



**Cape May County
Document Summary Sheet**



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NJ 08210-5000

Return Name and Address
Richard J. Conway, Jr., Esq.
Schenck, Price, Smith & King LLP
220 Park Avenue
PO Box 991
Florham Park NJ 07932

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Submitting Company		JCP&L			
Document Date (mm/dd/yyyy)		04/09/2021			
Document Type		Deed Notice			
No. of Pages of the Original Signed Document (including the cover sheet)		23			
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)</i> <i>(or Company Name as written)</i>	Address (Optional)			
	Jersey Central Power & Light Company				
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)</i> <i>(or Company Name as written)</i>	Address (Optional)			
Parcel Information <i>(Enter up to three entries)</i>	Municipality	Block	Lot	Qualifier	Property Address
	Sea Isle City	40.04	20		220 40th Street Sea Isle City NJ
Reference Information <i>(Enter up to three entries)</i>	Book Type	Book	Beginning Page	Instrument No.	Recorded/File Date
	Deeds	3521	231		12/26/2012

***DO NOT REMOVE THIS PAGE.**
COVER SHEET [DOCUMENT SUMMARY FORM] IS PART OF CAPE MAY COUNTY FILING RECORD.
RETAIN THIS PAGE FOR FUTURE REFERENCE.

8

Return Address:
Schenck, Price, Smith & King, LLP
Attn: Richard J. Conway, Jr.
220 Park Avenue, P.O. Box 991
Florham Park, NJ 07932

Instrument Number

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]

Richard J. Conway Jr., Esq., Schenck, Price, Smith & King LLP
[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 9th day of April, 2021, by **Jersey Central Power & Light Company, 300 Madison Avenue, P.O. Box 1911, Morristown, New Jersey 07962** (together with his/her/its/their successors and assigns, collectively "Owner").

1. THE PROPERTY. **Jersey Central Power & Light Company, located at 300 Madison Avenue, P.O. Box 1911, Morristown, New Jersey 07962** is the owner in fee simple of certain real property designated as **Block 40.04 Lot 20**, on the tax map of the City of Sea Isle City, Cape May County; the New Jersey Department of Environmental Protection Program Interest Number (Preferred ID) for the contaminated site which includes this property is **G000006130**; and the property is more particularly described in Exhibit A, which is attached hereto and made a part hereof (the "Property").

2. REMEDIATION.

i. **Robert P. Blauvelt, LSRP License No. 575013** 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. Jersey Central Power & Light Company 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 County Clerk of Cape May 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 well 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: Soil Cover: Exhibit C-2 includes a narrative description of the clean soil cover and concrete improvements 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:

Jersey Central Power & Light Company
A corporation of the State of New Jersey

By [Signature]
Daniel M. Dunlap
Corporate Secretary

By [Signature]
William R. Beach
Director, Real Estate for FirstEnergy Service Company
on behalf of Jersey Central Power & Light Company

STATE OF Pennsylvania
COUNTY OF Westmoreland

SS.:

I certify that on April 9, 2021, Daniel M. Dunlap personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Corporate Secretary of Jersey Central Power & Light Company, 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 Director, Real Estate, for FirstEnergy Service Company on behalf of Jersey Central Power & Light Company, an authorized officer 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]
[Signature]
Daniel M. Dunlap, Corporate Secretary

Signed and sworn before me on April 9, 2021

[Signature], Notary Public

Commonwealth of Pennsylvania - Notary Seal Brad R. Gillott, Notary Public [Print name] Westmoreland County My commission expires February 11, 2023 Commission number 1196829 Member, Pennsylvania Association of Notaries
--

W. R. Gill

W. R. Gill

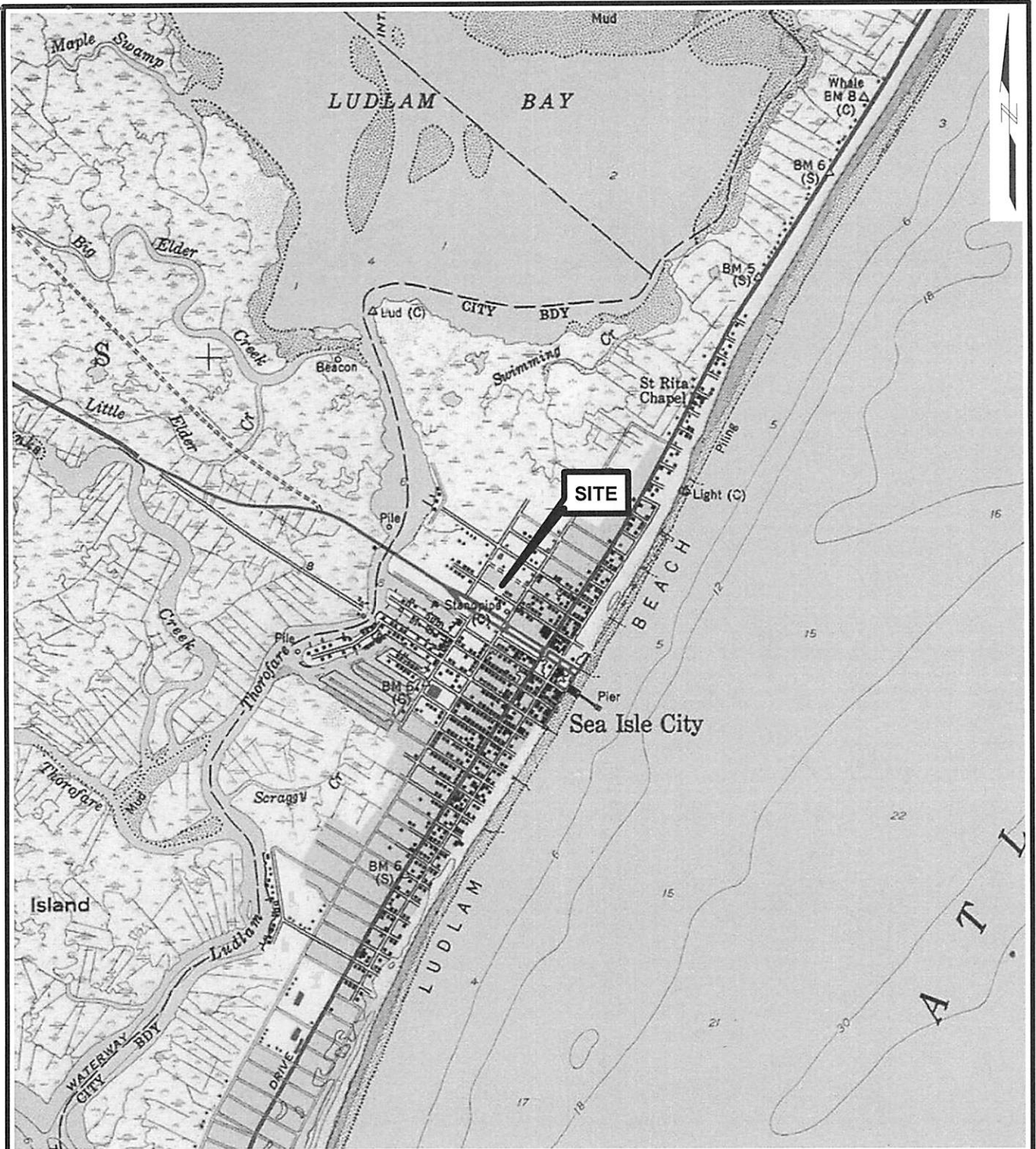
Notary Public

April 9 1982

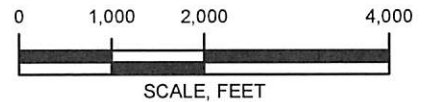
W. R. Gill

April 9 1982

Member, Pennsylvania Association of Notaries
Commission number 119829
My commission expires February 11, 2023
Westmoreland County
Brad R. Gillott, Notary Public
Commonwealth of Pennsylvania - Notary Seal



SOURCE:
 1. USGS TOPOGRAPHIC MAP ACCESSED VIA ARCGIS ONLINE SERVICES.



Deed Notice - 220 40th Street
 Sea Isle City Former MGP
 Sea Isle City, New Jersey
 SRP PI # G000006130

Current Owner
 Jersey Central Power & Light Company
 Morristown, New Jersey



Project 1610583

VICINITY MAP
 SEA ISLE CITY TAX
 BLOCK 40.04 LOT 20
 220 40TH STREET
 SEA ISLE CITY, NJ

December 2020 Exhibit A-1



PROPERTY DESCRIPTION
TAX LOT 20, BLOCK 40.04
CITY OF SEA ISLE CITY
CAPE MAY COUNTY, NEW JERSEY

ALL THAT CERTAIN tract or parcel of land situate in the city of Sea Isle City, County of Cape May and State of New Jersey, bounded and described as follows:

BEGINNING at a point for a corner in the southerly line of 40th Street (60' wide) at the division line between tax lots 20 and 21, Block 40.04, said beginning point having New Jersey State Plane Coordinate System (NAD '83) grid values of N 118,134.70 feet, E 437,299.38 feet; thence

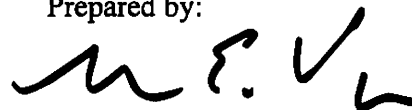
1. South 32° 44' 19" West, along said division line between tax lots 20 and 21, block 40.04, a distance of 110.00 feet to a point for a corner in the division line between tax lots 8, 9, 20 and 21, block 40.04; thence
2. North 57° 15' 41" West, along the division line between tax lots 8 and 20, block 40.04, a distance of 50.00 feet to a point for a corner in the division line between tax lots 8, 14, 20 and 28, block 40.04; thence
3. North 32° 44' 19" East, along the division line between tax lots 20 and 28, block 40.04, a distance of 110.00 feet to a point for a corner in the southerly line of 40th Street; thence
4. South 57° 15' 41" East, along said southerly line of 40th Street, a distance of 50.00 feet to the point and place of **BEGINNING**.

CONTAINING within said bounds 5,500 Square Feet (0.126 acres), more or less.

This description is prepared in accordance with a map entitled "Map of Survey, Tax Lot 20, Block 40.04, City of Sea Isle City, Cape May County, New Jersey", prepared by Vargo Associates, dated December 19, 2019, and noted thereon as project number 02219-20.

December 19, 2019

Prepared by:



Robert E. Vargo
Professional Land Surveyor
NJ License #GS 43261



**DEED RESTRICTION
PART OF TAX LOT 20, BLOCK 40.04
SEA ISLE CITY, CAPE MAY COUNTY, NEW JERSEY**

ALL THAT CERTAIN tract or parcel of land and premise, situate in the City of Sea Isle City, County of Cape May and State of New Jersey, bounded and described as follows:

BEGINNING at a point in the southerly line of 40th Street (60 feet wide), said point being in the division line between tax lots 20 & 21, block 40.04, said beginning point having New Jersey State Plane Coordinate System (NAD '83) grid values of N 118,134.70 feet, E 437,299.38 feet; thence:

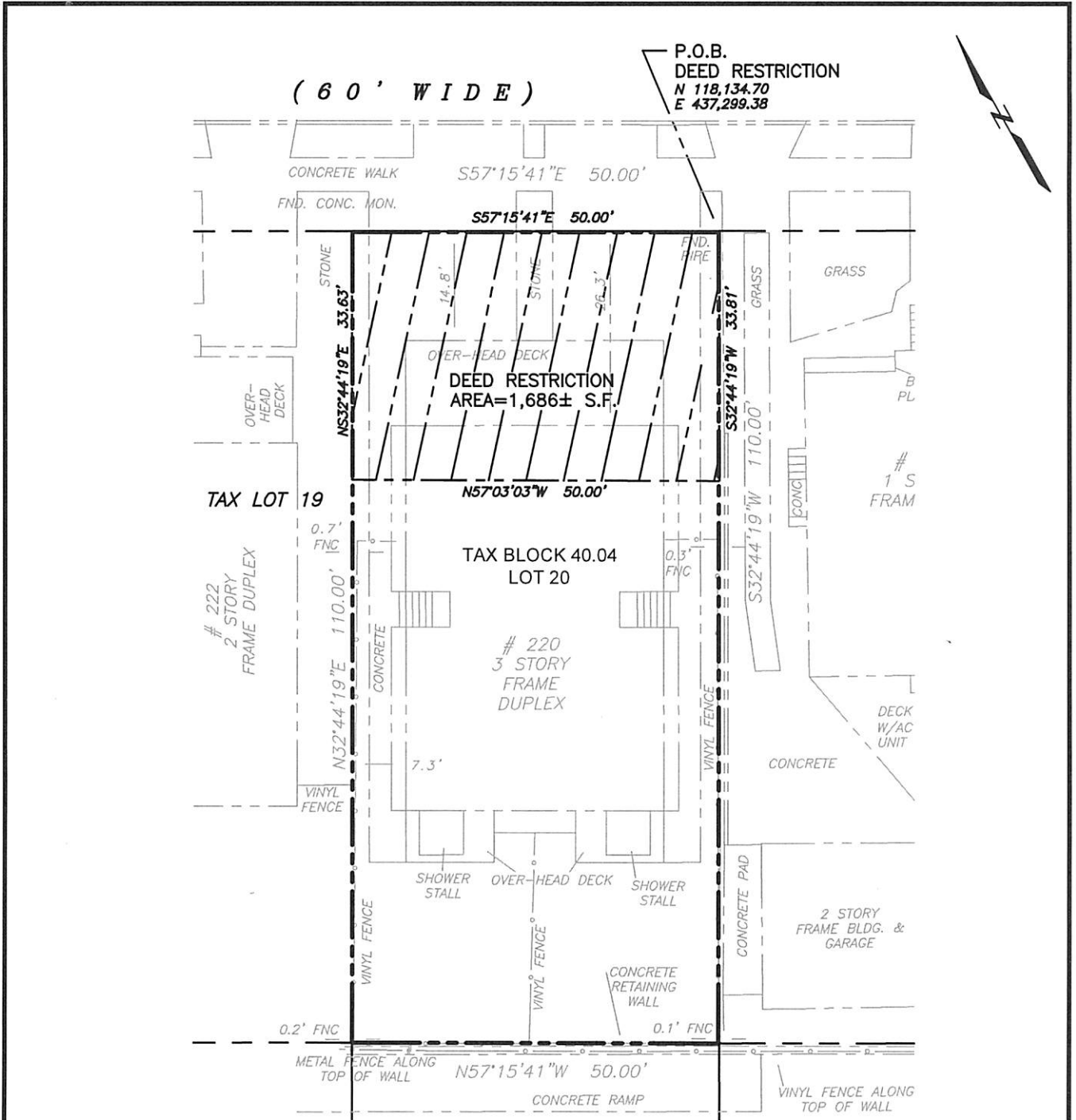
1. South 32°44'19" West, along said division line, a distance of 33.81 feet to a point in the same; thence
2. North 57°03'03" West, passing through tax lot 20, block 40.04, a distance of 50.00 feet to a point in the division line between tax lots 20 and 19, block 40.04; thence
3. North 32°44'19" East, a distance of 33.63 feet to a point in the southerly line of 40th Street; thence
4. South 57°15'41" East, along said line of 40th Street, a distance of 50.00 feet to the point and place of **BEGINNING**.

CONTAINING within said bounds 1,686 square feet, more or less.

December 9, 2020

Prepared by:

Robert E. Vargo
Professional Land Surveyor
N.J. License #43261

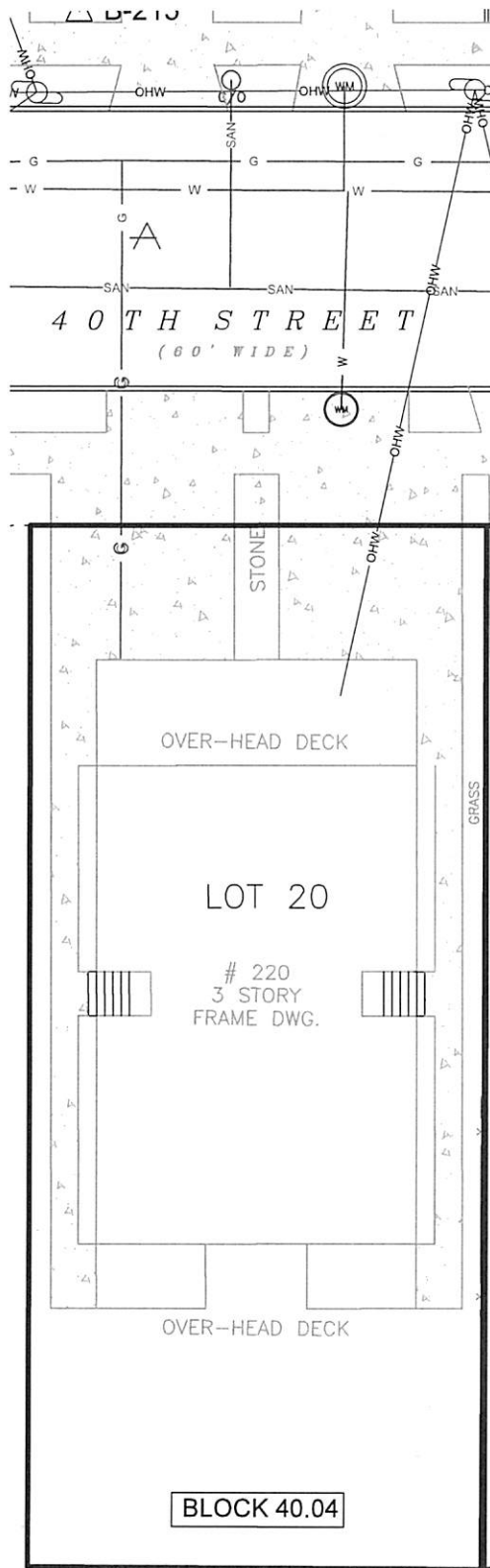


NOTES:

1. BASE MAP OBTAINED FROM SURVEY OF PLAN OF DEED RESTRICTION TAX LOT 20, BLOCK 40.04, SEA ISLE CITY, CAPE MAY COUNTY, NEW JERSEY, PREPARED BY ROBERT E. VARGO, P.L.S., VARGO ASSOCIATES, INC., NEW JERSEY, N.J. LAND SURVEYOR LIC. NO. GS 43261, SCALE: 1" = 20', DATED DECEMBER 2, 2020.



Deed Notice - 220 40th Street Sea Isle City Former MGP Site Sea Isle City, New Jersey SRP PI# G000006130	<p>GEI Consultants</p>	PROPERTY MAP SEA ISLE CITY TAX BLOCK 40.04 LOT 20 220 40TH STREET SEA ISLE CITY, NJ
Jersey Central Power & Light Company Morristown, New Jersey	Project 1610583	December 2020 Exhibit A-2.2



- LEGEND:**
- BUILDING
 - PROPERTY
 - PROPERTY LINE
 - CONCRETE CURB
 - CONCRETE WALK
 - GAS LINE
 - SANITARY SEWER LINE
 - OVERHEADLINE
 - WATER METER LINE

- NOTES:**
1. BASE MAP OBTAINED FROM SURVEY OF TAX LOT 20 BLOCK 40.04, SEA ISLE CITY, NEW JERSEY, PREPARED BY ROBERT E. VARGO, L.S., VARGO ASSOCIATES, INC., NEW JERSEY, N.J. LAND SURVEYOR LIC. NO. 43261. SCALE: 1" = 30', DATED DECEMBER 19, 2019
 2. HORIZONTAL DATUM IS N.A.D. 1983 AND VERTICAL DATUM IS N.A.V.D 1988.



Deed Notice - 220 40th Street
 Sea Isle City Former MGP
 Sea Isle City, New Jersey
 SRP PI # G000006130

Current Owner
 Jersey Central Power & Light Company
 Morristown, New Jersey

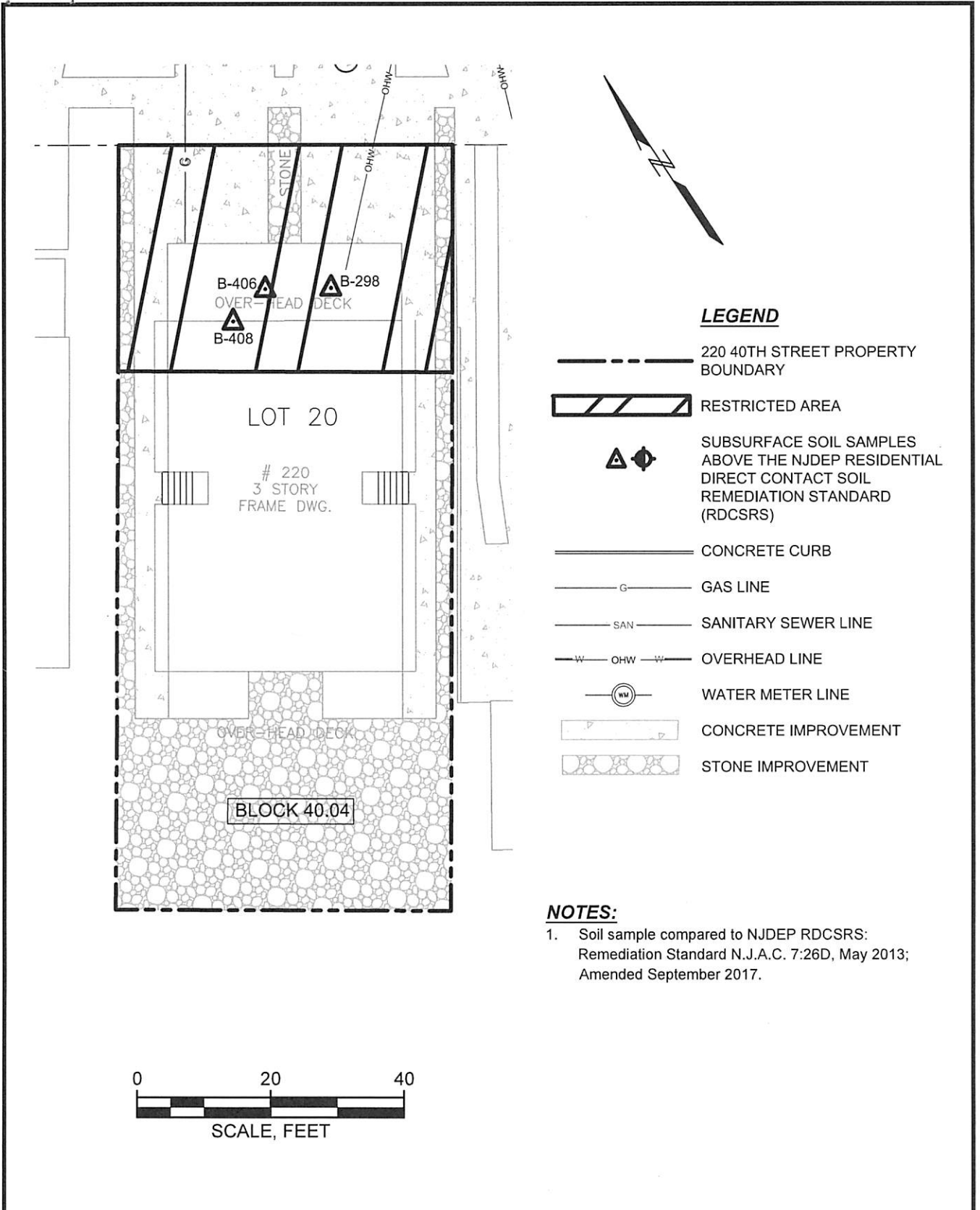
GEI 
 Consultants

Project 1610583

PROPERTY MAP
 SEA ISLE CITY TAX
 BLOCK 40.04 LOT 20
 220 40TH STREET
 SEA ISLE CITY, NJ

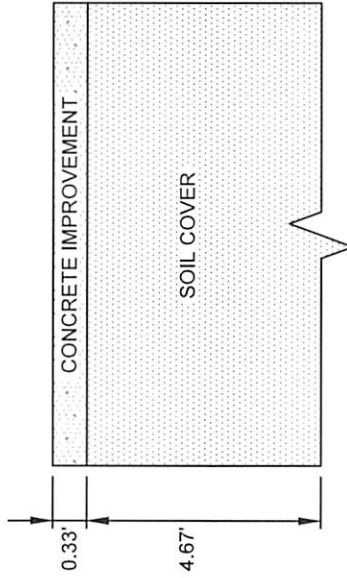
December 2020 Exhibit A-3

Exhibit B-1(a)

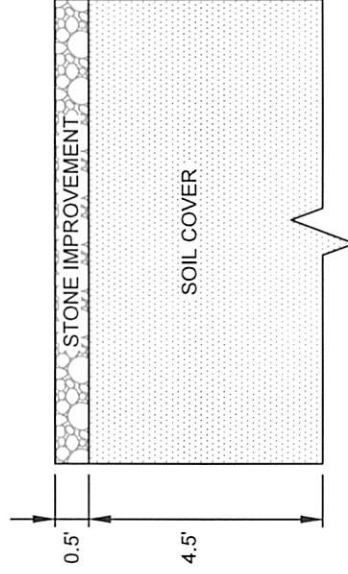
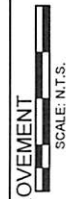


- LEGEND**
- 220 40TH STREET PROPERTY BOUNDARY
 - [Hatched Box] RESTRICTED AREA
 - [Triangle with Circle] SUBSURFACE SOIL SAMPLES ABOVE THE NJDEP RESIDENTIAL DIRECT CONTACT SOIL REMEDIATION STANDARD (RDCSRS)
 - ==== CONCRETE CURB
 - G — GAS LINE
 - SAN — SANITARY SEWER LINE
 - W OHW W — OVERHEAD LINE
 - (WM) — WATER METER LINE
 - [Stippled Box] CONCRETE IMPROVEMENT
 - [Circular Pattern Box] STONE IMPROVEMENT
- NOTES:**
- Soil sample compared to NJDEP RDCSRS: Remediation Standard N.J.A.C. 7:26D, May 2013; Amended September 2017.

<p>Deed Notice - 220 40th Street Sea Isle City Former MGP Site Sea Isle City, New Jersey SRP PI # G000006130</p>		<p>RESTRICTED AREA MAP SEA ISLE CITY TAX BLOCK 40.04 LOT 20 220 40TH STREET SEA ISLE CITY, NJ</p>
<p>Current Owner Jersey Central Power & Light Company Morristown, New Jersey</p>		



1
B-1b
DETAIL
CONCRETE IMPROVEMENT



2
B-1b
DETAIL
STONE IMPROVEMENT



Deed Notice - 220 40th Street
 Sea Isle City Former MGP
 Sea Isle City, New Jersey
 SRP PI # G000006130
 Current Owner
 Jersey Central Power & Light Company
 Morristown, New Jersey



Project 1610583

RESTRICTED AREA DETAILS
 SEA ISLE CITY TAX
 BLOCK 40.04 LOT 20
 220 40TH STREET
 SEA ISLE CITY, NJ

December 2020 Exhibit B-1(b)

Exhibit B-2: 220 40th Street Soil Sample Analytical Results
Deed Notice
Block 40.04, Lot 20
220 40th Street
Sea Isle City, New Jersey

PAHs (mg/kg)	CAS	Location Name		RDCSRS	NRDCSRS	Sample Date
		Sample Name	Sample Name			
Naphthalene	91-20-3	B-298	B-406	6	17	1/18/2010
Benzo[a]anthracene	56-55-3	B-298(6.5-7) -1.8	B-406 (9.5-10) -4.8	5	17	ft 3/10/2010
Benzo[b]fluoranthene	205-99-2	B-298 -2.3	B-406 -5.3	5	17	ft 3/10/2010
Benzo[a]pyrene	50-32-8	B-298 ft	B-406 ft	0.5	2	ft 3/11/2010
Indeno[1,2,3-cd]pyrene	193-39-5	B-298 ft	B-406 ft	5	17	ft 3/11/2010
Dibenz[a,h]anthracene	53-70-3	B-298 ft	B-406 ft	0.5	2	ft 3/11/2010

Notes:

RDCSRS - Residential Direct Contact Soil Remediation Standard
 NRDCSRS - Non-Residential Direct Contact Soil Remediation Standard

BOLD - Indicates that the detected result value exceeds RDCSRS

PAH - Polycyclic aromatic hydrocarbons

J - Constituent identified; value is approximated

U - Not detected above the reporting limit shown
 mg/kg - milligrams per kilogram

Sea Isle City Former MGP Site

Block 40.04, Lot 20

Sea Isle City, Cape May County

Exhibit C (Includes)

Exhibit C-1 – Narrative Description of Institutional Control

Exhibit C-2 – Narrative Description of Engineering Controls

Exhibit C-1
Deed Notice
Block 40.04, Lot 20
Sea Isle City, Cape May County, New Jersey

Narrative Description of Institutional Control for Restricted Area of Block 40.04, Lot 20

Institutional controls are hereby placed on a portion of the property at 220 40th Street, Tax Block 40.04, Lot 20 as identified on the tax map of Sea Isle City, New Jersey as shown on Exhibit B-1(a) and as further described in this deed notice. A description of the controls and maintenance procedures applicable to the Restricted Area are presented below.

(A) Description and Estimated Size of the Restricted Area

The property (as set forth on Exhibit A) is located on the site identified as 220 40th Street Block 40.04, Lot 20 on the tax map of Sea Isle City. The property is bounded by the 40th Street right of way to the northeast, to the southeast by a residential property identified as 218 40th Street Block 40.04 Lot 21, to the southwest by the Sea Isle City Municipal Building at 233 John F. Kennedy Boulevard Block 40.04 Lot 9, and to the northwest by a residential duplex identified as 222 40th Street Block 40.04, Lots 27 and 28. The northern portion of the parcel is designated as restricted use due to soil impacts associated with manufactured gas plant (MGP) operations.

The size of this parcel of the Property containing the deed restricted area is 0.0387 acres (approximately 1,685 square feet) and is illustrated on Exhibit B-1(a). The restricted area is contained by engineering and institutional controls as shown on Exhibit B-1(b)

Although the referenced acreage and exhibits may not include or show its interest in adjacent public right-of-ways or roads, Owner has agreed that the Restricted Areas include those to the extent of Owner's interest, if any, in such adjacent public right-of-ways or roads, as hereafter shown in one or more deed notice(s) or notices in lieu of deed notice(s).

(B) Description of the Restrictions on the Property

The Property is restricted by the function of this Deed Notice as an institutional control, together with the specified restrictions set forth in this Deed Notice, including that:

- (1) All persons are advised of the existence of materials in excess of SRS at the locations shown on the table and maps of Exhibit B for the Restricted Area,

- (2) All persons are advised of the existence of engineering controls as and where more particularly specified in this Exhibit C, as then in effect,
- (3) No person shall breach, disturb or excavate any element of the Cover, other engineering controls, or the hazardous substances in excess of the SRS under the Covers, in the specified zones or elements of the Restricted Area, so the function of the Cover or engineering controls ceases or is interrupted without full compliance with this Deed Notice and applicable law,
- (4) No person shall disturb or excavate the Cover, other engineering controls or the impacted soil and historic fill under the soil cover in excess of the soil remediation standards in the locations of the Restricted Areas so the function of the Cover or engineering controls ceases or is interrupted without full compliance with this Deed Notice and applicable law, without limitation, by restoration to the same or better condition prior to the disturbance or excavation.
- (5) Access shall be permitted to, across, through and over the Restricted Area for inspection, monitoring, sampling, installation, operation, repair, maintenance, replacement, removal and abandonment of any, each and all engineering and institutional controls which are the subject of the remediation of the Property or the MGP site, and the appurtenances and parts thereof, and

This Deed Notice does not otherwise restrict or prohibit the conduct, use, or enjoyment of the Property of or for any lawful permitted use, including existing uses: without limitation, but subject to the Owner's other obligations, including under applicable law.

(C) Objective of the Restrictions

The objectives of the restrictions are to restrict human exposure to impacted soil within the Restricted Area of the Property and preserve the function of the then installed and future engineering controls used for remediation.

Exhibit C-2
Deed Notice
Block 40.04, Lot 20
Sea Isle City, Cape May County, New Jersey

Narrative Description of Engineering Controls for Restricted Area of Block 40.04, Lot 20

Engineering controls are hereby placed on and for the Restricted Area on the Property as shown on Exhibit B-1(a). A description of the engineering controls within the Restricted Area is presented below.

The northern portion of the Property has been remediated by engineering controls as described in this Deed Notice. The aggregate Restricted Area of the Property are subject to the following engineering control being the "Cover" above hazardous substances exceeding SRS, which consists of soil cover, as shown in Exhibit B-1(b):

Soil cover beginning immediately below the concrete and stone improvements and continuing for approximately four feet eight inches BGS, thereunder a portion of the Restricted Area (0.0387 acres approximately 1,685 square feet) (shown as Area B on Figures B-1(a) and B-1(b); by way of clarification other materials and improvements, if any, above the soil cover are not part of the engineering control).

The Cover may be overlain or penetrated by various improvements (e.g. concrete sidewalks, foundation elements, concrete driveway, landscaped areas, planter boxes, poles, utilities, grates, pipes, wires, fences, or the like), which in whole or in part serve the same function as the Cover (limiting access and exposure to deeper hazardous substances), but are not considered to be part of the Cover for the purposes of this Deed Notice. Disturbances above the Cover are not regulated by this Deed Notice.

(A) Description of the engineering controls.

The Property is set forth on Exhibit A-3.

The Restricted Area is the northern portion of the Property as shown on Exhibit B.1(a). The Cover engineering control at the Restricted Area consists of soil cover below improvements including concrete and stone.

The engineering control is as identified above, having the characteristics, in the locations and extending to the specific depths, described above, below which hazardous substances exist in excess of the SRS at the locations and depths elsewhere specified.

Disturbances above the Cover are not regulated by this Deed Notice.

(B) The objective of the engineering controls.

The objective of the controls is to restrict human exposure to the hazardous substances in excess of the SRS within the Restricted Area of the Property at depth beneath the Cover and to permit and preserve the function of the Cover for remediation of the Property.

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

No person shall disturb or penetrate the Cover on the Property, or excavate or remove hazardous substances in excess of the SRS from under the Cover, or damage, alter or remove the Cover, or enter into or disturb an area restricted against entry or disturbance by the function of the Cover, except with both (i) prompt repair and restoration of the Cover, and (ii) full compliance with the applicable provisions of this Deed Notice and applicable law. The Cover will function passively by the very existence of its elements serving as a barrier to contact with hazardous substances in excess of the SRS. The Cover can consist of a wide range of materials and if disturbed and replaced in accordance with this Deed Notice they need not be replaced with materials of any particular quality or character except only that they be clean, determined according to applicable NJDEP guidance and regulations, at the specified depths.

Portions of the Cover may be penetrated by various improvements and/or other engineering controls which themselves serve essentially the same function as the Cover and therefore are considered part of the Cover (e.g. poles and pipes) provided that in their construction, installation and existence of all subsurface soils beneath the Cover with hazardous substances in excess of the SRS are not permanently exposed to workers or the environment.

Further, the routine, periodic or emergent operation, maintenance, repair and replacement of utility wires, pipes, poles, access and service points and connections and equipment, above ground, as well as their expansion or modification above ground, and the use and enjoyment of the surface above the Restricted Area, all are hereby expressly permitted without further notice to, or authorization of, the Department, except as expressly provided to the contrary in this Deed Notice.

Except if and as elsewhere noted, the Cover will be restored to their original condition as described above after any disturbance of the Covers, wear and tear and the effects of settling and the elements excluded. However, all or any portion of a Cover may be eliminated and/or replaced by the use of any other materials including, e.g. foundations,

Exhibit C-2

gravel, stone, parking or the like, which if and where generally solid and of a thickness or nature accepted generally by NJDEP or the LSRP as sufficiently protective (e.g. foundations, floors, slabs, walls, poles, walkways, driveways, roads, parking, paving, macadam, concrete, bricks, or pavers, or the like) can be a lesser thickness if protective (e.g. potentially one inch (1.0") or more, but subject to increase if NJDEP proposes or uses guidance or regulations with other requirements), potentially in combination with other materials, in lieu of the current described Cover.