

Appendix H-1

Site 133 East

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

DEED NOTICE

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

Prepared by: _____
[Signature]

Dorothy Laguzza, Esq. of LeClairRyan on behalf of PPG

Recorded by: _____
[Signature, Officer of County Recording Office]

[Print name below signature]

DEED NOTICE

This Deed Notice is made as of the ____ day of ____, ____, by PPG with an address of One PPG Place, Pittsburgh, Pennsylvania 15272 (together with its successors and assigns, collectively "Owner").

1. THE PROPERTY. PPG with an address of One PPG Place, Pittsburgh, Pennsylvania 15272 is the owner in fee simple of certain real property designated as Block 21509 Lot 1 on the tax map of the City of Jersey City, Hudson County; the New Jersey Department of Environmental Protection Program Interest Number (Preferred ID) for the contaminated site which includes this property is 025695 and the property is more particularly described in Exhibit A, which is attached hereto and made a part hereof (the "Property").

2. REMEDIATION.

i. The New Jersey Department of Environmental Protection has approved this Deed Notice as an institutional control for the Property, which is part of the remediation of the Property.

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

3. SOIL CONTAMINATION. 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 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 which included 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 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 Department's prior written approval, unless a presumptive remedy is implemented; and

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

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

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 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 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 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, 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 Deed Notice Form; and

(C) A revised recorded 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 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, the notice the Owner gave to those persons prior to the disturbance.

7B. EMERGENCIES. In the event of an emergency which presents, or may present, an unacceptable risk to the public health and safety, or to the environment, or 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 the Department of Environmental Protection of the emergency, by calling the DEP 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 the Department of Environmental Protection when the emergency or immediate environmental concern has ended by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337; and

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

vii. Submits to the Department of Environmental Protection 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 DEED NOTICE.

i. This Deed Notice may be terminated only upon recording a Department-approved Termination of Deed Notice, available at N.J.A.C. 7:26C Appendix C, with the office of the Hudson County Register in Hudson County, New Jersey, expressly terminating this Deed Notice.

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

9. ACCESS. The Owner, and the subsequent owners, lessors, 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 subsequent owners, lessors, lessees, and operators, during their ownership, tenancy, or operation, and the Owner fail to conduct such remediation pursuant to this Deed Notice as required by law. The Owner, and the subsequent owners, 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 the Department.

10. ENFORCEMENT OF VIOLATIONS.

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

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

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

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

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

ii. Exhibit A-2: Metes and Bounds Description - A tax map of lots and blocks as wells as metes and bounds description of the Property, including reference to tax lot and block numbers for the Property;

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

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

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

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

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

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

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

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

(C) The objective of the restrictions.

ii. Exhibit C-2: Clean Fill Soil Cap: Exhibit C-2 includes a narrative description of the 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.

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

ATTEST: PPG

_____ By _____

[Print name and title] [Signature]

STATE OF NEW JERSEY SS.:
COUNTY OF HUDSON

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]

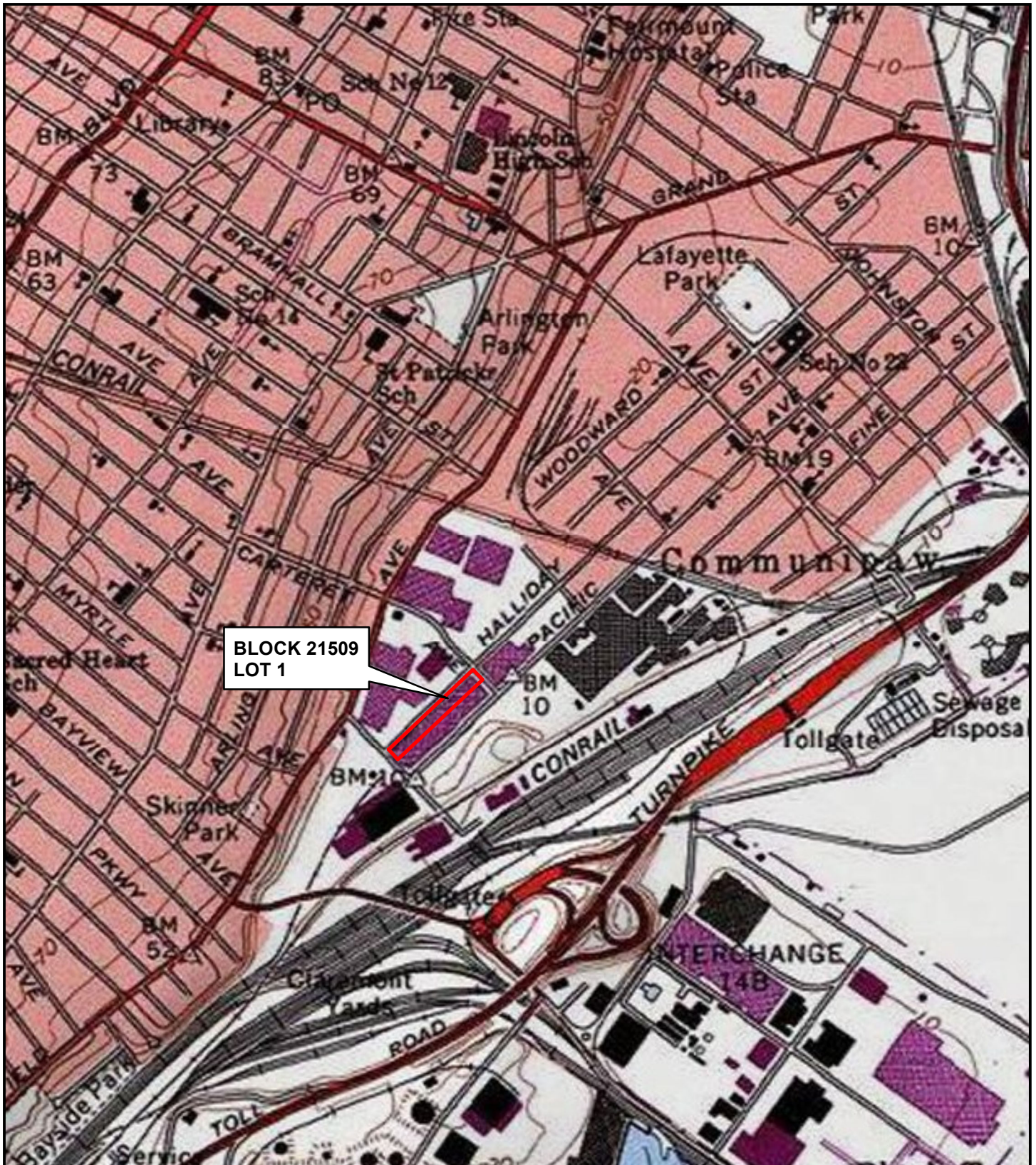
EXHIBIT A

Maps of the Property and Vicinity

Exhibit A-1: Vicinity Map

Exhibit A-2: Metes and Bounds Description

Exhibit A-3: Property Map



BLOCK 21509
LOT 1

Map Location



VICINITY MAP
BLOCK 21509, LOT 1
JERSEY CITY, HUDSON COUNTY, NEW JERSEY
DEED NOTICE

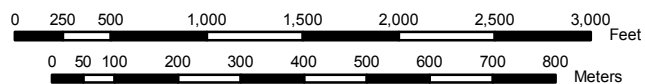


Image Source: USGS Topographic Quadrangle: Jersey City, NJ.

Scale: 1:12,000

AECOM

Exhibit A-1

Date: 05/01/2018

Project #: 60545281



Facilities Mapping Specialists
Environmental Site Mapping
Transportation and
Right-of-Way Surveys

Expert Witness Services
Aerial Base Mapping
Certified Drone Pilots
Hydrographic-Bathymetric Surveys

**DESCRIPTION OF A DEED NOTICE AREA LOCATED
ON A PORTION OF LOT 1 BLOCK 21509
IN JERSEY CITY, HUDSON COUNTY, NEW JERSEY**

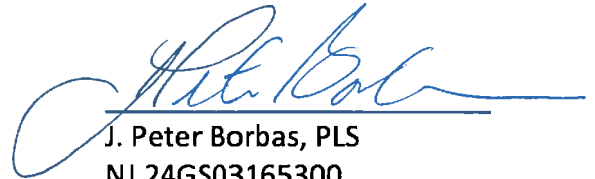
BEGINNING at the southeasterly sideline of Halladay Street, a 60 feet wide right of way where the same is intersected by the southwesterly sideline of Carteret Avenue, a 60 feet wide right of way, said point being marked by a "Borbas" capped iron pipe set, having New Jersey State Plane Coordinates NAD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

1. Along the southwesterly sideline of Carteret Avenue, South 43 degrees 17 minutes 07 seconds East 100.00 feet to the most northerly corner of Lot 2 Block 21509; thence
2. Along the northwesterly line of said Lot 2 Block 21509 and continuing along the northwesterly line of Lot 3 Block 21509, South 46 degrees 42 minutes 53 seconds West 850.00 feet to a point in the northeasterly sideline of Caven Point Road, a 60 feet wide right of way; thence
3. Along said northeasterly sideline of Caven Point Road, North 43 degrees 17 minutes 07 seconds West 28.87 feet to a point; thence the following six (6) courses across Lot 1 Block 21509
4. North 26 degrees 43 minutes 57 seconds East 104.60 feet to a point; thence
5. South 63 degrees 16 minutes 03 seconds East 30.00 feet to a point; thence
6. North 26 degrees 43 minutes 57 seconds East 60.00 feet to a point; thence
7. North 63 degrees 16 minutes 03 seconds West 30.00 feet to a point; thence
8. North 26 degrees 43 minutes 57 seconds East 30.00 feet to a point; thence
9. North 63 degrees 16 minutes 03 seconds West 4.93 feet to a point on the southeasterly sideline of Halladay Street, a 60 feet wide right of way; thence
10. North 46 degrees 42 minutes 53 seconds East 668.80 to the point and place of BEGINNING.

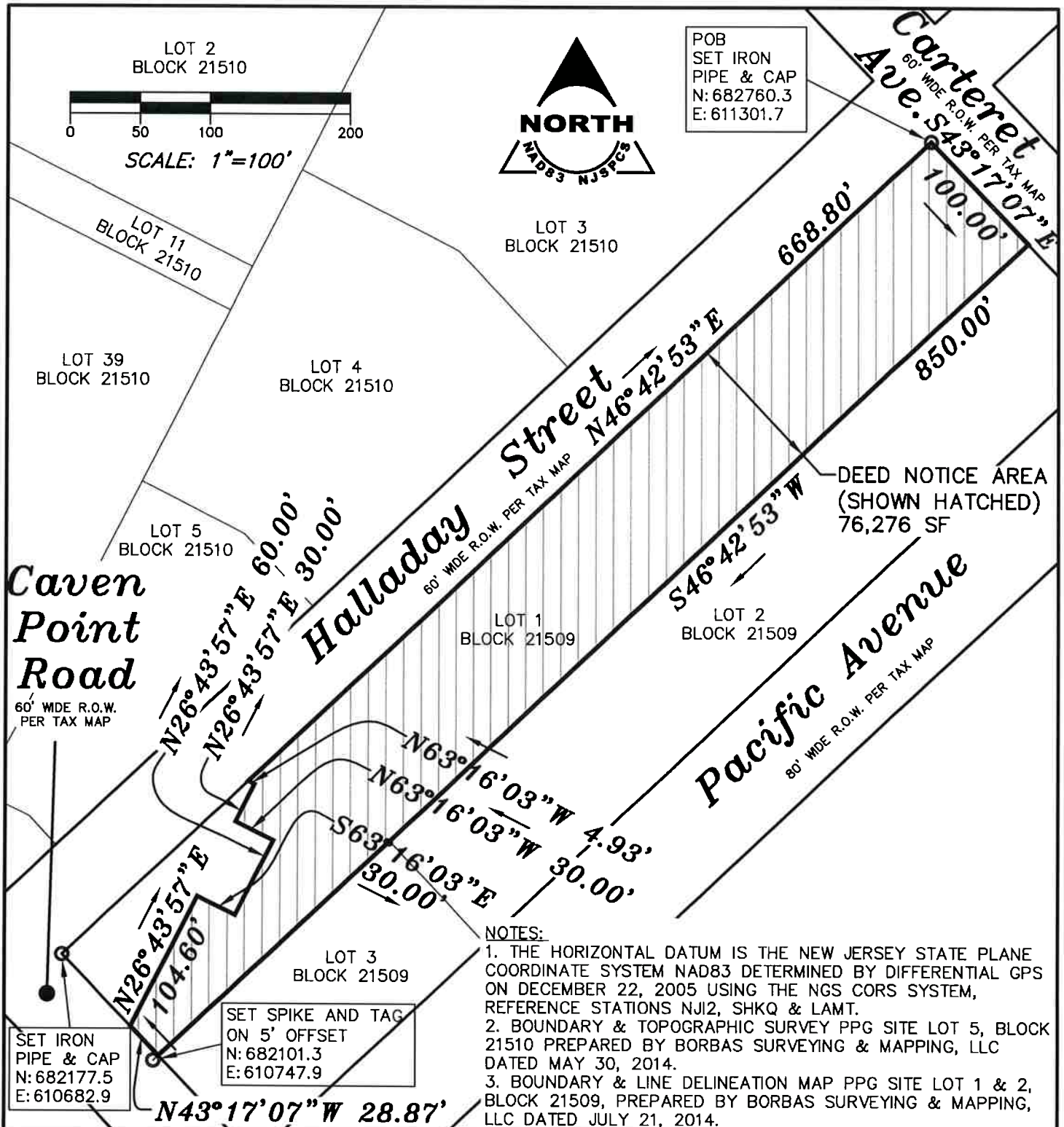
Containing 76,276 square feet of land.

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, "DEED NOTICE AREA LOCATED ON A PORTION OF LOT 1 BLOCK 21509 JERSEY CITY, HUDSON COUNTY NEW JERSEY", prepared by Borbas Surveying and Mapping, dated May 7, 2018.



J. Peter Borbas, PLS
NJ 24GS03165300
May 7, 2018



**DEED NOTICE AREA
LOCATED ON A PORTION OF
LOT 1 BLOCK 21509
JERSEY CITY, HUDSON COUNTY
NEW JERSEY**



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 24GS03165300 PROFESSIONAL PLANNER 3884

JOB NO.: 051201
PROJECT NAME: 051201
DRAWING NO.: 051201_2018-05-07_SITE 133E_DN

SCALE: 1"=100'
FIELD BOOK: N/A

Date: MAY 7, 2018

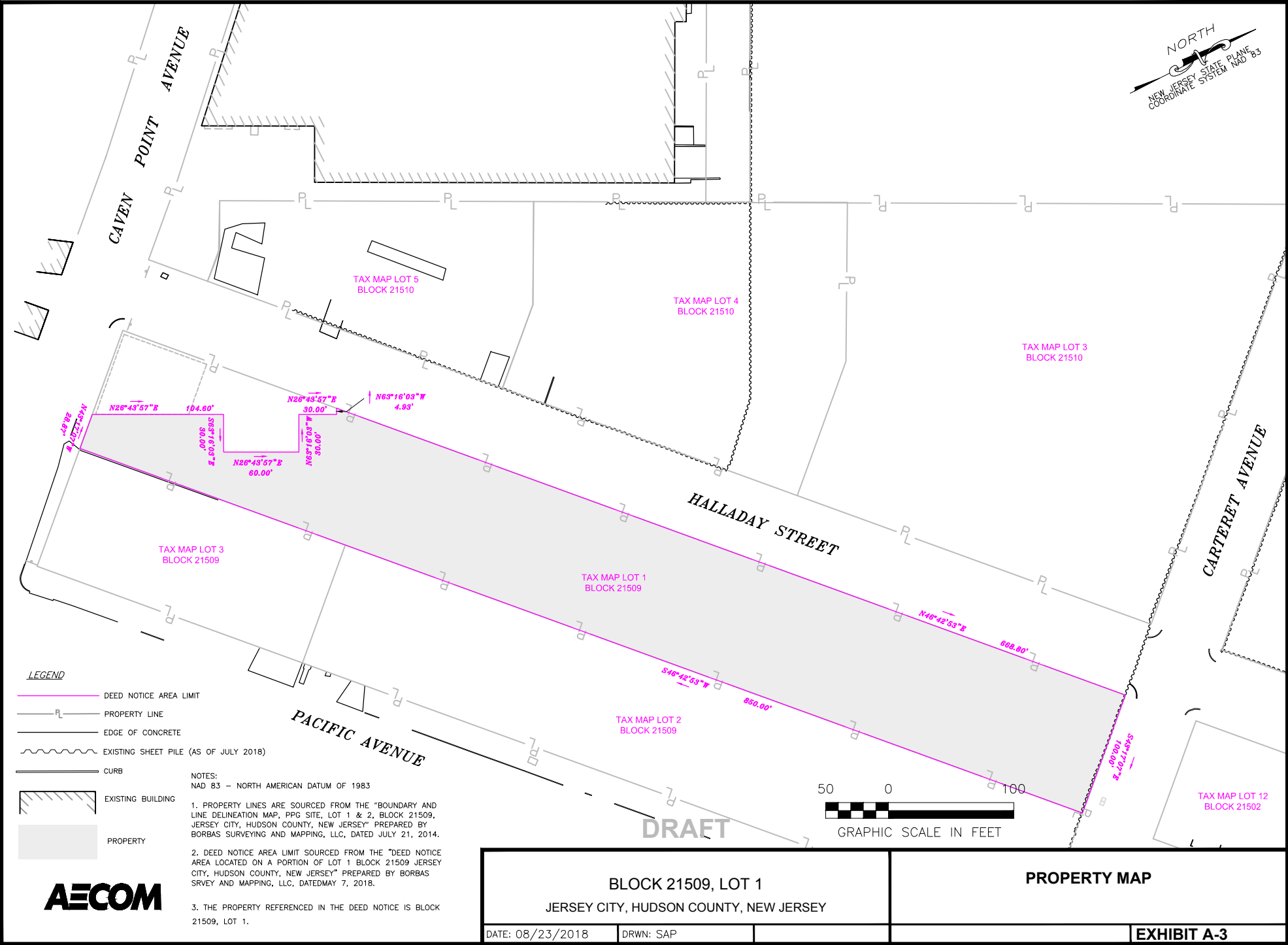


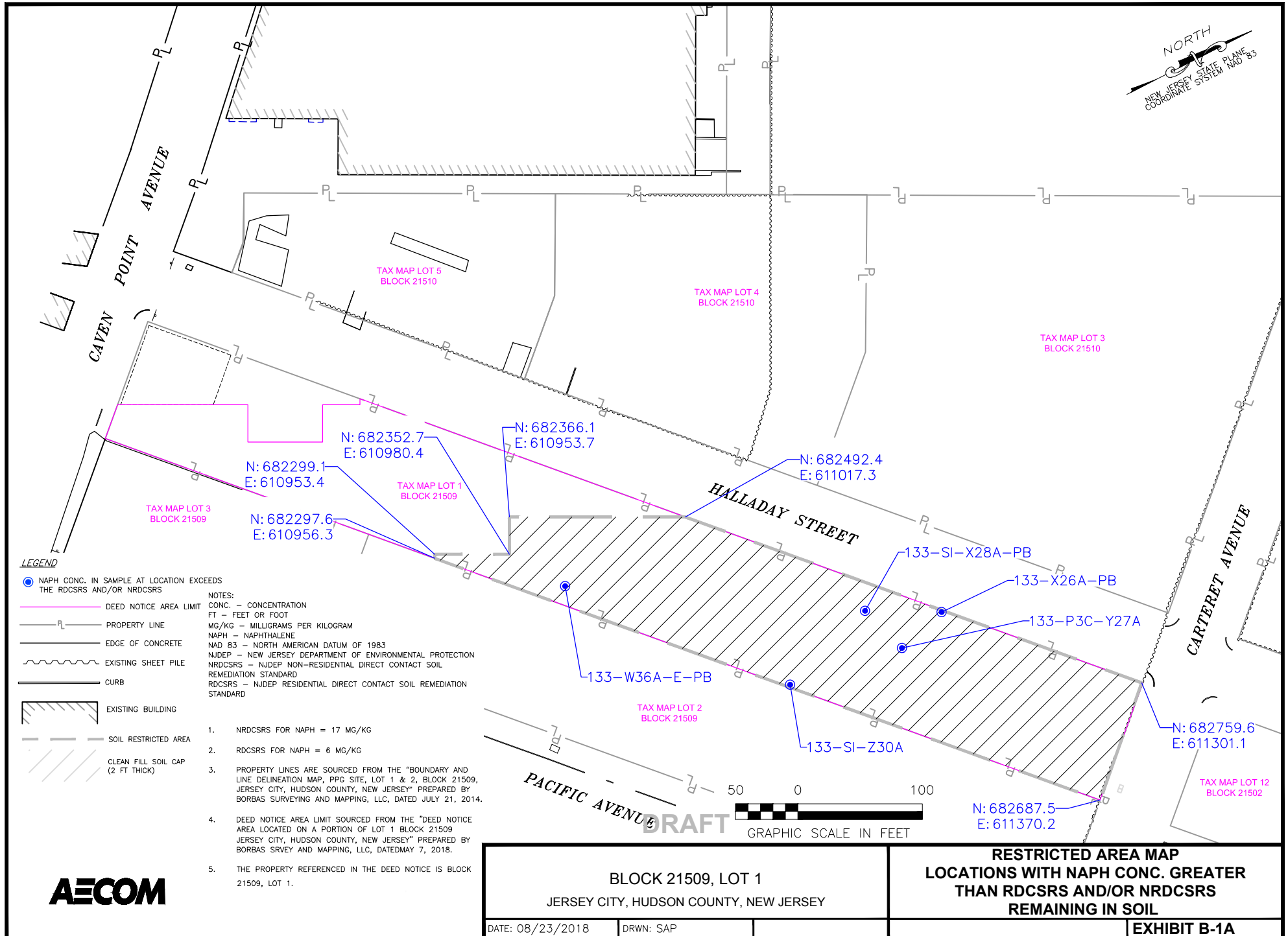
EXHIBIT B

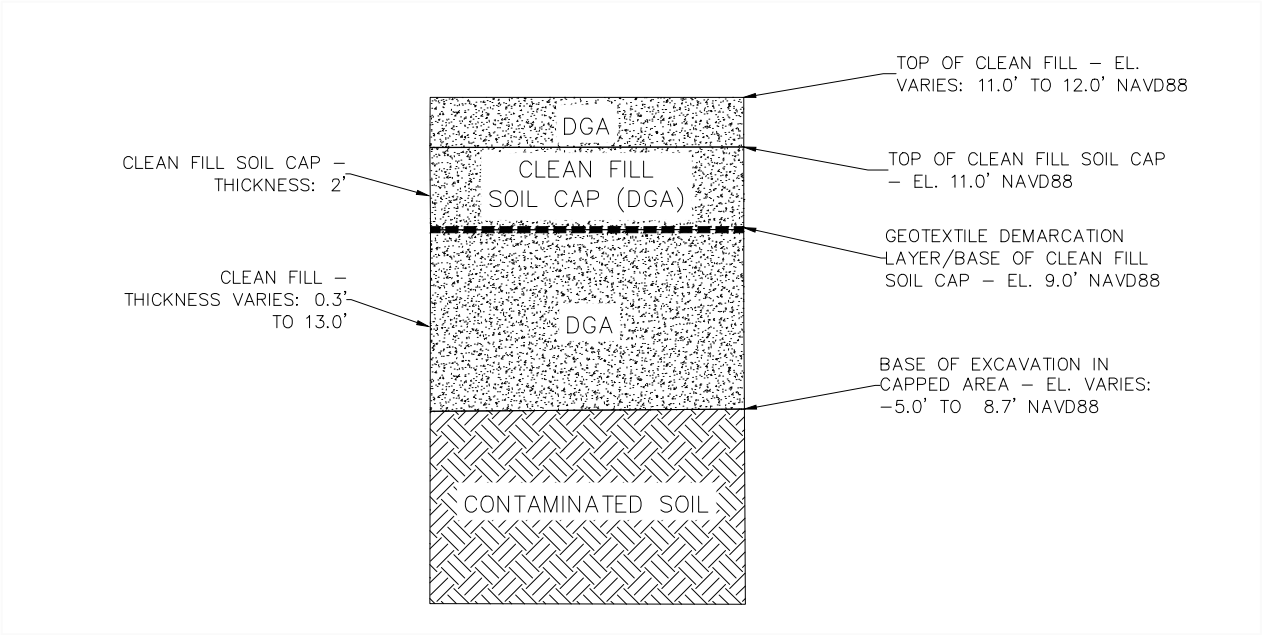
Description of Restricted Area

Exhibit B-1A: Restricted Area Map – Locations with Naphthalene Conc. Greater Than RDCSRS and/or NRDCSRS Remaining in Soil

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

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





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

1 CLEAN FILL SOIL CAP
NTS

DRAFT



BLOCK 21509, LOT 1 JERSEY CITY, HUDSON COUNTY, NEW JERSEY			RESTRICTED AREA MAP ENGINEERING CONTROL AS-BUILT TYPICAL SECTION	
DATE: 08/21/2018	DRWN: SAP		EXHIBIT B-1B	

Exhibit B-2
Restricted Area Data Table - Analytical Results Summary - Naphthalene
Block 21509, Lot 1
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-P3C-Y27A	133-P3C-Y27A-15.0-15.5	15.0 to 15.5	-2.0 to -2.5	11/19/2014	24.5	
133-SI-X28A-PB	133-SI-X28A-PB-12.1-12.6	12.1 to 12.6	-0.2 to -0.7	08/14/2015	7.31	J-
133-SI-Z30A	133-SI-Z30A-6.5-7.0	6.5 to 7.0	5.0 to 4.5	06/11/2015	7.15	J+
133-W36A-E-PB	133-W36A-E-PB-11.4-11.9	11.4 to 11.9	1.3 to 0.8	07/22/2016	12.9	
133-X26A-PB	133-X26A-PB-15.0-15.5	15.0 to 15.5	-1.7 to -2.2	08/27/2015	59.1	
133-X26A-PB	133-X26A-PB-15.0-15.5	15.0 to 15.5	-1.7 to -2.2	08/27/2015	71.3	J

ABBREVIATIONS:

bgs - below ground surface

CAS RN - Chemical Abstracts Service Registry Number

ft - feet

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

QUALIFIERS:

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

J+ - The result was an estimated value with high bias; the associated numerical value was an approximate concentration of the analyte in the sample.

J- - The result was an estimated value with low bias; the associated numerical value was an approximate concentration of the analyte in the sample.

GENERAL NOTES:

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: Deed Notice as Institutional Control

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

EXHIBIT C

Narrative descriptions of the institutional and engineering controls

Exhibit C-1: Deed Notice as Institutional Control

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

The deed notice is for soil (Soil Restricted Area), located within Block 21509 Lot 1 in Jersey City, New Jersey (referred to herein as the “Property”), as depicted on **Exhibit B-1A**. The contaminant of concern at the Property is naphthalene. The estimated size of the Soil Restricted Area is 49,457 square feet (ft²) (1.14 acres).

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

The restrictions in this Deed Notice minimize exposure to the contaminant of concern identified above in **Exhibit C-1 (A)**, which exceeds the unrestricted use standards in within the Soil Restricted Area of the Property. Through the use of this 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 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 remedial excavation of soils within the Soil Restricted Area, dense-graded aggregate (DGA) backfill material was placed at the bottom of the excavation to elevation 9.0 feet in the North American Vertical Datum of 1988 (NAVD 88). Following placement of DGA backfill material, a geotextile layer was installed as a demarcation layer. DGA backfill material was placed on top of the demarcation layer at a thickness of 2 feet as an engineering control (i.e., Clean Fill Soil Cap Engineering Control) to restrict access to remaining soils containing naphthalene at concentrations greater than unrestricted use standards. Additional DGA backfill material was placed on top of the Clean Fill Soil Cap Engineering Control and compacted to final backfill subgrades at a thickness of 1 foot. The horizontal extent of the Clean Fill Soil Cap Engineering Control is depicted on **Exhibit B-1A**. A detail of the 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 contaminated 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.

Appendix H-2

Site 135

Return Address:
Dorothy Laguzza, Esq.
K&L Gates LLP
One Newark Center, Tenth Floor
Newark, NJ 07102-5285

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]

[Print name below signature]

Recorded by: _____
[Signature, Officer of County Recording Office]

[Print name below signature]

DEED NOTICE

This Deed Notice is made as of the ____ day of ____, ____, by PPG with an address of One PPG Place, Pittsburgh, Pennsylvania 15272 (together with his/her/its/their successors and assigns, collectively "Owner").

1. THE PROPERTY. PPG with an address of One PPG Place, Pittsburgh, Pennsylvania 15272 is the owner in fee simple of certain real property designated as Block 21509 Lot 2 on the tax map of the City of Jersey City, Hudson County; the New Jersey Department of Environmental Protection Program Interest Number (Preferred ID) for the contaminated site which includes this property is 246332 and the property is more particularly described in Exhibit A, which is attached hereto and made a part hereof (the "Property").

2. REMEDIATION.

i. The New Jersey Department of Environmental Protection has approved this 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 City of Jersey City, and PPG and approved by the court on June 26, 2009 (Superior Court of New Jersey, Chancery Division-Hudson County, Docket No. C-77-05 ("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 has 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 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 which included 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 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 Department's prior written approval, unless a presumptive remedy is implemented; and

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

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

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 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 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 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, 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 Deed Notice Form; and

(C) A revised recorded 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 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, the notice the Owner gave to those persons prior to the disturbance.

7B. EMERGENCIES. In the event of an emergency which presents, or may present, an unacceptable risk to the public health and safety, or to the environment, or 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 the Department of Environmental Protection of the emergency, by calling the DEP 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 the Department of Environmental Protection when the emergency or immediate environmental concern has ended by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337; and

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

vii. Submits to the Department of Environmental Protection 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 DEED NOTICE.

i. This Deed Notice may be terminated only upon recording a Department-approved Termination of Deed Notice, available at N.J.A.C. 7:26C Appendix C, with the office of the Register of Deeds and Mortgages of Hudson County, New Jersey, expressly terminating this Deed Notice.

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

9. ACCESS. The Owner, and the subsequent owners, lessors, 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 subsequent owners, lessors, lessees, and operators, during their ownership, tenancy, or operation, and the Owner fail to conduct such remediation pursuant to this Deed Notice as required by law. The Owner, and the subsequent owners, 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 the Department.

10. ENFORCEMENT OF VIOLATIONS.

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

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

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

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

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

ii. Exhibit A-2: Metes and Bounds Description - A tax map of lots and blocks as wells as metes and bounds description of the Property, including reference to tax lot and block numbers for the Property;

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

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

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

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

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

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

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

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

(C) The objective of the restrictions.

ii. Exhibit C-2: Clean Fill Soil Cap: Exhibit C-2 includes a narrative description of the 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.

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

ATTEST: PPG

_____ By _____

[Print name and title]

[Signature]

STATE OF NEW JERSEY SS.:
COUNTY OF HUDSON

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]

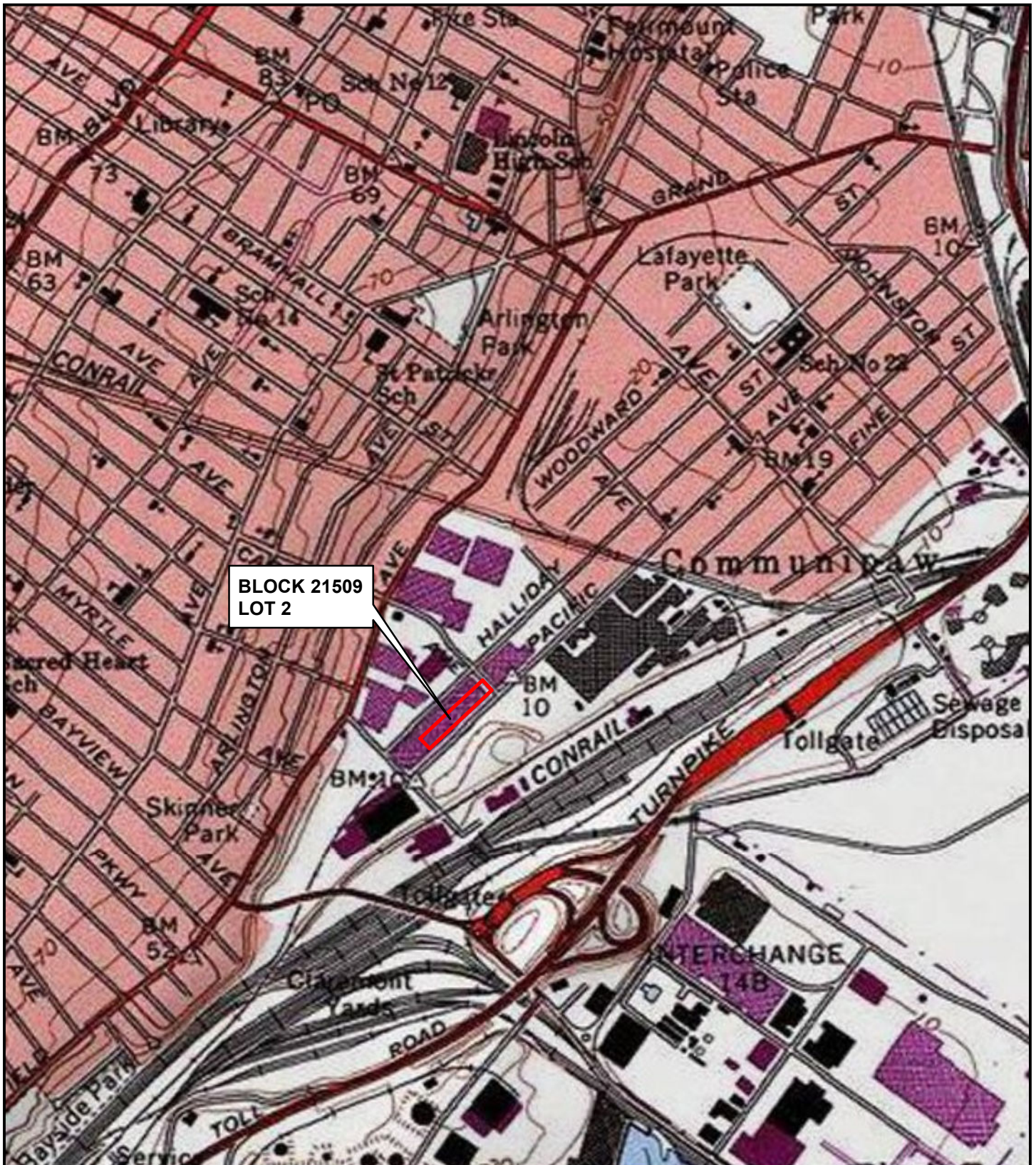
EXHIBIT A

Maps of the Property and Vicinity

Exhibit A-1: Vicinity Map

Exhibit A-2: Metes and Bounds Description

Exhibit A-3: Property Map



Map Location



VICINITY MAP
BLOCK 21509, LOT 2
JERSEY CITY, HUDSON COUNTY, NEW JERSEY
DEED NOTICE

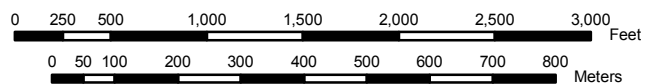


Image Source: USGS Topographic Quadrangle: Jersey City, NJ.

Scale: 1:12,000

AECOM

Exhibit A-1

Date: 08/14/2018

Project #: 60545281



Facilities Mapping Specialists
Environmental Site Mapping
Transportation and
Right-of-Way Surveys

Expert Witness Services
Aerial Base Mapping
Certified Drone Pilots
Hydrographic-Bathymetric Surveys

**DESCRIPTION OF A DEED NOTICE AREA LOCATED
ACROSS TAX LOT 2 BLOCK 21509
IN JERSEY CITY, HUDSON COUNTY, NEW JERSEY**

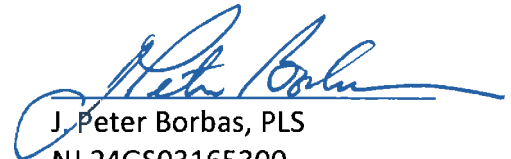
BEGINNING at a point formed by the intersection of the northwesterly sideline of Pacific Avenue, an 80 feet wide right of way, where the same is intersected by the southwesterly sideline of Carteret Avenue, a 60 feet wide right of way, said point being marked with a spike and tag set having New Jersey State Plane Coordinates NAD 83 of North: 682614.68 East: 611438.81 (US Survey Feet, more or less, measured December 2005); and runs thence

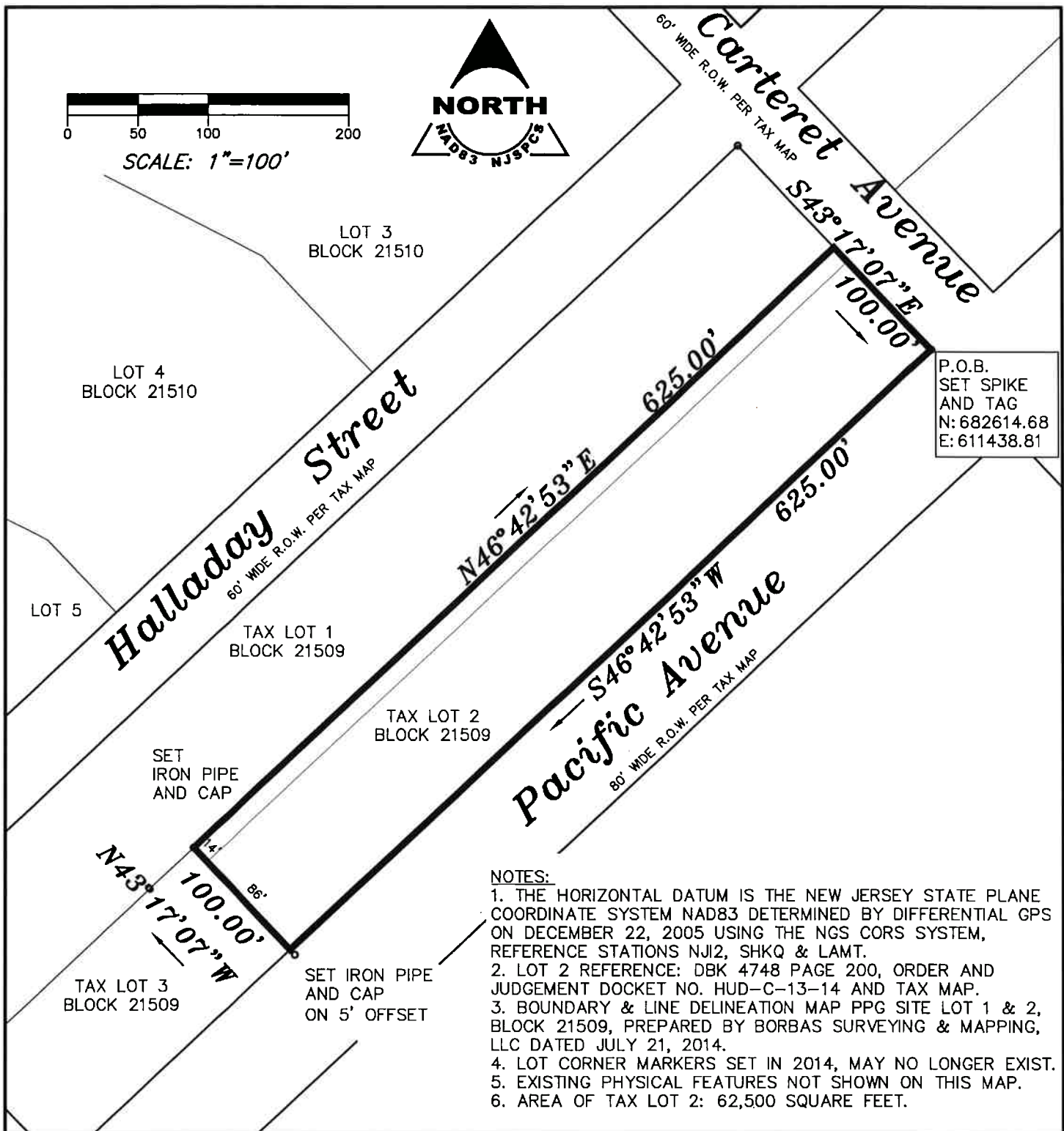
1. Along the northwesterly sideline of Pacific Avenue, South 46 degrees 42 minutes 53 seconds West 625.00 feet to a point in same; thence
2. Along the northeasterly line of Tax Lot 3 Block 21509, North 43 degrees 17 minutes 07 seconds West 100.00 feet to a point, said point being marked with an iron pipe set; thence
3. Along the southeasterly line of Tax Lot 1 Block 21509 North 46 degrees 42 minutes 53 seconds East 625.00 feet to a point in the said southwesterly sideline of Carteret Avenue; thence
4. Along the southwesterly sideline of Carteret Avenue South 43 degrees 17 minutes 07 seconds East 100.00 feet to the point and place of BEGINNING.

Containing 62,500 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, "DEED NOTICE AREA LOCATED ACROSS TAX LOT 2 BLOCK 21509 JERSEY CITY, HUDSON COUNTY NEW JERSEY", prepared by Borbas Surveying and Mapping, dated August 15, 2018.


J. Peter Borbas, PLS
NJ 24GS03165300
August 15, 2018



**DEED NOTICE AREA
LOCATED ACROSS
TAX LOT 2 BLOCK 21509
JERSEY CITY, HUDSON COUNTY
NEW JERSEY**



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 24GS03165300 PROFESSIONAL PLANNER 3884

JOB NO.: 051201
SCALE: 1"=100'
AutoCAD Projects\051201\DWG
FIELD BOOK: N/A
DRAWING NO.:
051201_2018-08-15_SITE 135_Lot 2 Blk 21509_DN.dwg

Date: **AUGUST 15, 2018**

EXHIBIT B

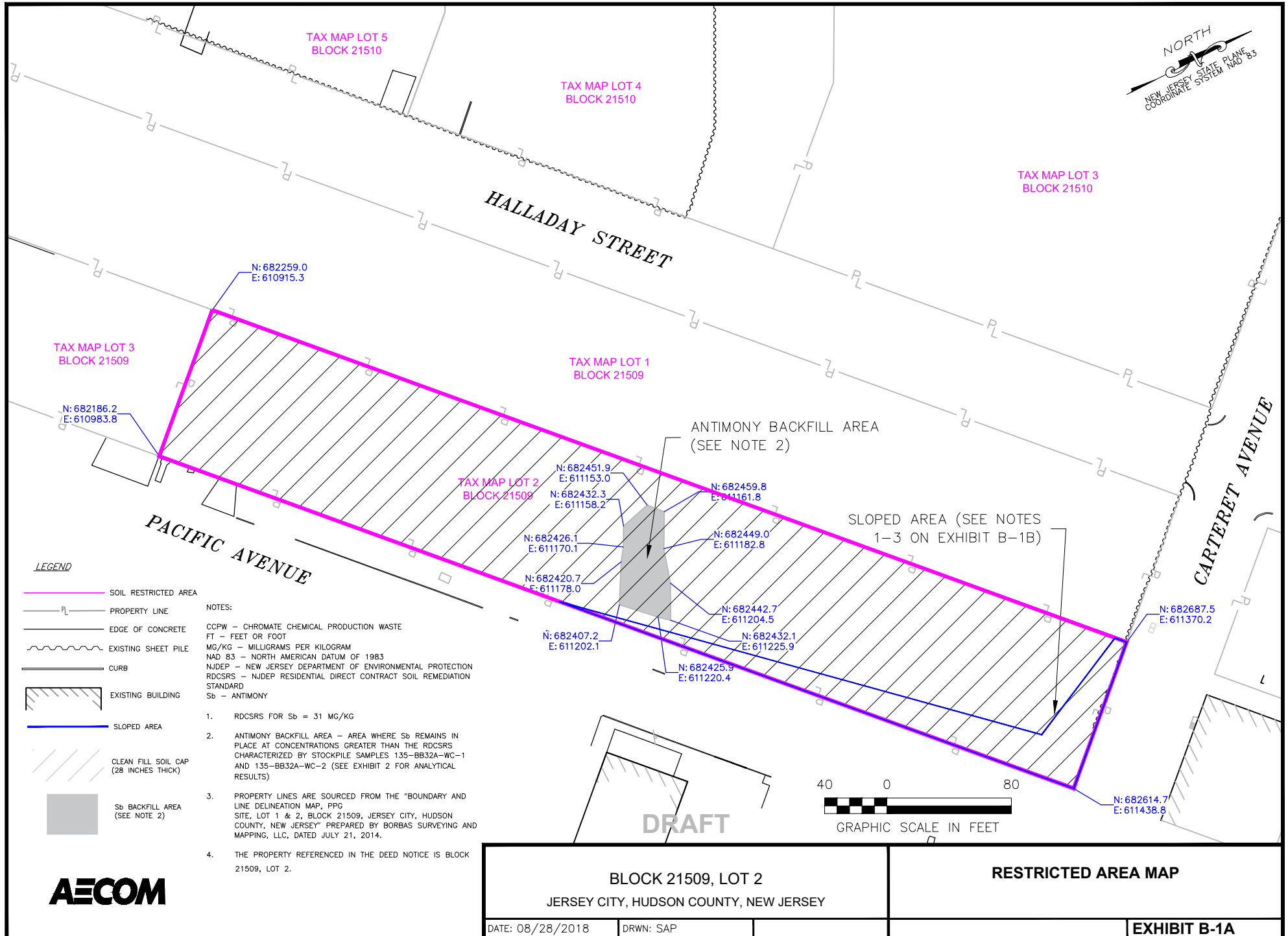
Description of Restricted Area

Exhibit B-1A: Restricted Area Map

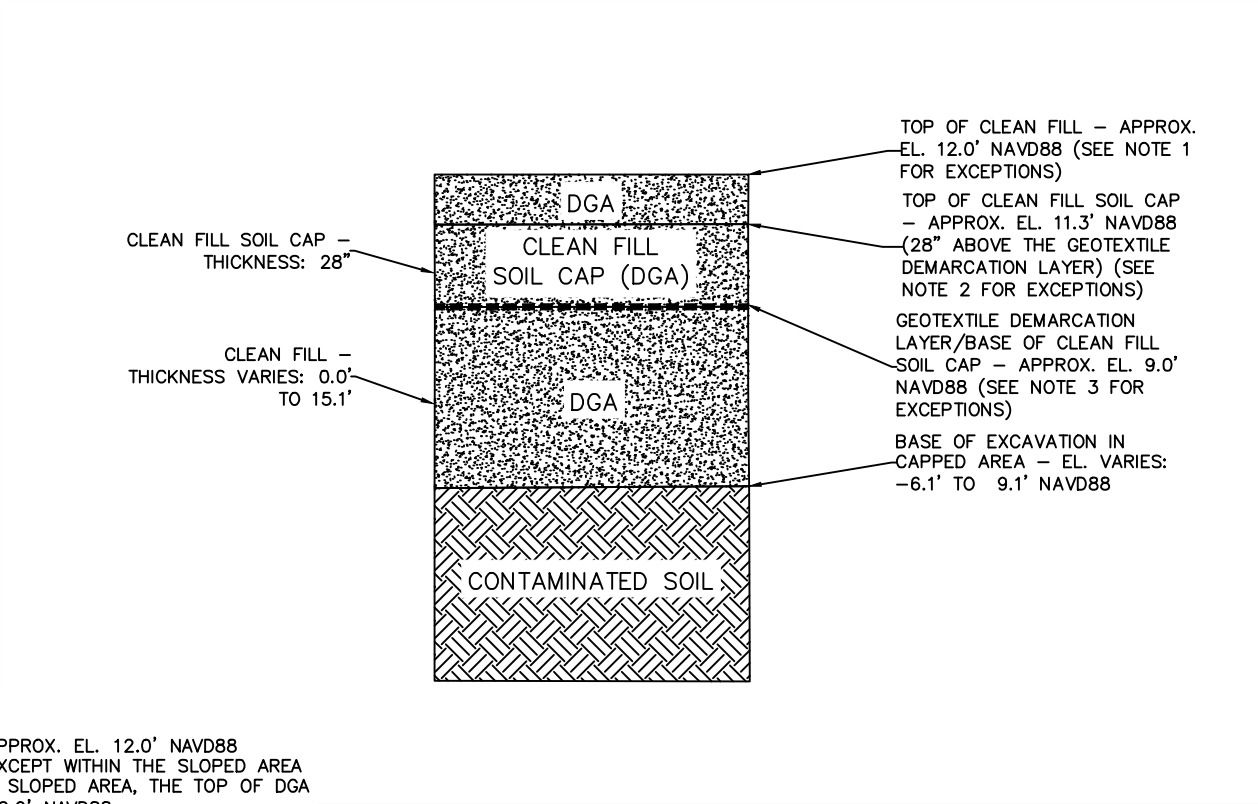
Exhibit B-1B: Restricted Area Map - Engineering Control – As-Built Typical Section

Exhibit B-1C: CEA Location Map

Exhibit B-2: Restricted Area Data Table –Analytical Results Summary – Antimony Backfill Area – Antimony



AECOM



- NOTES:
1. THE TOP OF DGA IS LOCATED AT APPROX. EL. 12.0' NAVD88 THROUGHOUT THE RESTRICTED AREA EXCEPT WITHIN THE SLOPED AREA SHOWN ON EXHIBIT B-1A. WITHIN THE SLOPED AREA, THE TOP OF DGA RANGES FROM APPROX. EL. 9.0' TO 12.0' NAVD88.
 2. THE TOP OF THE CLEAN FILL SOIL CAP IS LOCATED AT APPROX. EL. 11.3' NAVD88 THROUGHOUT THE RESTRICTED AREA EXCEPT WITHIN THE SLOPED AREA SHOWN ON EXHIBIT B-1A. WITHIN THE SLOPED AREA, THE TOP OF THE CLEAN FILL SOIL CAP RANGES FROM APPROX. EL. 9.0' TO 11.3' NAVD88.
 3. THE GEOTEXTILE DEMARCATION LAYER/BASE OF CLEAN FILL SOIL CAP IS LOCATED AT EL. 9.0' THROUGHOUT THE RESTRICTED AREA EXCEPT WITHIN THE SLOPED AREA SHOWN ON EXHIBIT B-1A. WITHIN THE SLOPED AREA, THE GEOTEXTILE DEMARCATION LAYER/BASE OF CLEAN FILL SOIL CAP RANGES FROM EL. 6.7' TO 9.0' NAVD88.
- APPROX. - APPROXIMATELY
DGA - DENSE-GRADED AGGREGATE
EL. - ELEVATION
NAVD88 - NORTH AMERICAN VERTICAL DATUM OF 1988
NTS - NOT TO SCALE

1 CLEAN FILL SOIL CAP
NTS

DRAFT



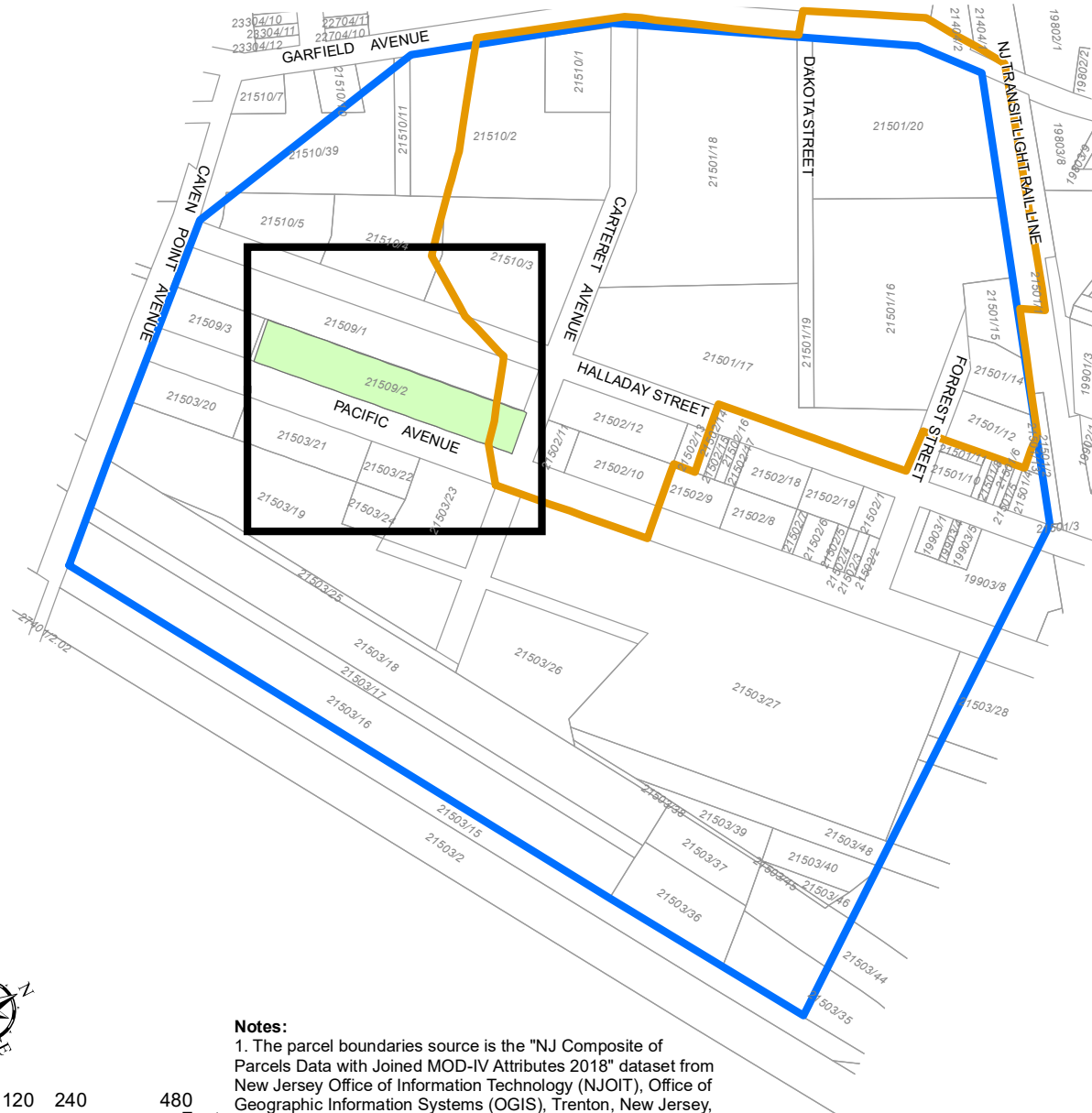
BLOCK 21509, LOT 2 JERSEY CITY, HUDSON COUNTY, NEW JERSEY			RESTRICTED AREA MAP ENGINEERING CONTROL AS-BUILT TYPICAL SECTION
DATE: 08/28/2018	DRWN: SAP		EXHIBIT B-1B



AECOM

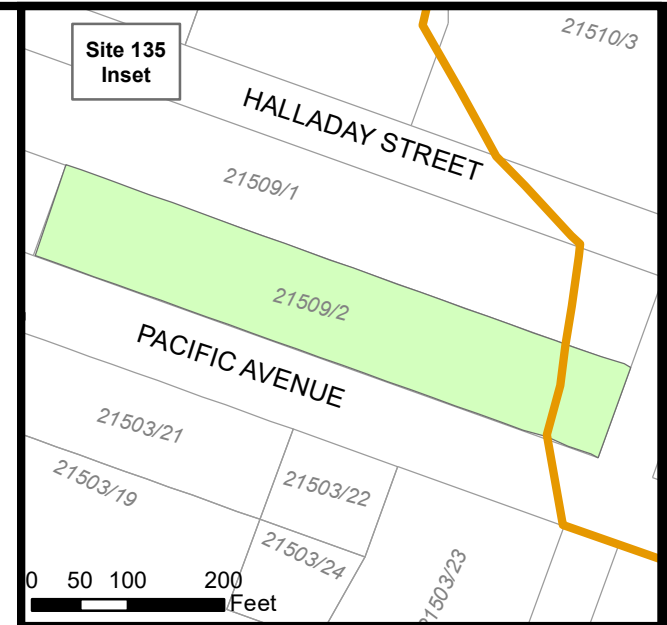
Notes:

1. The parcel boundaries source is the "NJ Composite of Parcels Data with Joined MOD-IV Attributes 2018" dataset from New Jersey Office of Information Technology (NJ/OIT), Office of Geographic Information Systems (OGIS), Trenton, New Jersey, August 6, 2018. The parcel boundaries provided by this source are not surveyed data.
 2. As of August 2019, there are no active monitoring well locations within the Restricted Area.
- CEA - Classification Exception Area
 NJ - New Jersey
 PI - Program Interest
 PSEG - Public Service Electric and Gas Company



Legend

- 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
- Block/Lot PARCEL BOUNDARY



<p align="center">SITE 135 PI NUMBER 246332</p>	<p align="center">CEA LOCATION MAP</p>
<p>DATE: 7/25/2019</p>	<p>EXHIBIT B-1C</p>

Exhibit B-2
Restricted Area Data Table - Analytical Results Summary Antimony Backfill Area - Antimony
Block 21509, Lot 2
Jersey City, Hudson County, New Jersey

				Analyte CAS RN RDCSRS NRDCSRS Units	ANTIMONY 7440-36-0 31 450 mg/kg
Location ID	Sample ID	Interval (ft NAVD88)¹	Date Collected	Result	Qualifier
135-BB32A-WC-1	JC27585-1A	0.0 to 7.0	09/14/2016	36.4	
135-BB32A-WC-2	JC27585-2A	0.0 to 7.0	09/14/2016	144	

NOTES:

1 - Elevation interval represents the range of elevations at which antimony result may be present within the Antimony Backfill Area

ABBREVIATIONS:

CAS RN - Chemical Abstracts Service Registry Number

ft - feet

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

GENERAL NOTES:

Bold result indicates result exceeded the RDCSRS.

EXHIBIT C

Narrative descriptions of the institutional controls and engineering controls

Exhibit C-1: Deed Notice as Institutional Control

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

EXHIBIT C

Narrative descriptions of the institutional and engineering controls

Exhibit C-1: Deed Notice as Institutional Control

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

The deed notice is for soil (Soil Restricted Area), located within Block 21509 Lot 2 in Jersey City, New Jersey (referred to herein as the “Property”), as depicted on **Exhibit B-1A**. The contaminant of concern at the Property is antimony. The estimated size of the Soil Restricted Area is 62,500 square feet (ft²) (1.43 acres).

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

The restrictions in this Deed Notice minimize exposure to the contaminant of concern identified above in **Exhibit C-1 (A)**, which exceeds the unrestricted use standards in the Soil Restricted Area of the Property. Through the use of this 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 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 remedial excavation of soils within the Soil Restricted Area, dense-graded aggregate (DGA) backfill material was placed at the bottom of the excavation to approximately elevation 9.0 feet in the North American Vertical Datum of 1988 (NAVD88). Following placement of DGA backfill material, a geotextile layer was installed as a demarcation layer. DGA backfill material was placed on top of the demarcation layer at a thickness of 28 inches as an engineering control (i.e., Clean Fill Soil Cap Engineering Control) to restrict access to remaining soils containing antimony at concentrations greater than unrestricted use standards. Additional DGA backfill material was placed on top of the Clean Fill Soil Cap Engineering Control and compacted to final backfill subgrades. The horizontal extent of the Clean Fill Soil Cap Engineering Control is depicted on **Exhibit B-1A**. A detail of the 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 antimony 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 antimony at concentrations greater than the unrestricted use standards.