

Remedial Action Report – Halladay Street South (AOC HSS-1A and AOC HSS-2A) Soil
Garfield Avenue Group
PPG, Jersey City, New Jersey

Appendix G

Notice in Lieu of Deed Notice

Return Address:
Dorothy Laguzza, Esq., LeClairRyan
One Riverfront Plaza
1037 Raymond Boulevard, Sixteenth Floor
Newark, New Jersey 07102

NOTICE IN LIEU OF DEED NOTICE

THIS DOCUMENT SHALL BE DISTRIBUTED TO THE ENTITIES IDENTIFIED IN ACCORDANCE WITH N.J.A.C 7:26C-7.2(b)2.

Prepared by: _____
[Signature]

[Print name below signature]

This Notice in Lieu of Deed Notice is made as of the _____ day of _____, _____, by the City of Jersey City, New Jersey, 280 Grove Street, Jersey City, New Jersey 07302 (Owner).

1. THE PROPERTY. The City of Jersey City is the owner in fee simple of certain real property designated as Halladay Street. This Notice in Lieu of Deed Notice is for the portion of Halladay Street between Caven Point Avenue and Carteret Avenue on the tax map of the City of Jersey City, Hudson County (the Property). The New Jersey Department of Environmental Protection (NJDEP) Program Interest Number (Preferred ID) for the contaminated site, part of which includes the Property, is G000005480. The Property is more particularly described in Exhibit A, which is attached hereto and made a part hereof.

2. REMEDIATION.

i. NJDEP has approved this Notice in Lieu of Deed Notice as an institutional control for the Property, which is part of the remediation of the Property. The Property is subject to a Partial Consent Judgment Concerning PPG Sites entered into by NJDEP, the Owner, and PPG and approved by the Superior Court of New Jersey on June 26, 2009 (Superior Court of New Jersey, Chancery Division-Hudson County, Docket No. C-77-05 (“Consent Judgment”). Pursuant to the Consent Judgment, PPG has responsibility for remediation of all hazardous substances having emanated from Hudson County Chromate (HCC) Site 114 in accordance with the Consent Judgment.

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

3. SOIL CONTAMINATION. PPG is responsible for remediation of the Property to address MGP (manufactured gas plant) -related contamination¹. PPG and Public Service Electric and Gas Company (PSEG) have remediated contaminated soil at the Property, such that soil contamination remains at certain areas of the Property that contains contaminants in concentrations that do not allow for the unrestricted use of the Property. Such soil contamination is described, including the type, concentration, and specific location of such contamination, and the existing engineering controls on the site are described, in Exhibit B, which is attached hereto and made a part hereof. As a result, there is a statutory requirement for this Notice in Lieu of Deed Notice and engineering controls in accordance with N.J.S.A. 58:10B-13.

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

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

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

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

ii. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(12), prohibits the conversion of a landfill, with gas venting systems and or leachate collection systems, to a single family residence or a child care facility.

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

¹ Public Service Electric and Gas Company (PSEG) was the former operator of the Halladay Street Gas Works MGP located on HCC Site 114 and is jointly responsible for MGP-related impacts that have emanated from HCC Site 114.

placement of certain engineering controls on the Property; a narrative description of these engineering controls is provided in Exhibit C.

6A. CHANGE IN OWNERSHIP AND REZONING.

i. The Owner and the subsequent owners, lessors, and lessees, shall cause all leases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly requiring all holders thereof to take the Property subject to the restrictions contained herein and to comply with all, and not to violate any of the conditions of this Notice in Lieu of 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 NJDEP on a form provided by NJDEP and available at www.nj.gov/srp/forms, within 30 calendar days after the effective date of any conveyance, grant, gift, or other transfer, in whole or in part, of the Owner's or subsequent owner's interest in the Restricted Area.

iii. The Owner and the subsequent owners shall provide written notice to the NJDEP, on a form available from the NJDEP 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 Notice in Lieu of Deed Notice shall be binding upon Owner and upon Owner's successors and assigns, and subsequent owners, lessors, lessees, and operators while each is an owner, lessor, lessee, or operator of the Property.

7A. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

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

ii. Except as provided in Paragraph 7B, below, no person shall make, or allow to be made, any alteration, improvement, or disturbance in, to, or about the Property which disturbs any engineering control at the Property without first retaining a licensed site remediation professional. 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. A soil remedial action permit modification is required for any permanent alteration, improvement, or disturbance and the owner, lessor, lessee or operator shall submit the following within 30 days after the occurrence of the permanent alteration, improvement, or disturbance:

(A) A Remedial Action Workplan or Linear Construction Project notification and Final Report Form, whichever is applicable;

(B) A Remedial Action Report and Termination of a Notice in Lieu of Deed Notice Form; and

(C) A revised recorded Notice in Lieu of Deed Notice with revised Exhibits, and Remedial Action Permit Modification or Remedial Action Permit Termination form and Remedial Action Report.

iv. No owner, lessor, lessee or operator shall be required to obtain a Remedial Action Permit Modification for any temporary alteration, improvement, or disturbance, provided that the site is restored to the condition described in the Exhibits to this Notice in Lieu of Deed Notice, and the owner, lessee, or operator complies with the following:

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

(B) Ensures that all applicable worker health and safety laws and regulations are followed during the alteration, improvement, or disturbance, and during the restoration;

(C) Ensures that human exposure to contamination in excess of the remediation standards does not occur; and

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

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

i. Immediately notifies NJDEP of the emergency, by calling the NJDEP Hotline at 1-877-WARNDEP or 1-877-927-6337;

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

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

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

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

vi. Restores the engineering control to the pre-emergency conditions as soon as possible; and

vii. Submits to NJDEP within 60 calendar days after completion of the restoration of the engineering control, a report including: (a) the nature and likely cause of the emergency; (b) the measures that have been taken to mitigate the effects of the emergency on human health and the environment; (c) the measures completed or implemented to restore the engineering control; and (d) any changes to the engineering control or site operation and maintenance plan to prevent reoccurrence of such conditions in the future.

8. TERMINATION OF NOTICE IN LIEU OF DEED NOTICE.

i. This Notice in Lieu of Deed Notice may be terminated only upon recording a NJDEP-approved Termination of a Notice in Lieu of Deed Notice, available at N.J.A.C. 7:26C Appendix C, with the Affected Parties as identified in NJAC 7:26C-7.2(b)2, expressly terminating this Notice in Lieu of Deed Notice.

ii. Within 30 calendar days after recording a NJDEP-approved Termination of a Notice in Lieu of Deed Notice, the owner of the property should apply to NJDEP for termination of the soil remedial action permit pursuant to N.J.A.C. 7:26C-7.

9. ACCESS. The Owner, and the subsequent owners, lessors, lessees, and operators agree 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 Notice in Lieu of Deed Notice and to conduct additional remediation to ensure the protection of the public health and safety and of the environment if the subsequent owners, lessors, lessees, and operators, during their ownership, tenancy, or operation, and the Owner fail to conduct such remediation pursuant to this Notice in Lieu of Deed Notice as required by law. The Owner, and the subsequent owners, lessors, and lessees, shall also cause all leases, subleases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly requiring that all holders thereof provide such access to NJDEP.

10. ENFORCEMENT OF VIOLATIONS.

i. This Notice in Lieu of Deed Notice itself is not intended to create any interest in real estate in favor of 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 this site.

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

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

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

i. Exhibit A-1: Vicinity Map - A map that identifies by name the roads, and other important geographical features in the vicinity of the Property (for example, USGS Quad map, Hagstrom County Maps);

ii. Exhibit A-2: Metes and Bounds Description - A tax map of lots and blocks as well as metes and bounds description of the restricted area within the Property, including references to tax lot and block numbers for the properties adjacent to the Property and distances from nearby intersections;

iii. Exhibit A-3: Property Map - A scaled map of the Property, scaled at one inch to 200 feet or less, and if more than one map is submitted, the maps shall be presented as overlays, keyed to a base map; and the Property Map shall include diagrams of major surface topographical features such as buildings, roads, and parking lots.

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

i. Exhibit B-1: Restricted Area Map -- A separate map for each restricted area that includes:

(A) As-built diagrams of each engineering control, including caps, fences, slurry walls, (and, if any) ground water monitoring wells, extent of the ground water classification exception area, pumping and treatment systems that may be required as part of a ground water engineering control in addition to the Notice in Lieu of Deed Notice;

(B) As-built diagrams of any buildings, roads, parking lots and other structures that function as engineering controls; and

(C) Designation of all soil and all upland sediment sample locations within the restricted areas that exceed any soil standard that are keyed into one of the tables described in the following paragraph.

ii. Exhibit B-2: Restricted Area Data Table - A separate table for each restricted area that includes either (A) or (B) through (F):

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

(B) Sample location designation from the Restricted Area map (Exhibit B-1);

(C) Sample elevation based upon mean sea level;

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

(E) The restricted and unrestricted use standards for each contaminant in the table; and

(F) The remaining concentration of each contaminant at each sample location at each elevation.

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

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

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

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

(C) The objective of the restrictions.

ii. Exhibit C-2: Clean Fill Soil Cap: Exhibit C-2 includes a narrative description of Clean Fill Soil Cap engineering control as follows:

(A) Description of the engineering control;

(B) The objective of the engineering control; and

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

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

[If Owner is a corporation]

ATTEST: [Name of corporation]

_____ By _____

[Print name and title]

[Signature]

STATE OF [State where document is executed] SS.:
COUNTY OF [County where document is executed]

I certify that on _____, 20__, [Name of person executing document on behalf of Owner] personally came before me, and this person acknowledged under oath, to my satisfaction, that:

(a) this person is the [secretary/assistant secretary] of [Owner], 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] of the corporation;

(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.

[Signature]

[Print name and title of attesting witness]

Signed and sworn before me on _____, 20__

_____, Notary Public

[Print name and title]

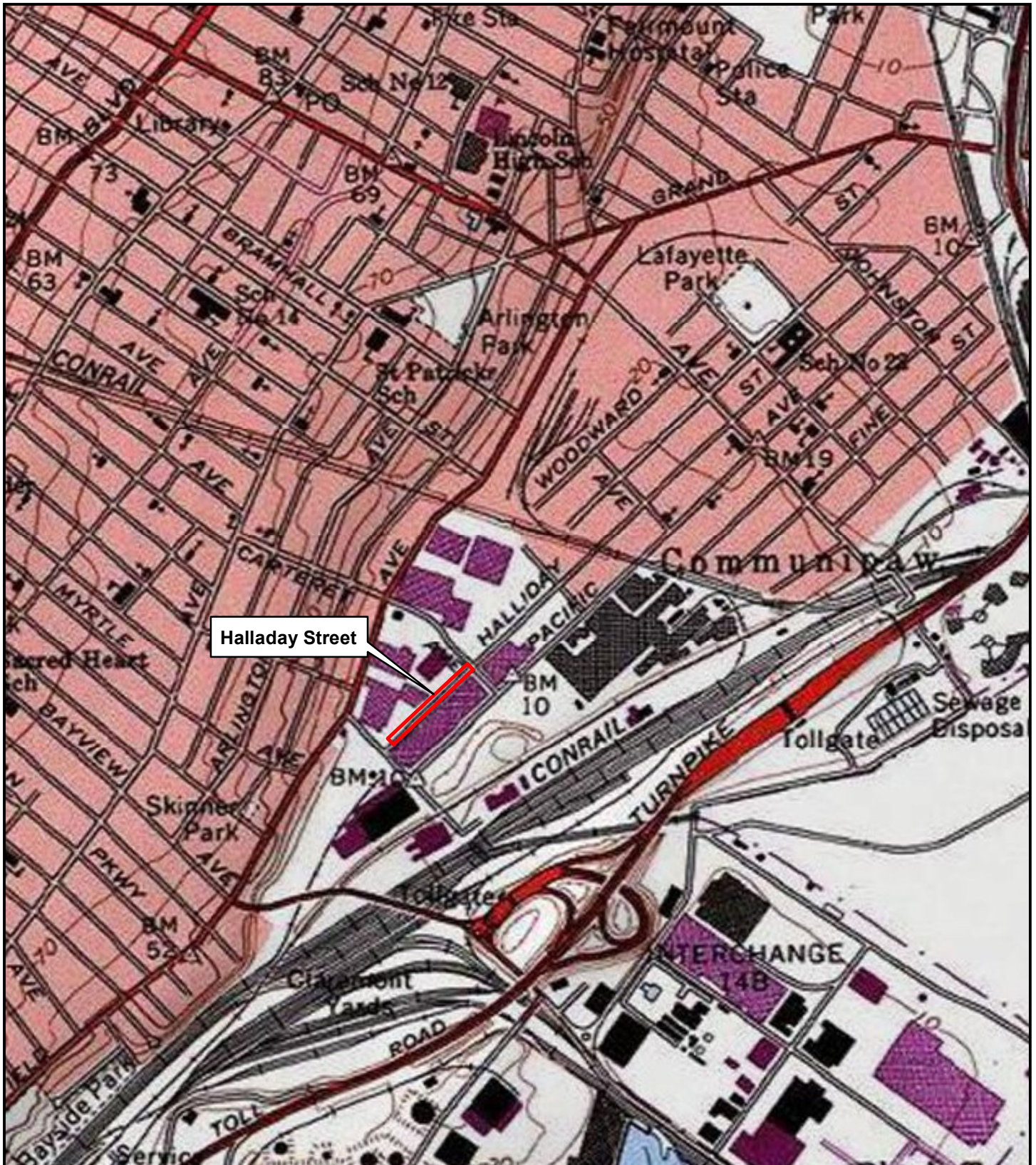
EXHIBIT A

Maps of the Property and Vicinity

Exhibit A-1: Vicinity Map

Exhibit A-2: Metes and Bounds Description

Exhibit A-3: Property Map



Halladay Street



VICINITY MAP
HALLADAY STREET
 JERSEY CITY, HUDSON COUNTY, NEW JERSEY
 NOTICE IN LIEU OF DEED NOTICE

0 250 500 1,000 1,500 2,000 2,500 3,000 Feet
 0 50 100 200 300 400 500 600 700 800 Meters

Image Source: USGS Topographic Quadrangle: Jersey City, NJ. Scale: 1:12,000

AECOM

Exhibit A-1

Date: 04/19/2018

Project #: 60545281

**DESCRIPTION OF A RESTRICTED AREA LOCATED
ON A PORTION OF HALLADAY STREET
IN JERSEY CITY, HUDSON COUNTY, NEW JERSEY**

BEGINNING at the southeasterly sideline of Halladay Street, a 60 feet wide right of way where the same is intersected by the southwesterly sideline of Carteret Avenue, a 60 feet wide right of way, said point being marked by a "Borbas" capped iron pipe set, having New Jersey State Plane Coordinates NAD 83 of North: 682760.3 East: 611301.7 (US Survey Feet); and runs thence

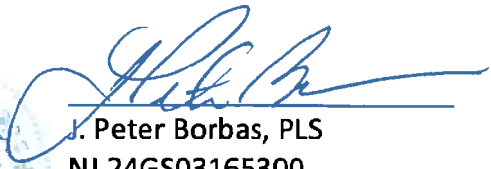
1. Along the Southeasterly sideline of said Halladay Street and along the northwesterly line of Lot 1 Block 21509, South 46 degrees 42 minutes 53 seconds West 202.88 feet to a point in same; thence the following two (2) courses through and across the right of way of said Halladay Street
2. Leaving said sideline, North 04 degrees 44 minutes 00 seconds West 31.53 feet to a point; thence
3. North 01 degrees 04 minutes 51 seconds West 47.71 feet to a point on the northwesterly sideline of Halladay Street; thence
4. Along said northwesterly sideline of Halladay Street and along the southeasterly line of Lot 3 in Block 21510 and being 60 feet as measured perpendicular from course number 1, North 46 degrees 42 minutes 53 seconds East 151.18 feet to the aforesaid southwesterly sideline of Carteret Ave; thence
5. South 43 degrees 17 minutes 07 seconds East 60.00 to the point and place of BEGINNING.

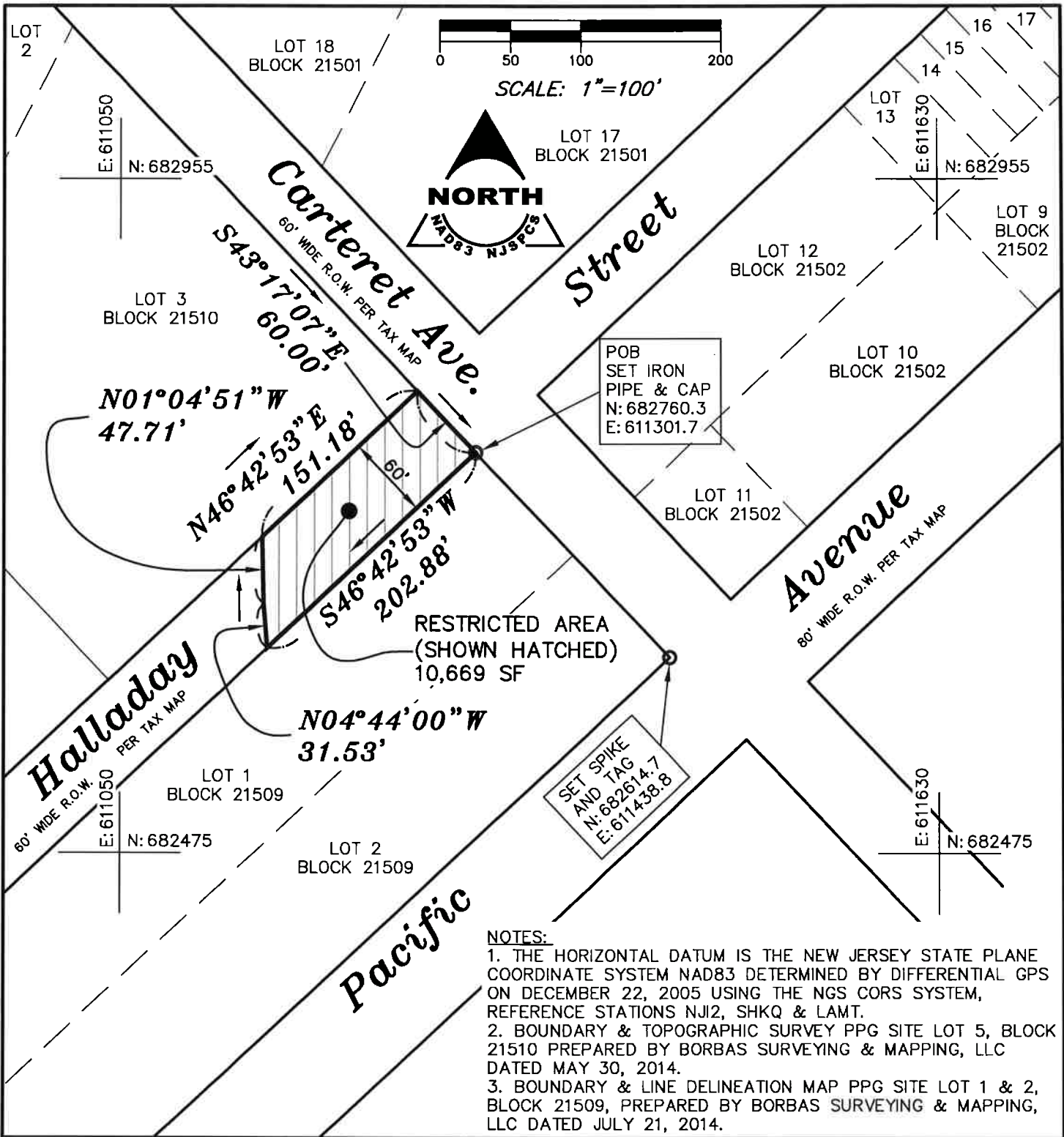
Containing 10,669 square feet of land.

The basis of bearings for this description is the New Jersey State Plane Coordinate System (NAD83).

This description was prepared in accordance with a plan entitled, "RESTRICTED AREA LOCATED ON A PORTION OF HALLADAY STREET JERSEY CITY, HUDSON COUNTY NEW JERSEY", prepared by Borbas Surveying and Mapping, dated November 8, 2018.




 J. Peter Borbas, PLS
 NJ 24GS03165300
 November 8, 2018



NOTES:

1. THE HORIZONTAL DATUM IS THE NEW JERSEY STATE PLANE COORDINATE SYSTEM NAD83 DETERMINED BY DIFFERENTIAL GPS ON DECEMBER 22, 2005 USING THE NGS CORS SYSTEM, REFERENCE STATIONS NJ12, SHKQ & LAMT.
2. BOUNDARY & TOPOGRAPHIC SURVEY PPG SITE LOT 5, BLOCK 21510 PREPARED BY BORBAS SURVEYING & MAPPING, LLC DATED MAY 30, 2014.
3. BOUNDARY & LINE DELINEATION MAP PPG SITE LOT 1 & 2, BLOCK 21509, PREPARED BY BORBAS SURVEYING & MAPPING, LLC DATED JULY 21, 2014.

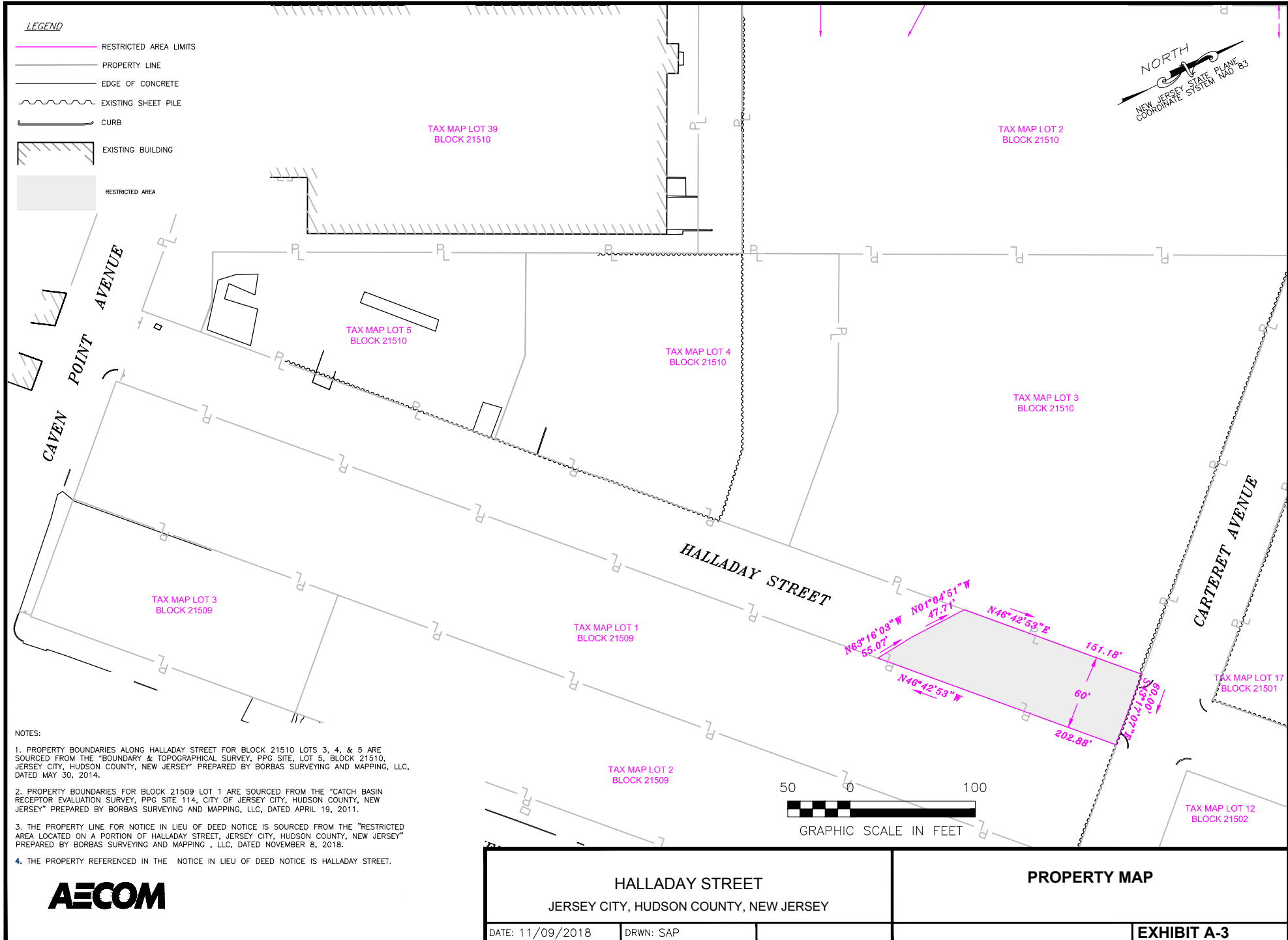
**RESTRICTED AREA
LOCATED ON A PORTION OF
HALLADAY STREET
JERSEY CITY, HUDSON COUNTY
NEW JERSEY**

JOB NO.: 051201	SCALE: 1"=100'
PROJECT NAME: 051201	FIELD BOOK: N/A
DRAWING NO.: 051201_2018-11-08_HALLADAY_RESTRICT	

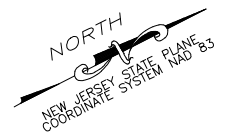
BORBAS SURVEYING & MAPPING, LLC
 402 MAIN STREET, BOONTON, NEW JERSEY 07005
 Phone (973) 316-8743 Fax (973) 402-6627 www.borbas.com
 NJ CERTIFICATE OF AUTHORIZATION NO. 24GA28056200
Environmental Site Mapping • Hazardous Materials and Waste Surveys
 Aerial Control and GPS Surveys • Topographic and Existing Condition Surveys
 Remote Sensing and GIS • Hydrographic/Bathymetric Surveys • ALTA/ACSM Certified Surveys
 Transportation and Right of Way Surveys • Deformation and Structure Monitoring Surveys

J. PETER BORBAS
 NJ PROFESSIONAL LAND SURVEYOR 24GSO3165300 PROFESSIONAL PLANNER 3884

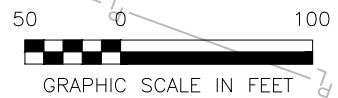
Date: NOVEMBER 8, 2018



- LEGEND**
- RESTRICTED AREA LIMITS
 - PROPERTY LINE
 - EDGE OF CONCRETE
 - - - EXISTING SHEET PILE
 - CURB
 - EXISTING BUILDING
 - RESTRICTED AREA



- NOTES:**
1. PROPERTY BOUNDARIES ALONG HALLADAY STREET FOR BLOCK 21510 LOTS 3, 4, & 5 ARE SOURCED FROM THE "BOUNDARY & TOPOGRAPHICAL SURVEY, PPG SITE, LOT 5, BLOCK 21510, JERSEY CITY, HUDSON COUNTY, NEW JERSEY" PREPARED BY BORBAS SURVEYING AND MAPPING, LLC, DATED MAY 30, 2014.
 2. PROPERTY BOUNDARIES FOR BLOCK 21509 LOT 1 ARE SOURCED FROM THE "CATCH BASIN RECEPTOR EVALUATION SURVEY, PPG SITE 114, CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY" PREPARED BY BORBAS SURVEYING AND MAPPING, LLC, DATED APRIL 19, 2011.
 3. THE PROPERTY LINE FOR NOTICE IN LIEU OF DEED NOTICE IS SOURCED FROM THE "RESTRICTED AREA LOCATED ON A PORTION OF HALLADAY STREET, JERSEY CITY, HUDSON COUNTY, NEW JERSEY" PREPARED BY BORBAS SURVEYING AND MAPPING, LLC, DATED NOVEMBER 8, 2018.
 4. THE PROPERTY REFERENCED IN THE NOTICE IN LIEU OF DEED NOTICE IS HALLADAY STREET.



HALLADAY STREET JERSEY CITY, HUDSON COUNTY, NEW JERSEY		PROPERTY MAP
DATE: 11/09/2018	DRWN: SAP	EXHIBIT A-3

EXHIBIT B

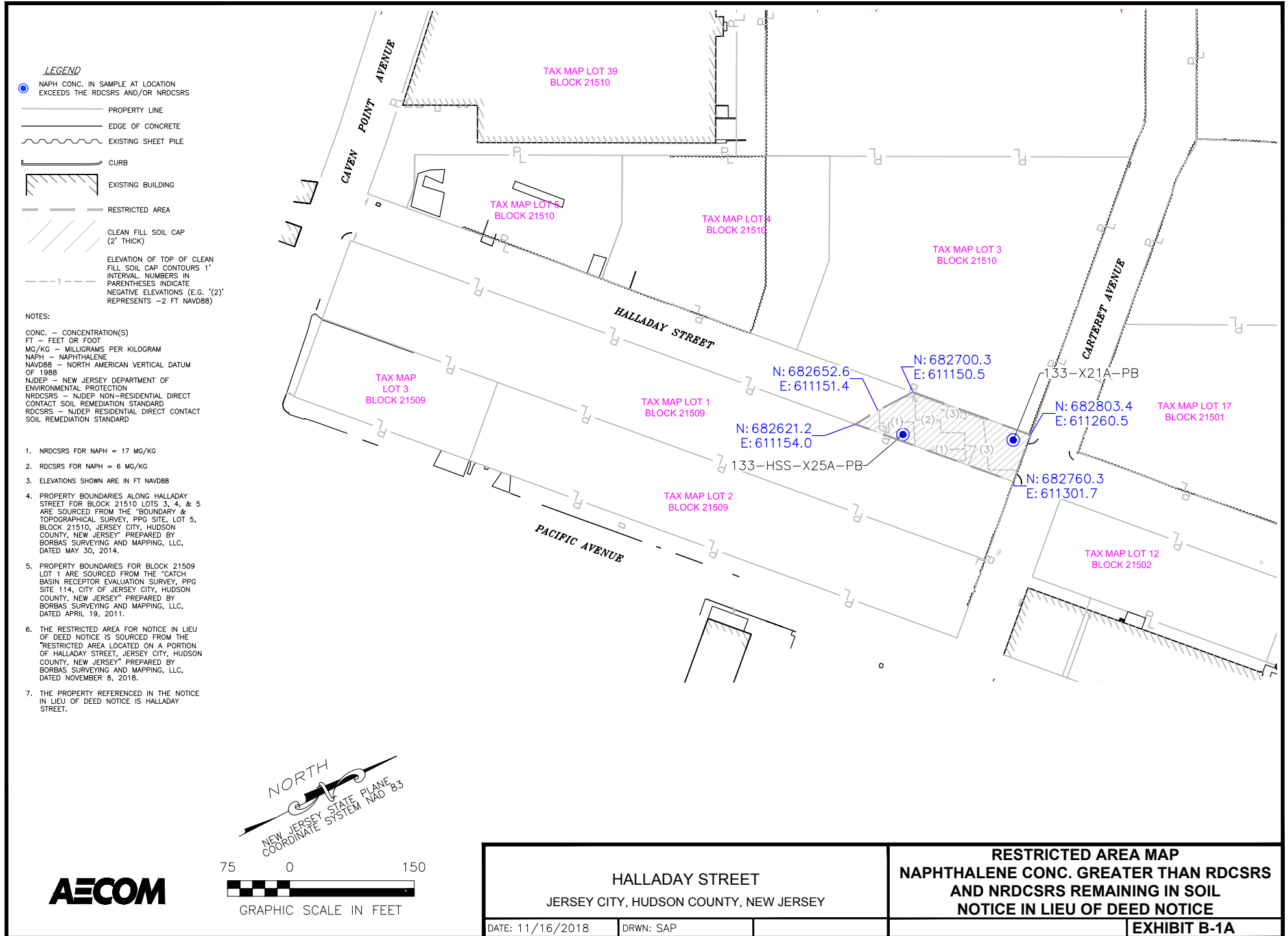
Description of Restricted Area

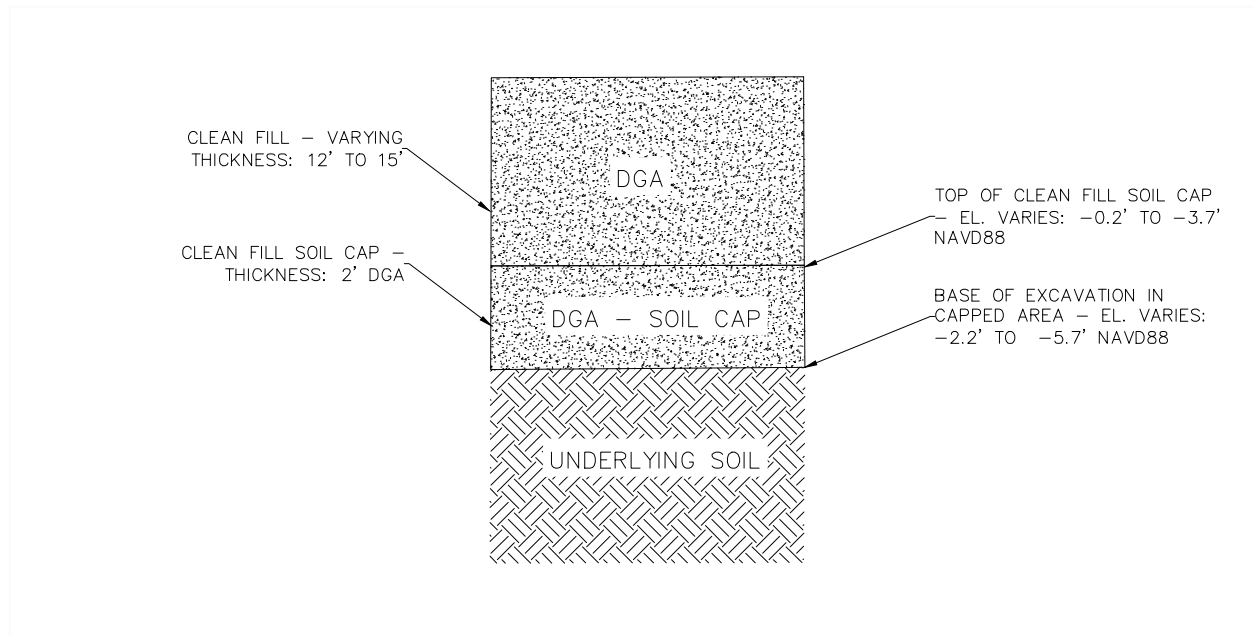
Exhibit B-1A: Restricted Area Map – Naphthalene Conc. greater than RDCSRS and NRDCSRS Remaining in Soil

Exhibit B-1B: Engineering Control – As-Built Typical Section

Exhibit B-1C: CEA and Groundwater Monitoring Well Location Map

Exhibit B-2: Restricted Area Table –Analytical Results Summary – Naphthalene





NOTES:

1) DGA MAY BE AMENDED WITH FERROBLACK®-H, WHICH SERVES AS A PHASE OF GROUNDWATER REMEDIATION.

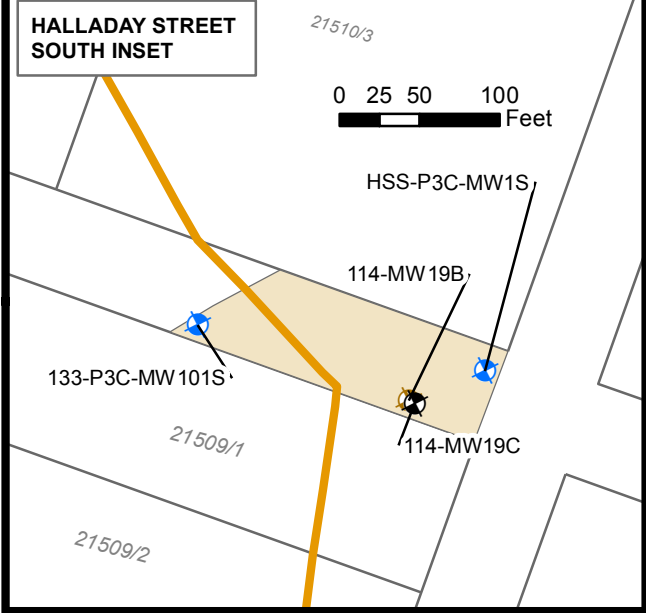
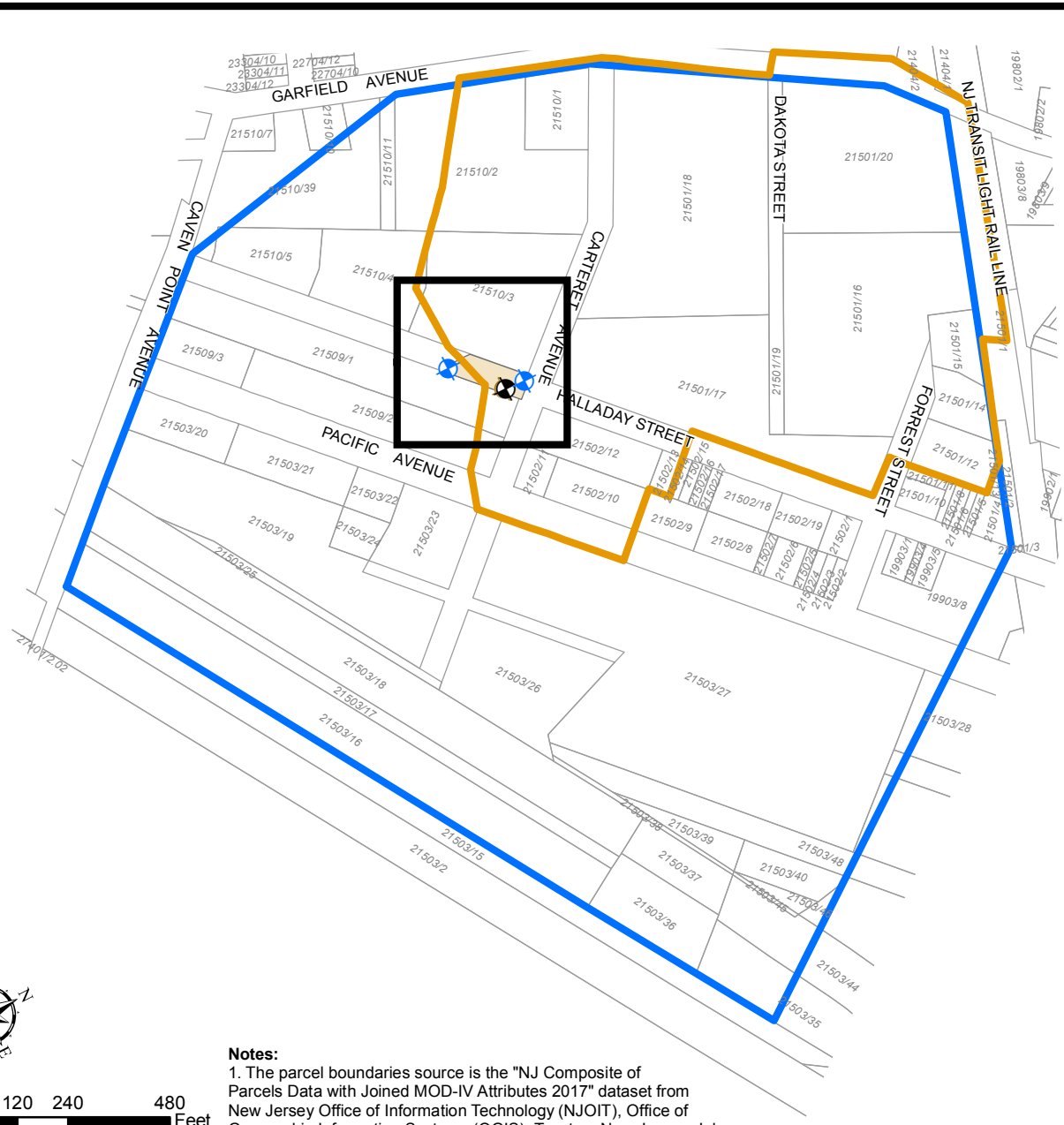
DGA - DENSE-GRADED AGGREGATE
 EL. - ELEVATION
 NAVD88 - NORTH AMERICAN VERTICAL DATUM OF 1988
 NTS - NOT TO SCALE

1 CLEAN FILL SOIL CAP
 NTS



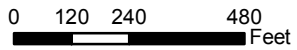
HALLADAY STREET JERSEY CITY, HUDSON COUNTY, NEW JERSEY		ENGINEERING CONTROL AS-BUILT TYPICAL SECTION NOTICE IN LIEU OF DEED NOTICE	
DATE: 05/31/2018	DRWN: SAP		EXHIBIT B-1B

I:\Projects\PPG\NIC\Program\6-Project\Inp\6-4-GIS\Map\GCA\Group\Forrest\RAW\PI\Block\21501_HSS_CEA_Extents.mxd



- Legend**
- ACTIVE MONITORING WELL LOCATIONS WITHIN LIMITS OF RESTRICTED AREA (AS OF MARCH 2019)
 - SHALLOW
 - INTERMEDIATE
 - DEEP
 - CEA BOUNDARY ASSOCIATED WITH THE PSEG FORMER HALLADAY STREET GAS WORKS MANUFACTURED GAS PLANT (TRACKED UNDER PI # G00005480, LSR120001)
 - CEA BOUNDARY ASSOCIATED WITH THE PPG HUDSON COUNTY CHROMATE SITE 114 (TRACKED UNDER PI # G00005480, RPC0000051)
 - RESTRICTED AREA - CLEAN FILL CAP
 - Parcel Boundary

Notes:
 1. The parcel boundaries source is the "NJ Composite of Parcels Data with Joined MOD-IV Attributes 2017" dataset from New Jersey Office of Information Technology (NJOIT), Office of Geographic Information Systems (OGIS), Trenton, New Jersey, July 20, 2017. The parcel boundaries provided by this source are not surveyed data.
 CEA - Classification Exception Area
 NJ - New Jersey
 PI - Program Interest
 PSEG - Public Service Electric and Gas Company



HALLADAY STREET PI NUMBER G00005480	CEA AND GROUNDWATER MONITORING WELL LOCATION MAP
DATE: 3/12/2019	EXHIBIT B-1C

Exhibit B-2
Restricted Area Table - Analytical Results Summary - Naphthalene
Halladay Street
Jersey City, Hudson County, New Jersey

					Analyte CAS RN RDCSRS NRDCSRS Units	NAPHTHALENE 91-20-3 6 17 mg/kg	
Location ID	Sample ID	Sample Depth Interval (ft bgs)	Sample Elevation Interval (ft NAVD88)	Date Collected	Result	Qualifier	
133-X21A-PB	133-X21A-PB-16.7-17.2	16.7 to 17.2	-5.4 to -5.9	09/29/2015	8.9	J	
133-HSS-X25A-PB	133-HSS-X25A-PB-14.1-14.6	14.1 to 14.6	-2.6 to -3.1	10/21/2015	59.7		

Notes:

bgs - below ground surface

CAS RN - Chemical Abstract Number

ft - feet

J - Indicates the result was an estimated value; the associated numerical value was an approximate concentration of the analyte in the sample.

mg/kg - milligrams per kilogram

NAVD88 - North American Vertical Datum of 1988

NJDEP - New Jersey Department of Environmental Protection

NRDCSRS - NJDEP Non-Residential Direct Contact Soil Remediation Standard

RDCSRS - NJDEP Residential Direct Contact Soil Remediation Standard

Bold result indicates result exceeded the RDCSRS.

Italicized result indicates result exceeded the NRDCSRS.

EXHIBIT C

Narrative descriptions of the institutional controls and engineering controls

Exhibit C-1: Notice in Lieu of Deed Notice as an Institutional Control

Exhibit C-2: Narrative Description of Clean Fill Soil Cap Engineering Control

EXHIBIT C

Narrative descriptions of the institutional and engineering controls

Exhibit C-1: Notice in Lieu of Deed Notice as Institutional Control

(A) Description and estimated size of the Restricted Areas:

The notice in lieu of deed notice is for soil (Soil Restricted Area), located within the right-of-way of Halladay Street in Jersey City, New Jersey, as depicted on **Exhibit B-1A**. The contaminant of concern at the Property is naphthalene. The estimated size of the Soil Restricted Area is 10,669 square feet (ft²) (0.24 acres).

(B) Descriptions of the restrictions on the Property by operation of this Notice in Lieu of Deed Notice:

The restrictions in this Notice in Lieu of Deed Notice minimize exposure to the contaminant of concern identified above in **Exhibit C-1 (A)**, which exceed the unrestricted use standards in the Soil Restricted Area of Halladay Street. Through the use of this Notice in Lieu of Deed Notice and implementation of engineering controls, exposure to humans and the potential impact to the environment are reduced.

(C) Objective of the restrictions:

The objective of the restrictions in this Notice in Lieu of Deed Notice is to permit continued use of the Property while reducing the exposure of humans to, and the potential impact to the environment from, the contaminant in soil at concentrations greater than the unrestricted use standards.

Exhibit C-2: Narrative Description of the Clean Fill Soil Cap

(A) Description of the engineering control:

Following remediation of soils within the Soil Restricted Area, dense-graded aggregate (DGA) backfill material (i.e., Clean Fill Soil Cap Engineering Control) was placed at the bottom of the excavation and compacted to final backfill subgrades at a thickness of 2 feet as an engineering control to restrict access to soils with naphthalene at concentrations greater than the unrestricted use standards. Additional DGA material was placed on top of the Clean Fill Soil Cap to reach the final grade, but is not considered part of the Clean Fill Soil Cap Engineering Control. The horizontal and vertical extents of the Clean Fill Soil Cap Engineering Control are depicted on **Exhibit B-1A**. A detail (typical section) of the as-built Clean Fill Soil Cap Engineering Control is shown on **Exhibit B-1B**.

(B) The objective of the engineering control:

The objective of the Clean Fill Soil Cap Engineering Control is to protect human health and the environment by restricting access and eliminating exposure to soil underlying the Clean Fill Soil Cap that has naphthalene at concentrations greater than the unrestricted use standards.

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

The Clean Fill Soil Cap Engineering Control is intended to function as a barrier that prevents direct contact with and incidental exposure to the underlying soil containing naphthalene at concentrations greater than the unrestricted use standards.