be consistent with the terms of the Consent Decrees.

iv. Owner shall provide written notice to NJDEP within thirty (30) calendar days following the Owner's receiving notice of any petition for a rezoning of the Property. The Owner shall submit the written notice to:

Department of Environmental Protection
Division of Remediation Management and Response
Bureau of Operation, Maintenance and Monitoring
Deed Notice Inspection Program
P.O. Box 413
401 E. State Street
Trenton, NJ 08625-0413.

10. ENFORCEMENT OF VIOLATIONS.

i. This Deed Notice itself is not intended to create any interest in real estate in favor of the NJDEP, 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 the Property.

ii. The restrictions provided herein may be enforceable by NJDEP against any person who violates this Deed Notice. To enforce violations of this Deed Notice, NJDEP may

initiate one or more enforcement actions pursuant to N.J.S.A. § 58:10-23.11u and require additional remediation and assess damages pursuant to N.J.S.A. § 58:10-23.11g.

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 if the provision had never been included herein. In either case, the remaining provisions of this Deed Notice shall remain in full force and effect.

12. SUCCESSORS AND ASSIGNS. This Deed Notice shall be binding upon Honeywell. This Deed Notice shall also be binding upon Owner and upon Owner's successors and assigns, and subsequent easement holders, lessees and operators while each has an interest in the Property.

13. MODIFICATION AND TERMINATION.

i. Any person may request in writing, at any time, that NJDEP modify this Deed Notice where performance of subsequent remedial actions, a change of conditions at the Property, or the adoption of revised remediation standards suggest that modification of the Deed Notice would be appropriate.

ii. Any person may request in writing, at any time, that NJDEP terminate this Deed Notice because the conditions which triggered the need for this Deed Notice are no longer applicable.

iii. Any person seeking a modification of this Deed Notice must also have such modification approved by the United States District Court for the District of New Jersey pursuant to the Consent Decrees.

iv. This Deed Notice may be revised or terminated only upon filing of an instrument, executed by NJDEP, in the office of the Hudson County Register, New Jersey, expressly modifying or terminating this Deed Notice.

14A. EXHIBIT A. Exhibit A includes the following maps of the Property and 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 metes and bounds description of the Property, including reference to tax lot and block numbers for the Property and a Tax Map;

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; the map(s) shall include diagrams of major surface topographical features such as buildings, roads, and parking lots.

14B. EXHIBIT B. Exhibit B includes the following descriptions of the Restricted Areas:

i. Exhibit B-1 (Figures B-1A through B-1D): Restricted Area Maps - Maps for the Area that include, as applicable:

(A) As-built diagrams of each engineering control, including caps, fences, slurry walls, ground water monitoring wells, and ground water pumping system;

(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/or 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 - Table for the Restricted Area that includes:

(A) Sample location designation from Restricted Area maps (Exhibit B-1);

(B) Sample elevation based upon mean sea level;

(C) Name and chemical abstract service registry number of each contaminant with a concentration that exceeds the unrestricted use standard;

(D) The restricted and unrestricted use standards for each contaminant in the table with instructions that direct the reader to the Consent Decree for further information; and

(E) The remaining concentration of each contaminant at each sample location at each elevation (or if historic fill, include data from the Department's default concentrations at N.J.A.C. § 7:26E-4.6, Table 4-2).

14C. 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 restrictions and obligations of this Deed Notice that

are in addition to those described above, as follows:

(A) General Description of the Institutional Controls:

- (1) Description and estimated size of the Restricted Areas as described above;
- (2) Description of the restrictions on the Property by operation of this Deed Notice and the other Institutional Controls; and
- (3) The objective of the restrictions;

(B) Description of the monitoring necessary to determine whether:

- (1) Any disturbances of the soil in the Restricted Areas did not result in the unacceptable exposure to the soil contamination;
- (2) There have been any land use changes subsequent to the filing of this Deed Notice and the other Institutional Controls or the most recent biennial certification, whichever is more recent;
- (3) The current land use on the Property is consistent with the restrictions in this Deed Notice and the other Institutional Controls;
- (4) Any newly promulgated or modified requirements of applicable regulations or laws apply to the Property; and
- (5) Any new standards, regulations, or laws apply to the Property that might necessitate additional sampling in order to evaluate the protectiveness of the remedial action which includes this Deed Notice and the other Institutional Controls, and conduct the necessary sampling; and

(C) Description of the following items that will be included in the biennial certification:

- (1) A monitoring report that describes the specific activities, pursuant to (A) and (B), above, conducted in support of the biennial certification of the protectiveness of the remedial action that includes this Deed Notice and the other Institutional Controls;
- (2) Land use at the Property is consistent with the restrictions in this Deed Notice and the other Institutional Controls; and
- (3) The remedial action that includes this Deed Notice and the other Institutional Controls continues to be protective of the public health and safety and of the environment.

ii. Exhibit C-2: Engineering Controls: Clean Fill, Vegetative Cover, Pavement and Access Point Warnings:

Exhibit C-2 includes a narrative description of the engineering controls as follows:

(A) General Description of the engineering control:

- (1) Description of the engineering control;
- (2) The objective of the engineering control; and

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

(B) Description of the operation and maintenance necessary to ensure that:

- (1) Periodic inspections of each engineering control are performed in order to determine its integrity, operability, and effectiveness;
- (2) Each engineering control continues as designed and intended 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;
- (4) The engineering control is being inspected and maintained and its integrity remains so that the remedial action continues to be protective of the public health and safety and of the environment;
- (5) A record of the self-inspection dates, name of the inspector, results of the inspection and condition(s) of the engineering control. Sampling, for example, may be necessary if it is not possible to visually evaluate the integrity/performance of the engineering control; and
- (6) Any new standards, regulations, or laws apply to the Property that might necessitate additional sampling in order to evaluate the protectiveness of the remedial action which includes this Deed Notice, and conduct the necessary sampling; and

(C) Description of the following items that will be included in the biennial certification:

- (1) A monitoring report that describes the specific activities, pursuant to (A) and (B), above, conducted in support of the biennial certification of the protectiveness of the remedial action that includes this Deed Notice;
- (2) The engineering control continues to operate as designed; and
- (3) The remedial action that includes the engineering control continues to be protective of the public health and safety and of the environment.

14D. EXHIBIT D. Consent Decrees as Institutional Controls: Exhibit D-1 includes a copy of the Consent Decree Regarding Sites 79 and 153 South. Exhibit D-2 includes a copy of the Consent Decree Regarding Remediation of the New Jersey City University Redevelopment Area.

15. SIGNATURES.

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

ATTEST:

Maria Kaouris
Maria Kaouris
[Print name and title] Remediation
Manager

425/445 Route 440 Property-LLC
By John J. Morris
John J. Morris
[Signature] Remediation Director

STATE OF NEW JERSEY SS.:
COUNTY OF ~~[where document is executed]~~ MORRIS

I certify that on Nov. 11, 2010, ~~[Name of person executing document on behalf of Owner]~~ Maria Kaouris personally came before me, and this person acknowledged under oath, to my satisfaction, that:

(a) this person is the ~~[secretary/assistant secretary]~~ Remediation Manager of Route 425/445 Route 440 LLC, the corporation named in this document;

(b) this person is the attesting witness to the signing of this document by the proper corporate officer who is the ~~[president/vice president]~~ John J. Morris of the corporation; Remediation Director

(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~~; and

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

Maria Kaouris
[Signature]
Maria Kaouris - Remediation manager
[Print name and title of attesting witness]

Signed and sworn before me on Nov. 11, 2010
Cheryl L. Toles, Notary Public

Cheryl L. Toles
[Print name and title]

My Commission Expires: October 27, 2015

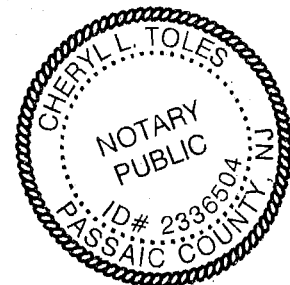


EXHIBIT A

A-1 Vicinity Map A-2 Metes and Bounds Description A-3 Property Map

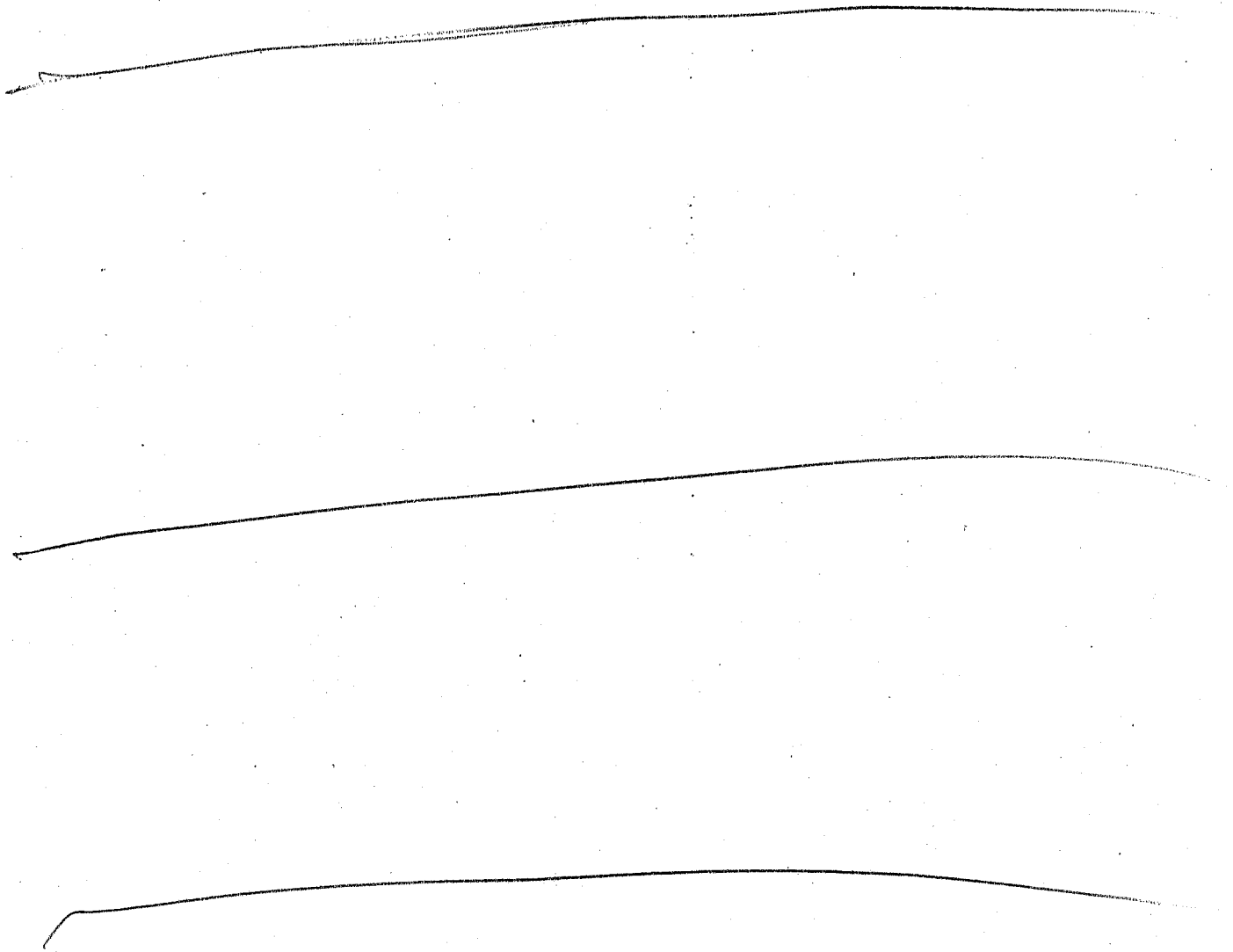
NJDEP Site No. 153 Former Morris Canal
Block 1289.5, Lot E
City of Jersey City, Hudson County, New Jersey

Exhibit A-1 consists of a road map for the vicinity of the Property.

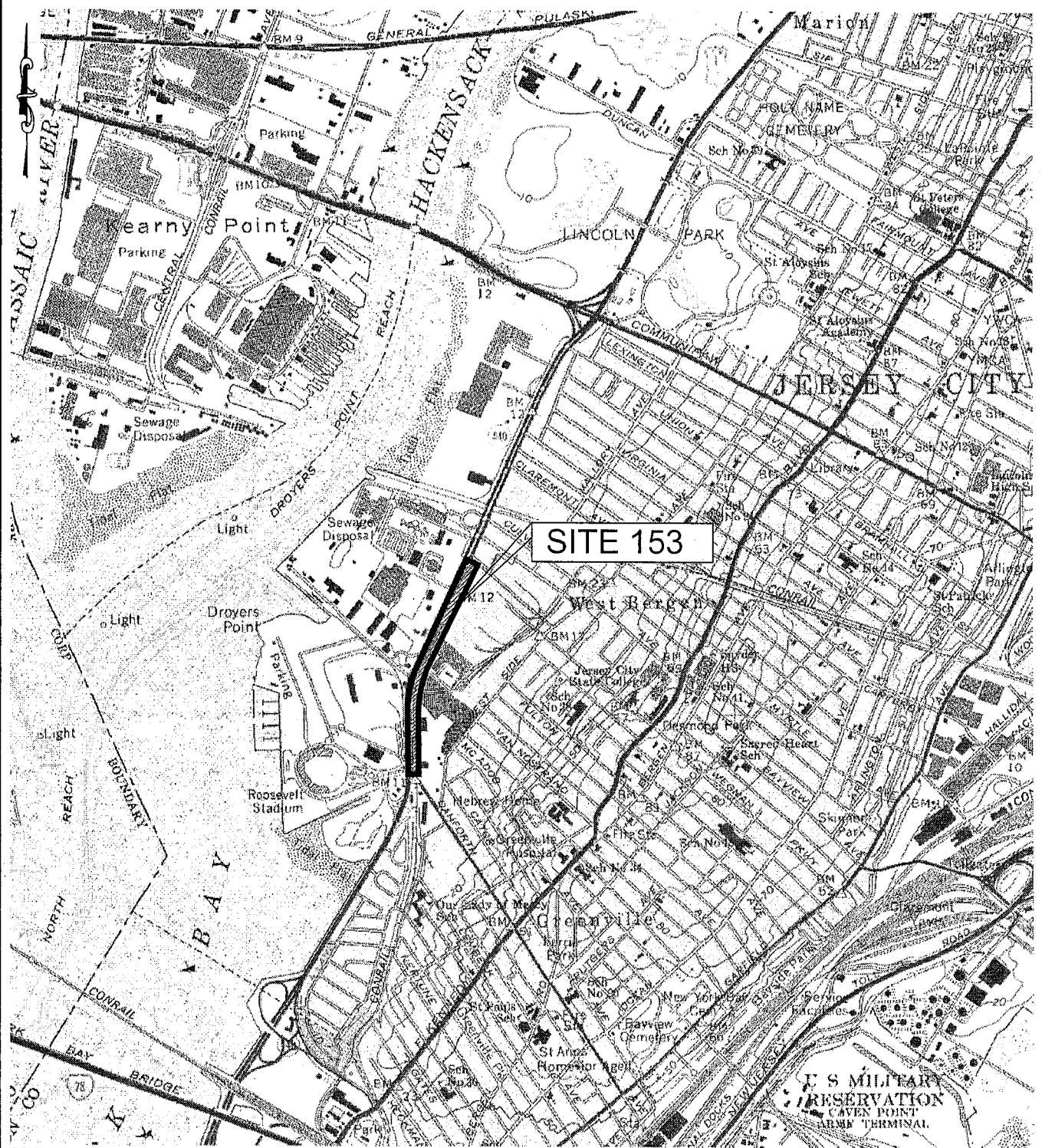
Exhibit A-2 consists of a metes and bounds description for the Property

Exhibit A-3 (A-3A through A-3D) consists of a figures indicating major surface features and existing features for the Property.

**Exhibit Figure A-1
Site Vicinity Map**



FILE: P:\CADD\INSTRUMENTS\JERSEY CITY\SA 5\SITE 153 DEED RESTRICTIONS\CURRENT DRAWINGS\EXHIBIT A-1.DWG, DATE: 10/16/2010 04:05:37PM Layout: Layout



SOURCE: JERSEY CITY, NJ USGS QUADRANGLE MAP, 1983

0 2000 4000
SCALE IN FEET

MACTEC PROJ No.: 3480050145
DRAWING: EXHIBIT A-1

PREPARED/DATE:
STR 5/5/2010

CHECKED/DATE:
KS 5/5/2010

MACTEC

MACTEC Engineering and Consulting
200 American Metro Boulevard, Suite 113
Hamilton, NJ 08619

EXHIBIT A-1
VICINITY MAP
DEED NOTICE
BLOCK 1289.5, LOT E
SA 5 - SITE 153 FORMER MORRIS CANAL
JERSEY CITY, NEW JERSEY

Exhibit A-2
Metes and Bounds Description of Property

Block 1289.5, Lot E
City of Jersey City, New Jersey

Metes and Bounds Description

Real property in the City of Jersey City, County of Hudson, State of New Jersey, described as follows: All that certain Lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Jersey City, County of Hudson, State of New Jersey:

All those two certain pieces or parcels of land, being a part or portion of Grantor's property known as Branch No.1 identified as Line Code 0597 in Grantor's corporate records, also known as Lot E, Block 1289.5 on City of Jersey City Tax maps, situate in the City of Jersey City, County of Hudson and State of New Jersey, separately bounded and described in accordance with a Plat of Survey prepared by Albert N. Faraldi, Professional Land Surveyor No. 29346, of Albert N. Faraldi Group, P.C., 854 Eight Street, Secaucus, New Jersey, dated August 10, 1988; as follows:

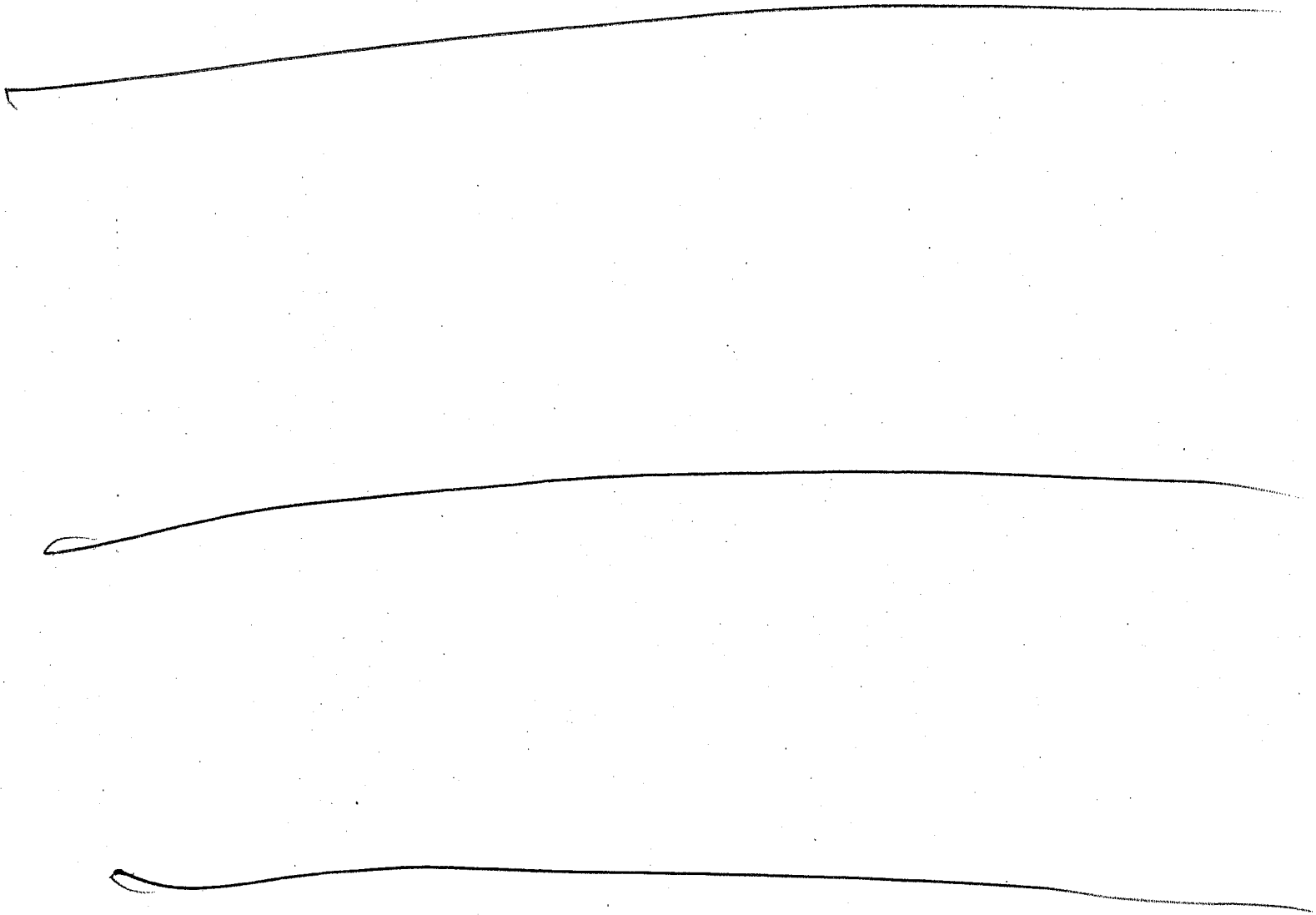
Tract I

Beginning at a point in the easterly line of New Jersey State Highway Route 440 distant 4.12 feet southerly from the State Highway Route 440 with the southerly line of Carbon Place (40 feet wide); and running thence (1) southerly along said New Jersey State Highway Route 440 on a curve to the left with a radius of 27.00 feet and an arc distant of 39.41 feet; thence (2) South 25°09' 35" West, 1,763.23 feet to a point of curvature; thence (3) still southerly and along said New Jersey State Highway Route 440 on a curve to the left with a radius of 1,237.57 feet and an arc distance of 580.19 feet to a point of tangency; thence (4) still southerly along said New Jersey State Highway Route 440 South 1° 42' 05" East, 816.38 feet to the northerly line of Danforth Avenue (70 feet wide); thence (5) South 32° 23' 37" East, 47.02 feet; thence (6) North 1° 42' 05" West, 855.39 feet to a point of curvature; thence (7) on a curve to the right with a radius of 1,213.57 feet and an arc distance of 568.94 feet to a point of tangency; thence (8) North 25° 09' 35" East, 1,790.06 feet, to the point of place of Beginning. Containing 78,016 square feet, or 1.791 acres, more or less.

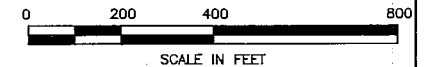
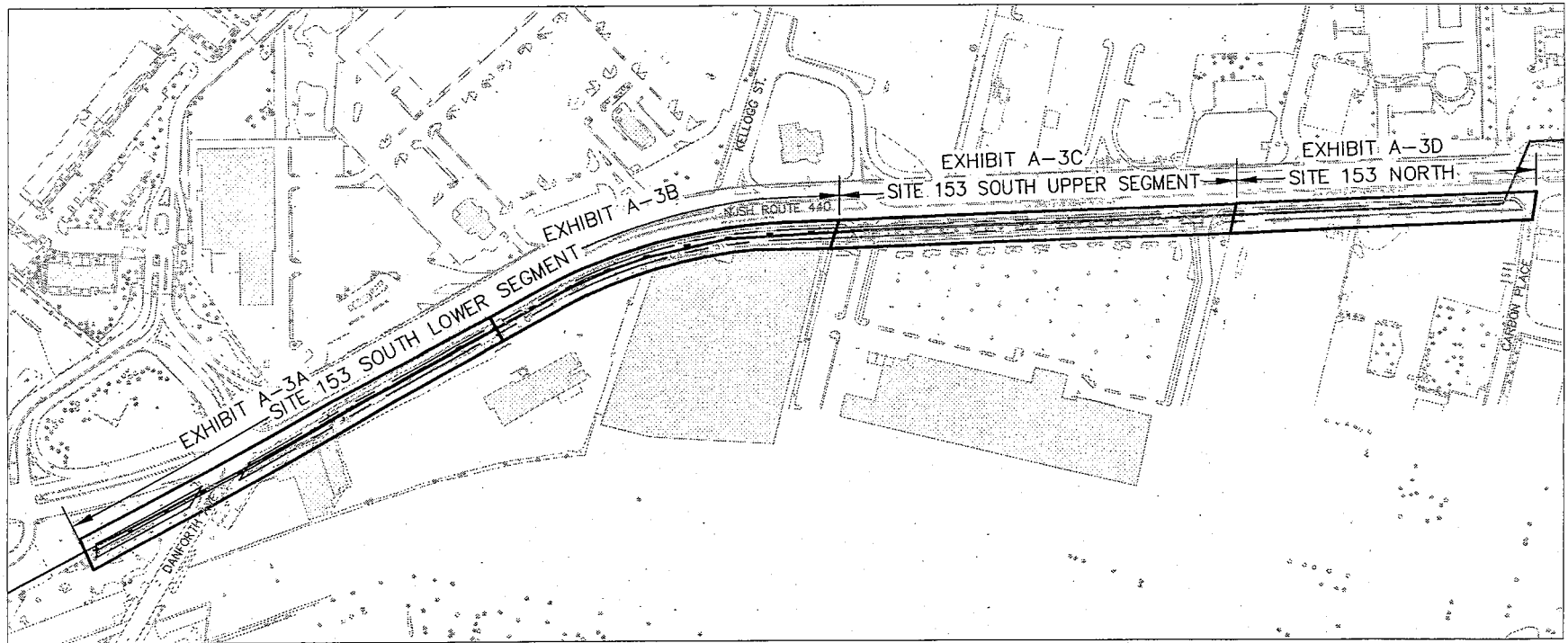
Tract II

Beginning at a point formed by the easterly line of new Jersey State Highway Route 440 with the southerly line of Danforth Avenue (70 feet wide); and running thence (1) South 1° 42' 05" East, 290.86 feet; thence (2) South 80° 59' 02" East, 30.53; thence (3) North 1° 42' 05" West, 246.00 feet; thence (4) North 32° 23' 37" West, 58.77 feet to the point or place of Beginning. Containing 8,052.2 square feet, or 0.1848 of an acre, more or less.

Exhibit Figure A-3
Property Map



P:\CADD\NEWELL\JERSEY CITY\SA 5\153 DEED RESTRICTIONS\CURRENT DRAWINGS\153 ON WITH TRACT 2\EXHIBIT A-3 tract 2.dwg Wed, 20 Oct 2010 11:01:30 AM STRUPEN



REV.	DATE	STATUS	DRAWN BY	CHECKED BY

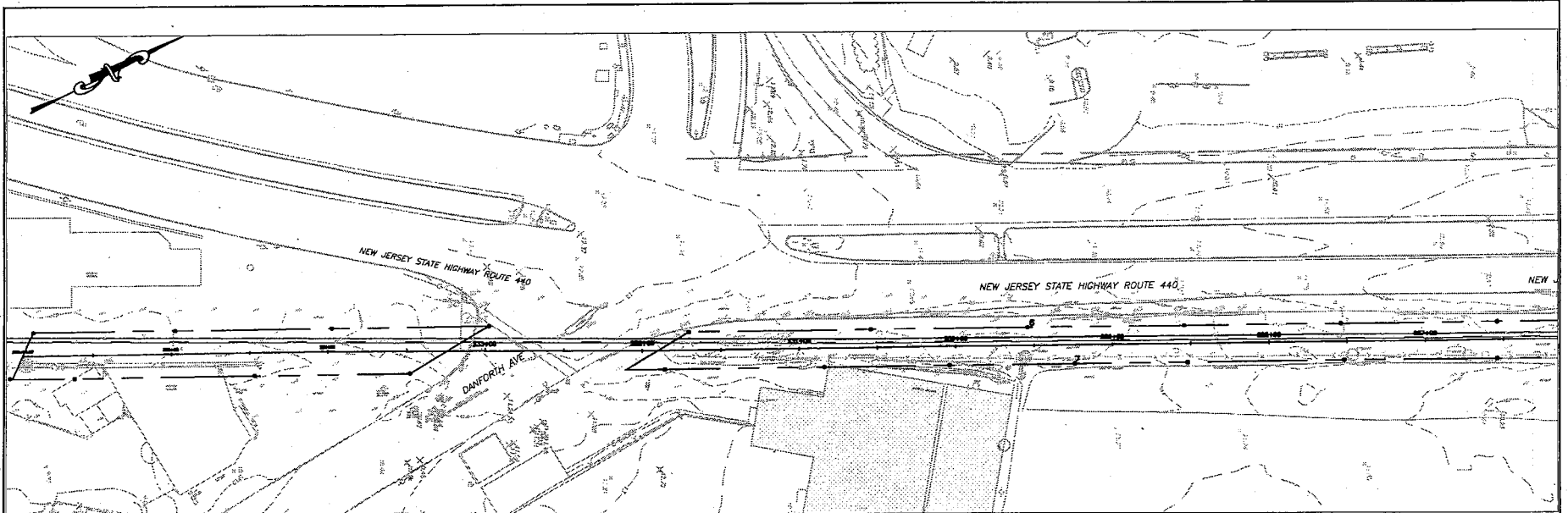
MACTEC PROJ No.: 3480050164
DRAWING: EXHIBIT A-3 tract 2

PREPARED/DATE: STR 05/05/10
CHECKED/DATE: KS 05/05/10

MACTEC
MACTEC Engineering and Consulting
200 American Metro Boulevard, Suite 113
Hamilton, NJ 08519

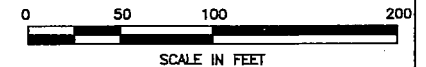
EXHIBIT A-3
PROPERTY MAP KEY
DEED NOTICE
BLOCK 1289.5, LOT E
SA 5 - SITE 153 FORMER MORRIS CANAL
JERSEY CITY, NEW JERSEY

P:\CADD\HONNEWELL\JERSEY CITY\SA 5\Site 153\153 DEED RESTRICTION\CURRENT DRAWINGS\153 DN WITH TRACT 2\EXHIBIT A-3 tract 2.dwg Wed, 20 Oct 2010 9:14pm STRUDKIN



LEGEND

- SIGN
- UTILITY POLE
- SURVEY PIN
- SET PIN AND CAP
- SANITARY MANHOLE
- STORM MANHOLE
- WELL
- ELECTRIC MANHOLE
- GAS VALVE
- CATCH BASIN
- SPOT ELEVATION
- TREE/BRUSH LINE
- EXISTING BUILDING
- BMUA FORCEMAIN
- PROPERTY LINE
- FENCE LINE
- CENTERLINE STATIONING
- GROUND ELEVATION CONTOUR
- CONCRETE CURB



REV.	DATE	STATUS	DRFT BY	CHKD BY

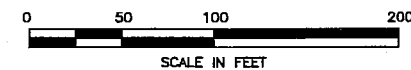
MACTEC PROJ No.: 3480050164
DRAWING: EXHIBIT A-3 tract 2

PREPARED/DATE: STR 05/05/10
CHECKED/DATE: KS 05/05/10

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EXHIBIT A-3A
PROPERTY MAP
SITE 153 SOUTH LOWER SEGMENT
DEED NOTICE
BLOCK 1289.5, LOT E
SA 5 - SITE 153 FORMER MORRIS CANAL
JERSEY CITY, NEW JERSEY

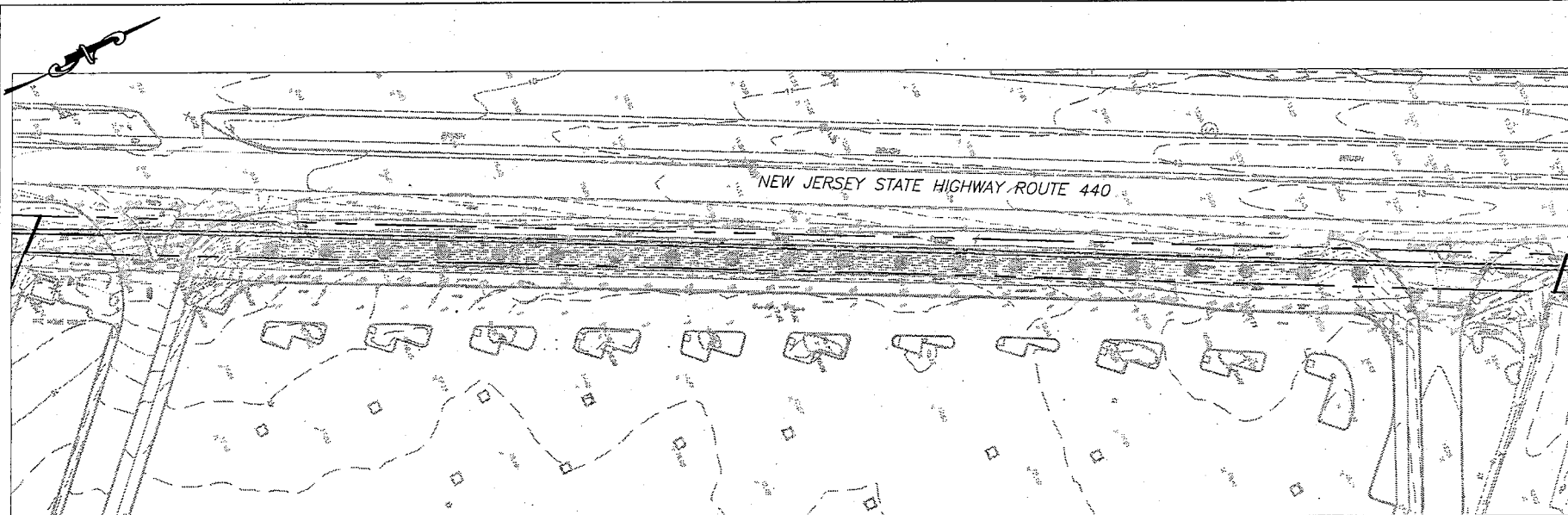
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	UTILITY POLE
	SURVEY PIN
	SANITARY MANHOLE
	STORM MANHOLE
	WELL
	ELECTRIC MANHOLE
	GAS VALVE
	CATCH BASIN
	SPOT ELEVATION
	TREE/BRUSH LINE
	EXISTING BUILDING
	BMUA FORCEMAIN
	PROPERTY LINE
	FENCE LINE
	CENTERLINE STATIONING
	GROUND ELEVATION CONTOUR
	CONCRETE CURB

[illegible]

PREPARED/DATE: STR 05/05/10	CHECKED/DATE: KS 05/05/10
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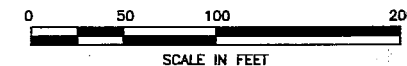


EXHIBIT A-3B
PROPERTY MAP
SITE 153 SOUTH LOWER SEGMENT
DEED NOTICE
BLOCK 1289.5, LOT E
SA 5 - SITE 153 FORMER MORRIS CANAL
JERSEY CITY, NEW JERSEY



LEGEND

- SIGN
- UTILITY POLE
- SURVEY PIN
- SET PIN AND CAP
- SANITARY MANHOLE
- STORM MANHOLE
- WELL
- ELECTRIC MANHOLE
- GAS VALVE
- CATCH BASIN
- SPOT ELEVATION
- TREE/BRUSH LINE
- EXISTING BUILDING
- BMUA FORCEMAIN
- PROPERTY LINE
- FENCE LINE
- CENTERLINE STATIONING
- GROUND ELEVATION CONTOUR
- CONCRETE CURB



REV.	DATE	STATUS	DRFT BY	CHKD BY

MACTEC PROJ No.: 3480050164
DRAWING: EXHIBIT A-3

PREPARED/DATE: STR 05/05/10
CHECKED/DATE: KS 05/05/10




















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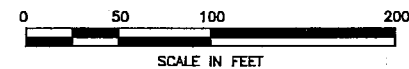
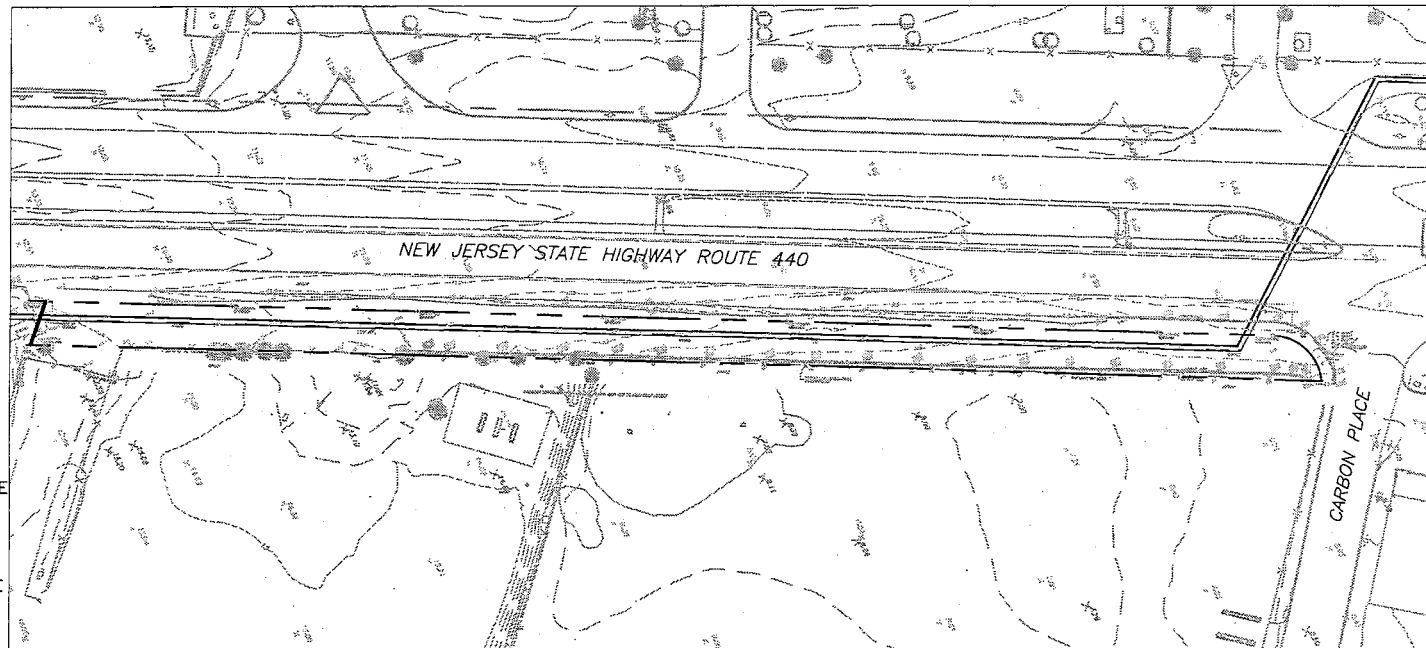
EXHIBIT A-3C
PROPERTY MAP
SITE 153 SOUTH UPPER SEGMENT
DEED NOTICE
BLOCK 1289.5, LOT E
SA 5 - SITE 153 FORMER MORRIS CANAL
JERSEY CITY, NEW JERSEY

P:\CADD\HOBENWELL\JERSEY CITY\SA 153\153 DEED RESTRICTION\CURRENT DRAWINGS\EXHIBIT A-3.dwg Mon, 19 Oct 2010 -- 3:31pm strnkin



LEGEND

-  SIGN
-  UTILITY POLE
-  SURVEY PIN
-  SET PIN AND CAP
-  SANITARY MANHOLE
-  STORM MANHOLE
-  WELL
-  ELECTRIC MANHOLE
-  GAS VALVE
-  CATCH BASIN
-  SPOT ELEVATION
-  TREE/BRUSH LINE
-  EXISTING BUILDING
-  BMUA FORCEMAIN
-  PROPERTY LINE
-  FENCE LINE
-  CENTERLINE STATIONING
-  GROUND ELEVATION CONTOUR
-  CONCRETE CURB



REV.	DATE	STATUS	DRFT BY	CHKD BY

MACTEC PROJ No.: 3480050164
DRAWING: EXHIBIT A-3

PREPARED/DATE: STR 05/05/10
CHECKED/DATE: KS 05/05/10

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EXHIBIT A-3D
PROPERTY MAP
SITE 153 NORTH
DEED NOTICE
BLOCK 1289.5, LOT E
SA 5 - SITE 153 FORMER MORRIS CANAL
JERSEY CITY, NEW JERSEY

EXHIBIT B

B-1: Restricted Area Map and Engineering Controls

B-2: Restricted Area Data Table

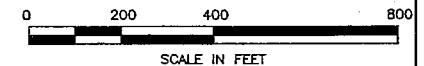
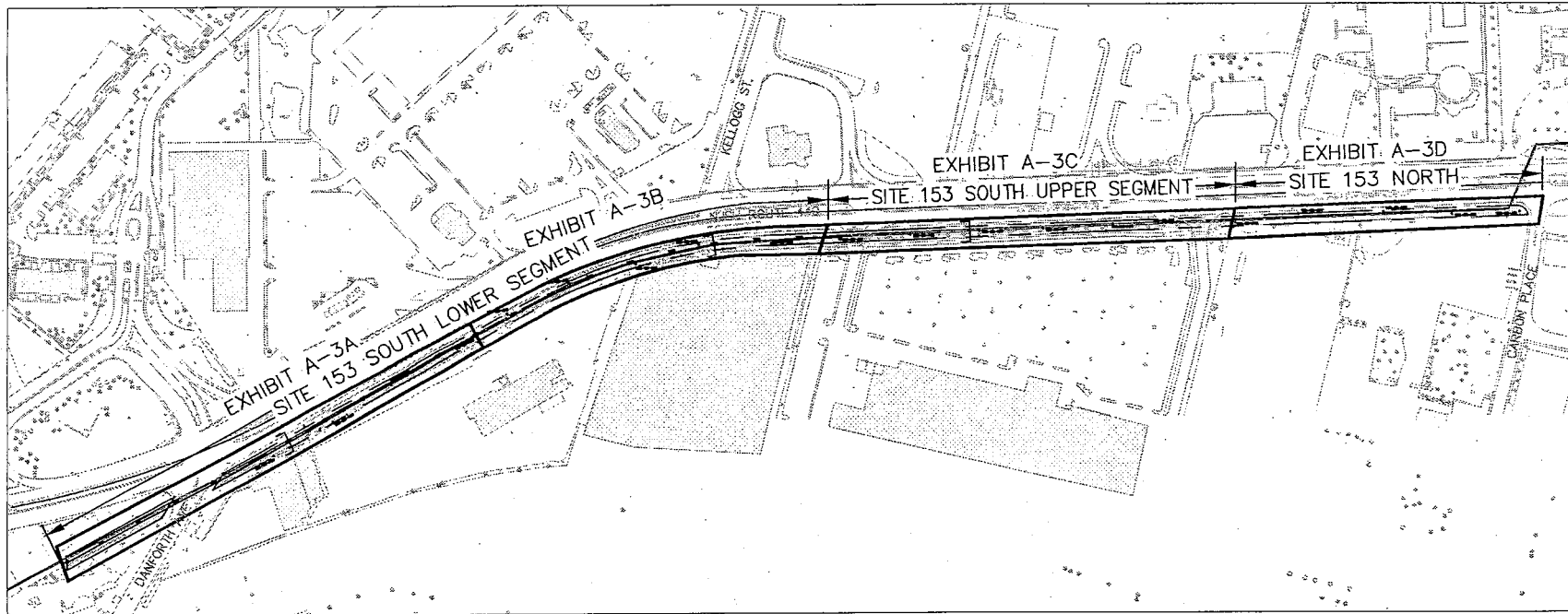
NJDEP Site No. 153 Former Morris Canal
Block 1289.5, Lot E
City of Jersey City, Hudson County, New Jersey

Exhibit B-1A through B-1D includes maps that illustrate the Restricted Area and engineering/institutional controls.

Exhibit B-2 includes data table which identify the Restricted Area containing soils that are in excess of NJDEP unrestricted soil cleanup standards.

Exhibit Figures B-1A through B-1D
Restricted Area Maps and Engineering Controls

P:\CADD\HONEYWELL\JERSEY CITY\SA 5\Site 153\153 DEED RESTRICTION\CURRENT DRAWINGS\153 ON WITH TRACT 2\EXHIBIT B-2 Tract 2.dwg Wed, 30 Oct 2010 9:17pm STRUDEN



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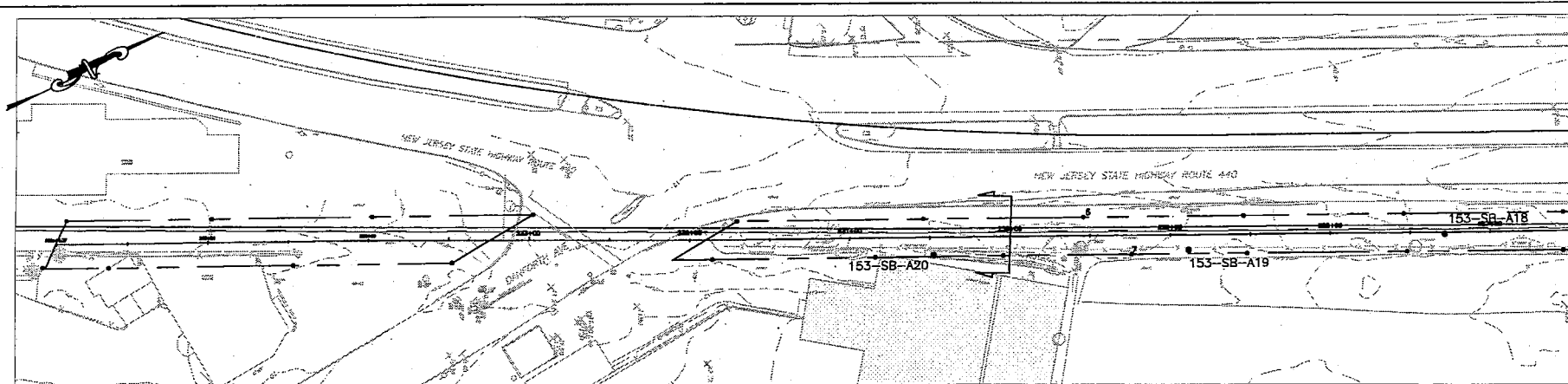
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DRAWING: EXHIBIT B-2 tract 2

PREPARED/DATE: STR 05/05/10
CHECKED/DATE: KS 05/05/10

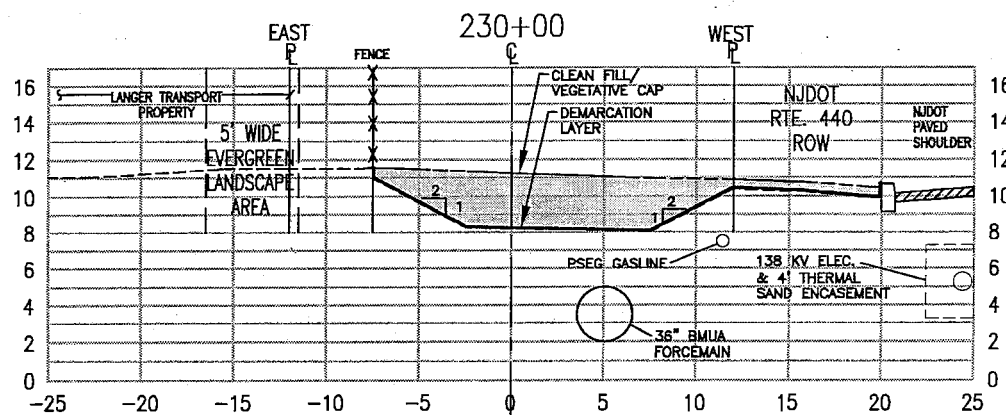
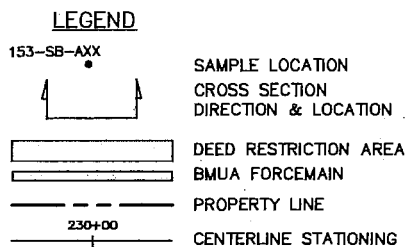
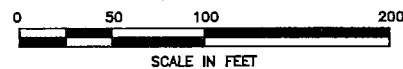
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EXHIBIT B-1
RESTRICTED AREA MAP KEY
DEED NOTICE
BLOCK 1289.5, LOT E
SA 5 - SITE 153 FORMER MORRIS CANAL
JERSEY CITY, NEW JERSEY

P:\GDD\HONEYWELL\JERSEY CITY\SA 5\Site 153\153 DEED RESTRICTION\CURRENT DRAWINGS\153 ON WITH TRACT 2\EXHIBIT B-2 tract 2.dwg Wed, 20 Oct 2010 - 9:18pm STRUDKIN



PLAN VIEW



CROSS SECTION STA. 213+00

SCALE: 1"=10' HORIZONTAL
1"=1' VERTICAL

REV.	DATE	STATUS	DRFT	CHKD	BY

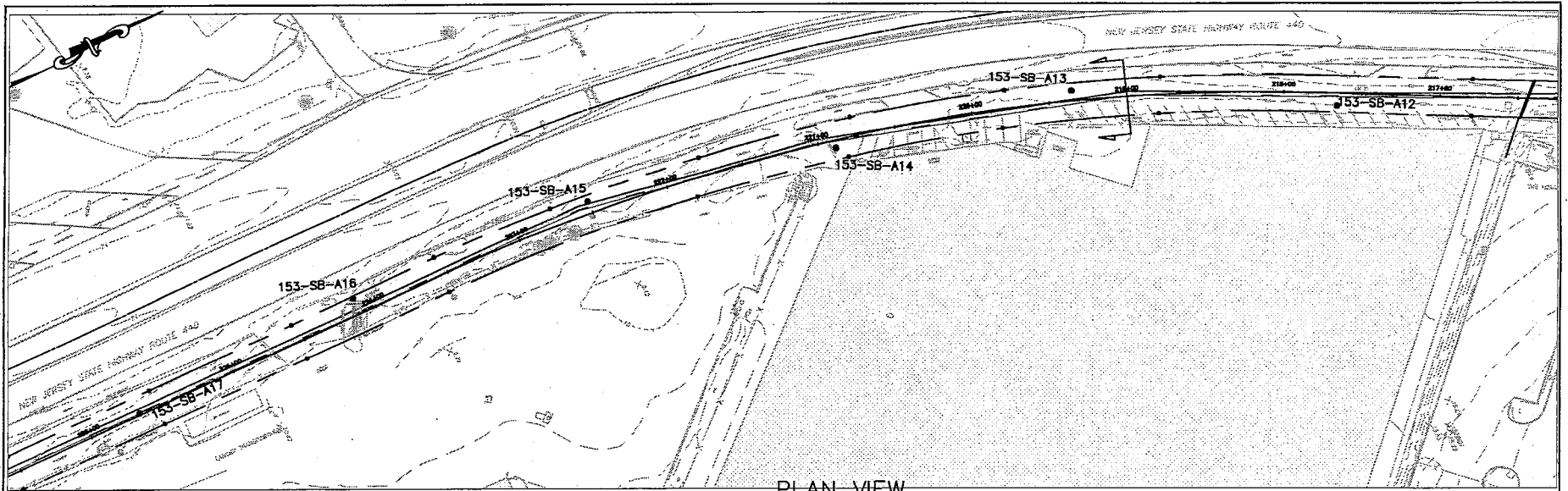
MACTEC PROJ No.: 3480050164
DRAWING: EXHIBIT B-2 tract 2

PREPARED/DATE: STR 05/05/10
CHECKED/DATE: KS 05/05/10

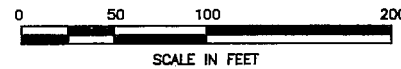
MACTEC
MACTEC Engineering and Consulting
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Hamilton, NJ 08619

EXHIBIT B-1A
RESTRICTED AREA MAP
SITE 153 SOUTH LOWER SEGMENT
DEED NOTICE
BLOCK 1289.5, LOT E
SA 5 - SITE 153 FORMER MORRIS CANAL
JERSEY CITY, NEW JERSEY

P:\CADD\H08\NEWJERSEY CITY\SA 5\site 153\153 DEED RESTRICTION CURRENT DRAWINGS\153 DN WITH TRACT 2\EXHIBIT B-2 tract 2.dwg Wed, 20 Oct 2010 - 9:19pm STRUDKIN

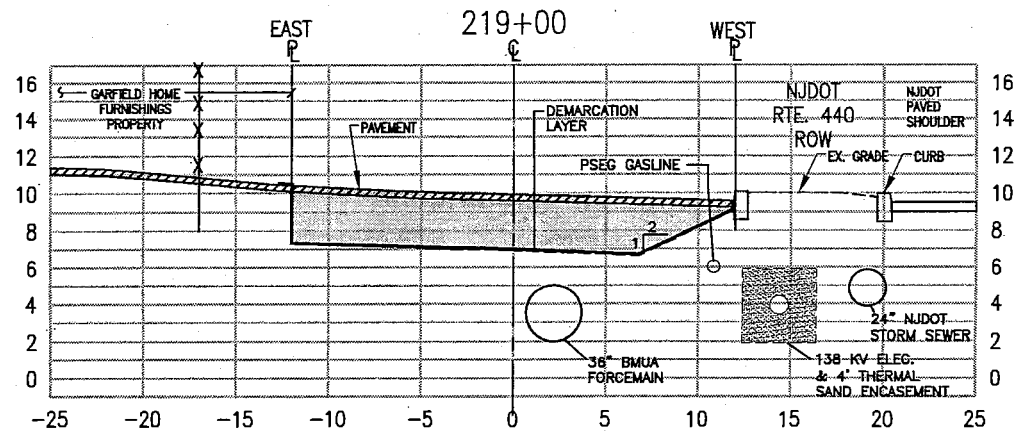


PLAN VIEW



LEGEND

- 153-SB-AXX
- SAMPLE LOCATION
- CROSS SECTION DIRECTION & LOCATION
- DEED RESTRICTION AREA
- BMUA FORCEMAIN
- PROPERTY LINE
- CENTERLINE STATIONING



CROSS SECTION STA. 213+00

SCALE: 1"=10' HORIZONTAL

1"=1' VERTICAL

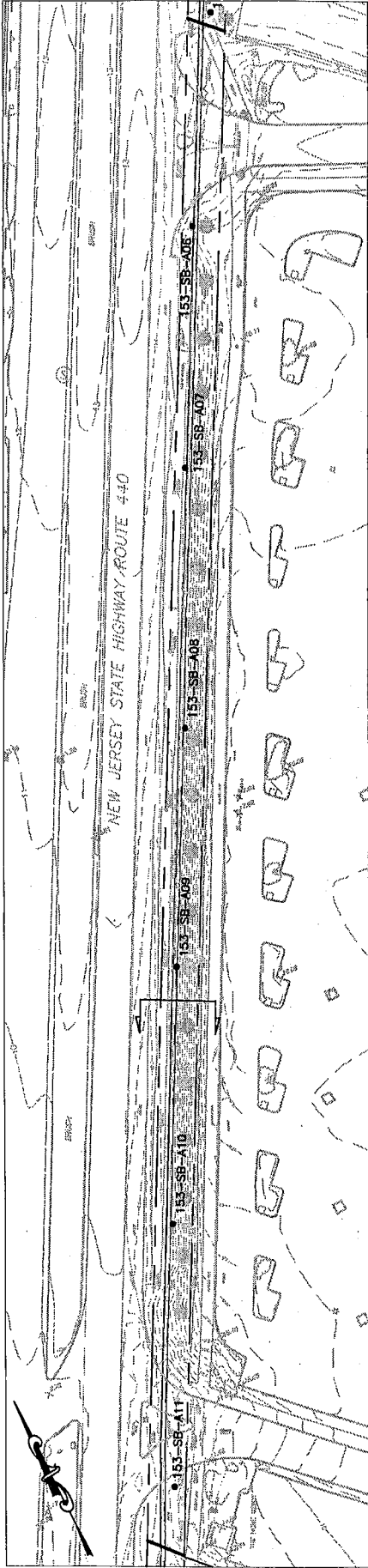
REV.	DATE	STATUS	DWGT BY	CHKD BY

MACTEC PROJ No.: 3480050164
DRAWING: EXHIBIT B-2 tract 2

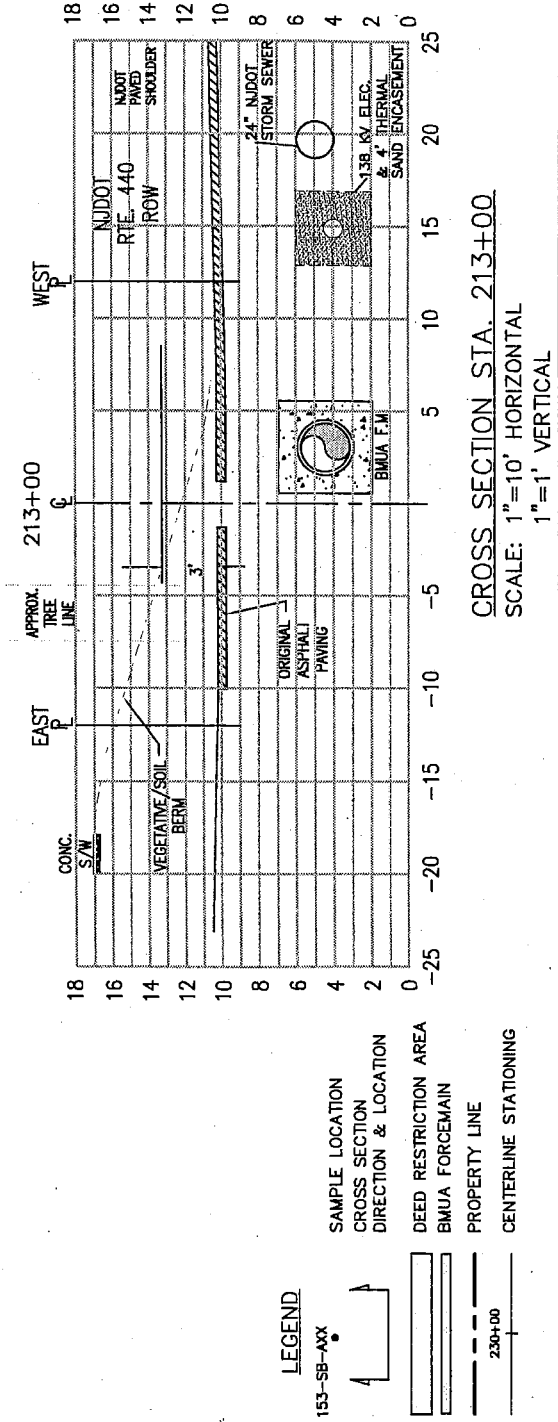
PREPARED/DATE: STR 05/05/10
CHECKED/DATE: KS 05/05/10

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Hamilton, NJ 08619

EXHIBIT B-1B
RESTRICTED AREA MAP
SITE 153 SOUTH LOWER SEGMENT
DEED NOTICE
BLOCK 1289.5, LOT E
SA 5 - SITE 153 FORMER MORRIS CANAL
JERSEY CITY, NEW JERSEY



PLAN VIEW



LEGEND

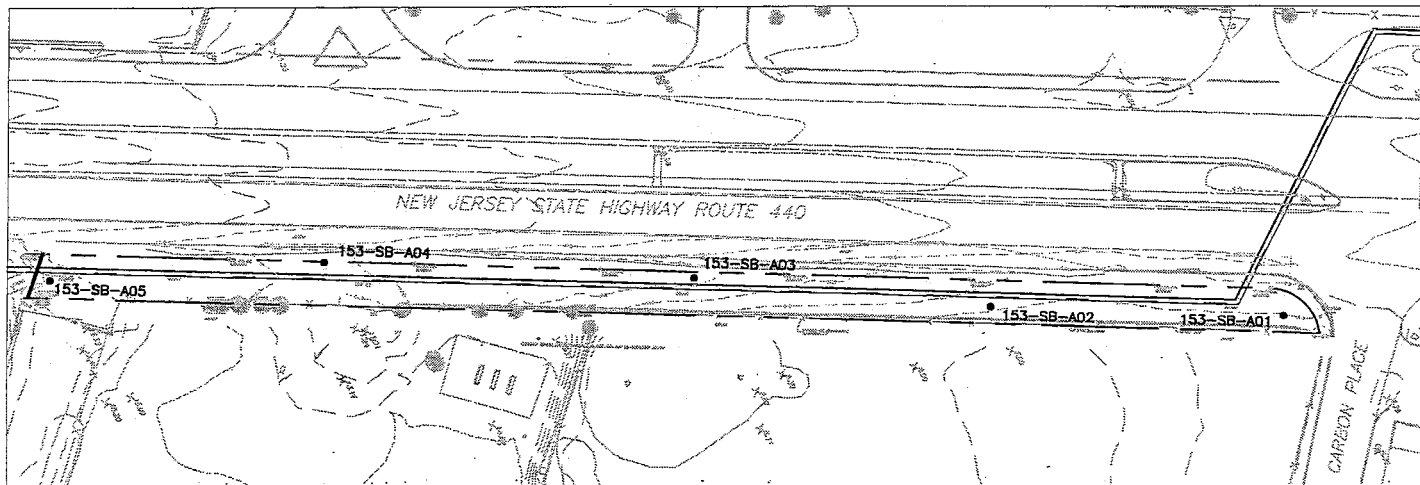
- 153-SB-AXX
- SAMPLE LOCATION
- CROSS SECTION
- DIRECTION & LOCATION
- DEED RESTRICTION AREA
- BIUA FORCEMAIN
- PROPERTY LINE
- CENTERLINE STATIONING

MACTEC PROJ No.: 3480050164	CHECKED/DATE:
DRAWING: EXHIBIT B-2	STR 05/05/10
PREPARED/DATE:	KS 05/05/10
STATUS	DATE
REV.	DATE
DRAWN BY	STR

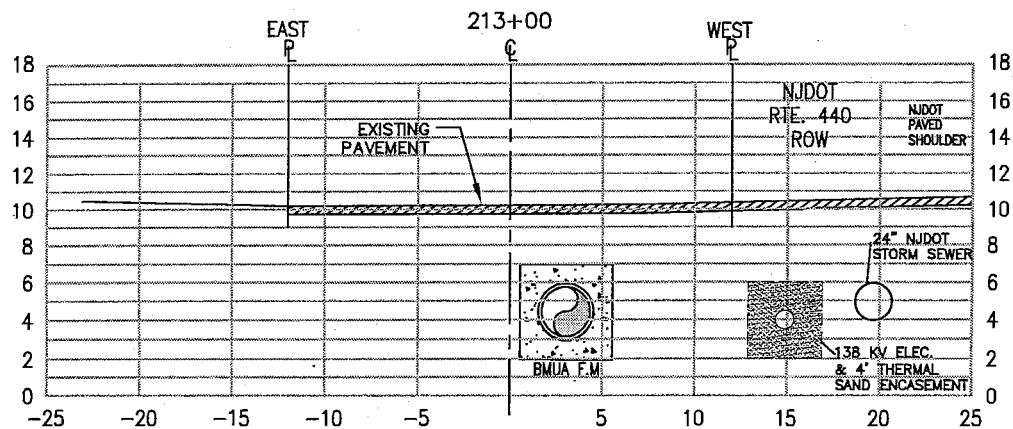
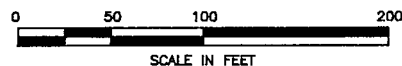
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EXHIBIT B-1C
RESTRICTED AREA MAP
SITE 153 SOUTH UPPER SEGMENT
DEED NOTICE
BLOCK 1289.5, LOT E
SA 5 - SITE 153 FORMER MORRIS CANAL
JERSEY CITY, NEW JERSEY

P:\CADD\HONEYWELL\JERSEY CITY\SA 5\JTB 153\DEED RESTRICTION\CURRENT DRAWINGS\EXHIBIT B-2.dwg Mon, 18 Oct 2010 - 3:42pm slr/ckn



PLAN VIEW



CROSS SECTION STA. 213+00

SCALE: 1"=10' HORIZONTAL

1"=1' VERTICAL

LEGEND

- 153-SB-AXX • SAMPLE LOCATION
- CROSS SECTION DIRECTION & LOCATION
- DEED RESTRICTION AREA
- BMUA FORCMAIN
- PROPERTY LINE
- CENTERLINE STATIONING

REV.	DATE	STATUS	DRAWN BY	CHECKED BY

MACTEC PROJ No.: 3480050164
DRAWING: EXHIBIT B-2

PREPARED/DATE: STR 05/05/10
CHECKED/DATE: KS 05/05/10

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Hamilton, NJ 08619

EXHIBIT B-1D
RESTRICTED AREA MAP
SITE 153 NORTH
DEED NOTICE
BLOCK 1289.5, LOT E
SA 5 - SITE 153 FORMER MORRIS CANAL
JERSEY CITY, NEW JERSEY

Exhibit B-2
Restricted Area Data Table

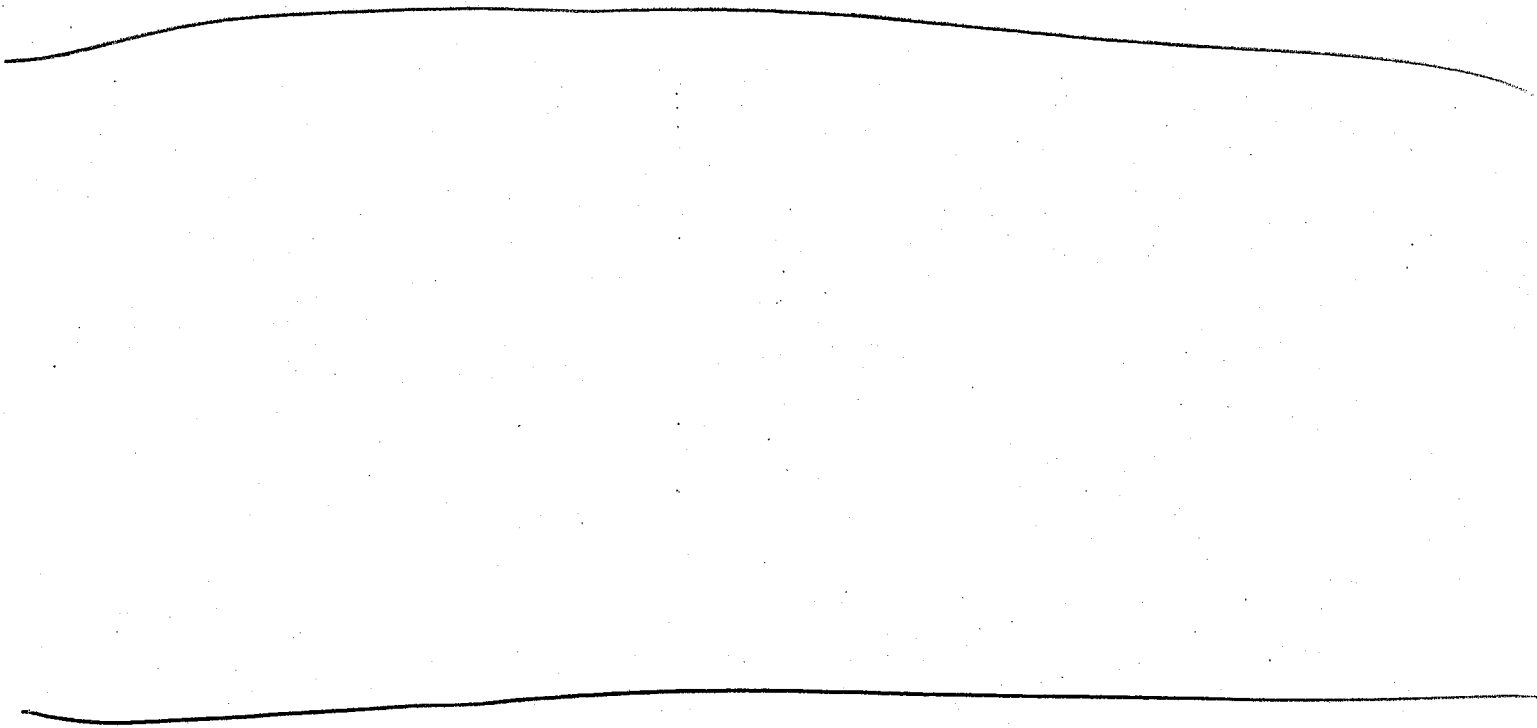
The image shows two horizontal lines that define the top and bottom of a table. The top line is slightly curved, while the bottom line is straight. The space between them is empty, indicating that the table content has been redacted.

Exhibit Table B-2
Restricted Area Data
Site 153 Former Morris Canal
Block 1289.5, Lot E, Jersey City, New Jersey

Location	Sample Date	Sample Depth (ft)	Elevation (ft msl)	Field Sample ID	Contaminant	CASR#	NJDEP RDCSRS (mg/kg)	NJDEP NRDSRS (mg/kg)	Soil Concentration (mg/kg)
153-SB-A01	5/21/1997	04-06	2.89 to 4.89	153-SB-A01-0406	Hex Chromium	18540-29-9	20	NA	7490J
153-SB-A01	5/21/1997	06-08	0.89 to 2.89	153-SB-A01-0608	Hex Chromium	18540-29-9	20	NA	7690J
153-SB-A01	5/21/1997	12-14	-5.11 to -3.11	153-SB-A01-1214	Hex Chromium	18540-29-9	20	NA	60.7J
153-SB-A01	5/21/1997	14-16	-7.11 to -5.11	153-SB-A01-1416	Hex Chromium	18540-29-9	20	NA	20.8J
153-SB-A02	5/21/1997	0-2	7.11 to 9.11	153-SB-A02-0002	Hex Chromium	18540-29-9	20	NA	281J
153-SB-A02	5/21/1997	02-04	5.11 to 7.11	153-SB-A02-0204	Hex Chromium	18540-29-9	20	NA	998J
153-SB-A02	5/21/1997	04-06	3.11 to 5.11	153-SB-A02-0406	Hex Chromium	18540-29-9	20	NA	361J
153-SB-A03	5/21/1997	0-2	8.54 to 10.54	153-SB-A03-0002	Hex Chromium	18540-29-9	20	NA	66.1J
153-SB-A03	5/21/1997	04-06	4.54 to 6.54	153-SB-A03-0406	Hex Chromium	18540-29-9	20	NA	1160J
153-SB-A03	5/21/1997	06-08	2.54 to 4.54	153-SB-A03-0608	Hex Chromium	18540-29-9	20	NA	49.7J
153-SB-A03	5/21/1997	08-10	0.54 to 2.54	153-SB-A03-0810	Hex Chromium	18540-29-9	20	NA	227J
153-SB-A03	5/21/1997	08-10	0.54 to 2.54	153-SB-A03-0810	Mercury	7439-97-6	23	65	32.9J
153-SB-A04	5/21/1997	04-06	5.11 to 7.11	153-SB-A04-0406	Hex Chromium	18540-29-9	20	NA	7680J
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153-SB-A04	5/21/1997	10-12	-0.89 to 1.11	153-SB-A04-1012-D	Hex Chromium	18540-29-9	20	NA	229J
153-SB-A05	5/21/1997	0-2	10.14 to 12.14	153-SB-A05-0002	Hex Chromium	18540-29-9	20	NA	624J
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153-SB-A05	5/21/1997	12-14	-1.86 to 0.14	153-SB-A05-1214	Hex Chromium	18540-29-9	20	NA	2570J
153-SB-A05	5/21/1997	14-16	-3.86 to -1.86	153-SB-A05-1416	Hex Chromium	18540-29-9	20	NA	187J
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153-SB-A06	5/22/1997	04-06	6.8 to 8.8	153-SB-A06-0406	Hex Chromium	18540-29-9	20	NA	159J
153-SB-A06	5/22/1997	06-08	4.8 to 6.8	153-SB-A06-0608	Hex Chromium	18540-29-9	20	NA	4110J
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153-SB-A06	5/22/1997	08-10	2.8 to 4.8	153-SB-A06-0810-D	Hex Chromium	18540-29-9	20	NA	3600J
153-SB-A06	5/22/1997	10-12	0.8 to 2.8	153-SB-A06-1012	Hex Chromium	18540-29-9	20	NA	1070J
153-SB-A06	5/22/1997	12-14	-1.2 to 0.8	153-SB-A06-1214	Hex Chromium	18540-29-9	20	NA	1970J
153-SB-A06	5/22/1997	18-20	-7.2 to -5.2	153-SB-A06-1820	Hex Chromium	18540-29-9	20	NA	96.3J
153-SB-A06	5/22/1997	20-22	-9.2 to -7.2	153-SB-A06-2022	Hex Chromium	18540-29-9	20	NA	70.4J
153-SB-A06	5/22/1997	22-24	-11.2 to -9.2	153-SB-A06-2224	Hex Chromium	18540-29-9	20	NA	63.9J
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153-SB-A07	5/22/1997	6-8	4.29 to 6.29	153-SB-A07-0608	Vanadium	7440-62-2	78	1100	443
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153-SB-A08	5/22/1997	2-4	7.71 to 9.71	153-SB-A08-0204	Hex Chromium	18540-29-9	20	NA	4750
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153-SB-A09	5/22/1997	06-08	3.09 to 5.09	153-SB-A09-0608	Hex Chromium	18540-29-9	20	NA	110
153-SB-A09	5/22/1997	8-10	1.09 to 3.09	153-SB-A09-0810	Arsenic	7440-38-2	19	19	250
153-SB-A09	5/22/1997	08-10	1.09 to 3.09	153-SB-A09-0810	Lead	7439-92-1	400	800	588J
153-SB-A09	5/22/1997	8-10	1.09 to 3.09	153-SB-A09-0810	Mercury	7439-97-6	23	65	299J
153-SB-A09	5/22/1997	08-10	1.09 to 3.09	153-SB-A09-0810	Benzo(A)anthracene	56-55-3	0.6	2	2.3J
153-SB-A09	5/22/1997	8-10	1.09 to 3.09	153-SB-A09-0810	Benzo(A)pyrene	50-32-8	0.2	0.2	1.5J
153-SB-A09	5/22/1997	08-10	1.09 to 3.09	153-SB-A09-0810	Benzo(B)fluoranthene	205-99-2	0.6	2	2.5J
153-SB-A09	5/22/1997	08-10	1.09 to 3.09	153-SB-A09-0810	Indeno(1,2,3-CD)pyrene	193-39-5	0.6	2	0.84J
153-SB-A10	5/22/1997	0-2	8.84 to 10.84	153-SB-A10-0002	Hex Chromium	18540-29-9	20	NA	59.8J
153-SB-A10	5/22/1997	02-04	6.84 to 8.84	153-SB-A10-0204	Hex Chromium	18540-29-9	20	NA	599J
153-SB-A10	5/22/1997	04-06	4.84 to 6.84	153-SB-A10-0406	Hex Chromium	18540-29-9	20	NA	2450J
153-SB-A10	5/22/1997	08-10	0.84 to 2.84	153-SB-A10-0810	Hex Chromium	18540-29-9	20	NA	3680J

Exhibit Table B-2
Restricted Area Data
Site 153 Former Morris Canal
Block 1289.5, Lot E, Jersey City, New Jersey

Location	Sample Date	Sample Depth (ft)	Elevation (ft msl)	Field Sample ID	Contaminant	CASR#	NJDEP RDCSRS (mg/kg)	NJDEP NRDSRS (mg/kg)	Soil Concentration (mg/kg)
153-SB-A11	5/22/1997	0-2	8.76 to 10.76	153-SB-A11-0002	Hex Chromium	18540-29-9	20	NA	58.5J
153-SB-A11	5/22/1997	02-04	6.76 to 8.76	153-SB-A11-0204	Hex Chromium	18540-29-9	20	NA	10900J
153-SB-A11	5/22/1997	04-06	4.76 to 6.76	153-SB-A11-0406	Hex Chromium	18540-29-9	20	NA	67J
153-SB-A11	5/22/1997	06-08	2.76 to 4.76	153-SB-A11-0608	Hex Chromium	18540-29-9	20	NA	481J
153-SB-A11	5/22/1997	08-10	0.76 to 2.76	153-SB-A11-0810	Hex Chromium	18540-29-9	20	NA	675J
153-SB-A11	5/22/1997	08-10	0.76 to 2.76	153-SB-A11-0810-D	Hex Chromium	18540-29-9	20	NA	560
153-SB-A12	5/22/1997	04-06	4.05 to 6.05	153-SB-A12-0406	Hex Chromium	18540-29-9	20	NA	52.7J
153-SB-A12	5/22/1997	06-08	2.05 to 4.05	153-SB-A12-0608	Arsenic	7440-38-2	19	19	47.9
153-SB-A12	5/22/1997	06-08	2.05 to 4.05	153-SB-A12-0608	Hex Chromium	18540-29-9	20	NA	1470J
153-SB-A12	5/22/1997	06-08	2.05 to 4.05	153-SB-A12-0608	Mercury	7439-97-6	23	65	201J
153-SB-A12	5/22/1997	06-08	2.05 to 4.05	153-SB-A12-0608	Vanadium	7440-62-2	78	1100	599
153-SB-A12	5/22/1997	06-08	2.05 to 4.05	153-SB-A12-0608	Benzo(A)anthracene	56-55-3	0.6	2	300
153-SB-A12	5/22/1997	06-08	2.05 to 4.05	153-SB-A12-0608	Benzo(A)pyrene	50-32-8	0.2	0.2	290
153-SB-A12	5/22/1997	06-08	2.05 to 4.05	153-SB-A12-0608	Benzo(B)fluoranthene	205-99-2	0.6	2	340
153-SB-A12	5/22/1997	06-08	2.05 to 4.05	153-SB-A12-0608	Benzo(K)fluoranthene	207-08-9	6	23	120J
153-SB-A12	5/22/1997	06-08	2.05 to 4.05	153-SB-A12-0608	Carbazole	86-74-8	24	96	100J
153-SB-A12	5/22/1997	06-08	2.05 to 4.05	153-SB-A12-0608	Chrysene	218-01-9	62	230	300
153-SB-A12	5/22/1997	06-08	2.05 to 4.05	153-SB-A12-0608	Dibenzo(A,H)anthracene	53-70-3	0.2	0.2	39J
153-SB-A12	5/22/1997	06-08	2.05 to 4.05	153-SB-A12-0608	Fluorene	86-73-7	2300	24000	150
153-SB-A12	5/22/1997	06-08	2.05 to 4.05	153-SB-A12-0608	Indeno(1,2,3-CD)pyrene	193-39-5	0.6	2	180
153-SB-A12	5/22/1997	06-08	2.05 to 4.05	153-SB-A12-0608	Naphalene	91-20-3	6	17	170
153-SB-A13	5/22/1997	02-04	5.73 to 7.73	153-SB-A13-0204	Hex Chromium	18540-29-9	20	NA	54.5J
153-SB-A13	5/22/1997	04-06	3.73 to 5.73	153-SB-A13-0406	Hex Chromium	18540-29-9	20	NA	34.4J
153-SB-A13	5/22/1997	08-10	-0.27 to 1.73	153-SB-A13-0810	Hex Chromium	18540-29-9	20	NA	232J
153-SB-A14	5/22/1997	08-10	-0.07 to 1.93	153-SB-A14-0810	Hex Chromium	18540-29-9	20	NA	116J
153-SB-A15	5/22/1997	08-10	1.2 to 3.2	153-SB-A15-0810	Hex Chromium	18540-29-9	20	NA	315
153-SB-A16	5/22/1997	08-10	1.14 to 3.14	153-SB-A16-0810	Arsenic	7440-38-2	19	19	331
153-SB-A16	5/22/1997	08-10	1.14 to 3.14	153-SB-A16-0810	Lead	7439-92-1	400	800	710J
153-SB-A16	5/22/1997	08-10	1.14 to 3.14	153-SB-A16-0810	Mercury	7439-97-6	23	65	398J
153-SB-A16	5/22/1997	08-10	1.14 to 3.14	153-SB-A16-0810	Benzo(A)anthracene	56-55-3	0.6	2	1.1J
153-SB-A16	5/22/1997	08-10	1.14 to 3.14	153-SB-A16-0810	Benzo(A)pyrene	50-32-8	0.2	0.2	0.95J
153-SB-A16	5/22/1997	08-10	1.14 to 3.14	153-SB-A16-0810	Benzo(B)fluoranthene	205-99-2	0.6	2	1.5J
153-SB-A17	5/27/1997	02-04	7.72 to 9.72	153-SB-A17-0204	Hex Chromium	18540-29-9	20	NA	44.1J
153-SB-A18	5/27/1997	04-06	5.67 to 7.67	153-SB-A18-0406	Hex Chromium	18540-29-9	20	NA	42.2J
153-SB-A18	5/27/1997	8-10	1.67 to 3.67	153-SB-A18-0810	Hex Chromium	18540-29-9	20	NA	77.2J
153-SB-A19	5/27/1997	2-4	7.2 to 9.2	153-SB-A19-0204	Hex Chromium	18540-29-9	20	NA	21.6J
153-SB-A20	5/27/1997	12-14	-3.08 to -1.08	153-SB-A20-1214	Hex Chromium	18540-29-9	20	NA	92.7J

Notes:

NJDEP Residential Direct Contact Soil Remediation Standards (RDCSRS) N.J.A.C. 7:26D (last revised 11/4/09).

NJDEP Non-Residential Direct Contact Soil Remediation Standards (NRDCSRS) N.J.A.C. 7:26D (last revised 11/4/09).

CASR#: Chemical Abstract Service Registry Number

J: indicates estimated value based on data validation

Sample locations and data from the initial RI (TTNUS November 1999).

Samples from recent additional RI delineation sampling not included as work is still in progress as of May 2010.

EXHIBIT C

C-1: Institutional Controls

C-2: Engineering Controls

NJDEP Site No. 153 Former Morris Canal
Block 1289.5, Lot E
City of Jersey City, Hudson County, New Jersey

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

Exhibit C-2 includes a description of engineering controls consisting of clean fill, vegetative cover and/or pavement; operations and maintenance, monitoring and reporting requirements.

C-1 Deed Notice as Institutional Control

NJDEP Site No. 153 Former Morris Canal
Block 1289.5, Lot E
City of Jersey City, Hudson County, New Jersey

(A) General Description:

- (1) The Property shown on Exhibit B-1 known as Block 1289.5, Lot E is a Restricted Area. The estimated size of the Restricted Area is approximately 86,000 square feet or approximately 2 acres.
- (2) Proper precautions must be taken (i.e., excavation or digging) that may penetrate the bottom of the engineering controls on the Restricted Area. See subsections 6A and 6B of the Deed Notice for directions on Alterations, Improvements, Disturbances, and Emergencies.
- (3) The restrictions will prevent contact with soils above the NJDEP Soil Remediation Standards.

(B) Description of monitoring:

- (1) Annual visual inspections of the Restricted Area will be conducted to ensure that the engineering controls are 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) Annual 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) Annual 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 site; and
- (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:

- A report of all conditions set forth in Deed Notice subparagraph 14C.i.(C) to assure that they have been adhered to, including evaluation of any available documents created as a result of changes in land use or incidents.
- A report that determines whether or not the land use at the site has remained consistent with the restrictions in the Deed Notice.
- A report that determines whether or not the Deed Notice continues to be protective of the public health and safety and of the environment.

**C-2 Engineering Controls
Clean Fill, Vegetative Cover, Pavement Cap and
Access Point Warnings**

NJDEP Site No. 153 Former Morris Canal
Block 1289.5, Lot E
City of Jersey City, Hudson County, New Jersey

(A) General Description:

- (1) Site 153 North: Engineering controls for this portion of the Property consist of the existing pavement cap which is approximately six (6) inches thick.
- (2) Site 153 South – Lower Segment: Engineering controls for this portion of the Property include a nominal 24 feet wide, 1,150 feet long vegetated area from Danforth Avenue to the northern property limit of the adjacent Regnal Realty property (Block 1288.2, Lot 1) and a nominal 24 feet wide 425 feet long asphalt area from the Regnal Realty northern property limit to the Eden Wood Realty (Block 1275, Lot 4; Garfield Home Furnishing)/Jersey City Fields, LLC (Block 1285.5, Lot 1; The Home Depot) property limit. The vegetated cap area consists of 3 feet of clean soil with warning layer at the base and asphalt cap area consists of 12" of pavement surface on the top of 24" of granular fill with warning layer at the base. These areas were remediated in accordance with Interim Remedial Action Work Plan for Site 153 South Lower Segment submitted to NJDEP on October 15, 2009.
- (3) Site 153 South – Upper Segment: Engineering controls for this portion of the Property consist of existing landscaped vegetation areas and four-inch thick asphalt cap that extends under a sloped landscaped soil berm to the adjacent Jersey City Fields, LLC (Block 1285.5, Lot 1; The Home Depot) property line. The asphalt layer is used as a sidewalk along Route 440 and provides an acceptable engineering control where it is in good condition. Existing soil vegetation areas and asphalt areas in degraded condition will be remediated and restored in accordance with the Interim Remedial Action Plan for Site 153 South Upper Segment submitted to NJDEP on April 22, 2010.
- (4) Site 153 Tract 2: Engineering controls for this portion of the Property located south of Danforth Avenue consists of the existing pavement cap which consists of base gravel aggregate and asphalt pavement approximately six (6) inches average thickness.
- (5) Access Point Warnings: Access point warning signs will be installed within sewer manholes on the Property to communicate the presence of and prevent contact with contaminated soils.
- (6) The objective of the Engineering Controls is to prevent direct contact with soils that are above the applicable NJDEP Soil Remediation Standards.

(7) The Engineering Controls is intended to function as a barrier to underlying soils, which may be above the applicable NJDEP Soil Remediation Standards.

(B) Description of the operation and maintenance:

Visual inspections of the Property will be performed annually to ensure that:

- (1) Each engineering control is in good condition and to ensure the integrity, operability, and effectiveness of each engineering control;
- (2) Each engineering control continues as designed and intended 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 6A and 6B 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; and,
- (5) Records of the inspections are to be maintained as listed in Deed Notice subparagraph 14C.ii.(B)(5). Should the visual inspection indicate that other activities are necessary, those activities will be listed and executed.
- (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:

- A report of all conditions set forth in Deed Notice subparagraph 14(C).ii.(C) to ensure 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.
- A report to determine whether the Engineering Controls continue to operate as designed.
- A report to determine whether the Engineering Controls continue to be protective of the public health and safety and of the environment.

EXHIBIT D

Consent Decrees as Institutional Controls

D-1: Consent Decree Regarding Sites 79 and 153 South

D-2: Consent Decree Regarding Remediation of the NJCU Redevelopment Area

NJDEP Site No. 153 Former Morris Canal
Block 1289.5, Lot E
City of Jersey City, Hudson County, New Jersey

The Property subject to this Deed Notice is defined as Site 153 North and Site 153 South in the Consent Decree Regarding Sites 79 and 153 South and the Consent Decree Regarding Remediation of the New Jersey City University (NJCU) Redevelopment Area, which are attached hereto and were entered as an order of the Court in the following consolidated actions *JCMUA v. Honeywell International Inc.*, D.N.J., Civ. No. 05-05955; *JCIA v. Honeywell International Inc.*, D.N.J., Civ. No. 05-5993; and *Hackensack Riverkeeper, Inc. v. Honeywell International Inc.*, D.N.J., Civ. No. 06-22.

The Consent Decrees restrict the transfer, use and development of the Site 153 South and North portions of the Property without further remediation pursuant to the terms of the Consent Decrees. To the extent that there is any conflict or inconsistency between the terms of this Deed Notice and the terms of the Consent Decrees, the Consent Decrees shall govern. To the extent that any action to be taken pursuant to this Deed Notice is in conflict with or inconsistent with the Consent Decrees, the Consent Decrees shall govern.

EXHIBIT D-1

Consent Decree Regarding Sites 79 and 153 South

NJDEP Site No. 153 Former Morris Canal
Block 1289.5, Lot E
City of Jersey City, Hudson County, New Jersey

Consent Decree Not Included

EXHIBIT D-2

Consent Decree Regarding Remediation of the NJCU Redevelopment Area

NJDEP Site No. 153 Former Morris Canal
Block 1289.5, Lot E
City of Jersey City, Hudson County, New Jersey

Consent Decree Not Included

APPENDIX E

EXAMPLE ANNUAL/QUARTERLY INSPECTION FORM

Commercial/Residential AOC and Site 153 North Inspection Report

I. Site Information	
Site Name	
NJDEP Site Number:	
Block/Lot Numbers:	
Date of Inspection:	Annual Inspection: <input type="checkbox"/> Date:
	Quarterly Inspection: <input type="checkbox"/> Date:
Inspected By:	
II. General Information	
Site Redevelopment Status:	
Number of Persons Working at Site:	
Building Owner and Address:	a.
	b.
	c.
Tenants Name(s) and Address:	a.
	b.
	c.

Commercial/Residential AOC and Site 153 North Inspection Report

Current Site Use: (Plant, Warehouse, Vacant, etc.):				
Summary of Previous Inspections:				
III. On-Site Documents & Records				
Description	Readily available	Up to date	N/A	Remarks
O&M Documents:				
O&M Manual				
As-built drawings				
Maintenance logs				
Site Health & Safety Plan:				
Contingency Plan/Emergency response plan				
O&M and OSHA Training Records:				
O&M and OSHA Training Records				
Permits and Service Agreements:				
TWA Permit				
PVSC Discharge Permit				
Other:				

Commercial/Residential AOC and Site 153 North Inspection Report

IV. Institutional Controls				
Status of Deed Notice:				
Description	Yes	No	N/A	Remarks
Site conditions imply Institutional Controls not properly implemented				
Site conditions imply Institutional Controls not being fully enforced				
Biennial Certification Reports up-to-date				
Violation have been reported				
Previous suggested correction made				
Other problems or suggestions:				
V. Site Conditions				
Description	Inspected			Comments, Field Observations and Measurements (Dimensions and Depth of Disturbance of Cap), Reference Photo #
	Yes	No	N/A	
Pavement cap area				
a. Chromium Remedy (Check for cracking, spalling, and potholes)				
b. Differential Settlement (Check for settlement or subsidence)				

Commercial/Residential AOC and Site 153 North Inspection Report

c.	Disturbance (Check for disturbance e.g. construction or utility repair, etc.)				
Description		Inspected			Comments, Field Observations and Measurements (Dimensions and Depth of Disturbance of Cap), Reference Photo #
		Yes	No	N/A	
Vegetative cap area					
a.	Disturbance (Check for disturbance e.g. construction or utility repair, etc.)				
b.	Surface Grade (Check for sign of erosion, settlement or subsidence)				
c.	Vegetative Cover (Check for missing vegetative cover or soil erosion, size of trees/shrubs, tree roots impacting nearby pavement)				
d.	Burrowing (check for animal borrowing)				
Other					
a.	Utility line (Check for any disturbance due to development of area or utility repair)				

Commercial/Residential AOC and Site 153 North Inspection Report

b.	Manholes/Signage (Check for any disturbance and/or damage)				
c.	Building Exterior (Once Building 7 Constructed in Commercial AOC)				

VI. Groundwater Monitoring Well Records

Monitoring Wells:

Description	Properly secured/Locked	Routinely sampled	Condition	Remarks
Monitoring wells				

Groundwater Elevation Record:

Description	Readily available	Up to date	N/A	Remarks
Groundwater Elevation measurement record				

Groundwater Elevation Measurement:

[illegible]

Commercial/Residential AOC and Site 153 North Inspection Report

VII. Overall Observations on Remedy Implementation & Site Conditions

APPENDIX F

NJDEP BIENNIAL CERTIFICATION FORM



New Jersey Department of Environmental Protection
Site Remediation Program

**REMEDIAL ACTION PROTECTIVENESS /
BIENNIAL CERTIFICATION FORM – SOIL**

☐ Non-LSRP (Existing Cases) ☐ LSRP ☐ Subsurface Evaluator

Date Stamp
(For Department use only)

SECTION A. SITE NAME, LOCATION, AND INFORMATION

Site Name: _____

List all AKAs: _____

Street Address: _____

Municipality: _____ (Township, Borough or City)

County: _____ Zip Code: _____

Program Interest (PI) Number(s): _____ Case Tracking Number(s): _____

Date of Each Final Remediation Document: _____

Filing Date of Each Deed Notice/DER: _____

Provide the Following for Each Deed Notice/DER:

Book # _____ Page # _____ Book # _____ Page # _____

Did the Municipal Block(s) and Lot(s) change since you filed the Deed Notice/DER or your last
submittal of the biennial certification and report? ☐ Yes ☐ No

If "Yes," list the new Municipal Block(s) and Lot(s) below:

Block # _____ Lot # _____ Block # _____ Lot # _____

Block # _____ Lot # _____ Block # _____ Lot # _____

Block # _____ Lot # _____ Block # _____ Lot # _____

Block # _____ Lot # _____ Block # _____ Lot # _____

1. Is this form being submitted pursuant to a remedial action permit? ☐ Yes ☐ No

2. Is the Person Responsible for Monitoring the Protectiveness of the Remedial Action required to
obtain a remedial action permit at this time? ☐ Yes ☐ No

3. Did you provide hard copies of this form to the municipal and county clerks for each municipality
and county in which the site is located; the local, county and regional health department for each
municipality and county in which the site is located; each current owner of the site; each current
operator of the site; the Pinelands Commission as applicable; and the Highlands Commission as
applicable? ☐ Yes ☐ No

4. Did you provide to NJDEP copies of this form in paper and PDF, and maps in GIS compatible
format? ☐ Yes ☐ No

SECTION B. FEES

☐ Biennial Certification Non Permit \$375.00

☐ Biennial Certification for Remedial Action Permit

Fee Billing Contact

Business Name: _____

First Name of Contact: _____ Last Name of Contact: _____

Title: _____

Phone Number: _____ Ext: _____ Fax: _____

Mailing Address: _____

City/Town: _____ State: _____ Zip Code: _____

Email Address: _____

SECTION C. CURRENT OWNER OF THE SITEChanged Since Last Submittal ☐

☐ If same as Person Responsible for Monitoring the Protectiveness of the Remedial Action (Section K), check box and go to Section D.

Full Legal Name of the Owner: _____

First Name of Contact: _____ Last Name of Contact: _____

Title: _____

Phone Number: _____ Ext: _____ Fax: _____

Mailing Address: _____

City/Town: _____ State: _____ Zip Code: _____

Email Address: _____

SECTION D. CURRENT OPERATOR OF THE SITE

☐ If same as Person Responsible for Monitoring the Protectiveness of the Remedial Action (Section K), check box and go to Section E.

Full Legal Name of the Operator: _____

First Name of Contact: _____ Last Name of Contact: _____

Title: _____

Phone Number: _____ Ext: _____ Fax: _____

Mailing Address: _____

City/Town: _____ State: _____ Zip Code: _____

Email Address: _____

SECTION E. CURRENT LESSEE OF THE SITE

☐ If same as Person Responsible for Monitoring the Protectiveness of the Remedial Action (Section K), check box and go to Section F.

Full Legal Name of the Lessee: _____

First Name of Contact: _____ Last Name of Contact: _____

Title: _____

Phone Number: _____ Ext: _____ Fax: _____

Mailing Address: _____

City/Town: _____ State: _____ Zip Code: _____

Email Address: _____

SECTION F. IEC CONDITIONS

Since the establishment of the Deed Notice/DER or the last submittal of the biennial certification and report, did you discover any Immediate Environmental Concern conditions pursuant to the NJDEP IEC Guidance?

☐ Yes ☐ No

If "Yes," provide the date of IEC Contaminant Source Control: _____

SECTION G. STATUTORY AND REGULATORY CHANGES

1. Have you evaluated all relevant remediation standards and guidance related to soil that have been modified subsequent to the establishment of the Deed Notice/DER or the last submittal of the biennial certification and report? ☐ Yes ☐ No

2. After the evaluation in 1, is the remedial action still protective of public health, safety and of the environment? ☐ Yes ☐ No

If "No," complete Section J.

SECTION H. PROPERTY USE (check all that apply)**Site Use at Time Deed Notice/DER was Filed**

- | | |
|---|---|
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Agricultural |
| <input type="checkbox"/> Residential | <input type="checkbox"/> Park or recreational use |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> School or child care | <input type="checkbox"/> Government |
| <input type="checkbox"/> Landfill | <input type="checkbox"/> Other _____ |

Current Site Use

- | | |
|--|---|
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Park or recreational use |
| <input type="checkbox"/> Residential* | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Government |
| <input type="checkbox"/> School or child care* | <input type="checkbox"/> Future site use unknown |
| <input type="checkbox"/> Landfill | <input type="checkbox"/> Other _____ |

Intended Future Site Use, If Known

- | | |
|--|---|
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Park or recreational use |
| <input type="checkbox"/> Residential* | <input type="checkbox"/> Vacant |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Government |
| <input type="checkbox"/> School or child care* | <input type="checkbox"/> Future site use unknown |

* See question 5 below.

1. Describe the current site operations:

2. Has the site use changed from that at the time the Deed Notice/DER was filed? ☐ Yes ☐ No

If "Yes," go to 3. If "No," go to 7.

3. If the site use at the time the Deed Notice/DER was filed has changed, do you have to file a new Deed Notice? ☐ Yes ☐ No4. Did the new site use require additional remedial action? ☐ Yes ☐ No

If "Yes," complete Section J.

5. Did you check residential, school, and/or licensed child care above? ☐ Yes ☐ No

If "No," go to 7.

6. If the site use will change to residential, school, and or licensed child care, will you implement a presumptive remedy at the site pursuant to the NJDEP "Presumptive Remedy Guidance" dated 11/4/09? ☐ Yes ☐ No

If "Yes," complete Section J. If "No," check one of the following:

☐ Will implement an alternate remedy pre-approved by the NJDEP; complete Section J.☐ Will implement an unrestricted use remedy; complete Section J.7. Has there been a zoning change or is a zoning change pending? ☐ Yes ☐ No

If "No," go to Section I.

If "Yes," has the zoning change rendered or will it render the Remedial Action not protective of public health, safety and of the environment? ☐ Yes ☐ No

If "No," go to Section I.

If "Yes," describe the zoning change and complete Section J:

SECTION I. LAND DISTURBANCES

1. Have you conducted periodic inspections pursuant to N.J.A.C. 7:26E-8.5(a)2 to determine if disturbances of the engineering control and/or the remedial action have taken place since the Deed Notice/DER was filed or the last submittal of the biennial certification and report? ☐ Yes ☐ No
2. Have disturbances of the engineering controls and/or remedial action taken place since the Deed Notice/DER was filed or the last submittal of the biennial certification and report? ☐ Yes ☐ No

If "Yes," complete this entire section. If "No," go to Section J.

3. Did these disturbances render the remedial action not protective of public health, safety and of the environment? ☐ Yes ☐ No

4. Date of Disturbance: _____
Duration of Disturbance: Months _____ Days _____
Date NJDEP Hotline contacted: _____
Hotline Incident Number assigned: _____
Describe the disturbance: _____

5. If soil excavation took place, was all excavated soil returned to its location of origin? ☐ Yes ☐ No

If "Yes," how much soil was removed and returned? _____

If "No," how much soil was removed? _____

Where was the soil taken? _____

Submit documents that demonstrate where the soil was taken.

6. Were the remedial action and engineering controls restored to the conditions stated in the Deed Notice/DER? ☐ Yes ☐ No

If "Yes," go to Section K. If "No," go to 7 and complete Section J.

7. Describe how the remedial action and the engineering control have been modified from that stated in the Deed Notice/DER: _____

SECTION J. ADDITIONAL REMEDIATION

1. If additional remedial action was required (Sections G, H, and I) that leads to a restricted use remedial action:
- Provide the date the Remedial Action Report was submitted to the Department _____;
 - Provide the date the Remedial Action Report will be submitted to the Department _____, Section H, # 6 only;
 - Attach a newly filed Deed Notice/DER to this form;

- If you have a remedial action permit, submit a Modification of Permit Form available at <http://www.nj.gov/dep/srp/forms> with this form.
2. If an unrestricted use presumptive remedy will be implemented:
- Provide the date the Remedial Action Report will be submitted to the Department _____;
 - Attach a newly filed Termination of Deed Notice to this form;
 - If you have a remedial action permit, submit a Termination of Permit Form available at <http://www.nj.gov/dep/srp/forms> with this form.

SECTION K. PERSON RESPONSIBLE FOR MONITORING THE PROTECTIVENESS OF THE REMEDIAL ACTION INFORMATION AND CERTIFICATION

Full Legal Name of the Person Responsible for monitoring the protectiveness of the remedial action: _____

Representative First Name: _____ Representative Last Name: _____

Title: _____

Phone Number: _____ Ext: _____ Fax: _____

Mailing Address: _____

City/Town: _____ State: _____ Zip Code: _____

Email Address: _____

Relationship to the Site (check all that apply)

- ☐ I am the current Owner
- ☐ I am the current Operator
- ☐ I am the current Lessee
- ☐ I am the Person who conducted the remediation
- ☐ I am the Permittee
- ☐ I am the Co-Permittee

This certification shall be signed by the person responsible for submitting the remedial action protectiveness certification in accordance with the Administrative Requirements for the Remediation of Contaminated Sites rule at N.J.A.C. 7:26C-1.5(a).

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, including all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

I also understand that engineering and institutional controls must be evaluated and maintained to ensure they remain protective of public health and safety and the environment.

Based upon the information provided herein, I hereby certify that the remedial action(s) implemented at the site that includes engineering and/or institutional controls remains protective of public health and safety and the environment.

Signature: _____ Date: _____

Name/Title: _____ **No Changes Since Last Submittal** ☐

SECTION L. NON-LSRP SITE REMEDIATION PROFESSIONAL STATEMENT

First Name: _____	Last Name: _____
Phone Number: _____	Ext: _____ Fax: _____
Mailing Address: _____	
City/Town: _____	State: _____ Zip Code: _____
Email Address: _____	
<i>I believe that the information contained herein, and including all attached documents, is true, accurate and complete.</i>	
Signature: _____	Date: _____
Name/Title: _____	No Changes Since Last Submittal <input type="checkbox"/>
Company Name: _____	

Completed forms should be sent to:

Bureau of Case Assignment & Initial Notice
Site Remediation Program
NJ Department of Environmental Protection
401-05H
PO Box 420
Trenton, NJ 08625-0420

SECTION L. LICENSED SITE REMEDIATION PROFESSIONAL INFORMATION AND STATEMENT

LSRP ID Number: _____

First Name: _____ Last Name: _____

Phone Number: _____ Ext: _____ Fax: _____

Mailing Address: _____

City/Town: _____ State: _____ Zip Code: _____

Email Address: _____

This statement shall be signed by the LSRP who is submitting this notification in accordance with SRRA Section 16 d. and Section 30 b.2.

I certify that I am a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey. As the Licensed Site Remediation Professional of record for this remediation, I:

[SELECT ONE OR BOTH OF THE FOLLOWING AS APPLICABLE]:

- ☐ *directly oversaw and supervised all of the referenced remediation, and/or*
☐ *personally reviewed and accepted all of the referenced remediation presented herein.*

I believe that the information contained herein, and including all attached documents, is true, accurate and complete.

It is my independent professional judgment and opinion that the remediation conducted at this site, as reflected in this submission to the Department, conforms to, and is consistent with, the remediation requirements in N.J.S.A. 58:10C-14.

My conduct and decisions in this matter were made upon the exercise of reasonable care and diligence, and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals practicing in good standing, in accordance with N.J.S.A. 58:10C-16, in the State of New Jersey at the time I performed these professional services.

I am aware pursuant to N.J.S.A. 58:10C-17 that for purposely, knowingly or recklessly submitting false statement, representation or certification in any document or information submitted to the board or Department, etc., that there are significant civil, administrative and criminal penalties, including license revocation or suspension, fines and being punished by imprisonment for conviction of a crime of the third degree.

LSRP Signature: _____ Date: _____

LSRP Name/Title: _____ **No Changes Since Last Submittal** ☐

Company Name: _____

Completed forms should be sent to:

Bureau of Case Assignment & Initial Notice
Site Remediation Program
NJ Department of Environmental Protection
401-05H
PO Box 420
Trenton, NJ 08625-0420

APPENDIX G

NJCU COMMERCIAL AOC AND SITE 153 NORTH WARNING SIGN EXAMPLE



Specs for signage posted
on **exterior** of manhole:

- 4-inch high x 6-inch wide
- 18-gauge Stainless Steel

Specs for signage posted
on **interior** of manholes:

- 4-inch high x 6-inch wide
- 7-gauge Stainless Steel

APPENDIX H

WORKER TRAINING MANUAL (To Be Provided When Finalized)