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| Hudson County Recording Data Page Honorable Diane Coleman Hudson County Clerk  | <i>Official Use Only – Barcode</i>  20171214010145690 1/130 12/14/2017 11:34:11 AM DEED Official Use: Bk: 9264 Pg: 678 Diane Coleman Hudson County, Register of Deeds Receipt No. 1312618 |
| <i>Official Use Only – Record & Return</i> | |
| Date of Document: November 29, 2017 | Type of Document: Deed Notice |
| First Party Name: Bayfront Redevelopment, LLC | Second Party Name: |
| Additional Parties: | |

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| THE FOLLOWING SECTION IS REQUIRED FOR DEEDS ONLY | |
| Block: | Lot: |
| Municipality: | |
| Consideration: | |
| Mailing Address of Grantee: | |

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| THE FOLLOWING SECTION IS FOR ORIGINAL MORTGAGE BOOKING & PAGING INFORMATION FOR ASSIGNMENTS, RELEASES, SATISFACTIONS, DISCHARGES & OTHER ORIGINAL MORTGAGE AGREEMENTS ONLY | |
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130 pgs AC

Deed Notice #5
SA-6 North Open Space Area
Portions of Block 21901 Lots 5-10

DEED NOTICE

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

Prepared by: 

[Signature]

Global Director - Remediation Design & Construction
[Bayfront Redevelopment LLC]

Recorded by:

[Signature, Officer of County Recording Office]

[Print name below signature]

**DEED NOTICE CONCERNING CONTROLS
INSTALLED TO CONTAIN CHROMIUM AND
HISTORIC FILL CONTAMINATION UNDERLYING
THE CENTRAL PARK**

This Deed Notice is made as of the 29th day of November, 2017, by *Bayfront Redevelopment LLC*, whose post office address is *115 Tabor Road, Morris Plains, New Jersey 07950*. "Owner" shall mean Bayfront Redevelopment 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. The Property (also referred to herein as Restricted Area(s)) is particularly described by metes and bounds in Exhibit A-2 attached hereto.

1. THE PROPERTY. Bayfront Redevelopment LLC is the current owner in fee simple of certain real property designated as portions of ***Block 21901, Lots 5 through 10 on the tax map of the City of Jersey City, Hudson County, New Jersey***¹; the New Jersey Department of Environmental Protection ("the Department") Program Interest ("PI") Numbers for the contaminated site which includes this property are ***Hudson County Chromate Site No. 087 PI No. G000008710 and Hudson County Chromate Site No. 088 PI No. G000008711*** (NJDEP PI# for non-chromium-

¹ All references to Block 21901 Lots 5 through 10 in this Deed Notice shall mean the applicable portions of Block 21901 Lots 5 through 10 as shown in the metes and bounds description, regardless of whether the word "portion(s)" is specifically called out or not.

related contaminants at the Property is #745719) and known as the Open Space Area pursuant to the First Amended Consent Decree Regarding the Remediation and Redevelopment of Study Area 6 North ("Consent Decree") which is attached hereto as Appendix I and is 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 (consolidated under Civ. No. 95-2097). The approximate location of the Open Space Area is also referred to as Central Park in the Bayfront I Redevelopment Plan adopted by Jersey City on March 12, 2008. The Property also includes a portion of the area referred to as treatment area 10 (TA-10) that is located immediately north of the SA-6 North Open Space Area northern hydraulic barrier and south of the northern curblineline of the future Stegman Boulevard. The Consent Decree restricts transfer, use and development of the Property. To the extent that there is any conflict or inconsistency between the terms of this Deed Notice and the terms of the Consent Decree, the Consent Decree shall govern.

2. REMEDIATION.

i. The Department's Bureau of State Case Management ("BCM") is the entity within the Department that is responsible for the oversight of the chromium remediation of the Property. The matter was Case No. Hudson County Chromate Site No. 087 PI# G000008710 and Hudson County Chromate Site No. 088 PI# G000008711. The Department has approved this Deed Notice as an institutional control for the Property, which is part of the remediation of the Property.

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

3. SOIL AND GROUNDWATER CONTAMINATION. Honeywell, a corporation of the State of Delaware, licensed to do business in the State of New Jersey whose post office address is 115 Tabor Road, Morris Plains, New Jersey 07950, has remediated SA-6 North to address chromium-related soil and non-chromium related soil and shallow groundwater contamination, except for the Property and certain other deed noticed areas where engineering controls were implemented. The Remedial Action Work Plan ("RAWP") for chromium remedial actions was approved by the Department on February 19, 2009 for Hudson County Chromate Site Nos. 087 and 088 which included the Property. The RAWP for non-chromium remedial actions was approved by the Department on November 10, 2009. Remedial actions for chromium were further approved pursuant to the Consent Decree.

Under both the Consent Decree and the RAWP soil and groundwater contamination remains in the Property at concentrations that do not allow for the unrestricted use of the Property. A Remedial Action Report ("RAR") for SA-6 North was submitted to the Department on March 16, 2017. The Department approved the RAR on June 1, 2017. A Construction Completion Report ("CCR") for SA-6 North to document the implementation of the Chromium Remedy pursuant to Article III of the Consent Decree (the "Chromium Remedy") to address chromium-impacted soil and groundwater for SA-6 North was entered by the Court on December 5, 2017, Docket No. 1528.

The Property encompasses approximately 10 acres. This deed notice area includes chromium, benzene, MTBE, and historic fill. The horizontal extents of the Property include an existing soil-cement-bentonite ("SCB") wall along the southern boundary of the Property with SA-7, the hydraulic barrier walls installed on the other three sides as part of the Chromium Remedy, and the portion of TA-10 that is south of the northern curblin of the future Stegman Boulevard. The engineering barrier covering the contamination in the area of the Property contained within the SCB and hydraulic barrier walls consists of an engineered Resource Conservation Recovery Act ("RCRA") cap that includes a gas collection system, base protective layer, geomembrane liner, geocomposite drainage layer, filter fabric, warning layer and cover soils. The engineering barrier in the TA-10 area of the Property consists of at least 12 feet of clean fill and the area will be capped by the future Stegman Boulevard. The Property includes chromium for the Open Space Area and the TA-10 area, and benzene, methyl tert-butyl ether (MTBE) and historic fill for the Open Space Area. Honeywell will restrict, or will cause Bayfront Redevelopment LLC to restrict, the future use of this area by implementing a conservation restriction, which has been recorded at the Office of the Hudson County Register, and Honeywell will transfer, or cause Bayfront Redevelopment LLC to transfer, title to the City of Jersey City (as called for in Paragraph 60(a)(iii) of the Consent Decree). The provisions of the Long Term Monitoring Plan ("LTMP") and the Open Space Design Standards ("OSDS"), developed pursuant to the Consent Decree, will apply to 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. Groundwater within the Property remains contaminated. Groundwater contaminant concentrations and restrictions for SA-6 North in its entirety are addressed in the Classification Exception Area (CEA)] approved by the NJDEP on February 16, 2012 and in a forthcoming Remedial Action Permit for Groundwater. As a result of the remaining soil contamination, there is a statutory requirement for this Deed Notice and engineering controls in accordance with N.J.S.A. 58:10B-13. Under the terms of the Consent Decree and this Deed Notice, Honeywell is responsible for monitoring and maintaining the soil and groundwater remediation for the Property in perpetuity.

4. CONSIDERATION. In accordance with the Department's approval of the chromium and non-chromium RAWPs for the remediation for the Hudson County Chromate Site Nos. 087 and 088 which includes the Property, and in consideration of the terms and conditions of that remedial action, and in accordance with the Consent Decree, 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 subsequent owners, lessees and operators of the restrictions and the monitoring, maintenance, and biennial certification requirements outlined in this Deed Notice and required by law, as set forth herein.

5A. RESTRICTED AREAS. Due to the presence of these contaminants, Owner has agreed, as part of the remedial action for the Property, to restrict the use of the Property (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 will develop a binder containing a list of these restrictions

which will be maintained at either the onsite trailers or within the Groundwater Treatment Plant building and be available for inspection by governmental enforcement officials if requested.

5B. RESTRICTED LAND USES. The following land use restrictions apply to the Property:

- i. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(10), prohibits the conversion of a contaminated site, remediated to non-residential soil remediation standards that require the maintenance of engineering or institutional controls, to a child care facility, or public, private, or charter school without the Department's prior written approval, unless a presumptive remedy is implemented;
- ii. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(12), prohibits the conversion of a landfill, with gas venting systems and or leachate collection systems, to a single-family residence or a child care facility without the Department's prior written approval;
- iii. The Consent Decree, paragraph 60, prohibits development in the Property except as allowed by paragraphs 60(j) and (k) of the Consent Decree; and
- iv. The Conservation Restriction, recorded with the Hudson County Register of Deeds at Book 8644, page 662, restricts the use and development of the Property.²

5C. ENGINEERING CONTROLS. Due to the presence and concentration of these contaminants, the Owner has also agreed, as part of the remedial action for the Property, to the placement of certain engineering controls within 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 the Consent Decree, the LTMP, and Paragraphs 8A and 8B herein.

5D. LONG TERM MONITORING PLAN. Pursuant to the Consent Decree, Honeywell has developed an LTMP which sets forth requirements for monitoring, maintaining, and repairing or replacing the soil and groundwater chromium remedial measures including engineering controls within the Property, and requirements for notification and reporting pursuant to the Consent Decree, Deed Notice, and Soil Remedial Action Permit. A copy of the LTMP is maintained by Honeywell at 115 Tabor Road, Morris Plains, NJ 07950. This Deed Notice is appended to the LTMP.

5E. OPEN SPACE DESIGN STANDARDS. Pursuant to the Consent Decree, Honeywell has prepared the OSDS which set forth the standards that must be met to ensure the protection of the Chromium Remedy during all development and other intrusive work conducted within the Property.

² In the future, the boundary of the existing conservation restriction recorded on the Property will be amended to conform to the portion of the TA-10 area that is south of the northern curbline of the future Stegman Boulevard and the location of the as-built hydraulic barrier walls.

5F. WORKER TRAINING MATERIALS. All maintenance workers engaged in maintenance at the Property shall be trained in maintenance procedures that do not jeopardize the integrity of the Chromium Remedy. Workers shall be trained using materials developed by Honeywell pursuant to the Consent Decree.

6A. CHANGE IN OWNERSHIP AND REZONING.

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

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

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

7A. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

i. The Owner and all subsequent owners and lessees shall notify any person of whom it has knowledge, including, without limitation, tenants, employees of tenants, developers, and contractors, intending to conduct invasive work or excavate within the Property, of the nature and location of known contamination in the Property, and, of the precautions necessary to protect the engineering controls and minimize potential human exposure to contaminants.

ii. Except as provided in the Consent Decree and Paragraph 7B below, no person shall make, or allow to be made, any alteration, improvement, or disturbance in, to, or about the Property which disturbs any engineering control at the Property except as (a) permitted in the Consent Decree and Conservation Restriction, (b) as is consistent with the OSDS, and (c) without first obtaining a Soil Remedial Action Permit modification from the Department. Nothing herein shall constitute a waiver of the obligation of any person to comply with all applicable laws and regulations including, without limitation, the applicable rules of the Occupational Safety and Health Administration.

iii. Notwithstanding subparagraph 7A.ii.(c), above, a Soil Remedial Action Permit modification is not required for any alteration, improvement, or disturbance provided that:

(A) Such action is taken in conformance with the Consent Decree, the OSDS, and this Deed Notice; and

(B) The Department of Environmental Protection is notified of the activity by calling the DEP Hotline, at 1-877-WARN-DEP or 1-877-927-6337, within twenty-four (24) hours after the beginning of each alteration, improvement, or disturbance; and

(C) Honeywell is notified of the activity by calling 855-727-2658; and

(D) Honeywell and/or the owner restores any disturbance of an engineering control to pre-disturbance conditions, consistent with the requirements of the Consent Decree and LTMP within sixty (60) calendar days after the initiation of the alteration, improvement or disturbance; and

(E) All applicable worker health and safety laws and regulations are followed during the alteration, improvement, or disturbance, and during the restoration; and

(F) Appropriate measures are taken so that human exposure, and exposure of the environment outside the containment of the engineering controls, to contamination in excess of the applicable remediation standards does not occur; and

(G) The next biennial certification includes a description of 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.

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

i. The Department of Environmental Protection is immediately notified of the emergency, by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337; and

ii. Immediately after notifying NJDEP, Honeywell is notified of the emergency by calling 855-727-2658; and

iii. Both the actual disturbance and the time needed for the disturbance are limited to the minimum reasonably necessary to adequately respond to the emergency; and

iv. All measures necessary to limit actual or potential, present or future risk of exposure to humans or the environment to the contamination are implemented; and

v. The Department of Environmental Protection is notified when the emergency has ended by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337; and

vi. Honeywell is notified when the emergency has ended by calling 855-727-2658; and

vii. Honeywell restores the engineering control to the pre-emergency conditions, consistent with the requirements of the Consent Decree and LTMP, as soon as possible, and submits a written report to the Department of Environmental Protection 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. Honeywell shall submit the report 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

8A. MONITORING AND MAINTENANCE OF DEED NOTICE, AND PROTECTIVENESS CERTIFICATION. The persons in any way responsible, pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11a et seq., for the hazardous substances that remain at the Property, the persons responsible for conducting the remediation, Honeywell, the Owner, and the subsequent owners, lessees, and operators, shall monitor and maintain this Deed Notice. The subsequent owners, lessees and operators have this obligation only during their ownership, tenancy, or operation. Honeywell shall certify to the Department 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 Article III of the Consent Decree, and Exhibit C herein, 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; and

ii. Conducting any additional remedial investigations and implementing 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, so that the remedial action that includes this Deed Notice remains protective of the public health and safety and of the environment; and

iii. Certifying to the Department of Environmental Protection the continued protectiveness of the remedial action that includes this Deed Notice, on a form provided by the Department 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.

8B. MONITORING AND MAINTENANCE OF ENGINEERING CONTROLS, AND PROTECTIVENESS CERTIFICATION. Honeywell shall maintain all engineering controls at the Open Space Area 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 Article III of the Consent Decree, the LTMP, and Exhibit C herein, so that the remedial action that includes the engineering control continues to be protective of the public health and safety and of the environment; and

ii. Conducting any additional remedial investigations and implementing 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, so that the remedial action that includes the engineering control remains protective of the public health and safety and of the environment; and

iii. Certifying to the Department of Environmental Protection the continued protectiveness of the remedial action that includes the engineering control, on a form provided by the Department 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.

9. ACCESS. The Owner, subsequent owners, lessees, and operators, agree to allow the Department, its agents and representatives access to the Property to inspect and evaluate the continued protectiveness of the remedial action that includes this Deed Notice and to conduct additional remediation to ensure the protection of the public health and safety and of the environment if the persons responsible for monitoring the protectiveness of the remedial action, as described in Paragraph 8, above, fail to conduct such remediation pursuant to this Deed Notice as required by law. The Owner, and the subsequent owners and lessees, shall also cause all leases, subleases, grants, and other written transfers of an interest in the Property to contain a provision expressly requiring that all holders thereof provide such access to the Department.

10. NOTICES.

i. Owner shall cause all leases, grants, and other written transfers of an interest in 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. Honeywell or the Owner shall notify any person intending to conduct invasive work or excavate within the Property of the nature and location of contamination and, of the precautions necessary to minimize potential human exposure, and exposure of the environment outside the containment of the engineering controls, to contaminants.

iii. Owner shall provide written notice to the Department of Environmental Protection 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 Decree.

iv. Owner shall provide written notice to the Department within thirty (30) calendar days following the Owner's receiving notice of any petition for a rezoning of the Property. Any such rezoning must be consistent with the terms of the Consent Decree. 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.

11. ENFORCEMENT OF VIOLATIONS.

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

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

iii. This Deed Notice is also enforceable in the United States District Court for the District of New Jersey by all residents, owners, lessees, and all commercial tenants on Study Areas 6 and 7 pursuant to paragraphs 66 and 69 of the Consent Decree.

12. 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.

13. MODIFICATION AND TERMINATION.

i. Any person may request in writing, at any time, that the Department 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, provided that any such modification is consistent with the requirements of the Consent Decree.

ii. Any person may request in writing, at any time, that the Department 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 or termination 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 Decree until such time as the Consent Decree terminates with regard to the Property pursuant to the Consent Decree.

iv. If the United States District Court for the District of New Jersey and NJDEP have concluded that this Deed Notice shall be modified or terminated, such modification or termination will only be effective upon the filing of a Termination of Deed Notice, available at N.J.A.C. 7:26C Appendix C, with the office of the Register of Deeds of Hudson County, New Jersey, expressly modifying or terminating this Deed Notice.

v. Within thirty (30) calendar days after the filing of a Termination of Deed Notice, the owner of the Property shall apply to the Department for modification or termination of the Soil Remedial Action Permit pursuant to N.J.A.C. 7:26C-7.

vi. This Deed Notice may be modified only if it has first been terminated pursuant to subparagraphs 13v above, and upon filing of a modified Deed Notice, executed by the Owner of the Property, in the office of the Register of Deeds of Hudson County, New Jersey.

14A. EXHIBIT A. Exhibit A includes the following maps of the Property and the vicinity:

i. Exhibit A-1: Vicinity Map - A map that identifies by name the roads, and other important geographical features in the vicinity of the Property;

ii. Exhibit A-2: Metes and Bounds Description of Property- 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. After development of the Property, this Deed Notice shall be modified to show topographical features constructed on the Property such as buildings, roads, and parking lots.

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

i. Exhibit B-1 and B-2 (Exhibits B-1A, B-1B, B-2A, and B-2B): Restricted Area Maps - Maps for the that include, as applicable:

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

(B) As-built diagrams of any buildings, roads, parking lots, utility corridors, 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 below.

ii. Exhibit B-3 (Table B-3): Restricted Area Data Tables - Table for the Open Space Area Property 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; 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-1A through D. Exhibit C-1A: Deed Notice as Institutional Control; Exhibit C-1B: Consent Decree as Institutional Control (attached); Exhibit C-1C: Zoning as Institutional Control; Exhibit C-1D: Conservation Restriction as Institutional Control (recorded at Hudson County Register of Deeds as indicated in Paragraph 3): Exhibit C-1 (A through D) 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 Control:

- (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 resulted 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-2A through C. Exhibit C-2A: Engineering Controls: Clean Fill and Soil Capping System; Exhibit C-2B: Engineering Controls: Underground Containment Walls; Exhibit C-2C: Engineering Controls: Shallow Groundwater Collection and Treatment System.

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.

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

ATTEST:

Stephanie Frank
Print name: Stephanie Frank

BAYFRONT REDEVELOPMENT, LLC

By William J. Hague
William J. Hague
Global Director-Remediation
Design & Construction

STATE OF NEW JERSEY)
)SS.:
COUNTY OF Morris)

I CERTIFY that on November 29, 2017, William J. Hague, personally appeared before me and that this person acknowledged under oath, to my satisfaction, that:

(a) this person is the Global Director-Remediation Design & Construction, an authorized representative of Bayfront Redevelopment, LLC, the limited liability company named in the attached document;

(b) this person executed and delivered the attached document as the voluntary act and deed of the limited liability company; and

(c) this person was authorized by the members of the limited liability company to execute and deliver the attached document on behalf of the limited liability company.

Sworn to and subscribed before me
on this 29th day of November, 2017.

Cheryl L. Toles
Notary Public



EXHIBIT A
Deed Notice #5 SA-6 North Property

A-1 Vicinity Map

A-2 Metes and Bounds Description of the Property and Tax Map

**A-3 Property Maps Portions of Block 21901, Lots 5 through 10, City of Jersey City, New
Jersey**

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

Exhibit A-2 consists of the metes and bounds and a tax map for the Property.

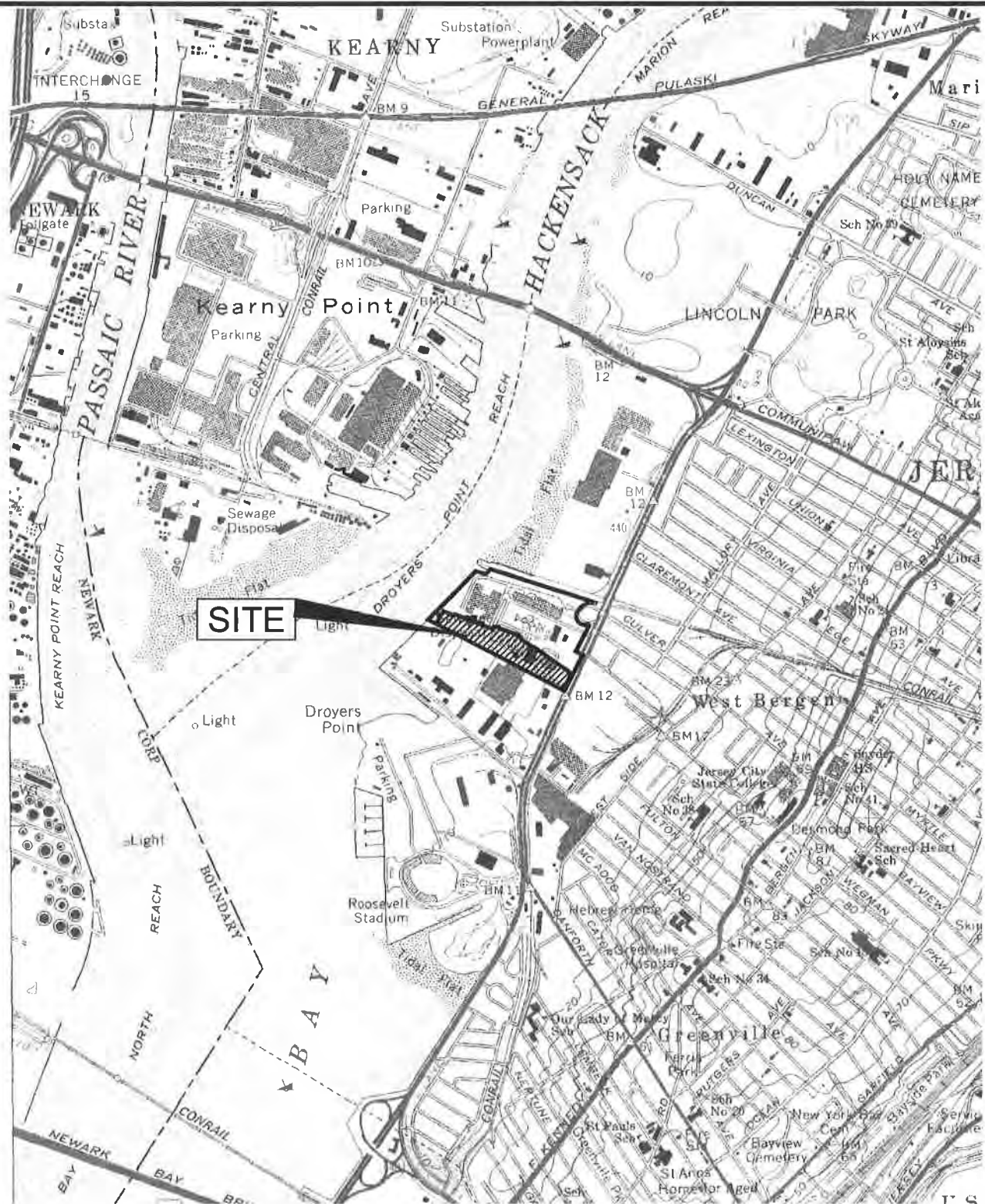
Exhibit A-3A and 3B Property Maps consist of figures indicating major surface features and engineering control for the Property. After development of the Property, this Deed Notice shall be modified to show topographical features constructed on the Property such as buildings, roads, and parking lots.

Exhibit A-1
Site Vicinity Map

EXHIBIT A-1
SITE VICINITY MAP
STUDY AREA 6 NORTH SITES 087 and 088
JERSEY CITY, NEW JERSEY

CONFIDENTIAL AND MAY NOT BE COPIED OR UNLOADED; AND (D) THIS DOCUMENT MAY ONLY BE USED BY THE CLIENT IN THE CONTEXT AND FOR THE EXPRESS PURPOSE FOR WHICH IT HAS BEEN DELIVERED. ANY OTHER USE OR RELIANCE ON THIS DOCUMENT BY ANY THIRD PARTY IS AT THAT PARTY'S SOLE RISK AND RESPONSIBILITY.

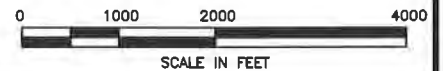
P:\CAUDO\HONEYWELL\JERSEY CITY\SA-6 NORTH\3480150487-6100-610001\DEED NOTICE.DWG, 28 Nov 2017 - 8:59am scott.rudolph



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



OPEN SPACE AOC
RESTRICTED AREA



Amec Foster Wheeler PROJECT No. 3480150487
DRAWING: 3480150487-6100-A105-0000

PREPARED/DATE:
STR 12/15/16

CHECKED/DATE:
NW 01/31/17

amec foster wheeler

ENVIRONMENT & INFRASTRUCTURE, Inc.
200 AMERICAN METRO BLVD, SUITE 113
HAMILTON, NEW JERSEY 08610

EXHIBIT A-1
VICINITY MAP
BLOCK 21901 LOTS 5-10
SA-6 NORTH
JERSEY CITY, NEW JERSEY
DEED NOTICE #5

Exhibit A-2
Deed Notice #5 SA-6 North Property

Metes and Bounds Description of the Property and Tax Map

A-2 Metes and Bounds Description of Property Portions of Block 21901, Lots 5 through 10 City of Jersey City, New Jersey (see attached)

If there is any discrepancy between the Metes and Bounds and the tax map, or any other maps attached hereto, the Metes and Bounds prevails.

The Property is identified as portions of Block 21901, Lots 5 through 10 on the City of Jersey City tax maps, the Property being presently owned by Bayfront Redevelopment LLC. A copy of the current tax map which includes the general location of the Property is attached as Exhibit A-2.



Consulting, Municipal & Environmental Engineers
Planners • Surveyors • Landscape Architects

331 Newman Springs Road
Suite 203
Red Bank, NJ 07701
Tel: 732.383.1950 • Fax: 732.383.1984

**DESCRIPTION OF PROPERTY
CITY OF JERSEY CITY
HUDSON COUNTY, NEW JERSEY
PROJECT NO. 10000292R**

**DEED NOTICE AREA 5
BLOCK 21901 LOTS 5 THRU 10
MAY 18, 2016
REVISED: AUGUST 16, 2017
Page 1 of 4**

All that certain lot, tract or parcel of land situate lying and being in the City of Jersey, in the County of Hudson and State of New Jersey, and being a portion of Lots 5 thru 10, in Block 21901, designated as Deed Notice Area 5 as shown on an exhibit entitled, "Deed Notice Area 5, SA6 North, Block 21901, Lots 5 Thru 10, City of Jersey City, Hudson County, New Jersey," prepared by Maser Consulting P.A., dated May 12, 2016, revised through August 16, 2017 and being more particularly bounded and described as follows, to wit:

BEGINNING at a point in the westerly sideline of New Jersey State Highway Route 440 (112 foot wide right of way), said sideline being distant 61 feet westward at right angles to the centerline thereof, said beginning point being distant **S24° 46' 55"W, 4.16 feet** along said sideline, from its intersection with the division line between Lots 5 and 6 in Block 21901, and running; thence-

1. **N49° 06' 51"W, 488.50 feet**, running through Lot 6 and beyond, to a point in Lot 7; thence –
2. **N59° 38' 29"W, 1,519.31 feet**, running through said Lot 7 and beyond, to a point in Lot 8; thence –
3. **N45° 51' 07"E, 4.13 feet**, still running through said Lot 8, to a point in the common division line between Lot 8 and Lot 10 in Block 21901; thence –
4. **S59° 39' 05"E, 111.22 feet**, along said common division line; thence –

Running through said Lot 10, the following seven (7) courses:

5. **N28° 37' 00"E, 19.46 feet**, through the same and beyond, to a point in Lot 10; thence –
6. **N30° 01' 01"E, 48.06 feet**; thence –
7. **N19° 17' 57"W, 17.97 feet**; thence –
8. **N31° 55' 37"E, 23.15 feet**; thence –
9. **N76° 06' 19"E, 18.87 feet**; thence –
10. **N29° 16' 27"E, 36.41 feet**; thence –
11. **S65° 27' 42"E, 153.93 feet**, through said Lot 10 and beyond, to a point in Lot 9; thence –



**DESCRIPTION OF PROPERTY
CITY OF JERSEY CITY
HUDSON COUNTY, NEW JERSEY
PROJECT NO. 10000292R**

**DEED NOTICE AREA 5
BLOCK 21901 LOTS 5 THRU 10
MAY 18, 2016
REVISED: AUGUST 16, 2017
PAGE 2 of 4**

Running through said Lot 9 the following fifteen (15) courses:

12. N24° 46' 55"E, 9.39 feet; thence –
13. S63° 20' 43"E, 154.05 feet; thence –
14. S64° 10' 53"E, 3.13 feet; thence –
15. N89° 06' 30"E, 10.85 feet; thence –
16. S71° 33' 46"E, 49.04 feet; thence –
17. N64° 44' 16"E, 48.64 feet; thence –
18. S71° 27' 06"E, 29.23 feet; thence –
19. S20° 45' 38"W, 20.55 feet; thence –
20. S06° 10' 50"W, 25.40 feet; thence –
21. S43° 02' 17"E, 20.42 feet; thence –
22. S75° 55' 23"E, 91.65 feet; thence –
23. N69° 31' 56"E, 18.75 feet; thence –
24. S73° 19' 46"E, 15.58 feet; thence –
25. S31° 22' 02"E, 27.50 feet; thence –
26. S63° 54' 38"E, 73.11 feet to a point in Lot 10; thence –
27. S53° 29' 05"E, 36.52 feet, through Lot 10 to a point in the thirteenth (13th) course of the
aforesaid Deed Notice Area 5; thence –
28. N21° 49' 22"E, 36.10 feet; thence –
29. S64° 01' 16"E, 27.11 feet; thence –
30. S71° 46' 41"E, 7.00 feet; thence –



**DESCRIPTION OF PROPERTY
CITY OF JERSEY CITY
HUDSON COUNTY, NEW JERSEY
PROJECT NO. 10000292R**

**DEED NOTICE AREA 5
BLOCK 21901 LOTS 5 THRU 10
MAY 18, 2016
REVISED: AUGUST 16, 2017
PAGE 3 of 4**

31. S64° 53' 57"E, 170.96 feet; thence –
32. S64° 26' 41"E, 145.28 feet; thence –
33. S21° 49' 39"W, 13.27 feet; thence –
34. S30° 55' 57"W, 14.90 feet; thence –
35. S63° 05' 16"E, 40.95 feet; thence –
36. S23° 59' 21"E, 5.01 feet; thence –
37. S09° 06' 51"W, 5.08 feet; thence –
38. S62° 39' 21"E, 11.92 feet; thence –
39. S52° 51' 45"E, 21.10 feet; thence –
40. S53° 17' 55"E, 88.34 feet, through the same and beyond, to a point in Lot 5; thence –

Running through said Lot 5 the following ten (10) courses:

41. S52° 44' 24"E, 69.21 feet; thence –
42. S51° 37' 08"E, 58.38 feet; thence –
43. S51° 38' 54"E, 66.12 feet; thence –
44. S50° 49' 27"E, 106.68 feet; thence –
45. S48° 28' 21"E, 88.28 feet; thence –
46. S47° 08' 10"E, 8.77 feet; thence –
47. S27° 42' 13"E, 2.67 feet; thence –
48. S51° 51' 37"E, 32.05 feet; thence –
49. S49° 13' 40"E, 214.67 feet; thence –
50. S49° 22' 28"E, 10.39 feet, to the aforesaid westerly sideline of Route 440; thence –



DESCRIPTION OF PROPERTY
CITY OF JERSEY CITY
HUDSON COUNTY, NEW JERSEY
PROJECT NO. 10000292R

DEED NOTICE AREA 5
BLOCK 21901 LOTS 5 THRU 10
MAY 18, 2016
REVISED: AUGUST 16, 2017
PAGE 4 of 4

51. S24° 46' 55"W, 241.26 feet, along said westerly sideline to the point and place of
BEGINNING.

CONTAINING: 445, 993 S.F. of land more or less or 10.239 acres of land more or less.

 08/16/17

GLEN J. LLOYD, P.L.S. DATE SIGNED
NEW JERSEY PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER GS037598

R:\General\Projects\2010\10000292R\Survey\Description\Metes & Bounds-Deed Notice 5_REV 08.16.17.docx

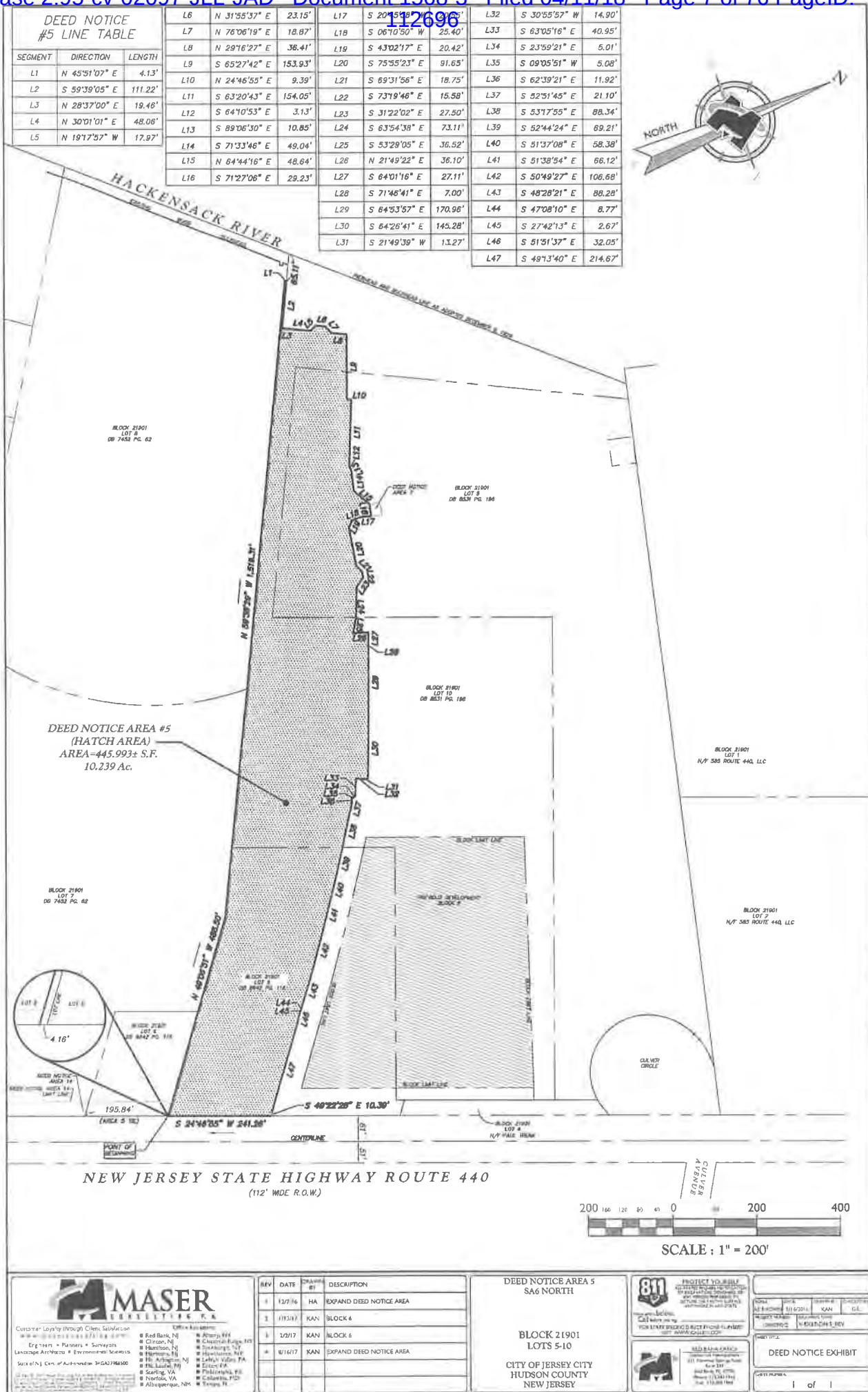
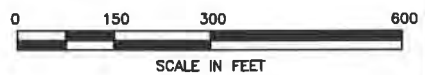


Exhibit A-2
Tax Map



| | | | |
|---|------------------------------|---|---|
| Amec Foster Wheeler PROJECT No 3480150450 DRAWING. 3480150487-6100-A205-0000 | |  | EXHIBIT A-2 TAX MAP BLOCK 21901, LOTS 5 -10 SA-6 NORTH JERSEY CITY, NEW JERSEY DEED NOTICE # 5 |
| PREPARED/DATE: STR 12/15/16 | CHECKED/DATE: NW 01/31/17 | | |

Exhibit A-3A and A-3B
Property Maps

LEGEND

PROPERTY BOUNDARY
CEA AREA AND OPEN SPACE AREA
(INCLUDES PORTION OF TA-10 AREA
NORTH OF HYDRAULIC BARRIER WALL)

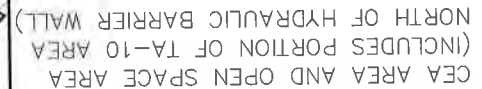
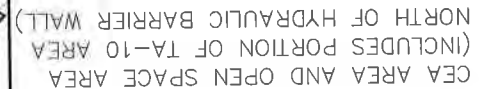
PROPERTY BOUNDARY

CEA AREA AND OPEN SPACE AREA
(INCLUDES PORTION OF TA-10 AREA
NORTH OF HYDRAULIC BARRIER WALL)

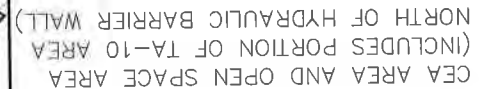
CEA AREA AND OPEN SPACE AREA
(INCLUDES PORTION OF TA-10 AREA
NORTH OF HYDRAULIC BARRIER WALL)

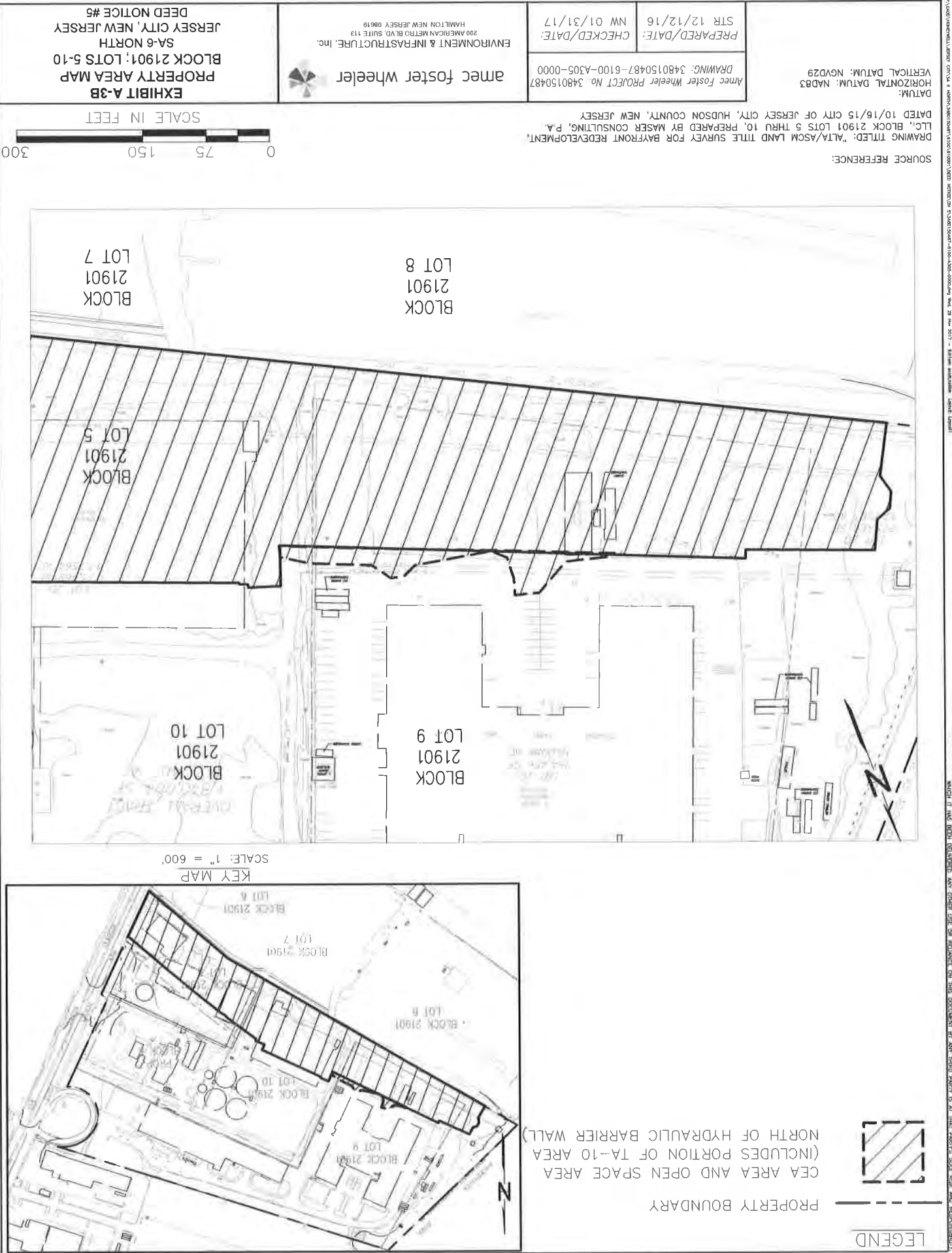
CEA AREA AND OPEN SPACE AREA
(INCLUDES PORTION OF TA-10 AREA
(NORTH OF HYDRAULIC BARRIER WALL))

CEA AREA AND OPEN SPACE AREA
(INCLUDES PORTION OF TA-10 AREA
NORTH OF HYDRAULIC BARRIER WALL)



CEA AREA AND OPEN SPACE AREA
(INCLUDES PORTION OF TA-10 AREA
NORTH OF HYDRAULIC BARRIER WALL)





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EXHIBIT B
Deed Notice #5 SA-6 North Property

B-1A and B-1B Restricted Area Maps
B-2A Chromium Remedy Components
B-2B and B-2C Cap System Detail
B-2D As-Built Restoration Plan
B-3 Restricted Area Data Table
Portions of Block 21901, Lots 5 through 10
City of Jersey City, New Jersey

Exhibit B-1 Restricted Area Maps includes Exhibit B-1A and Exhibit B-1B (Restricted Area Soil Sample Locations).

Exhibit B-2 Chromium Remedy Components includes Exhibit B-2A (Chromium Remedy Components), B-2B and B-2C (Cap System Detail), and Exhibit B-2D (As-Built Restoration Plan).

Exhibit B-3 is a Restricted Area Data Table indicating soil sample locations with concentrations of contaminants remaining above the level established in the New Jersey Department of Environmental Protection (NJDEP) Chromium Policy and/or other applicable NJDEP Soil Quality Standards as described below.

Restricted Area Map Notes:

Exhibits B-1A and B-1B indicate engineering controls. The engineering controls include (1) underground containment walls, and (2) a capping system consisting of: a warning layer, impervious geo-membrane liner; geo-composite drainage layer; and clean soil cover with minimum 12 inches thickness in areas where pavement is proposed; and an average of 36-inches and a minimum 24-inches thickness in areas where landscaping is proposed.

Exhibit B-2B indicates engineering controls cap system detail.

Exhibits B-1A and B-1B indicate the restricted area for soil containing contaminants of concern, including hexavalent chromium above 20 milligrams per kilogram (mg/kg), benzene above the NJDEP Residential Direct Contact Soil Remediation Standard (RDCSRS) of 2 mg/kg, methyl tert-butyl ether (MTBE) above the NJDEP RDCSRS of 320 mg/kg, and soils that are consistent with NJDEP's definition of "historic fill material" found at N.J.A.C. 7:26E-1.8 as shown on Exhibit B-3.

Analytical results and soil borings indicate that historic fill is present onsite and extends over the entire Restricted Area. Historic fill onsite typically consists of the following: metals, PAHs, and miscellaneous debris (including but not limited to coal fragments, brick, timber, and other construction materials).

A table summarizing maximum concentrations of typical contaminants found in the historic fill material in the Restricted Area is included as Exhibit B-3.

For soils north of the hydraulic barrier wall with hexavalent chromium concentrations above 20 mg/kg, the engineering control is 12 feet of clean soil and an asphalt cap as shown on Exhibit B-2C.

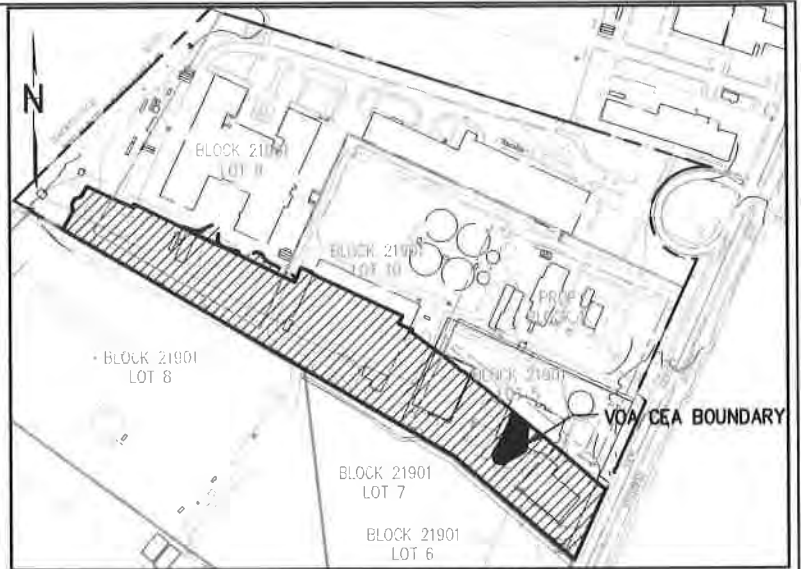
**Exhibits B-1A and B-1B
Restricted Area Maps**

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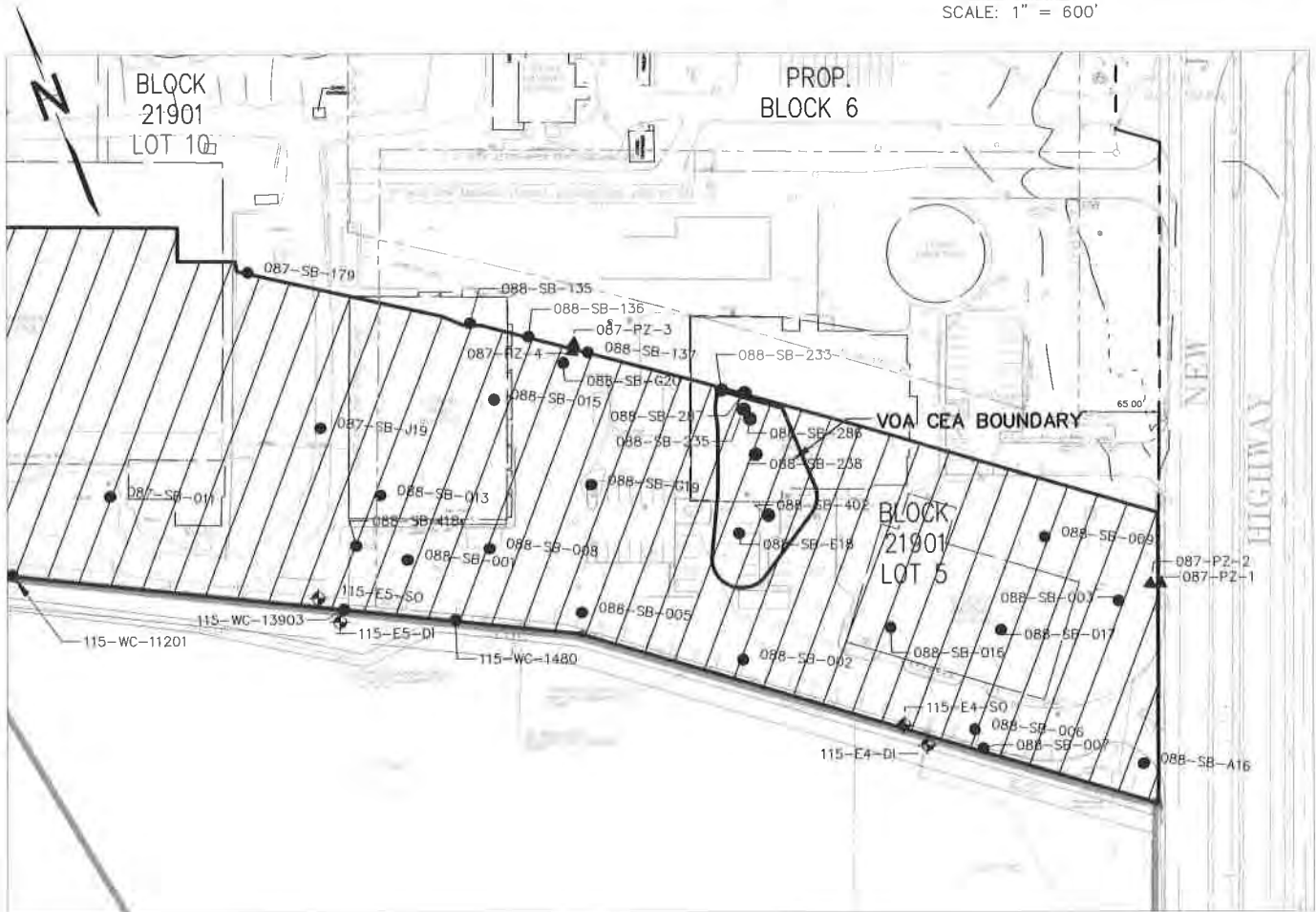
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DATE: 10/16/15 CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY
DRAWING: 3480150487-6100-B005-0000
DATE: 12/15/16
DATE: 12/22/16
PROJECT: BAYFRONT REDEVELOPMENT, LLC, BLOCK 21901 LOTS 5 THRU 10, PREPARED BY MASER CONSULTING, P.A.
DATE: 10/16/15 CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY
DRAWING: 3480150487-6100-B005-0000
DATE: 12/15/16
DATE: 12/22/16

LEGEND

- SOIL SAMPLE LOCATION ABOVE STANDARD (SEE EXHIBIT B-2)
- ⊕ MONITORING WELL
- ▲ PIEZOMETER
- PROPERTY BOUNDARY
- == HYDRAULIC BARRIER SCB WALL
- ▨ CEA AREA AND OPEN SPACE AREA RESTRICTED AREA



KEY MAP
SCALE: 1" = 600'



SOURCE REFERENCE:

DRAWING TITLED: "ALTA/ASCM LAND TITLE SURVEY FOR BAYFRONT REDEVELOPMENT, LLC, BLOCK 21901 LOTS 5 THRU 10, PREPARED BY MASER CONSULTING, P.A. DATED 10/16/15 CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY"

DATUM:
HORIZONTAL DATUM: NAD83
VERTICAL DATUM: NGVD29

Amec Foster Wheeler PROJECT No 3480150487
DRAWING: 3480150487-6100-B005-0000

PREPARED/DATE: STR 12/15/16
CHECKED/DATE: NW 12/22/16

amec foster wheeler



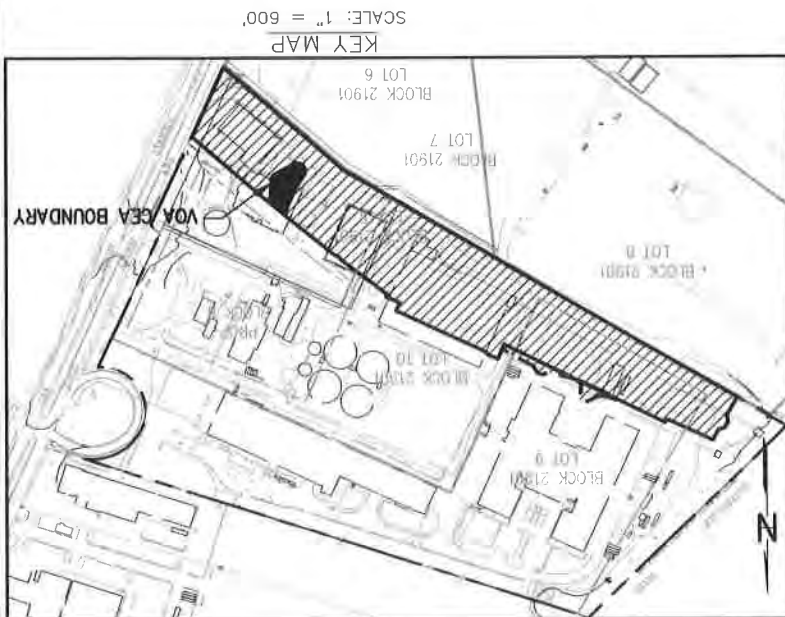
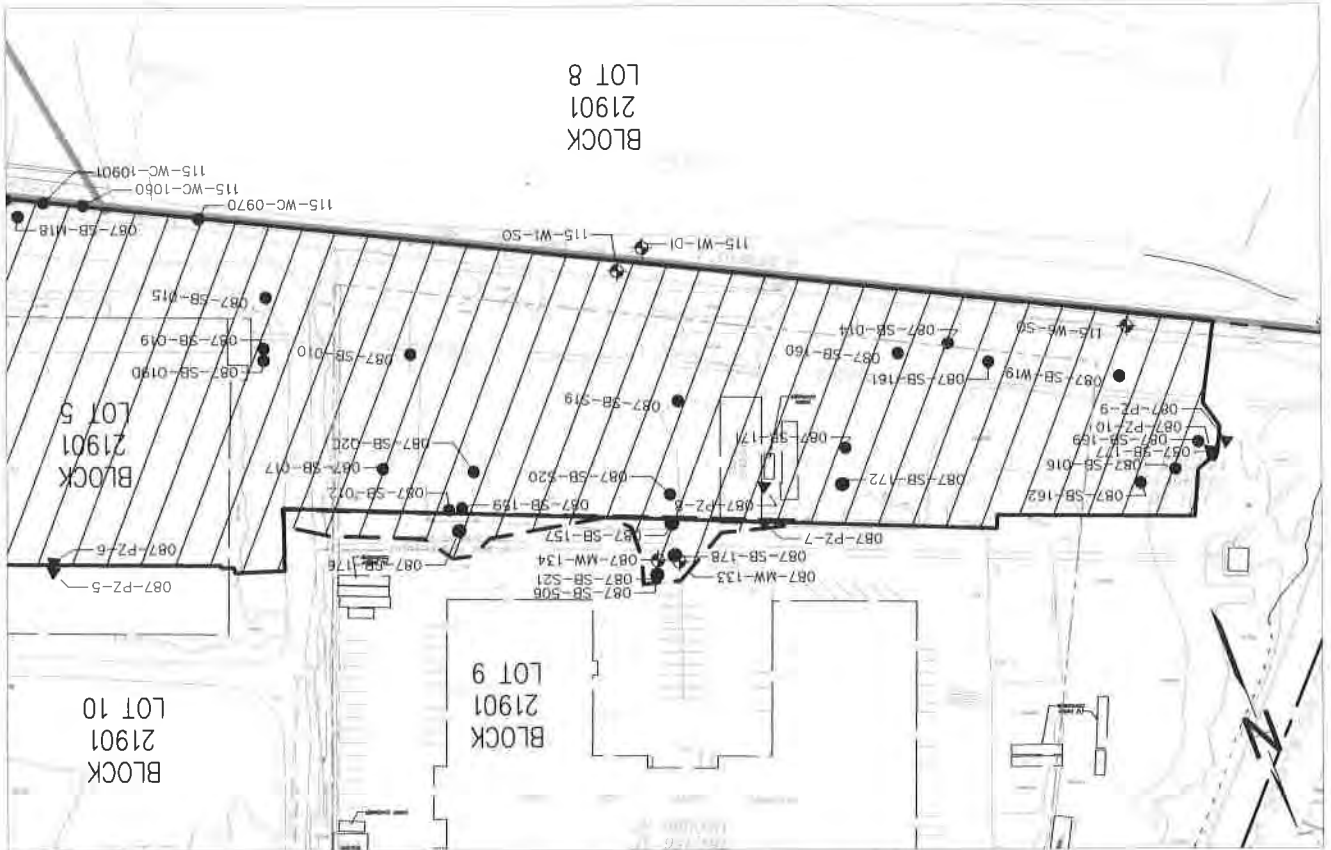
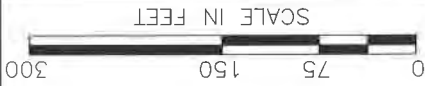
ENVIRONMENT & INFRASTRUCTURE, Inc.
200 AMERICAN METRO BLVD, SUITE 113
HAMILTON, NEW JERSEY 08619

0 75 150 300
SCALE IN FEET

EXHIBIT B-1A
RESTRICTED AREA MAP
BLOCK 21901; LOTS 5-10
SA-6 NORTH
JERSEY CITY, NEW JERSEY
DEED NOTICE 5

UNLESS OTHERWISE AGREED IN A WRITTEN CONTRACT BETWEEN AUCIC, FORTITE, WHEELZAY AND ITS CLIENT, (1) THIS DOCUMENT CONTAINS INFORMATION DATA AND DESIGN THAT IS CONFIDENTIAL AND MAY NOT BE COPIED OR REPRODUCED, AND (2) THIS DOCUMENT MAY ONLY BE USED BY THE CLIENT IN THE MANNER AND FOR THE PURPOSES SPECIFIED IN THE WRITTEN CONTRACT. ANY OTHER USE OR REPRODUCTION OF THIS DOCUMENT OR ANY THIRD PARTY'S USE OF ANY INTELLECTUAL PROPERTY OR TECHNOLOGY CONTAINED HEREIN WITHOUT THE WRITTEN CONSENT OF AUCIC, FORTITE, WHEELZAY AND ITS CLIENT IS PROHIBITED.

EXHIBIT B-1B
RESTRICTED AREA MAP
BLOCK 21901; LOTS 5-10
SA-6 NORTH
JERSEY CITY, NEW JERSEY
DEED NOTICE 5



SOIL SAMPLE LOCATION
ABOVE STANDARD
(SEE EXHIBIT B-2)
MONITORING WELL
PIEZOMETER
PROPERTY BOUNDARY
HYDRAULIC BARRIER SCB WALL
CEA AREA AND OPEN SPACE AREA
RESTRICTED AREA (INCLUDES
PORTION OF TA-10 AREA NORTH
OF HYDRAULIC BARRIER WALL)

LEGEND

Exhibit B-2
Chromium Remedy Components and Cap System Details

THIS DOCUMENT IS A SUMMARY OF THE INFORMATION PROVIDED BY THE CLIENT. IT IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE REMEDIATION SYSTEM. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED OR THE RESULTS OF THE REMEDIATION SYSTEM. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE REMEDIATION SYSTEM. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED OR THE RESULTS OF THE REMEDIATION SYSTEM.

scott rudkin

9:06am

Wed, 29 Nov 2017

dwg

6100-CPCS-5000

NOTICE

DN

513480150487

6100-CPCS-5000

NOTICE

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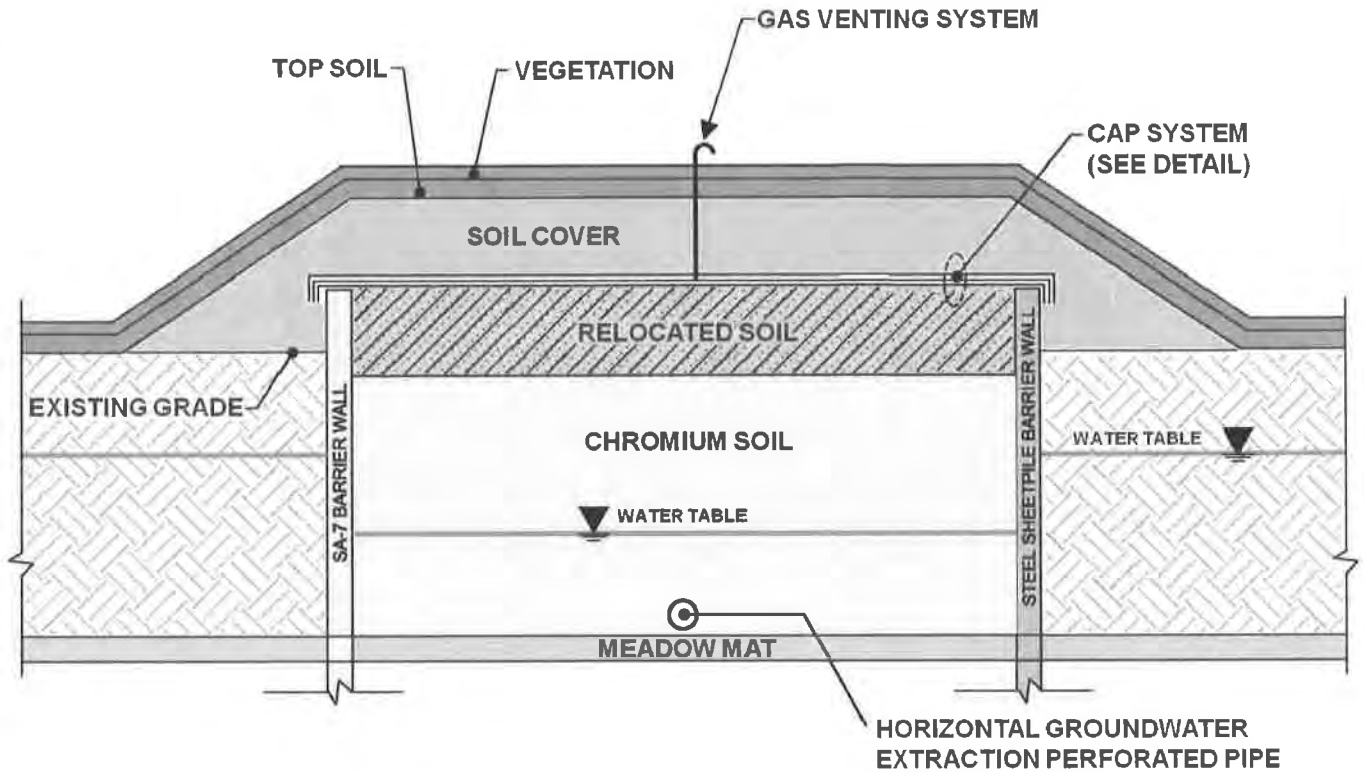
6100-CPCS-5000

NOTICE

DN

513480150487

6100-CPCS-5000



CHROMIUM REMEDY COMPONENTS

NTS

Amec Foster Wheeler PROJECT No. 3480150488
DRAWING: 3480150487-6100-CPCS-5000

PREPARED/DATE:
STR 03/10/16

CHECKED/DATE:
DEN 01/31/17

amec foster wheeler

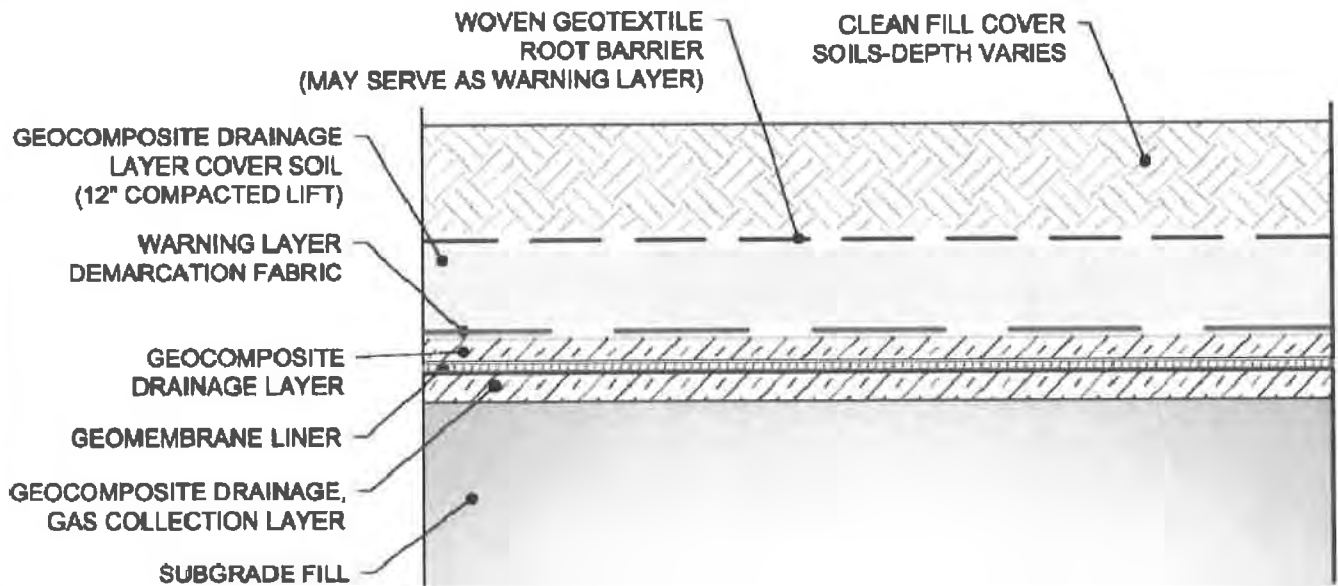


ENVIRONMENT & INFRASTRUCTURE, Inc.
200 AMERICAN METRO BLVD, SUITE 113
HAMILTON, NEW JERSEY 08610

EXHIBIT B-2A
CHROMIUM REMEDY COMPONENTS
BLOCK 21901 LOTS 5-10
SA-6 NORTH
JERSEY CITY, NEW JERSEY
DEED NOTICE # 5

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P:\CADD\HONETWELL\JERSEY CITY\SA 6 NORTH\3480150487-6100-1\DEED NOTICE\DN 5\3480150487-6100-CSD0-5000.dwg Wed, 29 Nov 2017 9:07am ecst:rudkin



CAP SYSTEM DETAIL

NTS

Amec Foster Wheeler PROJECT No. 3480150488
DRAWING: 3480150487-6100-CSD0-5000

PREPARED/DATE:
STR 03/10/16

CHECKED/DATE:
DEN 01/31/17


amec foster wheeler



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

EXHIBIT B-2B
CAP SYSTEM DETAIL
BLOCK 21901 LOTS 5-10
SA-6 NORTH
JERSEY CITY, NEW JERSEY
DEED NOTICE # 5



| | | | |
|--|-------------------------------------|--|---|
| Amec Foster Wheeler PROJECT No. 3480150488 DRAWING: 3480150487-6100-C005-0000 | |  | EXHIBIT B-2C CAP SYSTEM DETAIL BLOCK 21901; LOTS 5-10 SA-6 NORTH JERSEY CITY, NEW JERSEY DEED NOTICE # 5 |
| PREPARED/DATE: STR 01/25/17 | CHECKED/DATE: NW 01/31/17 | ENVIRONMENT & INFRASTRUCTURE, Inc. 205 AMERICAN METRO BLVD, SUITE 113 HAMILTON, NEW JERSEY 08619 | |

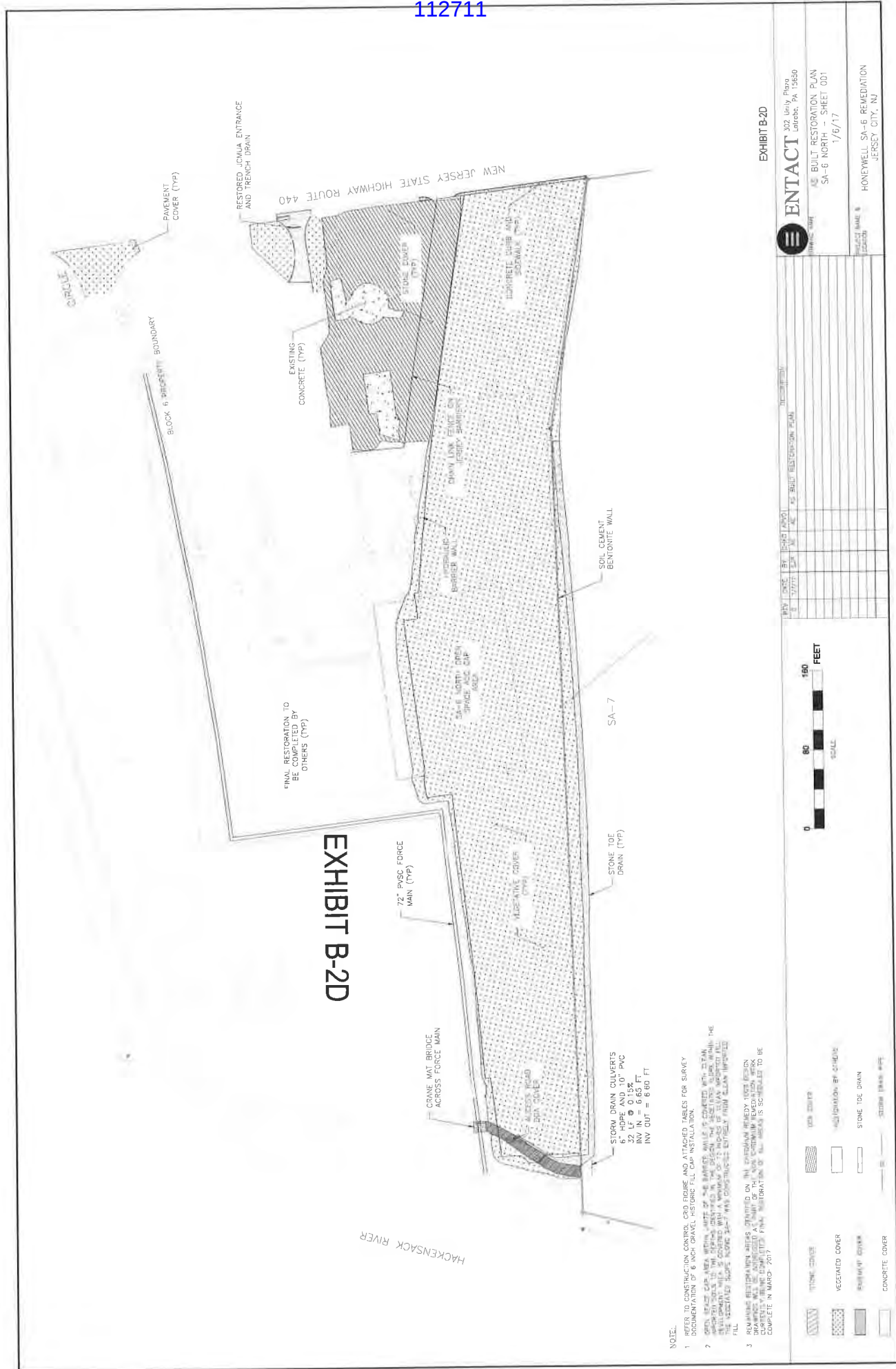


Exhibit B-3: Table B-3
Soil Sample Data Tables

EXHIBIT B-3

Restricted Area Data Table

Deed Notice #5 SA-6 North Open Space Area Property
Portions of Block 21901, Lots 5 through 10
Jersey City, New Jersey

| Location ID | Sample Date | Sample Elevation (NAVD88) | Hexavalent Chromium (mg/kg) | Q |
|-------------|-------------|------------------------------|--------------------------------|---|
| 087-SB-010 | 05/27/2005 | -1.9 | 52.3 | J |
| 087-SB-010 | 05/27/2005 | -4.9 | 3590 | J |
| 087-SB-011 | 05/24/2005 | -0.5 | 104 | |
| 087-SB-011 | 05/24/2005 | -3 | 4630 | J |
| 087-SB-012 | 05/27/2005 | -5.9 | 873 | J |
| 087-SB-014 | 05/27/2005 | 1.5 | 292 | J |
| 087-SB-014 | 05/27/2005 | -3.5 | 292 | J |
| 087-SB-015 | 05/24/2005 | 1.5 | 8530 | J |
| 087-SB-015 | 05/24/2005 | -0.5 | 6960 | J |
| 087-SB-015 | 05/24/2005 | 4.5 | 5580 | J |
| 087-SB-016 | 05/26/2005 | 2.2 | 5340 | J |
| 087-SB-017 | 05/27/2005 | -5 | 980 | J |
| 087-SB-017 | 05/27/2005 | -9.4 | 7580 | J |
| 087-SB-157 | 07/02/2008 | -0.3 | 80.1 | |
| 087-SB-159 | 07/02/2008 | 3.5 | 93.5 | |
| 087-SB-159 | 07/02/2008 | 2 | 722 | |
| 087-SB-160 | 07/09/2008 | 3 | 22.4 | J |
| 087-SB-160 | 07/09/2008 | 1.5 | 1990 | |
| 087-SB-160 | 07/09/2008 | -0.5 | 40.5 | J |
| 087-SB-161 | 07/09/2008 | 0 | 606 | |
| 087-SB-162 | 07/09/2008 | 5.5 | 10800 | J |
| 087-SB-162 | 07/09/2008 | 2 | 22.5 | J |
| 087-SB-169 | 08/08/2008 | 5 | 25.5 | J |
| 087-SB-169 | 08/08/2008 | 3.5 | 60.8 | J |
| 087-SB-169 | 08/08/2008 | 1.5 | 20.3 | J |
| 087-SB-171 | 08/11/2008 | 3.5 | 27.5 | |
| 087-SB-171 | 08/11/2008 | 1 | 1760 | J |
| 087-SB-172 | 08/11/2008 | 1 | 429 | |
| 087-SB-177 | 09/03/2008 | 4 | 7020 | |
| 087-SB-178 | 09/04/2008 | 1.7 | 81.2 | J |
| 087-SB-179 | 09/03/2008 | -3.4 | 20.3 | |
| 087-SB-J19 | 08/20/1997 | -4.4 | 27.8 | |
| 087-SB-J19 | 08/20/1997 | -6.4 | 4390 | |
| 087-SB-M18 | 05/21/1997 | 11.5 | 21.6 | J |
| 087-SB-M18 | 05/21/1997 | 1.5 | 9600 | J |
| 087-SB-M18 | 05/21/1997 | -0.5 | 10200 | J |
| 087-SB-M18 | 05/21/1997 | -2.5 | 1180 | J |
| 087-SB-M18 | 05/21/1997 | -4.5 | 5210 | J |
| 087-SB-M18 | 05/21/1997 | 3.5 | 39.8 | J |
| 087-SB-O19 | 05/20/1997 | 14 | 42.6 | J |
| 087-SB-O19 | 05/20/1997 | 2 | 6100 | J |
| 087-SB-O19D | 10/13/1997 | 2 | 3480 | J |
| 087-SB-Q20 | 05/21/1997 | 1.6 | 282 | J |
| 087-SB-S19 | 05/20/1997 | -0.4 | 1140 | J |
| 087-SB-S20 | 08/21/1997 | 0.7 | 346 | |
| 087-SB-S20 | 08/21/1997 | -1.3 | 734 | |
| 087-SB-S20 | 08/21/1997 | -3.3 | 588 | |
| 087-SB-S20 | 08/21/1997 | 12.7 | 266 | |
| 087-SB-W19 | 05/20/1997 | 2.4 | 97.3 | J |
| 087-SB-W19 | 05/20/1997 | 0.4 | 25.2 | J |

EXHIBIT B-3

Restricted Area Data Table

Deed Notice #5 SA-6 North Open Space Area Property
Portions of Block 21901, Lots 5 through 10
Jersey City, New Jersey

| Location ID | Sample Date | Sample Elevation (NAVD88) | Hexavalent Chromium (mg/kg) | Q |
|-------------|-------------|------------------------------|--------------------------------|---|
| 087-SB-W19 | 05/20/1997 | 14.4 | 161 | J |
| 087-SB-506 | 04/13/2009 | 2.8 | 46.3 | |
| 088-MW-02 | 05/16/2005 | 8.7 | 2110 | J |
| 088-MW-02 | 05/16/2005 | 3.7 | 973 | J |
| 088-SB-001 | 05/20/2005 | 1.3 | 4730 | J |
| 088-SB-001 | 05/20/2005 | -3.2 | 7880 | J |
| 088-SB-001 | 05/20/2005 | -5.7 | 1470 | J |
| 088-SB-001 | 05/20/2005 | 5.3 | 327 | J |
| 088-SB-002 | 05/17/2005 | 11.6 | 25.8 | J |
| 088-SB-002 | 05/17/2005 | -1.9 | 54.7 | J |
| 088-SB-002 | 05/17/2005 | -4.4 | 395 | J |
| 088-SB-002 | 05/17/2005 | 9.6 | 227 | J |
| 088-SB-002 | 05/17/2005 | 3.6 | 4240 | J |
| 088-SB-003 | 05/20/2005 | -1.3 | 1740 | J |
| 088-SB-003 | 05/20/2005 | -4.3 | 190 | J |
| 088-SB-003 | 05/20/2005 | 7.7 | 911 | J |
| 088-SB-003 | 05/20/2005 | 3.7 | 2040 | J |
| 088-SB-005 | 05/17/2005 | -1 | 9150 | J |
| 088-SB-005 | 05/17/2005 | -4.5 | 2410 | J |
| 088-SB-005 | 05/17/2005 | 3.5 | 754 | J |
| 088-SB-006 | 05/17/2005 | -0.8 | 11300 | J |
| 088-SB-006 | 05/17/2005 | -3.3 | 12100 | J |
| 088-SB-006 | 05/17/2005 | 7.7 | 4660 | J |
| 088-SB-006 | 05/17/2005 | 3.7 | 28.7 | J |
| 088-SB-007 | 05/16/2005 | -1.8 | 14600 | J |
| 088-SB-007 | 05/16/2005 | 3.7 | 3440 | J |
| 088-SB-007 | 05/17/2005 | 8.69 | 1730 | J |
| 088-SB-008 | 05/20/2005 | -2.7 | 165 | J |
| 088-SB-008 | 05/20/2005 | -7.7 | 206 | J |
| 088-SB-008 | 05/20/2005 | -9.5 | 6510 | J |
| 088-SB-009 | 05/20/2005 | -3.13 | 7160 | J |
| 088-SB-009 | 05/20/2005 | -6.13 | 4580 | J |
| 088-SB-009 | 05/20/2005 | 1.87 | 239 | J |
| 088-SB-013 | 05/18/2005 | -2.7 | 5310 | |
| 088-SB-013 | 05/18/2005 | -7.2 | 2050 | |
| 088-SB-015 | 05/18/2005 | -2.7 | 4020 | |
| 088-SB-016 | 05/20/2005 | -1.4 | 9120 | |
| 088-SB-016 | 05/20/2005 | -5.9 | 5690 | |
| 088-SB-016 | 05/20/2005 | 6.6 | 3770 | |
| 088-SB-016 | 05/20/2005 | 3.6 | 7990 | |
| 088-SB-017 | 05/20/2005 | -1.3 | 123 | J |
| 088-SB-017 | 05/20/2005 | -6.3 | 222 | J |
| 088-SB-017 | 05/20/2005 | 6.7 | 189 | |
| 088-SB-017 | 05/20/2005 | 3.7 | 7290 | |
| 088-SB-135 | 09/04/2008 | -4.2 | 225 | J |
| 088-SB-136 | 09/04/2008 | -2.7 | 146 | J |
| 088-SB-136 | 09/04/2008 | -4.2 | 217 | J |
| 088-SB-137 | 09/03/2008 | -0.7 | 37.4 | J |
| 088-SB-137 | 09/03/2008 | -3.2 | 162 | |
| 088-SB-137 | 09/03/2008 | -4.7 | 35.2 | |

EXHIBIT B-3

Restricted Area Data Table

Deed Notice #5 SA-6 North Open Space Area Property
Portions of Block 21901, Lots 5 through 10
Jersey City, New Jersey

| Location ID | Sample Date | Sample Elevation (NAVD88) | Hexavalent Chromium (mg/kg) | Q |
|---------------|-------------|------------------------------|--------------------------------|---|
| 088-SB-142 | 09/04/2008 | -0.4 | 1360 | J |
| 088-SB-142 | 09/04/2008 | -1.4 | 159 | J |
| 088-SB-142 | 09/04/2008 | -2.9 | 188 | J |
| 088-SB-143 | 09/05/2008 | 2.6 | 320 | |
| 088-SB-143 | 09/05/2008 | 1.1 | 595 | |
| 088-SB-A16 | 05/15/1997 | 13.2 | 144 | |
| 088-SB-A16 | 05/15/1997 | 1.2 | 35.1 | |
| 088-SB-A16 | 05/15/1997 | 11.2 | 3550 | |
| 088-SB-A16 | 05/15/1997 | 9.2 | 948 | |
| 088-SB-A16 | 05/15/1997 | 7.2 | 2580 | |
| 088-SB-A16 | 05/15/1997 | 5.2 | 4550 | |
| 088-SB-A16 | 11/17/1998 | 11.2 | 263 | J |
| 088-SB-E18 | 05/15/1997 | 5.1 | 4840 | |
| 088-SB-G19 | 05/15/1997 | 3.1 | 5500 | |
| 088-SB-G19 | 05/15/1997 | 1.1 | 9080 | |
| 088-SB-G19 | 05/15/1997 | 5.1 | 24.7 | |
| 088-SB-G20 | 08/20/1997 | -2.9 | 585 | J |
| 088-SB-I18 | 05/15/1997 | 11.8 | 2650 | J |
| 088-SB-I18 | 05/15/1997 | 1.8 | 9170 | J |
| 088-SB-I18 | 05/15/1997 | -0.2 | 11100 | J |
| 088-SB-I18 | 05/15/1997 | -2.2 | 1960 | J |
| 088-SB-I18 | 05/15/1997 | -4.2 | 8780 | J |
| 088-SB-I18 | 05/15/1997 | -6.2 | 732 | J |
| 115-WC-N1480 | 7/27/2007 | 7 | 25.2 | |
| 115-WC-N13903 | 3/6/2008 | 13.3 | 27.4 | |
| 115-WC-N11201 | 5/14/2008 | 12.2 | 25.5 | |
| 115-WC-N10901 | 5/14/2008 | 11.8 | 28.9 | |
| 115-WC-N1060 | 6/3/2008 | 7 | 50.8 | J |
| 115-WC-N0970 | 6/3/2008 | 7 | 47.4 | |

Notes:

Results reported in milligrams per kilogram (mg/kg).

Data Qualifiers:

J - Data indicates the presence of a compound that meets the identification criteria.
The concentration given is an approximate value.

Abbreviations:

Feet bgs - Feet below ground surface
mg/kg - milligrams per kilogram
feet msl = feet mean sea level NAVD88 - North American Vertical Datum of 1988
NJDEP Chromium SCC - New Jersey Department of Environmental Protection Chromium Soil
Cleanup Criteria, revised April 2010
CASR# - Chemical Abstract Service Number for hexavalent chromium is 18540-29-9.

EXHIBIT B-3

Restricted Area Data Table

Deed Notice #5 SA-6 North Open Space Area Property
Portions of Block 21901, Lots 5 through 10
Jersey City, New Jersey

| Location ID | Sample Date | Sample Elevation (feet msl) | Depth (ft bgs) | Compounds | CASR # | NJ 2012 RDCSRS (mg/kg) | Concentration (mg/kg) |
|-------------|-------------|-----------------------------|----------------|--------------------------------|-----------|------------------------|-----------------------|
| 088-SB-231 | 7/8/2013 | 6 | 7.0-7.5 | Benzene | 71-43-2 | 2.0 | <u>4.12</u> |
| 088-SB-235 | 6/12/2008 | 7 | 6.0-8.0 | Benzene | 71-43-2 | 2.0 | <u>67.3</u> |
| 088-SB-238 | 6/12/2008 | 7 | 6.0-8.0 | Benzene | 71-43-2 | 2 | <u>24.2</u> |
| | | -1 | 14.0-16.0 | Benzene | 71-43-2 | 2 | <u>2.26</u> |
| 088-SB-287 | 6/15/2009 | 5.5 | 7.5-8.0 | Benzene | 71-43-2 | 2.0 | <u>2.71</u> |
| 088-SB-286 | 6/11/2009 | 6 | 7.0-7.5 | Benzene | 71-43-2 | 2.0 | <u>60.9</u> |
| | 6/11/2009 | 3 | 10-10.5 | Benzene | 71-43-2 | 2.0 | <u>5.97</u> |
| 088-SB-402 | 7/14/2013 | 6 | 7.0-7.5 | methyl tert butyl ether (MTBE) | 1634-04-4 | 110 | <u>129</u> |

Notes:

Results reported in milligrams per kilogram (mg/kg).

Abbreviations:

Feet bgs - Feet below ground surface

mg/kg - milligrams per kilogram

feet msl = feet mean sea level NAVD88 - North American Vertical Datum of 1988

NJDEP RDCSRS - New Jersey Department of Environmental Protection Residential Direct Contact Soil Remediation Standard, 2012

CASR# - Chemical Abstract Service Number

EXHIBIT B-3
Restricted Area Data Table - Historic Fill
Deed Notice #5 SA-6 North Open Space Area Property
Portions of Block 21901; Lots 5 through 10
Jersey City, New Jersey

| Parameter Name | NJDEP Residential Direct Contact Soil Remediation Standard (mg/kg) | NJDEP Maximum Historic Fill Concentration ¹ (mg/kg) | NJDEP Average Historic Fill Concentration ¹ (mg/kg) | Number of Samples ² | Site-wide Fill Minimum Detected Concentration | Site-wide Fill Maximum Detected Concentration |
|----------------------------|---|---|---|-----------------------------------|---|---|
| SVOCs (mg/kg) | | | | | | |
| BENZO(A)ANTHRACENE | 5 | 160 | 1.37 | 161 | 0.008 | 12 |
| BENZO(A)PYRENE | 0.5 | 120 | 1.89 | 161 | 0.008 | 13 |
| BENZO(B)FLUORANTHENE | 5 | 110 | 1.91 | 161 | 0.008 | 10 |
| BIS(2-ETHYLHEXYL)PHTHALATE | 35 | NA | NA | 161 | 0.041 | 42 |
| DIBENZO(A,H)ANTHRACENE | 0.5 | 25 | 1.24 | 161 | 0.005 | 2.4 |
| INDENO(1,2,3-CD)PYRENE | 5 | 67 | 1.41 | 161 | 0.016 | 7.2 |
| NAPHTHALENE | 6 | NA | NA | 160 | 0.012 | 194 |
| METALS (mg/kg) | | | | | | |
| ANTIMONY | 31 | NA | NA | 160 | 0.8 | 243 |
| ARSENIC | 19 | 1098 | 13.15 | 160 | 0.65 | 191 |
| COPPER | 3100 | NA | NA | 160 | 4.2 | 3530 |
| LEAD | 400 | 10700 | 574 | 160 | 5.8 | 5720 |
| MERCURY | 23 | NA | NA | 161 | 0.034 | 1560 |
| NICKEL | 1600 | NA | NA | 160 | 0.75 | 3060 |
| VANADIUM | 78 | NA | NA | 92 | 6.9 | 478 |
| ZINC | 23000 | 10900 | 575 | 160 | 10.9 | 13700 |
| TOTAL PCBs (mg/kg) | | | | | | |
| TOTAL PCBs | 4.7 | NA | NA | 82 | 0.0475 | 46.72 |

Notes:

All concentrations reported in milligrams per kilogram (mg/kg)

¹ - NJDEP Reference Historic Fill Concentrations from Table 4-2 of the prior version of Technical Requirements for Site Remediation; N.J.A.C 7:26E-4.6

² - Site-wide historic fill database includes a total of 159 sample points: 26 samples from the initial RI (TTNUS, 2000); 69 samples from Supplemental RI (MACTEC, 2006); and 64 samples from the RI activities completed during 2008. Samples include both Deed Notice #5 and #13

SVOCs - Semivolatile organic compounds

PCBs - Polychlorinated biphenyls - standard is the NJDEP approved 95% Upper Confidence Limit

NA - None available

EXHIBIT C
Deed Notice #5 SA-6 North Property

C-1 Institutional Controls

C-2 Engineering Controls

Portions of Block 21901, Lots 5 through 10 City of Jersey City, New Jersey

C-1 Institutional Controls

C-1 Deed Notice, Consent Decree, Zoning, and Conservation Restriction as Institutional Controls: Exhibit C-1 (A through D) for the portions of Block 21901, Lots 5 through 10, City of Jersey City, New Jersey known as the Property.

i. Exhibits C-1A through D. Exhibit C-1A: Deed Notice as Institutional Control; Exhibit C-1B: Consent Decree as Institutional Control (attached); Exhibit C-1C: Zoning as Institutional Control; Exhibit C-1D: Conservation Restriction as Institutional Control (recorded at the Office of Hudson County Register as indicated in Paragraph 3): Exhibits C-1A through C-1D include a narrative description of the restrictions and obligations of this Deed Notice and the other Institutional Controls that are in addition to those described above, as follows:

(A) General Description of the Institutional Control:

The Property encompasses approximately 10 acres. This deed notice area includes chromium, benzene, MTBE, and historic fill. The horizontal extent of the Property include an existing SCB wall along the southern boundary of the Property with SA-7, the hydraulic barrier walls installed on the other three sides as part of the Chromium Remedy, and the portion of TA-10 that is south of the northern curblin of the future Stegman Boulevard. The engineering barrier covering the contamination in the area of the Property contained within the SCB and hydraulic barrier walls consists of an engineered RCRA cap that includes a gas collection system, base protective layer, geomembrane liner, geocomposite drainage layer, filter fabric, warning layer and cover soils. The engineering barrier in the TA-10 area of the Property consists of at least 12 feet of clean fill and the area will be capped by the future Stegman Boulevard. The Property includes chromium, for the Open Space Area and the TA-10 area, and benzene, MTBE, and historic fill for the Open Space Area. Honeywell has restricted the future use of the Open Space Area by implementing a conservation restriction, which has been recorded at the Office of the Hudson County Register. Honeywell will amend the conservation restriction to include TA-10 and to restrict the future use of the TA-10 area. The amended conservation restriction will be recorded at the Office of the Hudson County Register. Honeywell will transfer, or cause Bayfront Redevelopment LLC to transfer, title to the City of Jersey City (as called for in Paragraph 60(a)(iii) of the Consent Decree). The provisions of the LTMP and the OSDS, developed pursuant to the Consent Decree, will apply to the Property.

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

The Property constitutes portions of Block 21901, Lots 5 through and 10. The estimated size of the Property containing chromium-impacted soils (hexavalent chromium above 20 mg/kg) is identified Cap Area on Exhibit B-1 is estimated at approximately 10 acres. The Property also includes chromium-impacted soils (hexavalent chromium above 20 mg/kg) identified on Exhibit B-1 as TA-10 and estimated at approximately 0.2 acre in size.

(2) Description of the restrictions on the Property by operation of the Institutional Control;

The Property shall only be used for activities consistent with this Deed Notice, the Consent Decree, including, but not limited to, Paragraphs 60(j) and 60 (k) of the Consent Decree, the applicable zoning standards, and the Conservation Restriction. Intrusive activities (i.e., excavation or digging) that breach the engineering controls (as described in Exhibit C-2) will not be permitted on the Property except in compliance with the terms of the Consent Decree and the LTMP developed thereunder, and this Deed Notice. See subsections 7A Alterations, Improvements, Disturbances, and 7B, Emergencies for additional information. A copy of the LTMP is maintained by Honeywell at 115 Tabor Road, Morris Plains, NJ 07950.

(3) The objective of the restrictions;

The restrictions will prohibit contact with soils containing hexavalent chromium above the level established in the NJDEP Chromium Policy of 20 mg/kg, soils containing benzene above the NJDEP RDCSRS of 2 mg/kg, soils containing MTBE above the NJDEP RDCSRS of 320 mg/kg and soils that are historic fill.

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

(1) Any disturbances of the soil in the Restricted Areas resulted in the unacceptable exposure to the soil contamination;

Visual inspections of the Property and other monitoring as set forth in the Consent Decree and LTMP established thereunder.

(2) 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;

Same as (B)(1).

(3) The current land use on the Property is consistent with the restrictions in this Deed Notice;

Same as (B)(1).

(4) Any newly promulgated or modified requirements of applicable regulations or laws apply to the site; and

Review of newly promulgated or modified requirements of applicable regulations or laws that potentially may apply to the Property.

(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 conduct the necessary sampling; and

Same as (B)(4).

(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) Land use at the Property is consistent with the restrictions in the Consent Decree, this Deed Notice, the OSDS, the applicable zoning standards and the Conservation Restriction; and

(3) The remedial action that includes this Deed Notice continues to be protective of the public health and safety and of the environment.

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 sections (A) and (B) above to assure that they have been adhered to, including evaluation of any available documents as a result of changes in land use or incidents.***
- ***A report that determines whether or not the land use at the Property has remained consistent with the restrictions in the Consent Decree, this Deed Notice, the OSDS, the applicable zoning standards and the Conservation Restriction.***
- ***A report that determines whether or not the Deed Notice continues to be protective of the public health and safety and the environment.***

**C-2 Engineering Controls
Deed Notice #5 SA-6 North Property**

**Portions of Block 21901, Lots 5 through 10
City of Jersey City, New Jersey**

Exhibits C-2A through C: Narrative description of the Engineering Controls including (A) the Clean Fill and Soil Capping System; (B) Underground Containment Walls; (C) Shallow Groundwater Collection and Treatment System as follows:

(A) General Description of the engineering controls:

(1) Description of the engineering controls;

The Engineering Controls consist of the following: (A) The engineering controls include a capping system consisting of: a root barrier, a warning layer, impervious geo-membrane liner; geo-composite drainage layer; and clean soil cover with minimum 12 inches thickness in areas where pavement is proposed; and an average of 36-inches and a minimum 24-inches thickness in areas where landscaping is proposed. For the purposes of this Deed Notice, the engineering controls exclude cover soils that are within 12 inches of the root barrier. (B) Engineering controls will also include underground containment walls around the perimeter of the Property, except for the TA-10 area. The Engineering Controls in the TA-10 area of the Property consist of at least 12 feet of clean fill and the area will be capped by the future Stegman Boulevard. The Engineering Controls are more fully set forth in the Consent Decree.

(2) The objective of the engineering controls; and

The objective of the controls is to prevent contact with soils containing hexavalent chromium above the level established in the NJDEP Chromium Policy of 20 mg/kg, soils containing benzene above the NJDEP RDCSRS of 2 mg/kg, soils containing MTBE above the NJDEP RDCSRS of 320 mg/kg, and soils that are historic fill material, and to contain shallow groundwater above the NJDEP groundwater quality standard for total chromium.

(3) How the engineering controls are intended to function.

The soil engineering controls are intended to function as a barrier to underlying and adjacent soils impacted as defined above. The groundwater engineering controls are intended to restrict the flow of shallow groundwater, and to collect and treat contaminated groundwater within the Property. Monitoring requirements for the engineering controls are set forth in the LTMP.

(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;

Honeywell will perform monitoring by visual inspection of the Property pursuant to the Consent Decree. Other monitoring activities shall be performed as set forth in the LTMP developed pursuant to the Consent Decree.

(2) Each engineering control continues as designed and intended to protect the public health and safety and the environment;

Same as (B)(1) above.

(3) Each alteration, excavation or disturbance of any engineering control is timely and appropriately addressed to maintain the integrity of the engineering controls;

Same as (B)(1) above. Also, see the Consent Decree and subsections 7A Alterations, Improvements, Disturbances, and 7B Emergencies for additional information.

(4) The engineering controls are being inspected and maintained and their integrity remains so that the remedial action continues to be protective of the public health and safety and of the environment;

Same as (B)(1) above.

(5) A record of the self-inspection dates, name of the inspector, results of the inspection and condition(s) of the engineering controls. Sampling, for example, may be necessary if it is not possible to visually evaluate the integrity/performance of the engineering controls; and

Records of the inspections are to be maintained as listed in (5). Should the activities carried out in conformance with the LTMP developed pursuant to the Consent Decree indicate that other activities are necessary, those activities will be listed and executed.

(6) Any new standards, regulations, or laws apply to the Open Space Area 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

A review of any new standards, regulations, or laws will be conducted. Should the review indicate that other activities are necessary, those activities will be listed and executed.

(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 controls 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.

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 sections (A) and (B) above to assure that they have been adhered to, including an evaluation to determine whether or not the engineering controls are continuing to meet the original objective and intended function.***
- ***A report to determine whether or not the engineering controls continue to operate as designed.***
- ***A report to determine whether or not the engineering controls continue to be protective of the public health and safety and of the environment.***