



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CATHERINE R. MCCABE
Acting Commissioner

SHEILA Y. OLIVER
Lt. Governor

Site Remediation and Waste Management Program
Remediation Review Element
Bureau of Remedial Action Permitting
401 E. State Street
P.O. Box 420
Mail Code 401-05S
Trenton, NJ 08625-0420
Phone: (609) 984-2990

April 4, 2018

Thomas Catapano
Design & Construction Manager
NJ Economic Development Authority
36 West State Street
Trenton, NJ 08625

RE: Soil Remedial Action Permit
Site: Riverfront State Prison
Address: Delaware Ave & Elm St
City: Camden City
County: Camden
SRP Program Interest #: 015986
Soil Remedial Action Permit #: RAP180001

Dear Mr. Catapano:

Enclosed is a Soil Remedial Action Permit issued pursuant to the Site Remediation Reform Act, 58:10C-1 et seq. and the Administrative Requirements for the Remediation of Contaminated Sites at N.J.A.C. 7:26C-1 et seq. This permit becomes effective on 04/11/2018. Please note the referenced permit and program interest numbers and refer to them when corresponding with the Department.

The enclosed permit requires the permittee to conduct monitoring, maintenance and evaluation for compliance and effectiveness of the remedial action and its associated institutional control. The permit establishes all requirements necessary for demonstrating that the remedial action and control continue to be protective of public health, safety and the environment.

The Technical Requirements for Site Remediation (Technical Requirements) at N.J.A.C. 7:26E-1.8 define remediation to include a remedial action. The Technical Requirements further define remedial action such that "... A remedial action continues as long as an engineering control or an institutional control is needed to protect the public health and safety and the environment, and until all unrestricted use remediation standards are met." Therefore, a person who is implementing a remedial action that includes an engineering or institutional control is conducting remediation, and that person is required to hire a licensed site remediation professional (LSRP) pursuant to the Administrative Requirements for the Remediation of Contaminated Sites (ARRCS; see N.J.A.C. 7:26C-2.3(a) and (b)).

At all times, an LSRP is required to be retained for a case that has a Deed Notice, Classification Exception Area, Soil Remedial Action Permit, and/or Ground Water Remedial Action Permit until the remedial action(s) is no longer needed to protect the public health and safety and the environment, and until all unrestricted use remediation standards are met. The LSRP must be retained to operate, maintain, and monitor the institutional and/or engineering controls at the site, to ensure that the remedial action(s) remains protective of public health and safety and the environment, and to ensure compliance with the requirements of the Deed Notice, Classification Exception Area, Soil Remedial Action Permit, and/or the Ground Water Remedial Action Permit. This includes but is not limited to site inspections, ground water sampling, biennial submission of a Soil and/or Ground Water Remedial Action Protectiveness/Biennial Certification Form and Report, responding to any activities involving the institutional and/or engineering controls at the site, and responding to any public inquiries regarding the current status of the site. It is the responsibility of the LSRP certifying the Remedial Action Permit application to inform the Responsible Entity of the requirement regarding LSRP retention for a case that has a Soil and/or Ground Water Remedial Action Permit.

An LSRP may be retained or dismissed for a case that has an approved Soil and/or Ground Water Remedial Action Permit through the New Jersey Department of Environmental Protection online portal (www.nj.gov/dep/online/) by choosing the "LSRP Retention" or "LSRP Release" submission type selection option within the "LSRP Notification of Retention or Dismissal" service, and choosing the "Remedial Action Permit" activity in the case selection page. Please note that the Bureau of Remedial Action Permitting records the LSRP Retention for pending Remedial Action Permit Applications so there is no need to perform this function online. Also note that the LSRP Comprehensive Report (datamine2.state.nj.us/DEP_OPRA/OpraMain/categories?category=SRRA) now includes information pertaining to approved Soil and Ground Water Remedial Action Permits to which the LSRP is assigned.

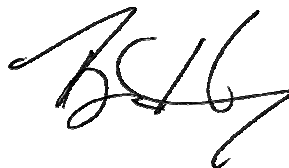
Please be aware that there are annual fees associated with this permit in accordance with N.J.A.C. 7:26C-4.6. These annual permit fees will be handled by invoicing the fee billing contact we have on record:

Thomas Carapano
Design and Construction Manager
NJ Economic Development Authority
36 West State Street
Trenton, NJ 08625
Phone: (609) 858-6651

Any changes to this contact should be brought to the Department's attention. Changes to fee billing contacts are updates and are not considered modifications to the permit.

The Department looks forward to future continued cooperation in working together to provide a healthy environment for the citizens of New Jersey and to protect its resources. Going forward, questions or comments regarding this permit should be addressed to the Bureau of Remedial Action Permitting at 609-984-2990, attention Robert Soboleski, Bureau Chief.

Sincerely,

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

William S. Hose, Assistant Director
Remediation Review Element

Enclosure

cc: City of Camden Clerk
City of Camden Department of Health & Human Services
Camden County Clerk
Camden County Department of Health & Human Services

Brian Blum, LSRP

SOIL REMEDIAL ACTION PERMIT

Deed Notice with Engineering Control

The New Jersey Department of Environmental Protection hereby grants you a Remedial Action Permit pursuant to N.J.S.A. 58:10C-1 et seq. and N.J.A.C. 7:26C-1 et seq. for the facility/activity named in this document. This permit is the regulatory mechanism used by the Department to help ensure your remedial action will be protective of human health and the environment.

This permit establishes the monitoring, maintenance, and evaluation requirements for determining the effectiveness of the deed notice's engineering control.

Site: Riverfront State Prison

<u>Facility Address:</u> Delaware Ave & Elm St Camden City, NJ 08101-9104 Camden County Block: 79 Lot: 13	<u>Program Interest#:</u> 015986 <u>Permit#:</u> RAP180001
<u>Person Responsible for Conducting the Remediation - Co-Permittee:</u> Thomas Catapano Design and Construction Manager NJ Economic Development Authority 36 West State Street Trenton City, NJ 08625-0990 Phone: (609) 858-6651 Email: tcatapano@njeda.com <div style="text-align: right;">Primary Responsibility for Permit Compliance</div>	
<u>Property Owner - Co-Permittee:</u> Thomas Catapano Design & Construction Manager NJ Economic Development Authority 36 West State Street Trenton, NJ 08625 Phone: (609) 858-6651 Email: tcatapano@njeda.com <div style="text-align: right;">Primary Responsibility for Permit Compliance</div>	

Issuance Date:
04/04/2018

Effective Date:
04/11/2018

I. Authority

The Department is issuing this permit in accordance with N.J.S.A. 58:10C-1 et seq. and N.J.A.C. 7:26C-1et seq.

II. Permit Requirements

A. MONITORING REQUIREMENTS

1. The permittee shall retain a LSRP for the Soil Remedial Action Permit until the remedial action is no longer needed to protect the public health and safety and the environment, and until all unrestricted use remediation standards are met. The LSRP must be retained to operate, maintain, and monitor the institutional and/or engineering controls at the site, to ensure that the remedial action remains protective of public health and safety and the environment, and to ensure compliance with the requirements of the Soil Remedial Action Permit. This includes but is not limited to site inspections, biennial submission of a Soil Remedial Action Protectiveness/Biennial Certification Form and Report, responding to any activities involving the institutional and/or engineering controls at the site, and responding to any public inquiries regarding the current status of the site. [N.J.A.C. 7:26C- 2.3(a and b)]
2. The permittee shall conduct monitoring and maintenance pursuant to Exhibit C of the attached Deed Notice. [N.J.A.C. 7:26C- 7.8(a)2]
3. The permittee shall conduct periodic inspections of each engineering control to determine its integrity, operability, and effectiveness. [N.J.A.C. 7:26C- 7.8(b)2]
4. The permittee shall conduct periodic inspections of any excavations or disturbances that have resulted in unacceptable exposure to the soil contamination. The permittee shall maintain a detailed maintenance and evaluation log. [N.J.A.C. 7:26C- 7.8(b)]

B. REMEDIAL ACTION PROTECTIVENESS/BIENNIAL CERTIFICATION FORM

1. Reporting Requirements

- a. The permittee shall prepare and submit to the Department a Remedial Action Protectiveness/Biennial Certification Form every two years following the anniversary of the date of the effective date of this permit. The certification shall be submitted on the required form provided by the Department. Submit a Remedial Action Protectiveness/Biennial Certification Form biennially from the effective date of this permit. [N.J.A.C. 7:26C- 7.7(a)1]

2. Evaluation Requirements

- a. The permittee shall hire a Licensed Site Remediation Professional to prepare and certify that the remedial action continues to be protective of the public health and safety and the environment. [N.J.A.C. 7:26C- 1.5(a)2]
- b. The permittee shall conduct the remediation in accordance with all applicable statutes, rules, and guidance. [N.J.A.C. 7:26C- 1.2(a)]
- c. The permittee shall provide the results of the periodic inspections required under the monitoring requirements of this permit. [N.J.A.C. 7:26C- 7.8(c)]

d. The Remedial Action Protectiveness/Biennial Certification Form shall include an evaluation of any actual or pending zoning or land use changes to determine if these changes are consistent with the use restrictions contained in the attached deed notice/declaration of environmental restriction. If the evaluation finds that the engineering/institutional controls are no longer protective of the public health and safety and the environment, the permittee shall implement appropriate remedial action to ensure that the engineering/institutional controls are protective of the public health and safety and the environment. [N.J.A.C. 7:26C- 7.8(b)1]

e. The Remedial Action Protectiveness/Biennial Certification Form shall include a comparison of the laws, Remediation Standards, and other regulations applicable at the time the engineering or institutional control was established with any relevant subsequently promulgated or modified laws or regulations to determine whether the engineering or institutional control remains protective. The results shall be provided in table format, comparing of applicable laws, regulations, and standards. [N.J.A.C. 7:26C- 7.8(b)3]

C. FINANCIAL ASSURANCE REQUIREMENTS

1. Government Entity

a. The person responsible for the remediation and the property owner(s) certified that the permittees are a government entity exempted from establishing financial assurance pursuant to N.J.S.A. 58:10C19.c(2). [N.J.A.C. 7:26C- 7.10(c)1]

D. FEES

1. For each year hereafter on the anniversary of the effective date of this permit, the Department shall invoice the permittees the amount of the annual Remedial Action Permit Fee. [N.J.A.C. 7:26C- 4.6]

E. PERMIT TRANSFERS

1. The permittee shall, at least 60 days prior to the sale or transfer of the property, or transfer of the operation of the property, or termination of a lease, submit a Remedial Action Permit Transfer/Change of Ownership Application and pay the permit transfer fee to the Department. [N.J.A.C. 7:26C- 7.11(b)]

F. PERMIT MODIFICATIONS

1. Soil Permit Modifications

a. The permittee shall apply to have the Department modify a Remedial Action Permit within 30 days after a statement that the permittee has completed a protectiveness evaluation required in its permit and has determined that the remedial action is not adequately protective of the public health and safety and of the environment, and stating the reasons for coming to this conclusion. [N.J.A.C. 7:26C- 7.12(b)1]

b. The permittee shall apply to have the Department modify a Remedial Action Permit within 30 days after any person proposes to change the engineering controls applicable to the site, as described in the deed notice filed for the property. [N.J.A.C. 7:26C- 7.12(b)3]

c. The permittee shall apply to have the Department modify a Remedial Action Permit within 30 days after the person responsible for conducting the remediation modifies the remedial action. [N.J.A.C. 7:26C- 7.12(b)4]

d. The permittee shall apply to have the Department modify a Remedial Action Permit within 30 days after the permittee changes its address. [N.J.A.C. 7:26C- 7.12(b)6]

G. PERMIT TERMINATIONS

1. A request for a permit termination can be filed by submitting a Remedial Action Permit Application to terminate the permit to the Department when the remedial action meets all applicable remediation standards without the need for the Remedial Action Permit and the remedial action is protective of the public health and safety and of the environment without the presence of the Remedial Action Permit. [N.J.A.C. 7:26C- 7.13]

H. FORM SUBMITTAL

1. Any forms, applications or documents required by this chapter that can be submitted in an electronic format shall be submitted electronically 90 days after the date that the Department informs the public in the New Jersey Register that the relevant electronic application is functional. [N.J.A.C. 7:26C- 1.6(c)]
2. All submissions required pursuant to this permit shall be made on forms approved and available from the Department. These forms and instructions for completing these forms can be found at <http://www.nj.gov/dep/srp/srra/forms>. [N.J.A.C. 7:26C- 1.6]

I. RESTRICTED LAND USES

1. Contaminated sites remediated to non-residential soil remediation standards that require the maintenance of engineering and/or institutional controls cannot be converted to a child care facility, public, private or charter school without the Department's prior approval, unless a presumptive remedy is implemented pursuant to the Presumptive Remedies for Soil Contamination at Schools, Child Care Centers, and Residences. [N.J.A.C. 7:26E- 5.3]

III. Permit Schedule

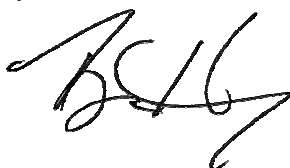
Permit Effective Date: 04/11/2018	
Submission Requirement	Due Date
Submit a Remedial Action Protectiveness/Biennial Certification Form	04/11/2020
Submit a Remedial Action Protectiveness/Biennial Certification Form	04/11/2022
Submit a Remedial Action Protectiveness/Biennial Certification Form	04/11/2024
Submit a Remedial Action Protectiveness/Biennial Certification Form	04/11/2026
Submit a Remedial Action Protectiveness/Biennial Certification Form	04/11/2028
Submit a Remedial Action Protectiveness/Biennial Certification Form	04/11/2030
Submit a Remedial Action Protectiveness/Biennial Certification Form	04/11/2032
Submit a Remedial Action Protectiveness/Biennial Certification Form	04/11/2034
Submit a Remedial Action Protectiveness/Biennial Certification Form	04/11/2036
Submit a Remedial Action Protectiveness/Biennial Certification Form	04/11/2038
Submit a Remedial Action Protectiveness/Biennial Certification Form	04/11/2040

Submit a Remedial Action Protectiveness/Biennial Certification Form	04/11/2042
Submit a Remedial Action Protectiveness/Biennial Certification Form	04/11/2044
Submit a Remedial Action Protectiveness/Biennial Certification Form	04/11/2046
Submit a Remedial Action Protectiveness/Biennial Certification Form	04/11/2048

Note: Remedial Action Protectiveness/Biennial Certification Forms are required to be submitted according to the schedule, and shall continue to be submitted until the Permit is terminated or modified.

Your Soil Remedial Action Permit under Administrative Requirements for the Remediation of Contaminated Sites, N.J.A.C. 7:26C-1 et seq. has been approved by the New Jersey Department of Environmental Protection.

Sincerely,



William S. Hose, Assistant Director
Remediation Review Element

Date: April 4, 2018

IV. Attachments:

A. Deed Notice

Deed Notice ID: DER1409667

Filed Deed Notice in the Camden County Clerk's Office


Book Number the Deed Notice is filed in: 10798

Page Numbers: 27

Date Filed: 01/09/2018

Block: 79 Lot: 13

CAMDEN COUNTY, NJ
 CAMDEN COUNTY CLERK'S OFFICE
 D NOTICE-OR BOOK 10798/1083
 RECORDED 01/09/2018 12:19:00
 FILE NUMBER 2018001514
 RCPT #: 19822791 REC'D BY: EF90
 RECORDING FEES \$303.00
 MARGINAL NOTATION \$0.00
 TOTAL TAX \$0.00

 Camden County Document Summary Sheet					
CAMDEN COUNTY CLERK 520 MARKET ST CAMDEN NJ 08102		Return Name and Address Candace Baker Langan Engineering & Environmental Services 300 Kimball Drive Parsippany, NJ 07054			
Official Use Only					
Submitting Company		Langan Engineering & Environmental Services			
Document Date (mm/dd/yyyy)		12/11/2017			
Document Type		Deed Notice			
No. of Pages of the Original Signed Document (Including the cover sheet)		27			
Consideration Amount (If applicable)					
First Party <i>(Grantor or Mortgagor or Assignor)</i> <i>(Enter up to five names)</i>	Name(s)	<i>(Last Name First Name Middle Initial Suffix) (or Company Name as written)</i>		Address (Optional)	
	Sullivan, Donna Vice President New Jersey Economic Development Authority As Agent on Behalf of the State of New Jersey, Department of Treasury		36 West State Street P.O. Box 900 Trenton, NJ 08625-0990		
Second Party <i>(Grantee or Mortgagee or Assignee)</i> <i>(Enter up to five names)</i>	Name(s)	<i>(Last Name First Name Middle Initial Suffix) (or Company Name as written)</i>		Address (Optional)	
Parcel Information <i>(Enter up to three entries)</i>	Municipality	Block	Lot	Qualifier	Property Address
	Camden	79	13		
Reference Information <i>(Enter up to three entries)</i>	Book Type	Book	Beginning Page	Instrument No.	Recorded/File Date
*DO NOT REMOVE THIS PAGE. DOCUMENT SUMMARY SHEET (COVER SHEET) IS PART OF CAMDEN COUNTY FILING RECORD. RETAIN THIS PAGE FOR FUTURE REFERENCE.					

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: Candace H. Baker
Candace Baker

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

[Print name below signature]

DEED NOTICE

This Deed Notice is made as of the 11 day of Dec, 2017, by The New Jersey Economic Development Authority, 36 West State Street, P.O. Box 990, Trenton, NJ 08625-0990 (together with his/her/its/their successors and assigns, collectively "Owner").

1. THE PROPERTY. The State of New Jersey, Department of Treasury, 605 South Broad Street, Trenton, NJ 08611 is the owner in fee simple of certain real property designated as Block 79 Lot 13, on the tax map of the City of Camden, Camden County; the New Jersey Department of Environmental Protection Program Interest Number (Preferred ID) for the contaminated site which includes this property is 015986; and the property is more particularly described in Exhibit A, which is attached hereto and made a part hereof (the "Property").

2. REMEDIATION.

i. Brian A. Blum, License No. 573990, 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. The State of New Jersey, Department of Treasury has remediated contaminated soil at the Property, such that soil contamination remains in certain areas of the Property that contains contaminants in concentrations that do not allow for the unrestricted use of the Property; this soil contamination is described, including the type, concentration and specific location of such contaminants, in Exhibit B, which 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, lessees and operators of the restrictions and the monitoring, maintenance, and biennial certification requirements outlined in this Deed Notice and required by law, as set forth herein.

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

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

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

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

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

6A. **CHANGE IN OWNERSHIP AND REZONING.**

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

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

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

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

7A. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

i. The Owner and all subsequent owners and lessees shall notify any person, including, without limitation, tenants, employees of tenants, and contractors, intending to conduct invasive work or excavate within the Restricted Areas, of the nature and location of contamination in the Restricted Areas, 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 obtaining a soil remedial action permit modification pursuant to N.J.A.C. 7:26C-7. Nothing herein shall constitute a waiver of the obligation of any person to comply with all applicable laws and regulations including, without limitation, the applicable rules of the Occupational Safety and Health Administration.

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

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

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

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

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

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

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

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

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

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

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

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

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

8. TERMINATION OF DEED NOTICE.

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

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

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

10. ENFORCEMENT OF VIOLATIONS.

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

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

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

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

i. Exhibit A-1: Vicinity Map - A map that identifies by name the roads, and other important geographical features in the vicinity of the Property (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 sediment sample locations within the restricted areas that exceed any soil or sediment standard that are keyed into one of the tables described in the following paragraph.

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

(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.

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

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

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

(C) The objective of the restrictions.

ii. Exhibit C-2: Engineered Cap: Exhibit C-2 includes a narrative description of the engineered cap as follows:

(A) Description of the engineering control;

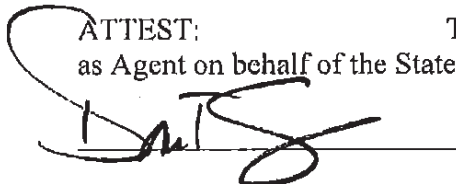
(B) The objective of the engineering control; and

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

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


ATTEST:

The New Jersey Economic Development Authority (NJEDA)
as Agent on behalf of the State of New Jersey, Department of Treasury



Donna Sullivan
Vice President, NJEDA

By



Thomas Catapano
Design and Construction Manager, NJEDA

STATE OF NEW JERSEY SS.:
COUNTY OF CAMDEN

I certify that on Dec. 11, 2017, Thomas Catapano personally came before me, and this person acknowledged under oath, to my satisfaction, that:

(a) this person is the Design and Construction Manager of The New Jersey Economic Development Authority, acting as Agent on behalf of the State of New Jersey, Department of Treasury, 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 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]

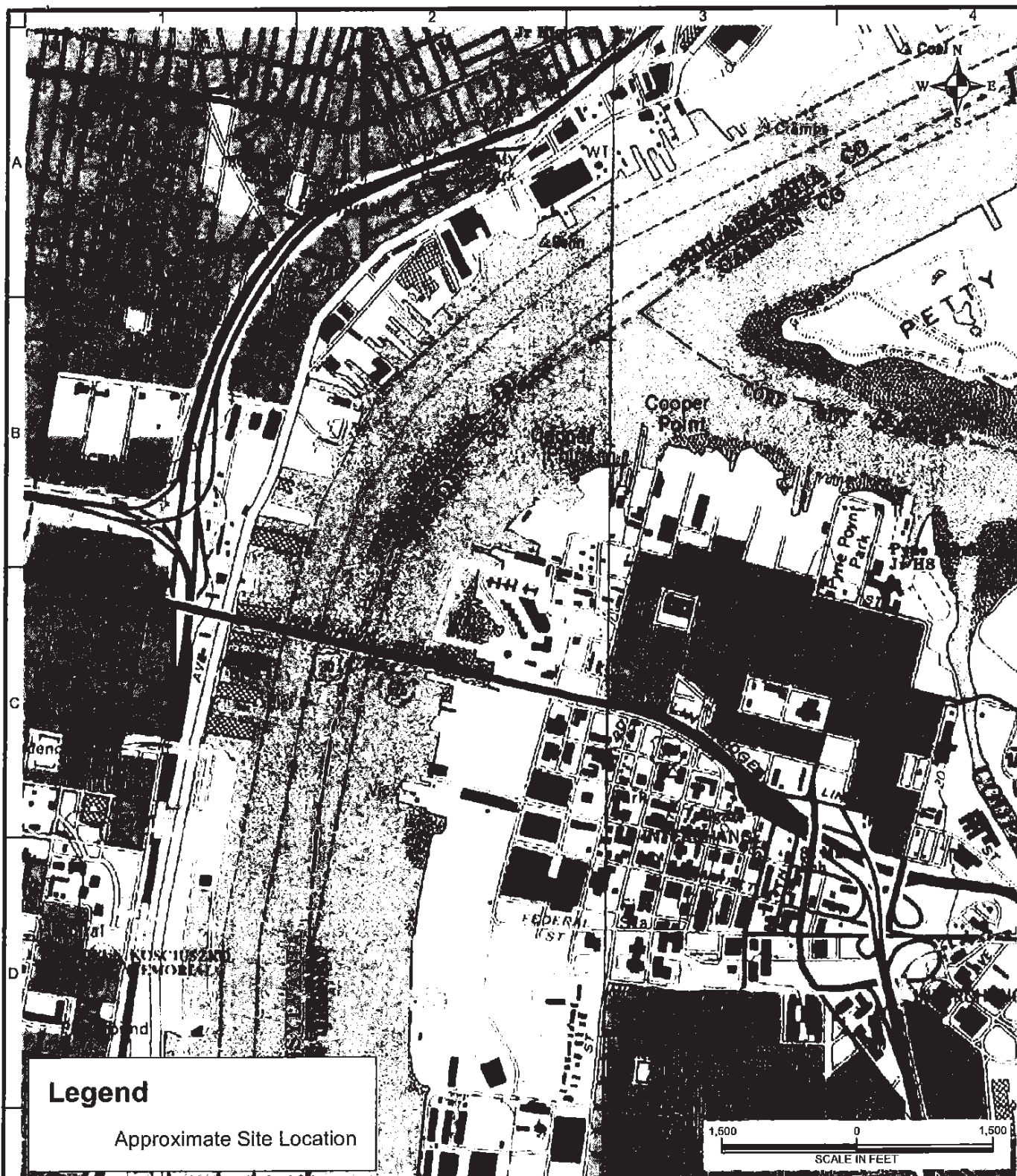
Thomas Catapano
Design and Construction Manager, NJEDA

Signed and sworn before me on 12/11, 2017


_____, Notary Public

[Print name and title]
Cathleen A. Hamilton
A Notary Public of New Jersey
My Commission Expires on August 1, 2019

Exhibit A-1: Vicinity Map



LANGAN

River Drive Center 1, 619 River Drive
 Elmwood Park, NJ 07407-1338
 T: 201.794.6900 F: 201.794.0368 www.langan.com

Langan Engineering & Environmental Services, Inc.
 Langan Engineering, Environmental, Surveying and
 Landscape Architecture, D.P.C.
 Langan International LLC
 Collectively known as Langan

NJ CERTIFICATE OF AUTHORIZATION No. 24GA27986400

Project

**FORMER
 RIVERFRONT
 STATE PRISON**

BLOCK 79, LOTS 2.02, 7, 8, 10, 13

CITY OF CAMDEN

CAMDEN COUNTY NEW JERSEY

Drawing Title

VICINITY MAP

PI # - 015986

Project No.

100120204

Date

10/11/2017

Scale

1" = 1,500'

Drawn By

KW

Figure

A-1

Exhibit A-2: Metes and Bounds Description

7 November 2017
100120206

**WRITTEN DESCRIPTION
BLOCK 79 LOT 13
IN THE CITY OF CAMDEN
CAMDEN COUNTY, NEW JERSEY**

Beginning at a point in the westerly sideline of Delaware Avenue (60 feet wide) where the same is intersected by the southerly sideline of State Street (60 feet wide), and running; thence

1. Along said westerly sideline of Delaware Avenue, South 14°26'12" West, a distance of 610.00 feet to a point where the same is intersected by the northerly sideline of Elm Street (60 feet wide); thence
2. Along said northerly sideline, North 75°25'56" West, a distance of 482.00 feet to a point; thence
3. Along Block 79 Lot 2.02, lands n/f City of Camden, North 14°34'04" East, a distance of 85.00 feet to a point; thence
4. Continuing along said Lot 2.02, North 75°25'56" West, a distance of 215.00 feet to a point; thence
5. Continuing along said Lot 2.02, South 83°31'49" West, a distance of 83.57 feet to a point; thence
6. Continuing along said Lot 2.02, South 14°34'04" West, a distance of 115.00 feet to a point in the northerly line of Block 79 Lot 3, lands n/f F.W. Winters, Inc.; thence
7. Along said northerly line, North 75°25'56" West, a distance of 280 feet more or less to a point in the Bulkhead Line as adopted September 21, 1916 by the Board of Commerce and Navigation; thence
8. Along said Bulkhead Line, northerly a distance of 888 feet more or less to a point in the southerly line of Block 79 Lot 10, lands n/f M.P. Howlett, Inc.; thence
9. Along said southerly line, South 75°28'25" East, a distance of 167 feet more or less to an angle point in the same; thence
10. Continuing along the same, South 71°57'45" East, a distance of 615.95 feet to a point in the westerly sideline of Beach Street; thence
11. Along said westerly sideline, South 05°46'00" West, a distance of 223.35 feet to the intersection of the said westerly sideline of Beach Street and the said southerly sideline of State Street; thence
12. Along said southerly sideline, South 83°26'25" East, a distance of 298.52 feet to the POINT AND PLACE OF BEGINNING.

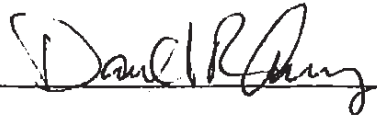
Encompassing an area of 803,000 square feet or 18.4 acres, more or less.

This description is prepared in accordance with a map entitled, "Existing Conditions Plan, Delaware Avenue & State Street, City of Camden, Camden County, New Jersey", dated October 22, 2013, prepared by Engel Land Surveying and is intended to describe all of lands

Written Description
Block 79 Lot 13
City of Camden
Camden County, New Jersey

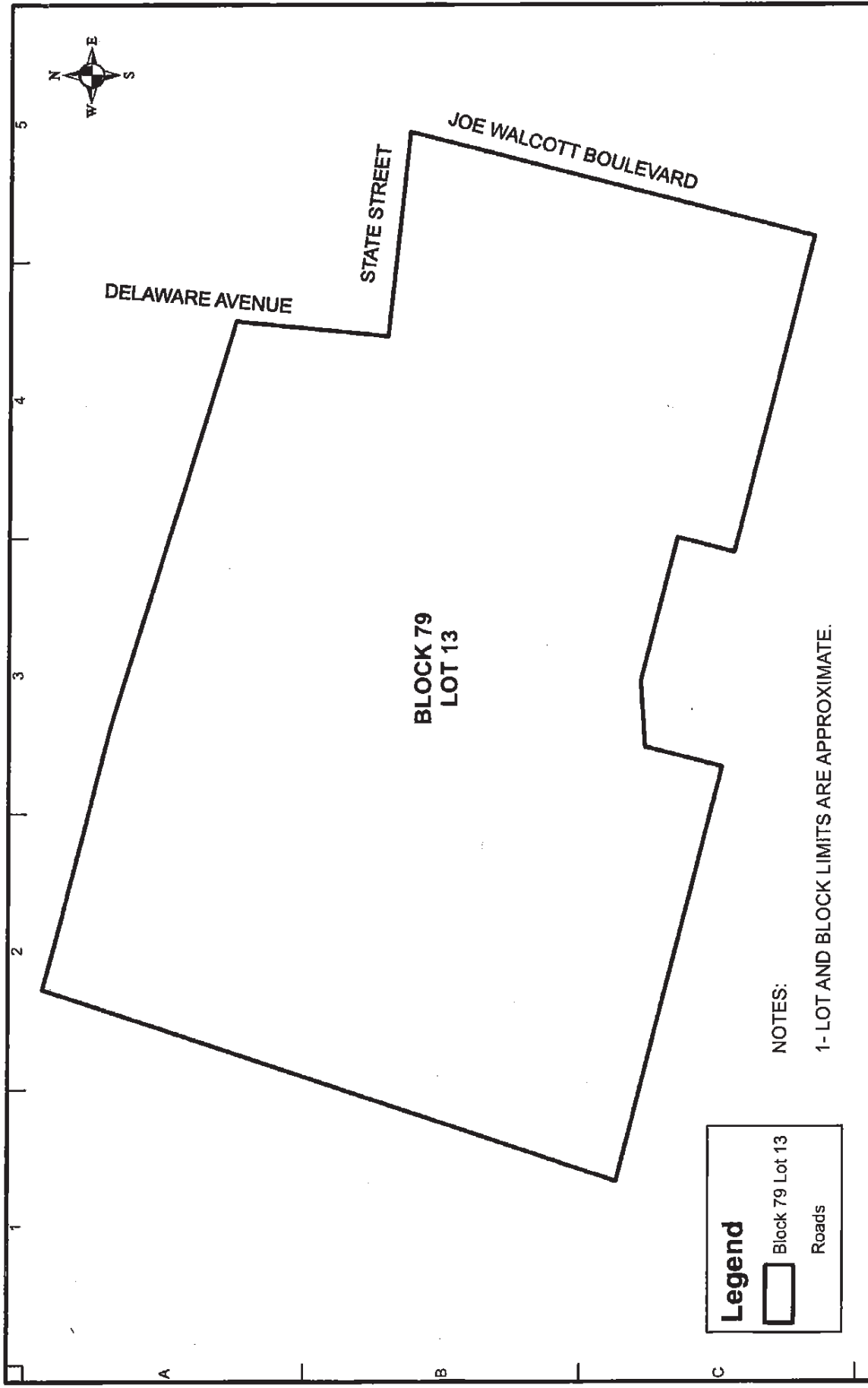
100120206
Page 2 of 2

conveyed to the State of New Jersey, Department of the Treasury, by the following deeds:
Deed Book 3812 Page 732; Deed Book 3815 Page 249; Deed Book 4032 Page 714; Deed Book
4350 Page 450; and Deed Book 4385 Page 8.


 11/7/17
David R. Avery
Professional Land Surveyor
New Jersey License No. 24GS03964600


\\langan.com\data\PAR\data2\100120206\Survey Data - 100120206\Office Data\Descriptions\Block 79 Lot 13 Written Description 2017-10-27.docx

LANGAN



Legend

 Block 79 Lot 13

 Roads

NOTES:
1- LOT AND BLOCK LIMITS ARE APPROXIMATE.

LANGAN 300 Kimball Drive Parsippany, NJ 07054 T: 973.560.4800 F: 973.560.4901 www.langan.com Langan Engineering & Environmental Services, Inc. Langan Engineering, Surveying and Landscape Architecture, P.C. Langan International LLC Collectively known as Langan		Project FORMER RIVER FRONT STATE PRISON BLOCK No. 79, LOT No. 13 CAMDEN	Drawing Title TAX MAP Pl # - 015986	Project No. 100120204	Figure A-2
NJ CERTIFICATE OF AUTHORIZATION No. 246A27998400 Path: \ungan.com\data\PARdata\100120204\ArcGISWebMap_Documental\Bced Notice Exhibit\A-2 - Metes and Boundaries Description.mxd		Date 10/20/2017	Scale 1" = 200'	Drawn By KW	Submission Date
Sheet # of ##		User: KWARREN Time: 11:11:43 AM			

Exhibit A-3: Property Map



Legend

☐ Block 79 Lot 13

☐ On Site Roadway

☐ Parking Lot



LANGAN

300 Kimball Drive
Parsippany, NJ 07054
T: 973.560.4900 F: 973.560.4301 www.langan.com

Langan Engineering & Environmental Services, Inc.
Langan Engineering, Environmental, Surveying and
Landscape Architecture, O.P.C.
Langan International LLC
Collectively known as Langan

NJ CERTIFICATE OF AUTHORIZATION No. 246A2799400

Project

**FORMER RIVER
FRONT STATE
PRISON**

BLOCK No. 79, LOT No. 13
CAMDEN

CAMDEN COUNTY NEW JERSEY

Drawing Title

PROPERTY MAP

PI # - 015986

Figure

A-3







Project No. 100120206
Date 10/23/2017
Scale 1" = 200'
Drawn By KW
Submission Date

Sheet ## of ##

Exhibit B-1-1: Restricted Area Map



LEGEND:

-  CAP - DEMARCATION FABRIC AND 1-FOOT OF CLEAN FILL
-  CAP - PAVED ASPHALT
-  CAP - CONCRETE PAVED
-  CAP - 4-INCHES OF CRUSHED STONE AND 1.5-FEET OF CRUSHED CONCRETE
-  CAP - 2-FEET OF CLEAN FILL
-  CEA BOUNDARY

NOTES:

1. CAP LOCATION TAKEN FROM DRAWING TITLED "FOOTER POINT PROJECT, FINAL TOPOGRAPHICAL SURVEY BY CORLEND SURVEYING, INC. DATED 02/06/2017."
2. THE DEPTH OF THE CLEAN FILL CAP LOCATED BETWEEN ASPHALT PAVED WALKWAY AND THE DEMARCATION FABRIC MAY VARY.
3. CAP LOCATION TAKEN FROM 2017 DIGITAL GLOBE © 2017 DISTRIBUTION AIRBUS DS © 2017 MICROSOFT CORPORATION.
4. CAP DETAILS ARE NOT SHOWN TO SCALE



LANGAN

300 Kimball Drive
 Parsippany, NJ 07054
 T: 973.560.4900 F: 973.560.4901 www.langan.com
 Langan Engineering, Environmental, Surveying and
 Technology, Inc. is a leading provider of
 Langan Engineering, Environmental, Surveying and
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LANGAN ENGINEERING, ENVIRONMENTAL, SURVEYING AND
 TECHNOLOGY, INC. IS A LEADING PROVIDER OF
 LANGAN ENGINEERING, ENVIRONMENTAL, SURVEYING AND
 TECHNOLOGY, INC. IS A LEADING PROVIDER OF

Project

**FORMER RIVER
 FRONT STATE
 PRISON**
 BLOCK No. 79, LOT No.13
 CAMDEN

CAMDEN COUNTY NEW JERSEY

Drawing Title

**RESTRICTED
 AREA MAP**
 PI # - 015986

Project No.

100120206

Drawing No.

B-1-1

Date
 10/11/2017

Scale
 1" = 200'

Drawn By
 K/W

Checked By
 CB

Submission Date

Sheet
 of

Exhibit B-1-2: Restricted Area Cap Details

Exhibit B-2: Restricted Area Data Table

Exhibit B-2
Restricted Area Data

Historic fill extends over a portion of the Former River Front State Prison Site situated on Block 79, Lot 13, in the City of Camden, Camden County, New Jersey. Analytical data related to the historic fill does not exist. The fill material consists of soil containing brick, ash, cinders, asphalt, and wood. The material may include, but is not limited to, contaminants such as polynuclear aromatic hydrocarbons and metals.

Exhibit C-1: Deed Notice as Institutional Control

Exhibit C-1
Deed Notice as Institutional Control

The Former River Front State Prison is situated on Block 79, Lot 13, in the City of Camden, Camden County, New Jersey. As depicted on Exhibit B-1, the Restricted Area encompasses approximately 658,632 square feet (15 acres) of the Parcel. The Restricted Area ranges in depth from 1 to 10 feet below grade. These depths correspond to approximate elevations of approximately 11 feet above mean sea level (msl) to 1 foot above msl based on NAVD 1988. Engineering controls are associated with this deed notice as described in Exhibit C-2.

In accordance with N.J.A.C. 7:26C-7, monitoring of this Notice and preparation of the biennial certifications shall be conducted in accordance with the NJDEP soil remedial action permit by the persons responsible for conducting the remedial action, the owner of the site at the time of the remedial action, or any owner, lessee, or operator of the Site. Monitoring shall consist of identification and evaluation of zoning or land use changes, yearly inspection, an evaluation of laws, regulations, and remediation standards, and development of a monitoring log. Documentation of the monitoring activities shall be provided in the biennial certification.

Exhibit C-2: Engineered Cap

Exhibit C-2
Engineered Cap as Engineering Control

The Restricted Area located within the Former River Front State Prison is capped with the following:

- Demarcation fabric underlying foot of clean fill;
- Paved asphalt underlain by sub-base (at least 12 inches total cover);
- Paved concrete underlain by sub-base (at least 10 inches total cover);
- Four inches of crushed stone underlain by 1.5-feet of crushed concrete; or,
- Two feet of clean fill.

This surface cover (i.e. cap) shall be maintained over the underlying contaminated soils in the Restricted Area at all times. This cap prevents direct contact with underlying soils that contain historic fill contaminants. No excavating or other intrusive work is permitted within the cap or underlying soils without following the requirements of this Notice and soil remedial action permit.

In accordance with N.J.A.C. 7:26C-7, monitoring of this engineering control and preparation of biennial certifications shall be conducted by the persons responsible for conducting the remedial action, the owner of the site at the time of the remedial action, or any owner, lessee, or operator of the site. In accordance with N.J.A.C. 7:26C-7, monitoring shall consist of the following; periodic inspections (a minimum of once per year); an evaluation of laws, regulations, and remedial standards; and development of a monitoring log. Documentation of the monitoring activities shall be provided in the biennial certification.