

BERGEN COUNTY DEPARTMENT OF HEALTH SERVICES

220 East Ridgewood Ave, Paramus, New Jersey 07652

REHS MONTHLY REPORT SUMMARY

TOWN: Moonachie

MONTH/YEAR: March 2023

REHS: Schmitt

#	FOOD ESTABLISHMENTS	#	PUBLIC RECREATIONAL BATHING
2	Plan reviews (unduplicated)		SEASONAL FACILITIES
	Pre-Op Inspections (unduplicated)		Pre-Operational Inspections
	Non-Routine Investigations (complaints, emergencies etc.)		Routine Chapter IX
	N-R Investigations from Foodborne Outbreak		Reinspections
	Non-Routine Inspections (Ch. 24 performed)		Non-routine, emergency, complaint-related
	N-R Inspections from Foodborne Outbreak		Total number licensed in reporting year
	Enforcement Actions		CLOSURES:
			Swimming / Wading Pool
	CHAPTER 24		Hot Tub / Spa
	Site Inspections (BOH use only)		Spray Park
1	Risk 1		Aquatic Recreational Facility
	Risk 2		Bathing Beach
5	Risk 3		YEAR-ROUND FACILITIES
2	Risk 4		Pre-Operational Inspections
	Specialized Processes overseen		Routine Chapter IX
2	Mobile Vendors		Reinspections
	Temporary Events		Non-routine, emergency, complaint-related
	REINSPECTIONS (Conditional/Unsatisfactory only)		Total number licensed in reporting year
	Risk 1		CLOSURES
	Risk 2		Swimming / Wading Pool
1	Risk 3		Hot Tub / Spa
	Risk 4		Spray Park
	Mobile Vendors		Aquatic Recreational Facility
	Temporary Events		Bathing Beach
	# OF LICENSED ESTABLISHMENTS (year)		
	Risk 1		Sanitary Survey conducted – Bathing Beach
	Risk 2		
	Risk 3		
	Risk 4	#	TANNING FACILITIES
	Mobile		Pre-Operational Inspections
	Temporary		Routine Inspections
#	COMPLAINTS, INQUIRIES, ISSUES		Reinspections
	Number of contacts (inquiries, issues...)		Complaint, emergency, non-routine
	Complaint Investigations (unduplicated)		Enforcement Actions
	Enforcement Actions		Unregistered facilities identified

BERGEN COUNTY DEPARTMENT OF HEALTH SERVICES

220 East Ridgewood Ave, Paramus, New Jersey 07652

REHS MONTHLY REPORT SUMMARY

TOWN:

MONTH/YEAR:

REHS:

#	ANIMAL BITES AND RABIES CONTROL	#	BODY ART, TATTOO, PERMANENT COSMETICS
	ANIMAL BITES		Pre-Operational Inspections
1	Animal to Human Bites		Routine Inspections
	Rabid/Suspect-Rabid to Domestic Animal Bites		Reinspections
	Confined Unimmunized Domestic Animals		Complaint, emergency, non-routine inspections
			Unlicensed body art operations identified
	KENNELS, PET SHOPS, SHELTERS/POUNDS		Infections/Injuries reported
	KENNELS		Total number licensed (reporting year)
	Pre-Operational Inspections		
	Routine Inspections	#	YOUTH CAMPS
	Reinspections		
	Complaint, emergency, non-routine inspections		Pre-Operational Inspections
	Total number licensed (reporting year)		Routine Inspections
	PET SHOPS		Reinspections
	Pre-Operational Inspections		Complaint, emergency, non-routine inspections
	Routine Inspections		Enforcement Actions
	Reinspections		Total number licensed (reporting year)
	Complaint, emergency, non-routine inspections		
	Total number licensed (reporting year)	#	CAMPGROUNDS
	SHELTERS/POUNDS		PROPRIETARY
	Pre-Operational Inspections		Pre-Operational Inspections
	Routine Inspections		Routine Inspections
	Reinspections		Reinspections
	Complaint, emergency, non-routine inspections		Complaint, emergency, non-routine inspections
	Total number licensed (reporting year)		Enforcement Actions
			Total number licensed
	RABIES CLINICS		Total number unlicensed facilities identified
	Number of clinics held		PUBLIC
	Animals vaccinated		Pre-Operational Inspections
			Routine Inspections
	ANIMAL LICENSING		Reinspections
	Dogs licensed (reporting year)	1	Complaint, emergency, non-routine inspections
	Cats licensed (reporting year)		Enforcement Actions
			Total number licensed
			Total number unlicensed facilities identified



Bergen County Department of Health Services

Moonachie (a)

Supervisor: Maria Schmitt March 2023

Item	Date	Location	Address	Program	Type	Description	Inspector
1	3/2/2023	Moonachie Health Dept	70 Moonachie Rd	SAN-Administration	SAN-Administration	Prepared and submitted February monthly report	Maria Schmitt
2	3/3/2023	Two Pitas	8 East Joseph Street	SAN-Food Surveillance	Report of Inspection	Attempted inspection - Establishment permanently closed	Maria Schmitt
3	3/6/2023	Mr. Softee	90 Moonachie Ave	SAN-Food Surveillance	Report of Inspection	Chapter 24 inspection - Mobile Vendor - Satisfactory	Maria Schmitt
4	3/8/2023	17 Frederick Street	90 Moonachie Ave	SAN-Rabies Control	AnimalBite	Dog bite investigation - No human exposure	Maria Schmitt
5	3/9/2023	Moonachie Civic Center	125 Moonachie Road	SAN-Food Surveillance	Report of Inspection	Chapter 24 inspection - Risk 2 - Satisfactory	Maria Schmitt
6	3/9/2023	17 Frederick Street	90 Moonachie Ave	SAN-Rabies Control	AnimalBite	Follow up with animal control officer. Animal control will open a case.	Maria Schmitt
7	3/13/2023	Moonachie Health Dept	70 Moonachie Rd	SAN-Administration	SAN-Administration	Board of health meeting	Maria Schmitt
8	3/15/2023	Tinto Coffee	84 Moonachie Road	SAN-Food Surveillance	Report of Inspection	Chapter 24 - Risk 3 - Conditional (food protection violations/preventing contamination from hands violations)	Daihana Rivera
9	3/16/2023	Hudson Table	2 Anderson Avenue	SAN-Food Surveillance	Chapter 24 Plan Review	Chapter 24 plan review - Pending	Maria Schmitt
10	3/17/2023	4 East Sixth Street	2 Anderson Avenue	SAN-Rabies Control	Complaint	Complaint investigation - Dog breeder in trailer	Maria Schmitt
11	3/23/2023	Hudson Table	2 Anderson Avenue	SAN-Food Surveillance	Chapter 24 Plan Review	On site plan review with management. Approved	Maria Schmitt
12	3/23/2023	Tinto Coffee	84 Moonachie Road	SAN-Food Surveillance	Report of Inspection	Reinspection - Risk 3 - Posted Satisfactory	Daihana Rivera
13	3/23/2023	The Gray Cliff	122 Moonachie Rd	SAN-Food Surveillance	Report of Inspection	Chapter 24 - Risk 3 - Satisfactory	Daihana Rivera
14	3/24/2023	4 East Sixth Street	2 Anderson Avenue	SAN-Rabies Control	Complaint	Follow up with Moonachie police. Dogs are not in danger.	Maria Schmitt
15	3/30/2023	Moonachie Liquors	46 Moonachie Ave	SAN-Food Surveillance	Report of Inspection	Chapter 24 inspection - Risk 1 - Satisfactory	Maria Schmitt



Bergen County Department of Health Services

Moonachie (a)

Supervisor: Maria Schmitt April 2023

Item	Date	Location	Address	Program	Type	Description	Inspector
1	4/5/2023	Moonachie Health Dept	70 Moonachie Rd	SAN-Administration	SAN-Administration	Prepared and submitted March monthly report	Maria Schmitt
2	4/5/2023	Bistro 107	107 Moonachie Road	SAN-Food Surveillance	Report of Inspection	Chapter 24 - Risk 3 - Conditional (preventing contamination from hands)	Daihana Rivera
3	4/6/2023	In Thyme Catering truck	55 Moonachie Ave	SAN-Food Surveillance	Report of Inspection	Chapter 24 inspection - Mobile Vendor - Satisfactory	Maria Schmitt
4	4/6/2023	In Thyme Kitchen Truck	55 Moonachie Ave	SAN-Food Surveillance	Report of Inspection	Chapter 24 inspection - Mobile Vendor - Satisfactory	Maria Schmitt
5	4/6/2023	In Thyme at Berry Creek	55 Moonachie Ave	SAN-Food Surveillance	Report of Inspection	Chapter 24 inspection - Risk 3 - Satisfactory	Maria Schmitt
6	4/11/2023	3 Sale Street	3 Sale Street	SAN-Rabies Control	AnimalBite	Dog bite investigation	Maria Schmitt
7	4/12/2023	Bistro 107	107 Moonachie Road	SAN-Food Surveillance	Report of Inspection	Reinspection - Risk 3 - Posted Satisfactory	Daihana Rivera
8	4/13/2023	Baloush Catering #2	90 Moonachie Ave	SAN-Food Surveillance	Report of Inspection	Chapter 24 inspection - Mobile Vendor - Satisfactory	Maria Schmitt
9	4/13/2023	Baloush Catering #1	90 Moonachie Ave	SAN-Food Surveillance	Report of Inspection	Chapter 24 inspection - Mobile vendor - Satisfactory	Maria Schmitt
10	4/14/2023	Bella's Beauty Bar	115 Moonachie Road	SAN-Body Art	Application Body Art Permanent	Body Art inspection - Satisfactory	Maria Schmitt
11	4/19/2023	Arigato Sushi	19 Oak Street	SAN-Food Surveillance	Report of Inspection	Chapter 24 inspection - Risk 4 - Satisfactory	Maria Schmitt
12	4/21/2023	3 Sale Street	3 Sale Street	SAN-Rabies Control	AnimalBite	Released dog from quarantine	Maria Schmitt



Bergen County Department of Health Services

Moonachie (a)

Supervisor: Maria Schmitt May 2023

Item	Date	Location	Address	Program	Type	Description	Inspector
1	5/2/2023	Moonachie Health Dept	70 Moonachie Rd	SAN-Administration	SAN-Administration	Prepared and submitted April monthly report	Maria Schmitt
2	5/2/2023	Robert L. Craig Elementary	20 W. Park Street	SAN-Food Surveillance	Report of Inspection	Chapter 24 inspection - Risk 2 - Satisfactory	Maria Schmitt
3	5/12/2023	Segovia	150 Moonachie Road	SAN-Food Surveillance	Report of Inspection	Chapter 24 - Risk 3 - Satisfactory	Daihana Rivera
4	5/12/2023	La Havana 59	110 Moonachie Ave	SAN-Food Surveillance	Report of Inspection	Chapter 24 - Risk 3 - Satisfactory	Daihana Rivera
5	5/12/2023	Bazzarelli	117 Moonachie Rd	SAN-Food Surveillance	Report of Inspection	Chapter 24 - Risk 3 - Satisfactory	Daihana Rivera
6	5/17/2023	4 East Sixth Street	2 Anderson Avenue	SAN-Rabies Control	Complaint	Issued notice of violation for odor coming from trailer	Maria Schmitt
7	5/26/2023	Prova	94 Moonachie Avenue	SAN-Food Surveillance	Report of Inspection	Chapter 24 - Risk 3 - Conditional (preventing contamination from hands violations)	Daihana Rivera
8	5/30/2023	Prova	94 Moonachie Avenue	SAN-Food Surveillance	Report of Inspection	Reinspection - Risk 3 - Posted Satisfactory	Daihana Rivera

MEMORANDUM



COUNTY OF BERGEN
DEPARTMENT OF HEALTH SERVICES
One Bergen County Plaza – 4th Floor
Hackensack, NJ 07601
(201) 634-2600

Date:

To:

From:

Subject: **Statistics**

As per N.J.A.C. Title 8 Chapter 52, Public Health Practice Standards "Each local board of health shall maintain the standards of performance as set forth in this chapter."

The following is a synopsis of the services provided this month. Health Consultation Programs provide assessments, counseling, education and referral to meet the core public health functions and the delivery of the "10 essential public health services" as set forth in N.J.A.C. 8:52-3.2.

Program: **Location:**

New Visits (Health Risk Assessment):	<input type="text" value="2"/>
First Re-visit (First Visit of Calendar Year):	<input type="text" value="1"/>
Revisits (Each Visit Thereafter):	<input type="text" value="1"/>
Total Client Visits (Each Month/Quarter):	<input type="text" value="0"/>
Telephone Contacts (Follow-Ups):	<input type="text" value="0"/>
MailContacts/Postcars (Reminders):	<input type="text" value="0"/>
Referrals (Outside Agencies):	<input type="text" value="0"/>
Referrals Follow-Up (With Clients)	<input type="text" value="0"/>
Discharges:	<input type="text" value="0"/>

*** Additional Services:**

Reportable Disease (As per N.J.A.C. 8:57) investigation total:

*** Diseases:**

School Audits (As per N.J.A.C. 8:57 Subchapter 4):	<input type="text" value="0"/>
School Re-Audits:	<input type="text" value="0"/>
School Final Audits:	<input type="text" value="0"/>
Elevated Lead Home Visits:	<input type="text" value="0"/>

Other Events:

* For public health use only. DATA WITH LESS THAN 5 SHOULD NOT BE RELEASED TO THE PUBLIC WITHOUT ACCOMPANYING INTERPRETATION. Rates calculated from these numbers are statistically unreliable for interpretation. Municipality-level data with value less than five could lead to the identification of individuals and therefore should not be released publicly without accompanying interpretation.

MEMORANDUM



COUNTY OF BERGEN
DEPARTMENT OF HEALTH SERVICES
One Bergen County Plaza – 4th Floor
Hackensack, NJ 07601
(201) 634-2600

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From:
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New Visits (Health Risk Assessment):	<input type="text" value="2"/>
First Re-visit (First Visit of Calendar Year):	<input type="text" value="1"/>
Revisits (Each Visit Thereafter):	<input type="text" value="1"/>
Total Client Visits (Each Month/Quarter):	<input type="text" value="4"/>
Telephone Contacts (Follow-Ups):	<input type="text" value="0"/>
Mail Contacts/Postcards (Reminders):	<input type="text" value="0"/>
Referrals (Outside Agencies):	<input type="text" value="0"/>
Referrals Follow-Up (With Clients)	<input type="text" value="0"/>
Discharges:	<input type="text" value="0"/>

*** Additional Services:**

School Audits (As per N.J.A.C. 8:57 Subchapter 4):	<input type="text" value="0"/>
School Re-Audits:	<input type="text" value="0"/>
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DEPARTMENT OF HEALTH SERVICES
One Bergen County Plaza – 4th Floor
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First Re-visit (First Visit of Calendar Year):	<input type="text" value="0"/>
Revisits (Each Visit Thereafter):	<input type="text" value="2"/>
Total Client Visits (Each Month/Quarter):	<input type="text" value="2"/>
Telephone Contacts (Follow-Ups):	<input type="text" value="0"/>
MailContacts/Postcars (Reminders):	<input type="text" value="0"/>
Referrals (Outside Agencies):	<input type="text" value="0"/>
Referrals Follow-Up (With Clients)	<input type="text" value="0"/>
Discharges:	<input type="text" value="0"/>

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**County of Bergen
Department of Health Services
Animal Control Responses**

From: 03-01-23 To: 03-31-23

Town: Moonachie

Date	SR#	Address	Nature of Call	Additional Info	Symptom	Disposition	Ticket #	ACO(s)	Comment
Species: Patrols									
03-07-23					Patrolled Area			1372	
03-08-23					Patrolled Area			1368	
03-11-23					Patrolled Area			1359	
03-15-23					Patrolled Area			1351	
03-16-23					Patrolled Area			1364	
03-19-23					Patrolled Area			1364	
03-21-23					Patrolled Area			1351	
03-24-23					Patrolled Area			1351	
03-26-23					Patrolled Area			1364	

Total Patrols: 9

Species: Cat

03-26-23	335812	19 LINCOLN PL	TNR	Please bring 3 traps in the AM	Set Trap	Trap Set		1352	3 traps set
03-01-23	335879	19 LINCOLN PL	Stray	Resident has 1 cat trapped, if not adoptable will take back as TNR.	Trapped	Impounded	22002	1368	If cat is not adoptable will take back as TNR. He said cat is sweet. Cat came in over counter.
03-01-23	335880	Daltile Center Plaza	Stray	Anna has cat by her has injury to right back leg. Cat seems friendly	Injury	G.O.A.		1352	Resident is young employee of large business. SHE cat on video with slight limp . Cat was last seen on neighboring business's property . Explained if comes back she will need permission from business owner to try and trap .

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BORO OF MOONACHIE

**County of Bergen
Department of Health Services
Animal Control Responses**

From: 03-01-23 To: 03-31-23

Town: Moonachie

Date	SR#	Address	Nature of Call	Additional Info	Symptom	Disposition	Ticket #	ACO(s)	Comment
Species: Cat (Continued)									
03-02-23	336516	19 LINCOLN PL	Stray	There are two cats trapped. (551) 497-3426	Trapped	Picked Up Domestic	22010, 22011	1359	Picked up two stray cats. Black/white one is TNR. Brown Tabby is stray.
03-07-23	336554	14 HENRY ST	TNR	bring 3 traps not sure if there are any on the prop.	Set Trap	Trap Set		1351	
03-07-23	336614	14 HENRY ST	Check Trap			Trap Checked		1351	Closed for night
03-08-23	336633	19 LINCOLN PL	Transport	Transport cat#22011 (INC)		Dropped Off		1369	
03-15-23	336769	14 HENRY ST	Pick up Trap	Remove traps from property.		Trap Removed		1351	
03-17-23	336865	19 LINCOLN PL	Stray		TNR	Picked Up Domestic	22162	1359	TNR cat trapped. Bringing back to Shelter. Bring to Feral Incoming Room.
03-21-23	336928	19 LINCOLN PL	Transport	Transport cat #22002(INC)		Dropped Off		1351	

Sub-Total Cat: 10**Species: Dog**

03-26-23	337108		Stray		At PDHQ	Cancel on Scene		1364	
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Sub-Total Dog: 1

**County of Bergen
Department of Health Services
Animal Control Responses**

From: 03-01-23 To: 03-31-23

Town: Moonachie

Date	SR#	Address	Nature of Call	Additional Info	Symptom	Disposition	Ticket #	ACO(s)	Comment
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Species: Goose

03-11-23	336708	100 STATE ST	Injured	Resident states goose is very injured on side of road.		Nothing Found		1366	Patrolled area nothing found.
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Sub-Total Goose: 1

Species: Groundhog

03-03-23	336545	100 MOONACHIE AVE	Injured	By flight Safety. Still alive	Hit by Car	Picked Up Wildlife	W19774	1352	Mange no hair on head and broken lower jaw .Blood coming from mouth and ears .
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Sub-Total Groundhog: 1

Species: Muskrat

03-17-23	336866	150 MOONACHIE RD	DOA		In Street	Removed Wildlife	W19865	1359	Removed muskrat from street
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Sub-Total Muskrat: 1

Town Totals: 23

County of Bergen
 Department of Health Services
 Animal Control Responses

From: 04-01-23 To: 04-30-23

Town: Moonachie

Date	SR#	Address	Nature of Call	Additional Info	Symptom	Disposition	Ticket #	ACO(s)	Comment
Species: Patrols									
04-07-23					Patrolled Area			1359	
04-10-23					Patrolled Area			1364	
04-19-23					Patrolled Area			1352	
04-23-23					Patrolled Area			1351	
04-25-23					Patrolled Area			1351	

Total Patrols: 5

Species: Cat

04-25-23	337911	19 LINCOLN PL	Transport	Transport cat#22162(CR1)	Transport	Done		1370	
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Sub-Total Cat: 1

Species: Raccoon

04-07-23	337501	MOONACHIE AVE	DOA		In Street	Removed Wildlife	W20025	1359	Removed raccoon from street
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Sub-Total Raccoon: 1

Town Totals: 7

RECEIVED
 MAY 12 2023
 BORO OF MOONACHIE

RECEIVED

MAY 12 2023

BORO OF MOONACHIE



**ENVIRONMENTAL
CONSULTING**

May 8, 2023

Ms. Jennifer Cooney
Moonachie Board of Health
Municipal Building
70 Moonachie Road
Moonachie, NJ 07074

Re: Response Action Outcome Submission
HighRoad Press
220 Anderson Avenue
Block 65, Lot 2.03
Moonachie, Bergen County
Preferred ID 1020027
ISRA Case E2023211598

Dear Ms. Cooney:

Enclosed please find the following items pertaining to the Response Action Outcome submission for the above-referenced Property. These documents were submitted to the NJDEP on May 8, 2023:

- Response Action Outcome (paper and electronic copies);
- Remedial Action Outcome Form (paper and electronic copy);
- Case Inventory Document (electronic copy);
- Cover/Certification Form (electronic copy);
- Preliminary Assessment Report (electronic copy);

The Property (Block 65, Lot 2.03) is currently developed with a single-story industrial building with associated driveway, parking lot, and landscaped areas. Due to the sale of the business at the Site, New Jersey Industrial Site Recovery Act Requirements were triggered for PI# 1020027. The attached documentation describes the investigation and remediation activities at the Site and concludes with the Response Action Outcome letter specifying that environmental contamination is not present at the property.



ENVIRONMENTAL
CONSULTING

May 8, 2023

Mittera Group, Inc.
1312 Locust Street, Suite 202
Des Moines, Iowa 50309
Attn: Mr. Jon Troen

And

HighRoad Press, LLC
220 Anderson Avenue
Moonachie, New Jersey 07074
Attn: Hallie Satz

Re: Response Action Outcome

Remedial Action Type: Unrestricted Use

Scope of Remediation: ISRA Industrial Establishment as defined according to N.J.A.C. 7:26B - Leasehold

ISRA Trigger: Business Sale

ISRA Case: E2023211598

Case Name: HighRoad Press

Address: 220 Anderson Avenue

Municipality: Moonachie

County: Bergen

Block: 65, **Lot:** 2.03

Preferred ID: 1020027

Dear Mr. Troen and Ms. Satz:

As a Licensed Site Remediation Professional, authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey, I hereby issue this Response Action Outcome for the remediation of the industrial establishment as defined according to N.J.A.C 7:26B specifically referenced above. I personally reviewed and accepted all of the referenced remediation and based upon this work, it is my professional opinion that this remediation has been completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C), that is

protective of public health, safety and the environment. Also, full payment has been made for all Department fees and oversight costs pursuant to N.J.A.C. 7:26C-4.

This remediation includes the completion of a Preliminary Assessment as defined pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E).

My decision in this matter is made upon the exercise of reasonable care and diligence and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals in good standing practicing in the State at the time these professional services are performed.

As required pursuant to N.J.A.C. 7:26C-6.2(b)2ii, a copy of all records related to the remediation that occurred at this location is being simultaneously filed with the New Jersey Department of Environmental Protection (Department). These records contain all information upon which I based my decision to issue this Response Action Outcome.

By operation of law a Covenant Not to Sue pursuant to N.J.S.A. 58:10B -13.2 applies to this remediation. The Covenant Not to Sue is subject to any conditions and limitations contained herein. The Covenant Not to Sue remains effective only as long as the real property referenced above continues to meet the conditions of this Response Action Outcome.

CONDITIONS

Pursuant to N.J.S.A. 58:10B-12o, Mittera Group, Inc. and any other person who is liable for the cleanup and removal costs and remains liable pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. shall inform the Department in writing, on a form available from the Department, within 14 calendar days after its name or address changes. Any notices you submit pursuant to this paragraph shall reference the above case numbers and shall be sent to:

New Jersey Department of Environmental Protection
Bureau of Case Assignment and Initial Notice
Mail Code 401-05H
401 East State Street, 5th floor
PO Box 420
Trenton, New Jersey 08625-0420

NOTICES

Building Interiors Not Addressed (Non-Child Care)

Please be advised that the remediation that is covered by this Response Action Outcome does not address the remediation of hazardous substances that may exist in building interiors or equipment, including, but not limited to, radon, asbestos and lead. As a result, any risks to human health presented by any building interior or equipment remains. A complete building interior evaluation should be completed before any change in use or re-occupancy is considered.

ISRA Specific - Multi-Tenant Situations - Bureau of Case Assignment and Initial Notice Referral

Please be advised that this Response Action Outcome is for the leasehold portion of the above referenced property only. The leasehold portion is the area defined by the approximately 40,000 square feet of leased space and identified on the enclosed map. It does not include the Areas of Concern (AOC) 4, AOC 5, AOC, 8, AOC 10 and AOC 11 located at the above referenced property which service(s) the multi-tenant facility including non-subject tenants.

Historically Applied Pesticides Not Addressed

Please be advised that the remediation that is covered by this Response Action Outcome does not address the remediation of contaminants that may exist from the historical application of pesticides. As a result, any risks presented by the historical application of pesticides may remain. An evaluation of historical pesticides should be completed if there is a land use change to residences, schools, child care centers and playgrounds. This exclusion does not apply if the pesticide contamination is from a discharge due to manufacturing, mixing, or other handling of these chemicals and not from application.

END OF NOTICES

In concluding that this remediation has been completed, I am offering no opinions concerning whether either primary restoration (restoring natural resources to their pre-discharge condition) or compensatory restoration (compensating the citizens of New Jersey for the lost interim value of the natural resources) has been completed.

Pursuant to N.J.S.A. 58:10C-25, the Department may audit this Response Action Outcome and associated documentation up to three years following issuance. Based on a finding by the Department that a Response Action Outcome is not protective of public health, safety and the environment, the Department can invalidate the Response Action Outcome. Other justifications for the Department's invalidation of this Response Action Outcome are listed in the Administrative Requirements for the Remediation of Contaminated Sites at N.J.A.C. 7:26C-6, including, but not limited to, a Department audit following issuance of this document may be initiated at any time if: a) undiscovered contamination is found that was not addressed by the Response Action Outcome, b) if the Site Remediation Professional Licensing Board conducts an investigation of the Licensed Site Remediation Professional issuing the Response Action Outcome or, c) if the license of that person is suspended or revoked.

Thank you for your attention to these matters. If you have any questions, please contact me at (201) 218-8640 or by e-mail (a.allen@gklenvironmental.com).

Sincerely,



Andrew A. Allen, LSRP
Owner
GKL Environmental Consulting LLC
Licensed Site Remediation Professional
#746564

cc:

Ms. Jennifer Cooney
Moonachie Board of Health
Municipal Building
70 Moonachie Road
Moonachie, NJ 07074

Dr. Hansel F. Asmar
Director
Bergen County Department of Health Services
One Bergen County Plaza – 4th Floor
Hackensack, New Jersey 07601

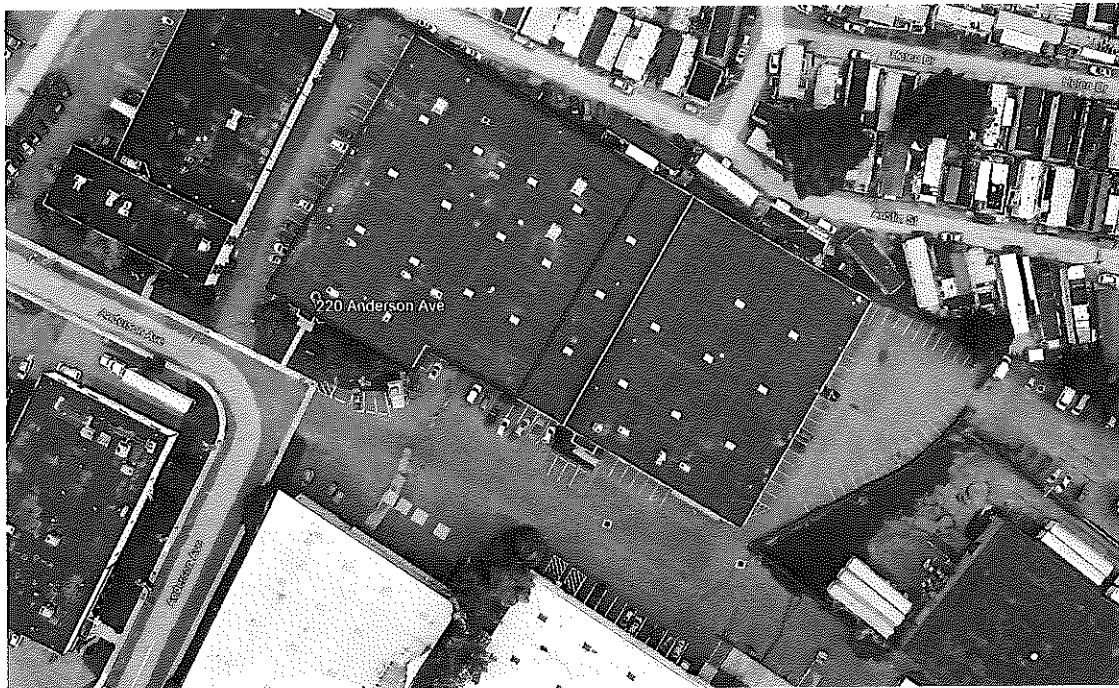
Mr. Thomas Longo
Program Coordinator
Bergen County Office of Environmental Health
One Bergen County Plaza – 4th Floor
Hackensack, New Jersey 07601

Borough of Moonachie
Mayor, Clerk, and Town Council
1 Municipal Building
70 Moonachie Road
Moonachie, NJ 07074

Ms. Safiye Ercan
AMB US Logistics Fund LP
1 Meadowlands Plaza
Suite 100
East Rutherford, New Jersey 07073

NJDEP Bureau of Case Assignment & Initial Notice
NJDEP
Mail Code: 401-05H
PO Box 420
Trenton, New Jersey 08625-0420

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08_FINAL.docx



LEGEND

LEASEHOLD BOUNDARY

1 INCH = 100 FEET



**ENVIRONMENTAL
CONSULTING**

14 RUNNING HILLS DRIVE
NEWTON, NJ 07860

(201) 218-8640
a.allen@gklenvironmental.com

220 ANDERSON AVENUE
MOONACHIE, NJ

PROJECT #: 013
PI#: NA
FIGURE DATE: 04/28/2023

LEASEHOLD SUBJECT
TO ISRA

FIGURE
1



New Jersey Department of Environmental Protection
Site Remediation Program

RESPONSE ACTION OUTCOME FORM

Date Stamp
 (For Department use only)

Note: The Case Inventory Document (CID) must be submitted in final form with all RAO submissions. The CID must identify all Areas of Concern (AOCs) associated with the RAO.

SECTION A. SITE

Site Name: HighRoad Press

Program Interest (PI) Number(s): 1020027

Case Tracking Number(s) for this submission: LSR230001

This form must be attached to the Cover/Certification Form

All Oversight Invoices and Annual Remediation Fees are Paid in Full.

SECTION B. SCOPE OF THE RESPONSE ACTION OUTCOME

1. Indicate the extent of remediation covered by the Response Action Outcome.

Check only 1 box:

- Unrestricted RAO
- Limited Restricted RAO
- Restricted RAO

2. Check only 1 box:

- Area(s) of Concern Only
- Entire Site
- ISRA Subject Industrial Establishment (leasehold portion only)

3. Total number of contaminated AOCs associated with the case: 0

4. Total number of contaminated AOCs addressed in this submission: 0

5. Are there any outstanding contaminated AOCs associated with the case where an RAO has not been filed? Yes No

6. Does this RAO address a discharge/release from a federally regulated UST? Yes No

SECTION C. RESPONSE ACTION OUTCOME PREPARATION CHECKS

1. Was the RAO issued only to the "Person(s) that conducted the Remediation"? Yes No

2. Does the language in the issued RAO document conform to the RAO shell document? Yes No

3. Were all the applicable individuals/agencies noted in the shell document copied on the RAO? Yes No

4. Are there electronic copies of all remediation related records included with this submission? Yes No

5. Did the remedial action render the property unusable for future redevelopment or recreation use? Yes No

6. Have any NJDEP-documented deficiencies been addressed in this or prior submission? Yes No N/A

SECTION D. RESPONSE ACTION OUTCOME NOTICES (check all the apply and were used in the RAO document)

1. General Notices

- Well Decommissioning
- Building Interiors Not Addressed (Non-Child Care)
- Building Interiors Addressed



**Remedial Action Protectiveness /
Biennial Certification Form – Soil
Mark Lighting
aka Mark Lighting Fixture Company
25 Knickerbocker Road
Moonachie / Bergen County / New Jersey
NJDEP PI No. 023566
Case No. RAP140001
GEI Project #: 2100860**

CC List

1. Supriya Sanyal, Borough Clerk
Moonachie Municipal Building
70 Moonachie Road, 3rd Floor
Moonachie, NJ 07074
2. Bergen County Department of Health Services
Dr. Hansel F. Asmar, Director/Health Officer
One Bergen County Plaza, 4th Floor
Hackensack, NJ 07601-7076
3. Ms. Jennifer Cooney, Board of Health Secretary
Moonachie Municipal Building
70 Moonachie Road
Moonachie, NJ 07074
4. Office of the Bergen County Clerk
John S. Hogan
One Bergen County Plaza
Hackensack, NJ 07601

RECEIVED
APR 21 2023
BORO OF MOONACHIE



New Jersey Department of Environmental Protection
Contaminated Site Remediation & Redevelopment Program

**SOIL REMEDIAL ACTION PROTECTIVENESS/
BIENNIAL CERTIFICATION FORM**

Date Stamp
(For Department use only)

SECTION A. SITE NAME AND LOCATION

Site Name: Mark Lighting
 List all AKAs: Mark Lighting Fixture Company
 Street Address: 25 Knickerbocker Road
 Municipality: Moonachie (Township, Borough or City)
 County: Bergen Zip Code: 07074
 Program Interest (PI) Number(s): 023566
 Soil Remedial Action Permit (RAP) Number: RAP140001

SECTION B. FEES

- Soil Remedial Action Protectiveness/Biennial Certification Form for a Soil RAP (No Fee)
 See Attachment 1
 Have all outstanding Soil RAP annual fees been paid? Yes No
- Post-NFA Cases (Sites without a Soil RAP): Soil Remedial Action Protectiveness/Biennial Certification Form:

Note: A Soil RAP Initial Application is required to be submitted with this form. Please see the Compliance Notice: Post-NFA cases requiring remedial action permits, which includes the fee breakdown:
https://www.nj.gov/dep/srp/enforcement/post_nfa_compliance_notice.pdf.

Effective on or Before June 30, 2022	Effective July 1, 2022
\$5,130	\$5,365

SECTION C. FEE BILLING CONTACT PERSON

- Changed Since Last Submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form
 Date of RAP Contact Information Change Form Submission: _____

Business Name: New York Mutual Trading, Inc.
 First Name of Contact: Ami Last Name of Contact: Nakanishi
 Title: Senior Vice President/General Manager
 Phone Number: (201) 933-9555 Ext.: _____ Fax: _____
 Mailing Address: 77 Metro Way
 Municipality: Secaucus State: New Jersey Zip Code: 07094
 Email Address: ami@nymtc.com

SECTION D. PERSON(S) RESPONSIBLE FOR CONDUCTING THE REMEDIATION

1. Has the mailing address changed for the Person Responsible for Conducting the Remediation that is currently listed on the Soil RAP for the site? Yes No
 If "Yes", provide the date of the Soil RAP Modification Application submission:
2. Has the Contact Person/Information changed since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form? Yes No
 If "Yes", provide the date of the RAP Contact Information Change Form submission:

SECTION E. CURRENT OWNER(S) OF THE SITE

- 1. Has the Property Owner changed from what is currently listed on the Soil RAP for the site? Yes No
If "Yes", provide the date of the RAP Transfer/Change of Property
Ownership Application submission:
- 2. Has the mailing address changed for the Property Owner that is currently listed
on the Soil RAP for the site?..... Yes No
If "Yes", provide the date of the Soil RAP Modification Application submission:
- 3. Has the Contact Person/Information changed since the last submittal of the
Soil Remedial Action Protectiveness/Biennial Certification Form? Yes No
If "Yes", provide the date of the RAP Contact Information Change Form submission:.....

SECTION F. ATTACHED DOCUMENTS

Attach electronic copies of the following documents in an email to srp_submissions@dep.nj.gov*: (Check all that apply)

*See instructions for how to handle submissions associated with a Post-NFA Case.

- The Soil Remedial Action Protectiveness/Biennial Certification Form using the current form on the NJDEP Website (Required).
- All inspection reports/logs that have been completed since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form (Required). See Attachment 2
- A contaminant concentration table that compares Soil Remediation Standard changes and order of magnitude analysis associated with the Soil RAP (Required). See Attachment 3
- The Contaminants of Emerging Concern (CECs) evaluation completed associated with the Soil RAP (Required). See Attachment 4
- A current Tax Map of the property if the block and lot has changed since the Deed Notice was filed, if applicable.
- The completed Remediation Cost Review and RFS/FA Form with a detailed cost estimate, if applicable.
- The homeowner or condominium association's annual budget that includes funds for the operation, maintenance, and monitoring of the engineering control(s) associated with the Soil RAP, if applicable.
- The annual statements confirming the value of the Financial Assurance Instrument, if applicable.

SECTION G. DEED NOTICE/DECLARATION OF ENVIRONMENTAL RESTRICTION (DER)/NOTICE IN-LIEU OF DEED NOTICE INFORMATION

- 1. Provide the filing date of the current Deed Notice/DER or the issuance of the Notice In-Lieu of DN: 11/07/2001
- 2. For the current Deed Notice/DER, provide the Book and Page numbers in which the Deed Notice/DER was filed at the county recording office:
Book and Page Numbers: Book: 8417, Pages 910 to 924
- 3. Since the Deed Notice/DER was filed, did the Municipal Block and Lot number(s) of the Deed Notice/DER change? Yes No
If "Yes", attach a current Tax Map of the property and list the former and new Municipal Block and Lot numbers of the Deed Notice/DER below:
Former Municipal Block and Lot Number(s): _____
New Municipal Block and Lot Number(s): _____
- 4. Did you provide copies of this form to the municipal and county clerks for each municipality and county in which the site is located; the local, county and regional health department for each municipality and county in which the site is located; each current owner of the site; the Pinelands Commission as applicable; and the Highlands Commission as applicable?..... Yes No

SECTION H. SITE USE, CHANGES, AND DISTURBANCES

1. Indicate current site use:

- | | | | |
|--|--|---|---------------------------------------|
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Child Care Facility | <input type="checkbox"/> Park or Recreational Use | <input type="checkbox"/> Solar Panels |
| <input type="checkbox"/> Residential | <input type="checkbox"/> Hospital | <input type="checkbox"/> Vacant | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Commercial | <input type="checkbox"/> Landfill | <input type="checkbox"/> Government Facility | |
| <input type="checkbox"/> School | <input type="checkbox"/> Agricultural | <input type="checkbox"/> Road/Right of Way | |

2. Has the site use(s) changed since the most recent Deed Notice/DER was filed or the issuance of the Notice In-Lieu of DN that would require the submission of a Soil RAP Modification Application? Yes No

If "Yes", indicate what the change was and the date of the submission of a Soil RAP Modification Application:

Site Use Change: _____

Date of Soil RAP Modification Application Submission: _____

Note: Pursuant to N.J.A.C. 7:26E- 5.3, a Presumptive or Alternative Remedy is required for Schools, Child Care Centers, and Residences.

3. Have periodic inspections been conducted pursuant to Attachment A of the Soil RAP for the site to determine if disturbances of the remedial action/engineering control(s) have taken place since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form? Yes No

If "Yes", attach all inspection reports/logs that have been completed since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form. See Attachment 2

4. Have disturbances of the remedial action/engineering control(s) taken place since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form? Yes No

If "Yes", provide the following information:

a) Date of Disturbance: _____ Duration of Disturbance: Months _____ Days _____

Describe the disturbance:

b) Was the remedial action/engineering control(s) restored to the conditions stated in the Deed Notice/DER/Notice In-Lieu of DN? Yes No

If "No", briefly describe below the reasons why and indicate what measures are being taken to ensure the protectiveness of public health and safety and of the environment:

Approximate Date of Expected Engineering Control(s) Disturbance Repair*: _____

* Note that the engineering control(s) disturbance should be repaired within 60 days of the disturbance and that a Soil RAP Modification Application is required for any permanent change to the engineering control(s) for the site.

5. Since the Soil RAP was issued, did the comparison conducted pursuant to N.J.A.C. 7:26C-7.8(b)3 require the submission of a Soil RAP Modification Application? Yes No
 If "Yes", Provide the date of Soil RAP Modification Application Submission:
6. Did the comparison conducted above reveal a change in the Soil Remediation Standards? Yes No
 If "Yes", did the Soil Remediation Standards change by an order of magnitude? Yes No
 If "Yes", does the change require a modification of the institutional or engineering control? Yes No
 If "Yes", provide the date of Soil RAP Modification Application Submission:

Attach a contaminant concentration table that compares Soil Remediation Standard changes and order of magnitude analysis.

See Attachment 3

Contaminants of Emerging Concern (CECs): The permittee(s) is required to evaluate whether there is the potential that the compounds listed below may have been manufactured, used, handled, stored, disposed or discharged at the AOC(s) associated with the Soil RAP. Evaluation does not mean analysis. Evaluation means using your professional judgement to determine if the compounds are potential contaminants of concern at the AOC(s) associated with the Soil RAP. The evaluation of these compounds should be the same as any other compound. Additional information on CECs can be found at <https://www.nj.gov/dep/srp/emerging-contaminants/>.

7. Is 1,4-dioxane a potential contaminant of concern at the AOC(s) associated with the Soil RAP and does it require further remedial investigation? Yes No
8. Is perchlorate a potential contaminant of concern at the AOC(s) associated with the Soil RAP and does it require further remedial investigation? Yes No
9. Are per- and polyfluoroalkyl substances (PFAS), including but not limited to perfluorononanoic acid (PFNA), perfluorooctanoic acid (PFOA), and perfluorooctane sulfonic acid (PFOS) potential contaminants of concern at the AOC(s) associated with the Soil RAP and does it require further remedial investigation? Yes No
10. Is 1,2,3-trichloropropane (1,2,3-TCP) a potential contaminant of concern at the AOC(s) associated with the Soil RAP and does it require further remedial investigation? Yes No

Attach the results of the required emerging CECs evaluation: See Attachment 4

If "Yes" to any of the questions 7 to 10 above, then provide a discussion of how this issue is being addressed:

SECTION I. VAPOR INTRUSION

1. Are compounds of potential vapor intrusion concern included in the Deed Notice/DER/Notice In-Lieu of DN? Yes No
 If "Yes", then complete this section; otherwise proceed to the next section.

2. Based on the most recent soil data available, do any contaminants of concern currently require a vapor intrusion investigation pursuant to N.J.A.C. 7:26E-1.15?..... Yes No

If "Yes", attach a table with the vapor intrusion sampling results, a scaled site map indicating the location of all structures investigated for vapor intrusion, and provide a discussion of those results below or provide a written explanation with the reasons for not evaluating the vapor intrusion pathway.

3. Were there any changes in property use for the site or surrounding properties that required a vapor intrusion investigation from this soil contamination?..... Yes No

If "Yes", attach a table with the vapor intrusion sampling results, a scaled site map indicating the location of all structures investigated for vapor intrusion, and provide a discussion of those results below or provide a written explanation with the reasons for not evaluating the vapor intrusion pathway.

4. Have any vapor intrusion engineering controls/mitigation systems been installed as a result of this soil contamination? (If a system was installed, but not required for the remediation (i.e., there is not a complete VI pathway requiring the system), check "No") Yes No

If "Yes", indicate the type of engineering control that was implemented: *(check all that apply)*

- Subsurface Depressurization System
- Subsurface Ventilation System
- Soil Vapor Extraction System
- HVAC Positive Pressure
- Other (specify): _____

Attach any vapor intrusion sampling results as required from the Vapor Intrusion Monitoring Plan for the permit, including the NJDEP Vapor Intrusion Mitigation Monitoring and Maintenance Checklist. Provide a scaled site map that clearly identifies the building(s) and/or structure(s) with the vapor intrusion engineering control(s)/mitigation system(s) in place (e.g., active or passive), including the address and block and lot of each impacted property.

Note: A Soil RAP Modification Application should be submitted if the vapor intrusion engineering controls/mitigation systems is not included in the Soil RAP for the site.

5. Is there sub-slab soil gas (SSSG) contamination above the NJDEP's Soil Gas Screening Levels (SGSLs) beneath any buildings that require a VI Long-Term Monitoring (LTM) Plan or a VI Change in Use Evaluation Plan, or both as a result of this soil contamination? Yes No

If "Yes", check all that apply and answer the question below:

- SSSG > SGSL and ≤ 10X NJDEP SGSL (VI LTM Plan pursuant to Table 6-2 of the VIT Guidance)
- SSSG > 10X NJDEP SGSL (VI LTM Plan pursuant to Table 6-2 of the VIT Guidance)
- SSSG > NJDEP Residential SGSL for Non-Residential Structure (VI Change in Use Evaluation Plan)

Have annual inspections been completed to determine if building conditions have changed and/or there has been a change in the use? Yes No

Attach a summary of the building inspections and/or any vapor intrusion sampling results as required from the VI LTM Plan or the VI Change in Use Evaluation Plan for the permit. Provide a scaled site map that clearly identifies the building(s) and/or structure(s) with the VI LTM Plan or the VI Change in Use Evaluation Plan, including the address and block and lot of each impacted property.

Note: A Soil RAP Modification Application should be submitted if the VI LTM Plan or the VI Change in Use Evaluation Plan is not included in the Soil RAP for the site.

6. Are there any buildings with an Indeterminate Vapor Intrusion Pathway status as a result of this soil contamination? Yes No

If "Yes", have annual inspection been completed to determine if there has been a change in the use? Yes No

Attach a summary of the inspection and a scale site map clearly identifying the buildings with Indeterminate Vapor Intrusion Pathway status, including the address and block/lot of each building.

Note: A Soil RAP Modification Application should be submitted if the Indeterminate Vapor Intrusion Pathway status is not included in the Soil RAP for the site.

SECTION J. FINANCIAL ASSURANCE

1. Does the Soil RAP/Deed Notice/DER/Notice In-Lieu of DN include an engineering control? Yes No

If "No", proceed to the next section.

2. Is Financial Assurance required for the site? Yes No

If "Yes", attach a completed Remediation Cost Review and RFS/FA Form with a detailed cost estimate.

3. If the Financial Assurance Instrument is a Line of Credit, Remediation Trust Fund, Surety Bond, or Environmental Insurance Policy, have annual statements confirming the value of the Financial Assurance Instrument been submitted pursuant to the permit schedule? Yes No

NA

See Attachment 5

If "No", attach the annual statements confirming the value of the Financial Assurance Instrument.

4. If the current owner of the site is either a homeowner association or a condominium association, have copies of the annual budget that includes funds for the operation, maintenance, and monitoring of the engineering control(s) at the site been submitted pursuant to the permit schedule? Yes No

If "No", attach copies of the association's annual budget that includes funds for the operation, maintenance, and monitoring of the engineering control(s) at the site.

SECTION K. OTHER INFORMATION PROVIDED

List any other pertinent information to support the Soil Remedial Action Protectiveness/Biennial Certification Form. This section should include a discussion of any new information or soil data as it relates to the protectiveness of the soil remedial action for the site.

SECTION L. PERSON WITH PRIMARY CONTACT FOR PERMIT COMPLIANCE/PERSON RESPONSIBLE FOR MONITORING THE PROTECTIVENESS OF THE REMEDIAL ACTION INFORMATION AND CERTIFICATION

Affiliation/Name of Organization: New York Mutual Trading, Inc.
Representative First Name: Ami Representative Last Name: Nakanishi
Title: Senior Vice President/General Manager
Phone Number: (201) 933-9555 Ext.: _____ Fax: _____
Mailing Address: 77 Metro Way
Municipality: Secaucus State: NJ Zip Code: 07094
Email Address: ami@nymtc.com


- Relationship to the Site (check all that apply)
- I am the Person Responsible for Conducting Remediation
 - I am the current Owner
 - I am the current Operator
 - I am the current Lessee

This certification shall be signed by the person with primary contact for permit compliance/person responsible for monitoring the protectiveness of the remedial action in accordance with the Administrative Requirements for the Remediation of Contaminated Sites rule at N.J.A.C. 7:26C-1.5(a).

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, including all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

I also understand that engineering and institutional controls must be evaluated and maintained to ensure they remain protective of public health and safety and the environment.

Based upon the information provided herein, I hereby certify that the remedial action(s) implemented at the site that includes engineering and/or institutional controls remains protective of public health and safety and the environment.

Signature:  Date: 4.6.2023
Name/Title: Ami Nakanishi / Senior Vice President/General Manager

Completed forms should be emailed to srp_submissions@dep.nj.gov*

*All Soil Remedial Action Protectiveness/Biennial Certification forms associated with a Post-NFA Case must continue to be submitted on a CD by mail with the accompanying fee to the following address:

Bureau of Case Assignment & Initial Notice
Contaminated Site Remediation & Redevelopment Program
NJ Department of Environmental Protection
401-05H
PO Box 420
Trenton, NJ 08625-0420

SECTION M. LICENSED SITE REMEDIATION PROFESSIONAL INFORMATION AND STATEMENT

LSRP ID Number: 573684

First Name: Alfred

Last Name: Moffit

Phone Numbers: (973) 662-7027

Ext.: _____

Fax: _____

Mailing Address: 400 Broadacres Drive, Suite 310

Municipality: Bloomfield

State: NJ

Zip Code: 07003

Email Address: amoffit@geiconsultants.com

This statement shall be signed by the LSRP who is submitting this notification in accordance with N.J.S.A. 58:10C-14, and N.J.S.A. 58:10B-1.3b(1) and (2).

(1) I certify, as a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C-1 et seq. to conduct business in New Jersey, that for the remediation described in this submission, and all attachments included in this submission, I personally: Managed, supervised, or performed the remediation conducted at this site that is described in this submission, and all attachments included in this submission; and/or periodically reviewed and evaluated the work performed by other persons that forms the basis for the information in this submission; and/or completed the work of another site remediation professional, licensed or not, after having: (1) reviewed all available documentation on which I relied; (2) conducted a site visit and observed the then-current conditions and verified the status of as much of the work as was reasonably observable; and (3) concluded, in the exercise of my independent professional judgment, that there was sufficient information upon which to complete any additional phase of remediation and prepare workplans and reports related thereto.

(2) I certify:

- That I have read this submission and all attachments to this submission;
- That in performing the professional services as the licensed site remediation professional for the entire site or each area of concern, I adhered to the professional conduct standards and requirements governing licensed site remediation professionals provided in N.J.S.A. 58:10C-16;
- That the remediation conducted at the entire site or each area of concern, that is described in this submission and all attachments to this submission, was conducted pursuant to and in compliance with the remediation requirements in N.J.S.A. 58:10C-14.c;
- That the remediation described in this submission, and all attachments to this submission, was conducted pursuant to and in compliance with the regulations of the Site Remediation Professional Licensing Board at N.J.A.C. 7:26i; and
- That the information contained in this submission and all attachments to this submission is true, accurate, and complete.

(3) I certify, when this submission includes a response action outcome, that the entire site or each area of concern has been remediated in compliance with all applicable statutes, rules, and regulations and is protective of public health and safety and the environment.

(4) I certify that no other person is authorized or able to use any password, encryption method, or electronic signature that the Board or the Department have provided to me.

(5) I certify that I understand and acknowledge that:

- If I knowingly make a false statement, representation, or certification in any document or information I submit to the Department I may be subject to civil and administrative enforcement pursuant to N.J.S.A. 58:10C-17.a.1(a) through (f) by the Board, including but not limited to license suspension, revocation, or denial of renewal; and
- If I purposely, knowingly, or recklessly make a false statement, representation, or certification in any application, form, record, document or other information submitted to the Department or required to be maintained pursuant to the Site Remediation Reform Act, I shall be guilty, upon conviction, of a crime of the third degree and shall, notwithstanding the provisions of subsection b. of N.J.S.2C:43-3, be subject to a fine of not less than \$5,000 nor more than \$75,000 per day of violation, or by imprisonment, or both.

(6) I certify that I have read this certification prior to signing, certifying, and making this submission.

LSRP Signature: Alfred Moffit

Date: 4/04/2023

LSRP Name: Alfred Moffit, Senior Consultant

Company Name: GEI Consultants, Inc.

Attachment 1 – Financial Obligations Summary

**Mark Lighting
aka Mark Lighting Fixture Company
25 Knickerbocker Road
Moonachie, Bergen County, New Jersey
NJDEP PI No.: 023566
Soil Remedial Action Permit Nos.: RAP140001**

Financial Obligations Summary Report as of 03/10/2023

Please note that it takes 2-3 weeks for checks sent to the Treasury Department to be processed and payment reflected in NJDEP's data system

PI#: 023566 - MARK LIGHTING

Case# or Activity #	Document Title or Case Name	Type of Case	Case Tracking Number	Status	Next Scheduled Billing Date	Billing Contact	Most Recent Invoice	Most Recent Invoice	Amount Due
ISR960002	E95486 Mark Lighting Fixtures	ISRA Remediation	24529	Closed	6/21/23	Do Not Mail		No	\$.00
PFR000001	E95486 Mark Lighting DER/DN	Publicly Funded Remediation	24529	Transferred Pending Payment	6/4/23	Kazuko Ashikari		No	\$.00
RAP140001	Remedial Action Permit Set	Remedial Action Permit		Approved		Arni Nakanishi	Invoice#: 220564460	No	\$.00
USR000001	92-07-06-1454 BUST C1	UST Remediation	24530	Closed	5/10/23	There are no Billing Contacts for this activity		No	\$.00

Billing/Fees History

Case# or Activity #	Amount Due	Bill Status	Type of Notice	Invoice #	Payment Plan #	Bill Date	Due Date	Billed Amount	Payment Received	Case Tracking Number	Bill Type
ISR960002	\$914.50	Closed (Canceled)	Original (Non-Initial)	120041710	0	1/11/2012	3/11/2012	\$914.50		24529	SRP Direct Billing
PFR000001	\$0.00	Closed (Paid In Full)	Original (Initial)	111931100	0	11/30/2011	12/30/2011	\$375.00	\$375.00	24529	Fee
RAP140001	\$0.00	Closed (Paid In Full)	Original (Initial)	141752210	0	9/25/2014	11/24/2014	\$750.00	\$750.00		Fee
RAP140001	\$0.00	Closed (Paid In Full)	Original (Non-Initial)	160456180	0	4/18/2016	6/17/2016	\$205.00	\$205.00		Fee
RAP140001	\$0.00	Closed (Paid In Full)	Original (Non-Initial)	170422580	0	4/18/2017	6/17/2017	\$255.00	\$255.00		Fee
RAP140001	\$0.00	Closed (Paid In Full)	Original (Non-Initial)	180396340	0	4/18/2018	6/17/2018	\$320.00	\$320.00		Fee

Financial Obligations Summary Report as of 03/10/2023

Case# or Activity #	Amount Due	Bill Status	Type of Notice	Invoice #	Payment Plan #	Bill Date	Due Date	Billed Amount	Payment Received	Case Tracking Number	Bill Type
RAP140001	\$0.00	Closed (Paid In Full)	Original (Non-Initial)	190344800	0	4/18/2019	6/17/2019	\$400.00	\$400.00		Fee
RAP140001	\$0.00	Closed (Paid In Full)	Original (Non-Initial)	200304440	0	4/19/2020	6/18/2020	\$550.00	\$550.00		Fee
RAP140001	\$0.00	Closed (Paid In Full)	Original (Non-Initial)	210612840	0	4/18/2021	6/17/2021	\$550.00	\$550.00		Fee
RAP140001	\$0.00	Closed (Paid In Full)	Original (Non-Initial)	220564460	0	4/18/2022	6/17/2022	\$550.00	\$550.00		Fee

No Fees/Bills Assessed or Paid
 For cases under LSRP Oversight, an RAO cannot be issued until
 the Annual Remediation Fee Form is filed and fee is paid

Unbilled Charges			
Status	Case# or Activity#	Amount	Date
	ISR960002		
	PFR000001		
	RAP140001		

No Unbilled Charges at this Site: 023566 - Mark Lighting

PI#: 033365 - MARK LIGHTING FIXTURE CO

Case# or Activity #	Document Title or Case Name	Type of Case	Case Tracking Number	Status	Next Scheduled Billing Date	Billing Contact	Most Recent Invoice	Amount Due

Billing/Fees History

Case# or Activity #	Amount Due	Bill Status	Type of Notice	Invoice #	Payment Plan #	Bill Date	Due Date	Billed Amount	Payment Received	Case Tracking Number	Bill Type

Financial Obligations Summary Report as of 03/10/2023

Case# or Activity #	Amount Due	Bill Status	Type of Notice	Invoice #	Payment Plan #	Bill Date	Due Date	Billed Amount	Payment Received	Case Tracking Number	Bill Type
UST000001	\$0.00	Closed (Paid In Full)	Corrected 2nd Notice	072362140	0	11/29/2007	12/29/2007	\$0.00			Fee
UST000001	\$0.00	Closed (Paid In Full)	Corrected 3rd Notice	020250560	0	11/29/2007	12/29/2007	\$0.00			Fee
UST000001	\$0.00	Closed (Paid In Full)	Corrected 3rd Notice	050025200	0	11/29/2007	12/29/2007	\$0.00			Fee

No Fees/Bills Assessed or Paid
For cases under LSRP Oversight, an RAO cannot be issued until
the Annual Remediation Fee Form is filed and fee is paid

Unbilled Charges			
Status	Case# or Activity#	Amount	Date
	UST000001		

No Unbilled Charges at this Site: 033365 - Mark Lighting Fixture Co

If you have any questions concerning outstanding annual remediation fees or oversight bills, contact the Office of Direct Billing & Cost Recovery at (609) 633-0701

RFS

Total RFS Amount -

RFS Information			
Case# or Activity#	Status	RFS Type	Posted By

RFS - 1% Surcharge History										
Case# or Activity #	Assessment Type	Bill Type	Invoice #	Payment Plan #	Bill Date	Due Date	Billed Amount	Payment Amount	Amount Due	Bill Status

Attachment 2 – Annual Inspections

**Mark Lighting
aka Mark Lighting Fixture Company
25 Knickerbocker Road
Moonachie, Bergen County, New Jersey
NJDEP PI No.: 023566
Soil Remedial Action Permit Nos.: RAP140001**



300 Broadacres Drive
Suite 100
Bloomfield, New Jersey 07003

Ph: (973) 662-7027
Fax: (973) 509-9625

Memorandum

To: Project File

From: Alfred Moffit, LSRP, GEI Consultants

Date: March 30, 2022

Re: Remedial Action Protectiveness/Biennial Certification Inspection
NY Mutual Trading, Inc.
25 Knickerbocker Road
Moonachie, New Jersey 07074
NJDEP PI No.: 023566
GEI Project No.: 2100830

I conducted a site inspection at the referenced facility on March 22, 2022 to evaluate the condition of the asphalt cover (access roads and parking lot) and building floor slab. This hardstand and associated landscaping serve as the engineering controls for the remedial action permit that currently is in place at this site.

The property is comprised of one two-story warehouse building with some office space in its southern portion. Engineering controls in place to minimize potential exposure to base neutral compounds and metals in Historic Fill in the subsurface consist of:

- 1) Vegetative cover south of the site building towards Knickerbocker Road,
- 2) Asphalt pavement cover to the west, north, and east of the site building, and
- 3) Concrete floor slab within the site building

The building floor slab and associated buffer strip landscaping is intact and functioning as designed. Based on this inspection, the engineering controls appeared to be in good condition. Potholes and surface cracks were noted in some section of the asphalt paved parking/drive areas. These isolated potholes were not deep and did not exposed the underlying soil. These potholes and surface cracks typically form over the winter and are patched/repared as part of routine maintenance to prevent further deterioration. The next annual inspection is in April 2023 and the next NJDEP biennial certification is due in April 2023. Based on this inspection the engineering controls are in place and effective in minimizing the potential for exposure to the Historic Fill.



300 Broadacres Drive
Suite 100
Bloomfield, New Jersey 07003

Ph: (973) 662-7027
Fax: (973) 509-9625

Memorandum

To: Project File

From: Alfred Moffit, LSRP, GEI Consultants

Date: March 16, 2023

Re: Remedial Action Protectiveness/Biennial Certification Inspection
NY Mutual Trading, Inc.
25 Knickerbocker Road
Moonachie, New Jersey 07074
NJDEP PI No.: 023566
GEI Project No.: 2100830

I conducted a site inspection at the referenced facility on March 14, 2023 to evaluate the condition of the asphalt cover (access roads and parking lot) and building floor slab. This hardstand and associated landscaping serve as the engineering controls for the remedial action permit that currently is in place at this site.

The property is comprised of one, two-story warehouse building with some office space in its southern portion. Engineering controls in place to minimize potential exposure to base neutral compounds and metals in Historic Fill in the subsurface consist of:

- 1) Vegetative cover south of the site building towards Knickerbocker Road,
- 2) Asphalt pavement cover to the west, north, and east of the site building, and
- 3) Concrete floor slab within the site building

The building floor slab and associated buffer strip landscaping is intact and functioning as designed. Based on this inspection, the engineering controls appeared to be in good condition. Potholes and surface cracks were noted in some sections of the asphalt paved parking/drive areas. These potholes and surface cracks typically form over the winter and are patched/repared as part of routine maintenance to prevent further deterioration. The next annual inspection is in April 2024 and the next NJDEP biennial certification is due in April 2025. Based on this inspection the engineering controls are in place and effective in minimizing the potential for exposure to the Historic Fill.

Attachment 3 – Order of Magnitude Analysis

**Mark Lighting
aka Mark Lighting Fixture Company
25 Knickerbocker Road
Moonachie, Bergen County, New Jersey
NJDEP PI No.: 023566
Soil Remedial Action Permit Nos.: RAP140001**

Attachment 3 - Order of Magnitude Analysis
25 Knickerbocker Road
aka Mark Lighting Fixture Company
25 Knickerbocker Road, Moonachie, Bergen County, NJ
SRP No.: 023566; Soil RAP No.: RAP140001

In accordance with N.J.A.C. 7:26C-7.8(b)3, a comparison was conducted between the 1999 Soil Cleanup Criteria (SCC) and the 2021 SRS. The evaluation of this data indicates that contaminants identified in the Deed Notice as being above the 1999 SCC have not changed by an order of magnitude. In addition, there are no compounds listed in NJDEP's May 2021 Order of Magnitude Evaluation Guidance (Version 2.0) that are currently above NJDEP's Residential SRS, Non-Residential SRS, and/or Migration to Ground Water Exposure Pathway Standards. A contaminant concentration table that compares the SCC to SRS changes and order of magnitude analysis is provided below. The conclusion of this analysis is that the Soil - RAP, deed notice, and current engineering controls are still protective of public health, safety, and the environment.

Contaminant	CAS#	Concentration (ppm)	1999 Residential Direct Contact Soil Cleanup Criteria (SCC)	2021 Residential Ingestion-Dermal SRS	2021 Residential Inhalation SRS	1999 Non-Residential Direct Contact Soil Cleanup Criteria (SCC)	2021 Non-Residential Ingestion-Dermal SRS	2021 Non-Residential Inhalation SRS	2021 Migration to Ground Water Exposure Pathway
Benzo [a] anthracene	56-55-3	18-27	0.9	5.1	78,000	4.0	23	370,000	0.71
Benzo [b] fluoranthene	205-99-2	24-44	0.9	5.1	78,000	4.0	23	370,000	NA
Benzo [k] fluoranthene	207-08-9	10-18	0.9	5.1	780,000	4.0	230	NA	NA
Benzo [a] pyrene	50-32-8	16-33	0.66	0.51	3,500	0.66	2.3	16,000	NA
Chrysene	218-01-09	18-28	9	510	NA	40	2,300	NA	NA
Indeno [1,2,3-CD] pyrene	193-39-5	5.6-11	0.9	0.51	7,800	4.0	2.3	37,000	NA
Dibenz [a,h] anthracene	53-70-3	0.85-1.0	0.66	0.51	7,800	0.66	2.3	37,000	NA

Notes:
 NA = Standard not available/not applicable

Attachment 4 – Evaluation of Emerging Contaminants of Concern

**Mark Lighting
aka Mark Lighting Fixture Company
25 Knickerbocker Road
Moonachie, Bergen County, New Jersey
NJDEP PI No.: 023566
Soil Remedial Action Permit Nos.: RAP140001**

Attachment 4 - Evaluation of Contaminants of Emerging Concern

**Mark Lighting
aka Mark Lighting Fixture Company
25 Knickerbocker Road
Moonachie, Bergen County, New Jersey
NJDEP PI No.: 023566
Soil Remedial Action Permit Nos.: RAP140001**

Section H of the May 2, 2022, *Remedial Action Protectiveness/Biennial Certification Form – Soil* states that

“The permittee(s) is required to evaluate whether there is the potential that the compounds listed below may have been manufactured, used, handled, stored, disposed or discharged at the AOC(s) associated with the Soil RAP. Evaluation does not mean analysis. Evaluation means using professional judgement to determine if the compounds are potential contaminants of concern at the AOC(s) associated with the Soil RAP.” The compounds are: 1,4-dioxane, perchlorate, per- and polyfluoroalkyl substances (PFAS), inc.: perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS), and 1,2,3-trichloropropane (1,2,3-TCP). The following is discussion of the Contaminants of Emerging Concern, and the Soil RAP related Contaminants of Concern are below followed by the evaluation.

Contaminants of Emerging Concern

1,4-dioxane

According to EPA Technical Fact Sheet – 1,4-dioxane (dated November 2017); historically, the main use of 1,4-dioxane was as a stabilizer of chlorinated solvents. It is short-lived in the atmosphere, may leach readily from soil to groundwater, migrating rapidly in groundwater and is relatively resistant to biodegradation in the subsurface.

Perchlorate

According to EPA Technical Fact Sheet – Perchlorate (dated January 2014); perchlorate is a naturally occurring and man-made anion used to produce nitrate fertilizers and commonly used as an oxidizer in solid propellants, munitions, fireworks, airbag initiators for vehicles, matches and signal flares. It is also used in some electroplating operations and found in some disinfectants and herbicides. It is highly soluble in water, migrating quickly from soil to groundwater.

PFAS (inc. PFNA, PFOA, and PFOS)

Per- and polyfluoroalkyl substances (PFAS) have been used in a wide variety of industrial and commercial processes and products, including, but not limited to electroplating and metal finishing (e.g., chromium plating), vapor/mist suppression, stain repellants, electronics, aerospace, automotive, insecticide/herbicides, adhesives/varnish/paints, coatings for textiles (fabrics, upholstery, and carpeting), paper products, and cookware; to formulate some firefighting foams;

and at landfills. They have also been used in a range of applications in photographic imaging, semiconductor, construction, electronics, and aviation industries.

Fluoropolymer manufacturing and facilities that used PFAS in industrial and commercial product manufacturing and fluorinated Aqueous Film Forming Foam (AFFF) are considered significant potential sources of PFAS. AFFF containing perfluorooctanesulfonic acid (PFOS) has been used to extinguish petroleum hydrocarbon fires. AFFF contamination has been identified at many locations where AFFF products were stored and discharged, including, but not limited to, airports, spill/crash sites, firefighter training facilities, refineries, and bulk petroleum storage facilities.

The scientific understanding of the toxicity, fate and transport, health effects, and analytical capabilities of PFAS are continuing to advance. PFAS are man-made chemicals that contain carbon and fluorine atoms of various chain length. PFAS are mobile, persistent, and soluble in water. Certain PFAS can be toxic and bioaccumulate in fish and/or humans when discharged into the environment. These contaminants at low levels can cause adverse health effects, as they persist (bioaccumulate) in the body for many years. Standards, criteria, and guidance have been developed by the NJDEP using assumptions that are protective for exposures over a lifetime.

On October 17, 2022 (effective date), the NJDEP published in the New Jersey Register and posted on CSRRP's Interim Remediation Standards webpage interim soil remediation standards for the ingestion-dermal exposure pathway for PFNA, PFOA, PFOS, and hexafluoropropylene oxide dimer acid and its ammonium salt (GenX), and soil and soil leachate remediation standards for the migration to groundwater (MGW) exposure pathway for PFNA, PFOA, and PFOS.

Perfluorononanoic Acid (PFNA):

In July 2015, the New Jersey Drinking Water Quality Institute (DWQI) recommended a health-based maximum contaminant level (MCL) for perfluorononanoic acid (PFNA). The DWQI is an advisory body to the NJDEP that is responsible for recommending MCLs in drinking water. This recommended MCL served as the basis for the interim specific groundwater quality standard for PFNA established by NJDEP on November 25, 2015. The interim specific groundwater quality standard was replaced by a permanent, specific groundwater quality standard of the same value under amendments to the Groundwater Quality Standards regulations adopted on January 16, 2018. Concurrent adoption of amendments to the Discharge of Petroleum and Other Hazardous Substances regulations (N.J.A.C. 7:1E) added PFNA to the List of Hazardous Substances. On August 7, 2017, NJDEP proposed amendments to the Safe Drinking Water Act Rules that include establishing a new MCL for PFNA. On September 4, 2018, the NJDEP adopted the MCL and concurrently amended the Groundwater Quality Standard for PFNA.

Perfluorooctanoic Acid (PFOA):

In 2007, NJDEP issued a preliminary drinking water guidance level for perfluorooctanoic acid (PFOA). In March of 2017, the DWQI recommended a lower MCL for PFOA. In October 2017, the NJDEP issued an updated drinking water guidance value for PFOA and announced that the NJDEP would accept the DWQI recommended lower PFOA MCL. On March 13, 2019, NJDEP established an interim specific groundwater quality standard for PFOA that became effective upon

posting to the "Table of Interim Specific Groundwater Quality Criteria (ISGWQC), Interim PQLs (IPQLs), and Interim Specific Ground Water Quality Standards (ISGWQS) for Constituents in Class II-A Groundwater".

Perfluorooctanesulfonic Acid (PFOS):

In November 2017, the DWQI published draft recommendations for a health based MCL for PFOS and in June of 2018, the NJDEP accepted the DWQI recommended PFOS MCL. On March 13, 2019, NJDEP established an interim specific groundwater quality standard for PFOS that also PFOS became effective upon posting to the "Table of Interim Specific Groundwater Quality Criteria (ISGWQC), Interim PQLs (IPQLs), and Interim Specific Groundwater Quality Standards (ISGWQS) for Constituents in Class II-A Groundwater".

1,2,3-TCP

According to EPA Technical Fact Sheet -1,2,3-TCP (dated November 2017); 1,2,3-TCP is exclusively a man-made chlorinated hydrocarbon, typically found at industrial or hazardous waste sites and is often present at sites contaminated by other chlorinated solvents. It has been used as an industrial solvent and as a cleaning and degreasing agent; it has been found as an impurity resulting from the production of soil fumigants and is used as a chemical intermediate in the production of other chemicals such as liquid polymers. It evaporates readily from surface soil and surface water and travels quickly from subsurface soil to groundwater. In the pure form, it is likely to exist as a dense nonaqueous phase liquid. Primary human exposure routes are inhalation of ambient air and ingestion of drinking water.

Site Specific Contaminants of Concern

Polycyclic aromatic hydrocarbons (PAHs)

(Agency for Toxic Substances and Disease Registry (ATSDR) ToxFAQs September 1996)

Polycyclic aromatic hydrocarbons (PAHs) are a group of over 100 different chemicals that are formed during the incomplete burning of coal, oil and gas, garbage, or other organic substances like tobacco or charbroiled meat. They are also typically found in and associated with historic fill. PAHs are usually found as a mixture containing two or more of these compounds, such as soot. Some PAHs are manufactured and usually exist as colorless, white, or pale yellow-green solids. PAHs are found in coal tar, crude oil, creosote, and roofing tar, but a few are used in medicines or to make dyes, plastics, and pesticides. Most PAHs do not dissolve easily in water, rather they stick to solid particles and settle to the bottoms of lakes or rivers. In soil, PAHs are most likely to stick tightly to soil particles. Certain PAHs move through soil to contaminate groundwater. Primary human exposure routes are inhalation of ambient air and ingestion of soil/drinking water.

Evaluation

The Soil RAP and associated deed notice are for the entire property for concentrations of PAHs previously detected above the NJDEP Soil Cleanup Criteria (SCC). The contaminants of concern are attributable to historic fill used to raise the topographical elevation in the area. They are not used, stored, or manufactured currently at the property.

The industries and operations that are associated with the Contaminants of Emerging Concern (CECs) 1,4-dioxane, perchlorate, PFAS (inc. PFOA, PFOS, and PFNA), and 1,2,3-TCP were not observed or known to have occurred at the property. No further investigation is required for Contaminants of Emerging Concern relative to the Soil RAP and there is no basis for a groundwater Site Investigation (SI) related to PFOA, PFOS, PFNA, or any other PFAS compounds, nor the basis for an SI related to the other CECs (1,4-dioxane, perchlorate, and 1,2,3-TCP). A review of prior reports did not find documentation that contradicts the above conclusions.

Based on the above information and review, it is the LSRP of Records opinion that the CECs are not COCs associated with the Soil RAP. Should additional information become available that contradicts this conclusion, it will be documented within the next Biennial Certification.

Attachment 5 – RFS/FA Documentation

**Mark Lighting
aka Mark Lighting Fixture Company
25 Knickerbocker Road
Moonachie, Bergen County, New Jersey
NJDEP PI No.: 023566
Soil Remedial Action Permit Nos.: RAP140001**



New Jersey Department of Environmental Protection
 Site Remediation and Waste Management Program

REMEDATION COST REVIEW AND RFS/FA FORM

RFS FA

Date Stamp
 (For Department use only)

SECTION A. SITE NAME AND LOCATION

Site Name: 25 Knickerbocker Road
 List All AKAs: Mark Lighting Fixture Company
 Street Address: 25 Knickerbocker Road
 Municipality: Moonachie (Township Borough or City)
 County: Bergen Zip Code: 07074
 Program Interest (PI) or RFS Number(s): 023566
 Case Tracking Number(s): Soil Remedial Action Permit #RAP140001

SECTION B. PERSON RESPONSIBLE FOR CONDUCTING THE REMEDIATION

Full Legal Name Person Responsible for Conducting Remediation: New York Mutual Trading, Inc.
 Representative First Name: Ami Representative Last Name: Nakanishi
 Title: Senior Vice President/General Manager
 Mailing Address: 77 Metro Way
 Municipality: Secaucus State: NJ Zip Code: 07094
 Phone Number: (201) 933-9555 Ext: _____ Fax: _____
 Email Address: ami@mutual.us

I am also the person responsible for establishing and maintaining a Remediation Funding Source (RFS).

Billing Contact

Same as Person Responsible for Conducting Remediation / Representative listed above.

Name of Organization: _____
 Name of Billing Contact: _____ Title: _____
 Mailing Address: _____
 Municipality: _____ State: _____ Zip Code: _____
 Phone Number: _____ Ext: _____ Fax: _____
 Email Address: _____

EXEMPTION CLAIM FOR RFS ONLY (not FA)

If claiming an exemption from the requirement to post Remediation Funding Source pursuant to N.J.A.C. 7:26C-5.2(b), please check the appropriate box below and do not complete sections C through H:

- Environmental Opportunity Zone
- Innovative remedial action technology
- Unrestricted or limited restricted use remedial action
- Government entity
- Remediation at primary or secondary residence
- Owner or operator of a licensed child care center
- Public, private or charter school

NOTE: All exemptions require additional supporting documentation to be attached. Please refer to the form instructions. If the exemption is only for a portion of the site, you must complete section C through H for the portion of the site that does not meet the exemption criteria. **See instructions.**

SECTION C. PURPOSE OF SUBMISSION

Check all that apply

- Initial Remediation Funding Source pursuant to N.J.A.C. 7:26C-5.2(a) (attach original RFS instrument and 1% surcharge payment, as applicable)
- Initial Financial Assurance for a Remedial Action Permit pursuant to N.J.A.C. 7:26C-7 (attach original FA instrument)
- Initial Direct Oversight Remediation Trust Fund Agreement pursuant to N.J.A.C. 7:26C-14.2(b)5 (attach original RTF instrument and 1% surcharge payment)

- Initial Direct Oversight Remediation Cost Review pursuant to N.J.A.C. 7:26C-14.2(b)4
- Annual Remediation Cost Review pursuant to N.J.A.C. 7:26C-5.10 (attach RFS instrument verification and valuation)
- Biennial Cost Review pursuant to N.J.A.C. 7:26C-7.10 (Remedial Action Permits)

- Change in Remediation Funding Source or Financial Assurance Amount pursuant to N.J.A.C. 7:26C-5.11
- Change in Remediation Funding Source or Financial Assurance Mechanism pursuant to N.J.A. 7:26C-5.11(d)
- Remediation Funding Source Disbursement Notification pursuant to N.J.A.C. 7:26C-5.12(a)
- Remediation Funding Source Disbursement Request pursuant to N.J.A.C. 7:26C-5.12(b) – Direct Oversight only
- Remediation Funding Source/Financial Assurance Disbursement Request pursuant to N.J.A.C. 7:26C-5.13(d) – Department held RFS/FA

- Request Release of the Remediation Funding Source or Financial Assurance pursuant to N.J.A.C. 7:26C-5.11(e)
- Using a Remediation Funding Source as Financial Assurance

SECTION D. TYPE AND AMOUNT OF REMEDIATION FUNDING SOURCE OR FINANCIAL ASSURANCE POSTED

Initial or Existing Mechanism for RFS or FA

Check all that apply

- Letter of Credit
- Remediation Trust Fund
- Self Guarantee
- Line of Credit
- Environmental Insurance Policy
- Surety Bond
- Direct Oversight Remediation Trust Fund
- Fully Funded Trust (Existing only pre-June 1993)
- Performance Bond (Existing only pre-June 1993)
- Surety Bond (Existing only pre-June 1993)

Replacement Mechanism for RFS or FA

Check all that apply

- Letter of Credit
- Remediation Trust Fund
- Self Guarantee
- Line of Credit
- Environmental Insurance Policy
- Surety Bond
- Direct Oversight Remediation Trust Fund

1. Expiration Date of Remediation Funding Source or Financial Assurance Posted: NA
2. Amount of Remediation Funding Source or Financial Assurance posted prior to any increase, reduction, or disbursement addressed in this submission: \$30,000.00
3. Do you want to disburse, reduce, or increase the amount of the Remediation Funding Source?..... Yes No
If "Yes," specify below:
 Disburse RFS Reduce RFS Increase RFS by (amount):

SECTION E. REMEDIATION COST ESTIMATION

1. Indicate the method(s) used to calculate the remediation cost review/estimate: (Check all that apply)

- RACER® (attach documentation for estimate)
- Cost-Pro® (attach documentation for estimate)
- Surrogate Cost (ISRA Remediation Certifications, see for instructions for further clarification)
A Preliminary Assessment/Site Investigation has NOT been completed for the site, the surrogate remediation funding source has been established in the amount of \$100,000 or \$250,000.
- Calculated independently by LSRP/Consultant using (attach documentation used to generate calculation):
 - Actual competitive bid(s) See Attachment 1
 - Internal company data
 - Other commercially available software. Specify: _____
 - Other. Specify: LSRP Review of files/knowledge of site

2. Estimated cost:

To complete remediation: _____

or

For Financial Assurance: \$30,000.00

3. Full legal name of person who prepared the cost estimate: Alfred Moffit, LSRP, GEI Consultants

SECTION F. COST REVIEW FOR REMEDIATION FUNDING SOURCE OR FINANCIAL ASSURANCE

NA

1. **Remediation Funding Source – due annually**

a. Date of most recent prior cost estimate: _____

b. Total monies spent to date to remediate the site: _____

Attach detailed summary of monies spent to remediate.

c. Estimated remaining costs to complete the remediation: _____

Attach detailed estimate of remaining costs to complete remediation.

d. Provide an explanation of any changes from most recent prior cost estimate.

2. **Financial Assurance – due biennially**

a. Date of most recent prior cost estimate: _____ 09/17/2021

b. Current cost estimate to operate, maintain and monitor the engineering control: \$30,000.00

c. Provide an explanation of any changes from most recent prior cost estimate.

Not applicable to this submittal

SECTION G. LSRP AUTHORIZED DISBURSEMENTS NOTIFICATION AND REQUEST FOR NJDEP REDUCTION APPROVAL

NA

1. Date previous notification/request submitted:
2. For Remediation Trust Funds and Lines of Credit:
 - a. Date the LSRP authorized disbursement (*Attach copy of authorization*):
 - b. Total amount of the authorized disbursement:
 - c. Date the holder of the RFS mechanism disbursed the funds:
 - d. Amount of RFS remaining after disbursement.....
3. For NJDEP authorized reductions:
 - a. Amount of funds you are requesting the NJDEP authorize for reduction:
 - b. Provide RFS account information (e.g., bank name, account number, etc.):

SECTION H. REQUEST FOR NJDEP AUTHORIZED DISBURSEMENTS

NA

ONLY for sites subject to Direct Oversight pursuant to N.J.A.C. 7:26C-14 and disbursement requests in accordance with N.J.A.C. 7:26C-5.13

1. Total amount of requested disbursement
2. Provide the name, address, telephone number, email and tax identification number of all parties to receive payment from this disbursement and amount of each payment.

3. Attach a description of remediation costs incurred or to be incurred and the specific remediation that has or will be completed under this request including the following documentation:
 - a.) For remediation costs that have been incurred, include a Remediation Report documenting the completion of the remediation activities; or
 - b.) For remediation costs to be incurred, include a proposed scope of work of the remediation activities to be completed.
4. Attach an estimate of all remaining costs to complete the remediation.

SECTION I. LICENSED SITE REMEDIATION PROFESSIONAL INFORMATION AND STATEMENT

LSRP ID Number: 573684

First Name: Alfred E.

Last Name: Moffit III

Phone Numbers: (973) 662-7027

Ext.: _____

Fax: _____

Mailing Address: 400 Broadacres Drive, Suite 310

Municipality: Bloomfield

State: NJ

Zip Code: 07003

Email Address: AMoffit@GEIConsultants.com

This statement shall be signed by the LSRP who is submitting this notification in accordance with N.J.S.A. 58:10C-14, and N.J.S.A. 58:10B-1.3b(1) and (2).

(1) I certify, as a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C-1 et seq. to conduct business in New Jersey, that for the remediation described in this submission, and all attachments included in this submission, I personally: Managed, supervised, or performed the remediation conducted at this site that is described in this submission, and all attachments included in this submission; and/or periodically reviewed and evaluated the work performed by other persons that forms the basis for the information in this submission; and/or completed the work of another site remediation professional, licensed or not, after having: (1) reviewed all available documentation on which I relied; (2) conducted a site visit and observed the then-current conditions and verified the status of as much of the work as was reasonably observable; and (3) concluded, in the exercise of my independent professional judgment, that there was sufficient information upon which to complete any additional phase of remediation and prepare workplans and reports related thereto.

(2) I certify:

- That I have read this submission and all attachments to this submission;
- That in performing the professional services as the licensed site remediation professional for the entire site or each area of concern, I adhered to the professional conduct standards and requirements governing licensed site remediation professionals provided in N.J.S.A. 58:10C-16;
- That the remediation conducted at the entire site or each area of concern, that is described in this submission and all attachments to this submission, was conducted pursuant to and in compliance with the remediation requirements in N.J.S.A. 58:10C-14.c;
- That the remediation described in this submission, and all attachments to this submission, was conducted pursuant to and in compliance with the regulations of the Site Remediation Professional Licensing Board at N.J.A.C. 7:26i; and
- That the information contained in this submission and all attachments to this submission is true, accurate, and complete.

(3) I certify, when this submission includes a response action outcome, that the entire site or each area of concern has been remediated in compliance with all applicable statutes, rules, and regulations and is protective of public health and safety and the environment.

(4) I certify that no other person is authorized or able to use any password, encryption method, or electronic signature that the Board or the Department have provided to me.

(5) I certify that I understand and acknowledge that:

- If I knowingly make a false statement, representation, or certification in any document or information I submit to the Department I may be subject to civil and administrative enforcement pursuant to N.J.S.A. 58:10C-17.a.1(a) through (f) by the Board, including but not limited to license suspension, revocation, or denial of renewal; and
- If I purposely, knowingly, or recklessly make a false statement, representation, or certification in any application, form, record, document or other information submitted to the Department or required to be maintained pursuant to the Site Remediation Reform Act, I shall be guilty, upon conviction, of a crime of the third degree and shall, notwithstanding the provisions of subsection b. of N.J.S.2C:43-3, be subject to a fine of not less than \$5,000 nor more than \$75,000 per day of violation, or by imprisonment, or both.

(6) I certify that I have read this certification prior to signing, certifying, and making this submission.

LSRP Signature: Alfred Moffit

Date: 4/04/2023

LSRP Name: Alfred E. Moffit III / Senior Consultant

Company Name: GEI Consultants, Inc.

SECTION J. PERSON RESPONSIBLE FOR CONDUCTING THE REMEDIATION INFORMATION AND CERTIFICATION

Full Legal Name of the Person Responsible for Conducting the Remediation: New York Mutual Trading, Inc.

Representative First Name: Ami Representative Last Name Nakanishi

Title: Senior Vice President/General Manager

Phone Number: (201) 933-9555 Ext: _____ Fax: _____

Mailing Address: 77 Metro Way

City/Town: Secaucus State: NJ Zip Code: 07094

Email Address: ami@mutual.us

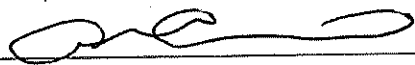
The person responsible for conducting the remediation is the person responsible for establishing and maintaining a remediation funding source/financial assurance.

This certification shall be signed by the person responsible for conducting the remediation who is submitting this notification in accordance with Administrative Requirements for the Remediation of Contaminated Sites rule at N.J.A.C. 7:26C-1.5(a).

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, including all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

I certify I am fully aware of the requirements of N.J.A.C. 7:26C-5 et seq. as they pertain to Remediation Funding Sources and Financial Assurances and the language of any provided Remediation Funding Source or Financial Assurance instrument does not deviate in any way from the language in the Department's model documents found at www.nj.gov/dep/srp/guidance/rfsguide except as approved by the Department.

For disbursement notification or request pursuant to N.J.A.C. 7:26C-5.12 or 5.13(d), I certify that the disbursement relates to actual remediation costs, incurred or to be incurred, and does not include ineligible legal fees.

Signature: 

Date: 4.6.2023

Name/Title: Ami Nakanishi / Senior Vice President/General Manager

SECTION K. PERSON ESTABLISHING AND MAINTAINING A REMEDIATION FUNDING SOURCE/FINANCIAL ASSURANCE (complete if different person than Section J)

Full Legal Name of Person Establishing and Maintaining a Remediation Funding Source: _____

Representative First Name: _____ Representative Last Name: _____

Title: _____

Phone Number: _____ Ext: _____ Fax: _____

Mailing Address: _____

City/Town: _____ State: _____ Zip Code: _____

Email Address: _____

This certification shall be signed by the person establishing and maintaining a remediation funding source/financial assurance who is submitting this notification in accordance with Administrative Requirements for the Remediation of Contaminated Sites rule at N.J.A.C. 7:26C-1.5(a).

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, including all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

I certify I am fully aware of the requirements of N.J.A.C. 7:26C-5 et seq. as they pertain to Remediation Funding Sources and Financial Assurances and the language of any provided Remediation Funding Source or Financial Assurance instrument does not deviate in any way from the language in the Department's model documents found at www.nj.gov/dep/srp/guidance/rfsquide except as approved by the Department.

For a disbursement notification or request pursuant to N.J.A.C. 7:26C-5.12, I certify that the disbursement relates to actual remediation costs, incurred or to be incurred, and does not include ineligible legal fees

Signature: _____ Date: _____

Name/Title: _____

Completed forms should be sent to:

Bureau of Case Assignment & Initial Notice
Site Remediation and Waste Management Program
NJ Department of Environmental Protection
401-05H
PO Box 420
Trenton, NJ 08625-0420

Financial Assurance Estimate
 25 Knickerbocker Road
 Moonachie - Bergen County
 NJDEP PI No. 023566

Item No.	Description	Annual Maintenance Cost	30-Year (Projected) Maintenance Cost	Notes
1	Maintenance of Engineering Controls	NC	\$ -	(a)
	- Concrete Floor Slab			
	- Parking Area			
	- Landscapped Area			
	- Walkways			
2	Inspection of Engineering Controls			
	- Annually by owner	NC	\$ -	(b)
3	Biennial Certification (every 2 years)	\$ 1,200	\$ 18,000	(c)
4	NJDEP Annual Fee	\$ 420	\$ 12,600	
5	Total Estimated Costs		\$ 30,600	
6	Final Financial Assurance Amount		\$ 30,000	(d)
NOTES				
(a)	Operations and Maintenance of engineering controls is part of overall maintenance of site.			
(b)	Property owner to do annual inspections of engineering controls as part of best business practices.			
(c)	Assumes 15 inspections over a 30-year timeframe.			
(d)	Financial assurance amount based on net present value calculations.			



New Jersey Department of Environmental Protection
Contaminated Site Remediation & Redevelopment Program
SOIL REMEDIAL ACTION PROTECTIVENESS/
BIENNIAL CERTIFICATION FORM

COPY

Date Stamp
 (For Department use only)

SECTION A. SITE NAME AND LOCATION

Site Name: Terminal Construction Corporation
 List all AKAs: _____
 Street Address: 100 Anderson Avenue
 Municipality: Moonachie (Township, Borough or City)
 County: Bergen Zip Code: 07074
 Program Interest (PI) Number(s): 007895
 Soil Remedial Action Permit (RAP) Number: RAP210002

RECEIVED
 MAY 1-23
 BORO OF MOONACHIE

SECTION B. FEES

- Soil Remedial Action Protectiveness/Biennial Certification Form for a Soil RAP (No Fee)
 Have all outstanding Soil RAP annual fees been paid?..... Yes No
- Post-NFA Cases (Sites without a Soil RAP): Soil Remedial Action Protectiveness/Biennial Certification Form:

Note: A Soil RAP Initial Application is required to be submitted with this form. Please see the Compliance Notice: Post-NFA cases requiring remedial action permits, which includes the fee breakdown:
https://www.nj.gov/dep/srp/enforcement/post_nfa_compliance_notice.pdf

Effective on or Before June 30, 2022	Effective July 1, 2022
\$5,130	\$5,365

SECTION C. FEE BILLING CONTACT PERSON

Changed Since Last Submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form
 Date of RAP Contact Information Change Form Submission: _____
 Business Name: LBA OR Development-Company I, LLC
 First Name of Contact: Perry Last Name of Contact: Schonfeld
 Title: Principal and COO
 Phone Number: (949) 955-3910 Ext.: _____ Fax: _____
 Mailing Address: 3347 Michelson Drive
 Municipality: Irvine State: CA Zip Code: 92612
 Email Address: pschonfeld@lbarealty.com

RECEIVED
 MAY 1-2023
 BORO OF MOONACHIE

SECTION D. PERSON(S) RESPONSIBLE FOR CONDUCTING THE REMEDIATION

1. Has the mailing address changed for the Person Responsible for Conducting the Remediation that is currently listed on the Soil RAP for the site?..... Yes No
 If "Yes", provide the date of the Soil RAP Modification Application submission:
2. Has the Contact Person/Information changed since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form?..... Yes No
 If "Yes", provide the date of the RAP Contact Information Change Form submission:

SECTION E. CURRENT OWNER(S) OF THE SITE

1. Has the Property Owner changed from what is currently listed on the Soil RAP for the site? Yes No
 If "Yes", provide the date of the RAP Transfer/Change of Property Ownership Application submission:
2. Has the mailing address changed for the Property Owner that is currently listed on the Soil RAP for the site?..... Yes No
 If "Yes", provide the date of the Soil RAP Modification Application submission:
3. Has the Contact Person/Information changed since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form? Yes No
 If "Yes", provide the date of the RAP Contact Information Change Form submission:

SECTION F. ATTACHED DOCUMENTS

Attach electronic copies of the following documents in an email to srp_submissions@dep.nj.gov*: (Check all that apply)

*See instructions for how to handle submissions associated with a Post-NFA Case.

- The Soil Remedial Action Protectiveness/Biennial Certification Form using the current form on the NJDEP Website (Required).
- All inspection reports/logs that have been completed since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form (Required).
- A contaminant concentration table that compares Soil Remediation Standard changes and order of magnitude analysis associated with the Soil RAP (Required).
- The Contaminants of Emerging Concern (CECs) evaluation completed associated with the Soil RAP (Required).
- A current Tax Map of the property if the block and lot has changed since the Deed Notice was filed, if applicable.
- The completed Remediation Cost Review and RFS/FA Form with a detailed cost estimate, if applicable.
- The homeowner or condominium association's annual budget that includes funds for the operation, maintenance, and monitoring of the engineering control(s) associated with the Soil RAP, if applicable.
- The annual statements confirming the value of the Financial Assurance Instrument, if applicable.

SECTION G. DEED NOTICE/DECLARATION OF ENVIRONMENTAL RESTRICTION (DER)/NOTICE IN-LIEU OF DEED NOTICE INFORMATION

1. Provide the filing date of the current Deed Notice/DER or the issuance of the Notice In-Lieu of DN: 08/24/2020
2. For the current Deed Notice/DER, provide the Book and Page numbers in which the Deed Notice/DER was filed at the county recording office:
 Book and Page Numbers: Book 3677, Pages 1313-1335
3. Since the Deed Notice/DER was filed, did the Municipal Block and Lot number(s) of the Deed Notice/DER change?..... Yes No
 If "Yes", attach a current Tax Map of the property and list the former and new Municipal Block and Lot numbers of the Deed Notice/DER below:
 Former Municipal Block and Lot Number(s): _____
 New Municipal Block and Lot Number(s): _____
4. Did you provide copies of this form to the municipal and county clerks for each municipality and county in which the site is located; the local, county and regional health department for each municipality and county in which the site is located; each current owner of the site; the Pinelands Commission as applicable; and the Highlands Commission as applicable?..... Yes No

SECTION H. SITE USE, CHANGES, AND DISTURBANCES

1. Indicate current site use:

- Industrial
- Residential
- Commercial
- School
- Child Care Facility
- Hospital
- Landfill
- Agricultural
- Park or Recreational Use
- Vacant
- Government Facility
- Road/Right of Way
- Solar Panels
- Other: _____

2. Has the site use(s) changed since the most recent Deed Notice/DER was filed or the issuance of the Notice In-Lieu of DN that would require the submission of a Soil RAP Modification Application? Yes No

If "Yes", indicate what the change was and the date of the submission of a Soil RAP Modification Application: See Attachment 1

Site Use Change: Impacted soils within Restricted Area were excavated. Site currently is vacant.

Date of Soil RAP Modification Application Submission: _____

Note: Pursuant to N.J.A.C. 7:26E- 5.3, a Presumptive or Alternative Remedy is required for Schools, Child Care Centers, and Residences.

3. Have periodic inspections been conducted pursuant to Attachment A of the Soil RAP for the site to determine if disturbances of the remedial action/engineering control(s) have taken place since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form? Yes No

If "Yes", attach all inspection reports/logs that have been completed since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form. See Attachment 2

4. Have disturbances of the remedial action/engineering control(s) taken place since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form? Yes No

If "Yes", provide the following information:

a) Date of Disturbance: 03/08/2022 Duration of Disturbance: Months 0 Days 4

Describe the disturbance:

Impacted soils within and beyond the Restricted Area were excavated during site redevelopment. As part of redevelopment, the site buildings were demolished providing access to the soils which previously were inaccessible. Refer to Attachment 1 for details regarding the disturbance and excavation activities. A Deed Notice termination request submitted to and approved by NJDEP on March 29, 2023.

b) Was the remedial action/engineering control(s) restored to the conditions stated in the Deed Notice/DER/Notice In-Lieu of DN? Yes No

If "No", briefly describe below the reasons why and indicate what measures are being taken to ensure the protectiveness of public health and safety and of the environment:

Impacted soils within and beyond the Restricted Area were excavated during site redevelopment. Refer to Attachment 1 for details regarding the disturbance and excavation activities. A Deed Notice termination request submitted to and approved by NJDEP on March 29, 2023.

Approximate Date of Expected Engineering Control(s) Disturbance Repair*: _____

* Note that the engineering control(s) disturbance should be repaired within 60 days of the disturbance and that a Soil RAP Modification Application is required for any permanent change to the engineering control(s) for the site.

5. Since the Soil RAP was issued, did the comparison conducted pursuant to N.J.A.C. 7:26C-7.8(b)3 require the submission of a Soil RAP Modification Application? Yes No
 If "Yes", Provide the date of Soil RAP Modification Application Submission:
6. Did the comparison conducted above reveal a change in the Soil Remediation Standards? Yes No
 If "Yes", did the Soil Remediation Standards change by an order of magnitude? Yes No
 If "Yes", does the change require a modification of the institutional or engineering control? Yes No
 If "Yes", provide the date of Soil RAP Modification Application Submission:

Attach a contaminant concentration table that compares Soil Remediation Standard changes and order of magnitude analysis. See Attachment 3

Contaminants of Emerging Concern (CECs): The permittee(s) is required to evaluate whether there is the potential that the compounds listed below may have been manufactured, used, handled, stored, disposed or discharged at the AOC(s) associated with the Soil RAP. Evaluation does not mean analysis. Evaluation means using your professional judgement to determine if the compounds are potential contaminants of concern at the AOC(s) associated with the Soil RAP. The evaluation of these compounds should be the same as any other compound. Additional information on CECs can be found at <https://www.nj.gov/dep/srp/emerging-contaminants/>.

7. Is 1,4-dioxane a potential contaminant of concern at the AOC(s) associated with the Soil RAP and does it require further remedial investigation? Yes No
8. Is perchlorate a potential contaminant of concern at the AOC(s) associated with the Soil RAP and does it require further remedial investigation? Yes No
9. Are per- and polyfluoroalkyl substances (PFAS), including but not limited to perfluorononanoic acid (PFNA), perfluorooctanoic acid (PFOA), and perfluorooctane sulfonic acid (PFOS) potential contaminants of concern at the AOC(s) associated with the Soil RAP and does it require further remedial investigation? Yes No
10. Is 1,2,3-trichloropropane (1,2,3-TCP) a potential contaminant of concern at the AOC(s) associated with the Soil RAP and does it require further remedial investigation? Yes No

Attach the results of the required emerging CECs evaluation: See Attachment 4

If "Yes" to any of the questions 7 to 10 above, then provide a discussion of how this issue is being addressed:

SECTION I. VAPOR INTRUSION

1. Are compounds of potential vapor intrusion concern included in the Deed Notice/DER/Notice In-Lieu of DN? Yes No
 If "Yes", then complete this section; otherwise proceed to the next section. See Attachment 3

2. Based on the most recent soil data available, do any contaminants of concern currently require a vapor intrusion investigation pursuant to N.J.A.C. 7:26E-1.15?..... Yes No

If "Yes", attach a table with the vapor intrusion sampling results, a scaled site map indicating the location of all structures investigated for vapor intrusion, and provide a discussion of those results below or provide a written explanation with the reasons for not evaluating the vapor intrusion pathway.

3. Were there any changes in property use for the site or surrounding properties that required a vapor intrusion investigation from this soil contamination?..... Yes No

If "Yes", attach a table with the vapor intrusion sampling results, a scaled site map indicating the location of all structures investigated for vapor intrusion, and provide a discussion of those results below or provide a written explanation with the reasons for not evaluating the vapor intrusion pathway:

4. Have any vapor intrusion engineering controls/mitigation systems been installed as a result of this soil contamination? (If a system was installed, but not required for the remediation (i.e., there is not a complete VI pathway requiring the system), check "No") Yes No

If "Yes", indicate the type of engineering control that was implemented: *(check all that apply)*

- Subsurface Depressurization System
- Subsurface Ventilation System
- Soil Vapor Extraction System
- HVAC Positive Pressure
- Other (specify): _____

Attach any vapor intrusion sampling results as required from the Vapor Intrusion Monitoring Plan for the permit, including the NJDEP Vapor Intrusion Mitigation Monitoring and Maintenance Checklist. Provide a scaled site map that clearly identifies the building(s) and/or structure(s) with the vapor intrusion engineering control(s)/mitigation system(s) in place (e.g., active or passive), including the address and block and lot of each impacted property.

Note: A Soil RAP Modification Application should be submitted if the vapor intrusion engineering controls/mitigation systems is not included in the Soil RAP for the site.

5. Is there sub-slab soil gas (SSSG) contamination above the NJDEP's Soil Gas Screening Levels (SGSLs) beneath any buildings that require a VI Long-Term Monitoring (LTM) Plan or a VI Change in Use Evaluation Plan, or both as a result of this soil contamination? Yes No

If "Yes", check all that apply and answer the question below:

- SSSG > SGSL and ≤ 10X NJDEP SGSL (VI LTM Plan pursuant to Table 6-2 of the VIT Guidance)
- SSSG > 10X NJDEP SGSL (VI LTM Plan pursuant to Table 6-2 of the VIT Guidance)
- SSSG > NJDEP Residential SGSL for Non-Residential Structure (VI Change in Use Evaluation Plan)

Have annual inspections been completed to determine if building conditions have changed and/or there has been a change in the use? Yes No

Attach a summary of the building inspections and/or any vapor intrusion sampling results as required from the VI LTM Plan or the VI Change in Use Evaluation Plan for the permit. Provide a scaled site map that clearly identifies the building(s) and/or structure(s) with the VI LTM Plan or the VI Change in Use Evaluation Plan, including the address and block and lot of each impacted property.

Note: A Soil RAP Modification Application should be submitted if the VI LTM Plan or the VI Change in Use Evaluation Plan is not included in the Soil RAP for the site.

6. Are there any buildings with an Indeterminate Vapor Intrusion Pathway status as a result of this soil contamination? Yes No

If "Yes", have annual inspection been completed to determine if there has been a change in the use? Yes No

Attach a summary of the inspection and a scale site map clearly identifying the buildings with Indeterminate Vapor Intrusion Pathway status, including the address and block/lot of each building.

Note: A Soil RAP Modification Application should be submitted if the Indeterminate Vapor Intrusion Pathway status is not included in the Soil RAP for the site.

SECTION J. FINANCIAL ASSURANCE

1. Does the Soil RAP/Deed Notice/DER/Notice In-Lieu of DN include an engineering control? Yes No
If "No", proceed to the next section.

2. Is Financial Assurance required for the site? Yes No
If "Yes", attach a completed Remediation Cost Review and RFS/FA Form with a detailed cost estimate.

3. If the Financial Assurance Instrument is a Line of Credit, Remediation Trust Fund, Surety Bond, or Environmental Insurance Policy, have annual statements confirming the value of the Financial Assurance Instrument been submitted pursuant to the permit schedule? Yes No
If "No", attach the annual statements confirming the value of the Financial Assurance Instrument.

4. If the current owner of the site is either a homeowner association or a condominium association, have copies of the annual budget that includes funds for the operation, maintenance, and monitoring of the engineering control(s) at the site been submitted pursuant to the permit schedule? N/A Yes No
If "No", attach copies of the association's annual budget that includes funds for the operation, maintenance, and monitoring of the engineering control(s) at the site.

See Attachment 5

SECTION K. OTHER INFORMATION PROVIDED

List any other pertinent information to support the Soil Remedial Action Protectiveness/Biennial Certification Form. This section should include a discussion of any new information or soil data as it relates to the protectiveness of the soil remedial action for the site.

Impacted soils within and beyond the Restricted Area were excavated during site redevelopment. A Deed Notice termination request was submitted to and approved by NJDEP on March 29, 2023. The executed Deed Notice Termination has been sent to Bergen County and awaiting recording by the Clerk's Office.

SECTION L. PERSON WITH PRIMARY CONTACT FOR PERMIT COMPLIANCE/PERSON RESPONSIBLE FOR MONITORING THE PROTECTIVENESS OF THE REMEDIAL ACTION INFORMATION AND CERTIFICATION

Affiliation/Name of Organization: LBA OR Development-Company I, LLC
 Representative First Name: Perry Representative Last Name: Schonfeld
 Title: President and Chief Operating Officer
 Phone Number: (979) 955-9310 Ext.: _____ Fax: _____
 Mailing Address: 3347 Michelson Drive, Suite 200
 Municipality: Irvine State: CA Zip Code: 92612
 Email Address: pschonfeld@lbarealty.com

Relationship to the Site (check all that apply)

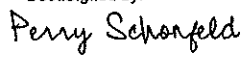
- I am the Person Responsible for Conducting Remediation
 I am the current Owner
 I am the current Operator
 I am the current Lessee

This certification shall be signed by the person with primary contact for permit compliance/person responsible for monitoring the protectiveness of the remedial action in accordance with the Administrative Requirements for the Remediation of Contaminated Sites rule at N.J.A.C. 7:26C-1.5(a).

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, including all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

I also understand that engineering and institutional controls must be evaluated and maintained to ensure they remain protective of public health and safety and the environment.

Based upon the information provided herein, I hereby certify that the remedial action(s) implemented at the site that includes engineering and/or institutional controls remains protective of public health and safety and the environment.

Signature:  Date: 4/25/2023
DocuSigned by: AE0FFF30EA33423...
 Name/Title: Perry Schonfeld, President and Chief Operating Officer

Completed forms should be emailed to srp_submissions@dep.nj.gov*

*All Soil Remedial Action Protectiveness/Biennial Certification forms associated with a Post-NFA Case must continue to be submitted on a CD by mail with the accompanying fee to the following address:

Bureau of Case Assignment & Initial Notice
 Contaminated Site Remediation & Redevelopment Program
 NJ Department of Environmental Protection
 401-05H
 PO Box 420
 Trenton, NJ 08625-0420

SECTION M. LICENSED SITE REMEDIATION PROFESSIONAL INFORMATION AND STATEMENTLSRP ID Number: 624376First Name: Peter Last Name: SorgePhone Numbers: (908) 895-1870 Ext.: _____ Fax: _____Mailing Address: 57 Fourth StreetMunicipality: Somerville State: NJ Zip Code: 08876Email Address: psorge@verdantas.com

This statement shall be signed by the LSRP who is submitting this notification in accordance with N.J.S.A. 58:10C-14, and N.J.S.A. 58:10B-1.3b(1) and (2).

(1) I certify, as a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C-1 et seq. to conduct business in New Jersey, that for the remediation described in this submission, and all attachments included in this submission, I personally: Managed, supervised, or performed the remediation conducted at this site that is described in this submission, and all attachments included in this submission; and/or periodically reviewed and evaluated the work performed by other persons that forms the basis for the information in this submission; and/or completed the work of another site remediation professional, licensed or not, after having: (1) reviewed all available documentation on which I relied; (2) conducted a site visit and observed the then-current conditions and verified the status of as much of the work as was reasonably observable; and (3) concluded, in the exercise of my independent professional judgment, that there was sufficient information upon which to complete any additional phase of remediation and prepare workplans and reports related thereto.

(2) I certify:

- That I have read this submission and all attachments to this submission;
- That in performing the professional services as the licensed site remediation professional for the entire site or each area of concern, I adhered to the professional conduct standards and requirements governing licensed site remediation professionals provided in N.J.S.A. 58:10C-16;
- That the remediation conducted at the entire site or each area of concern, that is described in this submission and all attachments to this submission, was conducted pursuant to and in compliance with the remediation requirements in N.J.S.A. 58:10C-14.c;
- That the remediation described in this submission, and all attachments to this submission, was conducted pursuant to and in compliance with the regulations of the Site Remediation Professional Licensing Board at N.J.A.C. 7:26I; and
- That the information contained in this submission and all attachments to this submission is true, accurate, and complete.

(3) I certify, when this submission includes a response action outcome, that the entire site or each area of concern has been remediated in compliance with all applicable statutes, rules, and regulations and is protective of public health and safety and the environment.

(4) I certify that no other person is authorized or able to use any password, encryption method, or electronic signature that the Board or the Department have provided to me.

(5) I certify that I understand and acknowledge that:

- If I knowingly make a false statement, representation, or certification in any document or information I submit to the Department I may be subject to civil and administrative enforcement pursuant to N.J.S.A. 58:10C-17.a.1(a) through (f) by the Board, including but not limited to license suspension, revocation, or denial of renewal; and
- If I purposely, knowingly, or recklessly make a false statement, representation, or certification in any application, form, record, document or other information submitted to the Department or required to be maintained pursuant to the Site Remediation Reform Act, I shall be guilty, upon conviction, of a crime of the third degree and shall, notwithstanding the provisions of subsection b. of N.J.S.2C:43-3, be subject to a fine of not less than \$5,000 nor more than \$75,000 per day of violation, or by imprisonment, or both.

(6) I certify that I have read this certification prior to signing, certifying, and making this submission.

LSRP Signature: _____

Date: _____

LSRP Name: Peter SorgeCompany Name: Verdantas, LLC

Attachment 1 - Site Use Changes and Disturbance

A Deed Notice was filed in August 2020 for residual impacts associated with a release from a former gasoline underground storage tank (UST). The site is being redeveloped and the prior structures have been demolished. The current property owner, LBA OR Development-Company I, LLC (LBA) is constructing one industrial warehouse on the site. The demolition of the structures and removal of the engineering controls provided an opportunity to access and remove the impacted soil.

As documented in the attached Request for Termination of Deed Notice dated February 27, 2023, JM Sorge, Inc. (now known as Verdantas, LLC) oversaw the excavation and offsite disposal of impacted soil previously remediated through the establishment of the Deed Notice and engineering controls monitored under Remedial Action Permit (RAP) # RAP210002.

The excavation of the soil impacts within and beyond the Restricted Area occurred from March 8-14, 2022. Approximately 770 tons of soil were disposed of at Soil Safe, Inc. in Logan Township, New Jersey. Approximately 2,284 gallons of water pumped from the excavation were temporarily stored in a frac tank staged in proximity to the excavation with ultimate disposal at Clean Water of New York, Inc. in Staten Island, New York. The excavation was backfilled with $\frac{3}{4}$ inch stone from the base of the excavation to 4 ft bgs and dense graded aggregate (DGA) from 4 ft bgs to grade. Stone was acquired from Weldon Quarry in Lake Hopatcong, New Jersey.

On March 29, 2023, NJDEP approved the request to terminate the Deed Notice. The Deed Notice Termination has been submitted to Bergen County for recording.

ENGINEERING CONTROL INSPECTION REPORT & MAINTENANCE LOG

Site Name and Address: 100 Anderson Avenue, Moonachie, NJ

Person conducting the inspection:

Date 03/07/2022

Victoria Reed, Senior Manager
Name and Title

JM Sorge
Company

Engineering Control Inspection

Name of occupant(s) and current use within the Engineering Control Area (**see attached Site Map**)

The site was vacant at the time of the inspection. No tenants occupy the Property. The Restricted Area Map is attached to this log.

Engineering Control Type (Check all that apply) Conditions

X Asphalt [X]-Maintained []-Needs Repair []-Contamination is exposed.

Notes: No disturbance or deterioration observed. Please note that the impacted soil will be excavated this week to remove Deed Notice/Restricted Area.

X Concrete / Building Slab [X]-Maintained []-Needs Repair []-Contamination is exposed.

Notes: No disturbance or deterioration observed. Please note that the impacted soil will be excavated this week to remove Deed Notice/Restricted Area.

 Greenspace []-Maintained []-Needs Repair []-Contamination is exposed.

Notes: _____

 Fence and/or Signs []-Maintained []-Needs Repair []-Contamination is exposed.

Notes: _____

 Other: Rip Rap []-Maintained []-Needs Repair []-Contamination is exposed.

Notes: _____

Do engineering controls match attached Deed Notice Map? If not describe any differences:
Yes

Describe any reports or evidence of alterations, improvements, disturbances and/or repairs observed:

No disturbance or evidence of repair was observed.

Describe any alterations, improvements, disturbances and/or repairs likely to be necessary in the future:

Was an interview conducted with on-site manager Yes No X

Name and title of on-site manager _____

ENGINEERING CONTROL INSPECTION REPORT & MAINTENANCE LOG

Site Name and Address: 100 Anderson Avenue, Moonachie, NJ

Comments/Interview Notes:

Vapor Intrusion Mitigation System Inspection (See Attached Map)

Is a Vapor Intrusion Mitigation System Present? Yes _____ No X

If so, describe system components:

N/A

Are the system components intact and operating as intended? Describe conditions and attach photographs

N/A

Are any repairs necessary?

N/A

Additional comments:

The impacted soil within the Restricted Area will be excavated this week. Buildings have been demolished allowing for access to the impacted soil. Concrete slab and asphalt to be removed 3/8/2022.

Date: 03/07/2022 Signature: Victoria Reed

Attachment 3 – Contaminant of Emerging Concern Evaluation

The following table provides the compounds for which the NJDEP soil standards have changed by an order of magnitude.

	SRS Direct Contact Residential - 2018	SRS Direct Contact Residential - 2017	SRS Ingestion-Dermal Residential - 2021	SRS Inhalation Residential - 2021	SRS Direct Contact Nonresidential - 2018	SRS Direct Contact Nonresidential - 2017	SRS Ingestion-Dermal Nonresidential - 2021	SRS Inhalation Nonresidential - 2021	Impact to Ground Water Screening Levels - 2008	Impact to Ground Water Screening Levels - 2013	SRS Migration to Ground Water - 2021
Units	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg
Semi-VOAs											
1,1-Diphenyl	NS	NS	87	NS	5000	240	450	NS	NS	140	NS
4-Chloroaniline	NS	NS	27	NS	NS	NS	13	NS	NS	NS	0.23
Benzaldehyde	6000	6000	170	NS	68000	68000	910	NS	NS	NS	NS
bis(2-Ethylhexyl)phthalate	35	35	39	NS	140	180	180	NS	790	1200	1.4
Butyl benzyl phthalate	1200	1200	290	NS	14000	1300	1300	NS	150	230	29
Caprolactam	30000	30000	32000	290	340000	340000	460000	1300	NS	12	16
Hexachlorocyclopentadiene	45	45	470	2.7	110	110	7800	NS	270	320	2.5
Naphthalene	5	5	2500	5.7	17	17	34000	27	16	25	19
Nitrobenzene	24	5	160	7.5	34	34	2600	36	0.2	0.2	0.17
VOAs											
Bromomethane	25	25	110	18	59	59	1800	82	1	0.04	0.043
Dibromochloromethane	8	8	83	NS	8	8	43	NS	1	0.005	0.005
Ethylbenzene	7400	7400	7800	10	110000	110000	130000	48	140	13	15
Metals											
Cobalt	1600	1600	23	520	590	590	390	2500	NS	59	90
Copper	3100	3100	3100	NS	45000	45000	52000	NS	NS	2000	910
Inorganics											
Cyanide	100	100	47	NS	500	500	780	NS	15	20	20
Pesticides											
4,4'-DDE	2	2	2	NS	9	9	11	NS	59	18	0.47
4,4'-DDT	2	2	1.9	NS	8	8	9.5	NS	500	11	0.67

Exceedances above NJDEP Soil Remediation Standards of benzene and methyl-t-butyl ether (MTBE) were recorded on the Deed Notice in 2020. The soil standards for these compounds have not changed by an order of magnitude. Review of historic data identified concentrations of bromodichloromethane, benzene, toluene, ethylbenzene, xylenes, and MTBE above current applicable 2021 NJDEP SRS. Benzene is above NJDEP Residential Ingestion-Dermal SRS, and ethylbenzene and MTBE are above NJDEP Residential and/or Nonresidential Inhalation SRS. As noted in Attachment 1, these impacts have been excavated from the Restricted Area. Bromodichloromethane, toluene, and xylenes are above NJDEP's Migration to Groundwater (MGW SRS); however, no further evaluation is warranted since the affected samples were collected below the historically reported seasonal high-water table.

Appendix 4 - Contaminant of Emerging Concern Evaluation

Verdantas completed an evaluation of the following contaminants of emerging concern to assess whether there is evidence that suggests that any of these compounds may have been manufactured, used, stored, disposed, or discharged in relation to the release of gasoline from a former UST associated with the Deed Notice:

- 1,4-Dioxane
- Perchlorate
- Per- and polyfluoroalkyl substances (PFAS)
- 1,2,3-Trichloropropane (1,2,3-TCP)

PFAS compounds are commonly associated with firefighting foams, cleaning agents, fabric softeners, non-stick cookware, personal care products, stain repellants, electronics and wire manufacturing, photolithography and semiconductor industry, adhesive, varnish, paints, dyes, inks, polishes, waxes, manufacturing coatings, industrial surfactants, resins, molds and plastics, and wastewater treatment plants, among other uses.

1,4-Dioxane is a common contaminant at many sites contaminated with certain chlorinated solvents, particularly 1,1,1-trichloroethane, because of its widespread use as a stabilizer for chlorinated solvents. 1,4-dioxane is also commonly used as a purifying agent in the manufacture of pharmaceuticals and is a byproduct in the manufacture of polyethylene terephthalate plastic. It is a by-product present in many goods, including paint strippers, dyes, greases, antifreeze and aircraft deicing fluids, and in some consumer products.

Perchlorate is used in rocket fuels and explosives, temporary adhesives, electrolysis baths, batteries, air bags, drying agents, etching agents, cleaning agents and bleach, and oxygen generating systems.

1,2,3-TCP is used as an industrial solvent and as a cleaning and degreasing agent; it has been found as an impurity resulting from the production of soil fumigants.

The RAP for this site is for soil impacted with gasoline related contaminants. There is no known usage of the above-mentioned emerging contaminants of concern in connection with the former gasoline tank. Therefore, no further evaluation for emerging contaminants is warranted at this time.



May 17, 2023

Jennifer Cooney, Board Secretary
Borough of Moonachie – Board of Health
70 Moonachie Road
Moonachie, NJ 07074

RECEIVED
MAY 18 2023
BORO OF MOONACHIE

sent via UPS, proof of delivery requested

**Subject: Updated Receptor Evaluation
Electro-Miniatures Corporation
68 West Commercial Avenue
Moonachie, New Jersey
Block 66, Lot 6**

Dear Ms. Cooney:

Enclosed please find a copy of the Updated Receptor Evaluation for the above-referenced site. Please contact me at (michael.potts@terraphase.com or 609-236-8171 Ext. 90) or Nick Scala (nick.scala@terraphase.com or 609-236-8171 Ext. 92) with any questions.

Sincerely,
For Terraphase Engineering Inc.

A handwritten signature in black ink, appearing to read 'Michael Potts'.

Michael Potts
Principal Geologist

A handwritten signature in black ink, appearing to read 'Nicholas J. Scala'.

Nicholas J. Scala, PG, LSRP
Principal Geologist

cc. Ali Pollack, Electro-Miniatures Corporation
Frank L. Tamulonis III, Blank Rome LLP



New Jersey Department of Environmental Protection
Site Remediation and Waste Management Program

RECEPTOR EVALUATION (RE) FORM

Date Stamp
 (For Department use only)

SECTION A. SITE

Site Name: Electro-Miniatures Corporation
 Program Interest (PI) Number(s): 915279
 Communication Center Number(s) and/or ISRA number(s) for this submission: *(as many as will fit in the space provided)*
ISRA Case # E2020183254

**This form must be attached to the Cover/Certification Form
 if not submitted through a Remedial Phase Online Service**

Indicate the type of submission:

Initial RE Submission

Updated RE Submission

Indicate the reason for submission of an updated RE form

Submission of an Immediate Environmental Concern (IEC) source control report;

Submission of a Remedial Investigation Report;

Submission of a Remedial Action Report;

Check if included in updated RE

The known concentration or extent of contamination in any medium has increased;

A new AOC has been identified;

A new receptor is identified;

A new exposure pathway has been identified.

SECTION B. ON SITE AND SURROUNDING PROPERTY USE

1. Identify any sensitive populations/uses that are currently on-site or surrounding property usage within 200 feet of the site property boundary *(check all that apply)*:

	On-site	Off-site
None of the following	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Residences or residential property	<input type="checkbox"/>	<input type="checkbox"/>
Public or Private Schools Grades K-12	<input type="checkbox"/>	<input type="checkbox"/>
Child care centers	<input type="checkbox"/>	<input type="checkbox"/>
Public parks, playgrounds or other recreation areas	<input type="checkbox"/>	<input type="checkbox"/>
Other sensitive population use(s) Explain _____	<input type="checkbox"/>	<input type="checkbox"/>

If any of the above applies, attach a list of addresses, facility names, type of use, and a map depicting each location relative to the site.

2. Current site uses *(check all that apply)*:

- | | | |
|--|---------------------------------------|---|
| <input checked="" type="checkbox"/> Industrial | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> School or child care | <input type="checkbox"/> Government | <input type="checkbox"/> Park or recreational use |
| <input type="checkbox"/> Vacant | <input type="checkbox"/> Agricultural | <input type="checkbox"/> Other: _____ |

3. Planned future on-site uses and off-site uses within 200 feet of the site boundary *(check all that apply)*:

<u>On-Site</u>		<u>Off-Site</u>		<u>On-Site</u>		<u>Off-Site</u>	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Industrial	<input type="checkbox"/>	<input type="checkbox"/> Residential	<input type="checkbox"/>	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/>	<input type="checkbox"/> Park or recreational use
<input type="checkbox"/>	<input type="checkbox"/> School or child care	<input type="checkbox"/>	<input type="checkbox"/> Government	<input type="checkbox"/>	<input type="checkbox"/> Agricultural	<input type="checkbox"/>	<input type="checkbox"/> Other: _____
<input type="checkbox"/>	<input type="checkbox"/> Vacant	<input type="checkbox"/>	<input type="checkbox"/> Agricultural	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Provide a map depicting the location of the proposed changes in land use.

SECTION C. DESCRIPTION OF CONTAMINATION

1. Identify if any of the following exist at the site:

Yes No

Free product [N.J.A.C. 7:26E-1.8] identified is LNAPL* or DNAPL**.

Date identified: _____

Residual product [N.J.A.C. 7:26E-1.8]

Other primary source materials not identified above (e.g., buried drums, containers, unsecured friable asbestos). See form instructions for additional information.

Explain: _____

* LNAPL – measured thickness of .01 feet or more

**DNAPL – See *Ground Water Technical Guidance and USEPA Assessment and Delineation of DNAPL Source Zones at Hazardous Waste Sites* (attached as Appendix A of the NJDEP GW Guidance) available at: http://www.nj.gov/dep/srp/guidance/#pa_si_ri_gw. Also, see US EPA DNAPL Overview available at: [http://clu.in.org/contaminantfocus/default.focus/sec/Dense Nonaqueous Phase Liquids \(DNAPLS\)/cat/Overview](http://clu.in.org/contaminantfocus/default.focus/sec/Dense+Nonaqueous+Phase+Liquids+(DNAPLS)/cat/Overview)

2. Soil Migration Pathway

Has soil contamination been delineated to the applicable Direct Contact Soil Remediation Standard pursuant to N.J.A.C. 7:26E-4.2? Yes No

Are all soils either below the applicable Direct Contact Criteria or under an institutional control (i.e. deed notice)? Yes No

3. If this evaluation is submitted with a technical document that includes contaminant summary information, proceed to Section D. Otherwise, attach a brief summary of all currently available data and information to be included in the site investigation or remedial investigation report.

SECTION D. GROUND WATER USE

1. Have all potentially contaminated areas of concern been evaluated to determine if there is a potential that ground water is contaminated pursuant to N.J.A.C. 7:26E-3.5? Yes No

If "No," proceed to Section E.

2. Is a ground water investigation required? Yes No

If "No," proceed to Section E.

3. Has a groundwater investigation been conducted? Yes No

If "Yes":

Has the laboratory data package been received? Yes No

If the laboratory data package has not been received, provide the expected due date for data: _____ and proceed to Section E.

If "No":

Proceed to Section E.

4. Is ground water contaminated above the Ground Water Remediation Standards [N.J.A.C.7:9C]? Yes No

If "Yes": Provide the date that the laboratory data package was available and confirmed contamination was identified above the Ground Water Remediation Standards. Date: _____

If "No": Proceed to Section E.

5. Has ground water contamination been delineated to the applicable Remediation Standard pursuant to N.J.A.C 7:26E-4.3? Yes No

6. What is the ground water classification for this site as per N.J.A.C. 7:9C? (check all that apply)

- | | |
|---|--------------------------------------|
| <input type="checkbox"/> Class I-A | <input type="checkbox"/> Class II-A |
| <input type="checkbox"/> Class I-PL Pinelands Protection Area | <input type="checkbox"/> Class III-A |
| <input type="checkbox"/> Class I-PL Pinelands Preservation Area | <input type="checkbox"/> Class III-B |

7. Has a well search been completed?..... Yes No

Date of most recent or updated well search: _____

8. Is a completed Well Search Spreadsheet or historical well search table attached and has an electronic copy of the spreadsheet been submitted to srpgis_wrs@dep.nj.gov. Yes No

Note: Redacted wells must be excluded from all non-confidential documents including maps, tables, etc. (see RE Instructions).

If "No," explain: _____

9. Are any potable or irrigation wells located within 1/2 mile of the currently known extent of contamination? Yes No

If "Yes,":

- A door to door survey is required in accordance with [N.J.A.C.7:26E-1.14(a)ii]. Attach results of the door to door survey.
- Identify if any of the following conditions exist based on the well search and door to door survey [N.J.A.C.7:26E-1.14(a)]:

Yes No

- Potable wells located within 500 feet from the downgradient edge of the currently known extent of contamination.
- Potable wells located 250 feet upgradient or 500 feet side gradient of the currently known extent of contamination.
- Ground water contamination from the discharge is located within a Tier 1 wellhead protection area (WHPA).

10. Has sampling been conducted of potable well(s) and /or non-potable use well(s)? Yes No

If "No," provide justification then proceed to Question 12.

11. Has contamination been identified in potable well(s), **not attributed to background conditions**, above the Class II Ground Water Remediation Standards or State Safe Drinking Water levels, N.J.A.C 7:1E, whichever is applicable? Yes No

If "Yes":

- Provide the date laboratory data package was received: _____
- Follow the IEC Guidance Document at <http://www.nj.gov/dep/srp/guidance/IEC/index.html> for required actions and answer the following:
- Has an engineered system response action been completed on all impacted receptors? Yes No
Provide a brief narrative description:

Date completed: _____ NJDEP Case Manager: _____

12. Has contamination been identified in non-potable well(s), **not attributed to background conditions**, above the Class II Ground Water Remediation Standards?..... Yes No

If "Yes," provide the date laboratory data package was received: _____

13. Has the ground water use evaluation been completed pursuant to N.J.A.C. 7:26E-1.14? Yes No

8. Has indoor air contamination been identified but not suspected to be from a discharge? (if "Yes," attach justification) Yes No
9. Were indoor air results above the NJDEP's Rapid Action Levels? Yes No
- If "Yes":
- Provide the date laboratory data package was received: _____
 - Follow the IEC Guidance Document at <http://www.nj.gov/dep/srp/guidance/index.html#iec> for required actions and answer the following:
 - Was the IEC engineering system response for control implemented for all impacted structures? Yes No
- Date implemented: _____ NJDEP Case Manager: _____
10. Were the results of indoor air sampling above the NJDEP's Indoor Air Screening Levels but at, or below, the Rapid Action Levels Yes No
- If "Yes," answer the following:
- Provide the date laboratory data package was received: _____
 - Has the Vapor Concern (VC) Response Action Form notifying the NJDEP of the exceedances been submitted? Yes No
- Date: _____
- Has a plan to mitigate and monitor the exposure been submitted? Yes No
- Date: _____
- Has the Mitigation Response Action Report been submitted? Yes No
- Date: _____
11. Do one or more buildings have an Indeterminate VI Pathway status? Yes No
- If "Yes," attach a list of the building(s) with address(s) and block/lot(s)
12. Has the vapor intrusion investigation been completed? Yes No
- If "No", is the vapor intrusion investigation stepping out as part of the site investigation or remedial investigation. (If "No," attach justification) Yes No

SECTION F. ECOLOGICAL RECEPTORS

1. Has an Ecological Evaluation (EE) been conducted? [N.J.A.C. 7:26E-1.16] Yes No
- Date conducted: 07/28/2021
2. Are any site-related contaminants above any Ecological Screening Criteria? Yes No
3. Are there any Environmentally Sensitive Natural Resources (ESNRs) on or adjacent to the site, or potentially impacted by site related contamination? [N.J.A.C. 7:26E-1.16] Yes No
4. Do any potential or complete migration pathways exist between Contaminant of Potential Ecological Concern (COPECs) and ESNRs, or did historic migration pathways exist? Yes No

If You answered "No" to Questions 2, 3, or 4, above Stop Here (form is complete).

5. If site-related free or residual product is/was present, does/did a potential or complete migration pathway exist to an ESNR? Yes No
6. Do the results of an EE trigger a remedial investigation of ecological receptors? [N.J.A.C. 7:26E-4.8] Yes No
- If "Yes", has a remedial investigation of ecological receptors been conducted? Yes No
- Date conducted: _____

7. Do available data indicate an impact (COPECs above Ecological Screening Criteria in ESNRs) to Ecological Receptor(s), Surface water, or Sediment? Yes No

If "Yes,"

a) Check all ESNRs or media that apply:

Surface water Sediment Soil Wetlands

b) If this information is not submitted with an ecological evaluation that includes contaminant summary information, attach a brief summary of all currently available data and a description of all actions to be taken to mitigate exposure.

8. Have COPECs been fully delineated to the Ecological Screening Criteria [N.J.A.C. 7:26E-4.8(a)] in:

a) Migration pathways Yes No

b) ESNR Yes No

9. Has an Ecological Risk Assessment been conducted? Yes No

10. Provide the following information for any on-site and/or off-site surface water body, which is potentially impacted by the site related discharges:

Surface Water Body Name	Stream Classification	Antidegradation Designation	Trout Production	Trout Maintenance
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

11. Has a Program Interest (PI) or Permit number been issued for any regulated areas by the Division of Land Use Regulation? (e.g. wetlands, transition areas, flood hazard areas, coastal areas, tidelands, etc.) Yes No

If "Yes,":

Identify the type(s) of regulated areas: _____

Provide the Land Use Regulation Program (LURP) PI or Permit number(s) for the site:

12. Are there any **pending** applications for LURP jurisdiction letters or approvals under review by the NJDEP for the remediation? Yes No

13. Are there any **valid** LURP jurisdiction letters or approvals issued for the remediation? Yes No

Completed forms should be sent to the municipal clerk, designate health department, and:

Bureau of Case Assignment & Initial Notice
 Site Remediation Program
 NJ Department of Environmental Protection
 401-05H
 PO Box 420
 Trenton, NJ 08625-0420



May 11, 2023

Alison Pollack Elbert, Trustee
Pre-Closing EMC Shareholders
569 Barr Court
River Vale, NJ 07675

sent via email to apol88@gmail.com

Subject: Response Action Outcome

Remedial Action Type: Unrestricted Use

Scope of Remediation: ISRA Industrial Establishment as defined according to N.J.A.C. 7:26:B – Entire Site

Case Name: Electro-Miniatures Corp.

Address: 68 West Commercial Avenue

Municipality: Moonachie

County: Bergen County

Block: 66 Lot: 6

Preferred ID: 915279

Communication Center #: 21-06-11-1254-36, **UST Registration #:** 915279, **UST Closure #:** UCL220001

ISRA Transaction: Sale of Business

ISRA Case #: E2020183254

Well Permit #'s: E202200659, E202200660, E202200661

Dear Ms. Elbert:

As a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey, I hereby issue this Response Action Outcome for the remediation of the industrial establishment as defined according to N.J.A.C. 7:26B specifically referenced above. I directly oversaw and supervised all of the referenced remediation and based upon this work, it is my professional opinion that this remediation has been completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C), that is protective of public health, safety and the environment. Also, full payment has been made for all Department fees and oversight costs pursuant to N.J.A.C. 7:26C-4.

This remediation includes the completion of a Preliminary Assessment, Site Investigation and Remedial Investigation as defined pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E).

My decision in this matter is made upon the exercise of reasonable care and diligence and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals in good standing practicing in the State at the time these professional services are performed.

As required pursuant to N.J.A.C. 7:26C-6.2(b)2ii, a copy of all records related to the remediation that occurred at this location is being simultaneously filed with the New Jersey Department of Environmental

RECEIVED

MAY 16 2023

BORO OF MOONACHIE

Protection (Department). These records contain all information upon which I based my decision to issue this Response Action Outcome.

By operation of law a Covenant Not to Sue pursuant to N.J.S.A. 58:10B-13.2 applies to this remediation. The Covenant Not to Sue is subject to any conditions and limitations contained herein. The Covenant Not to Sue remains effective only as long as the real property referenced above continues to meet the conditions of this Response Action Outcome.

Conditions

Pursuant to N.J.S.A. 58:10B-12o, Pre-Closing EMC Shareholders and any other person who is liable for the cleanup and removal costs and remains liable pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. shall inform the Department in writing, on a form available from the Department, within 14 calendar days after its name or address changes. Any notices you submit pursuant to this paragraph shall reference the above case numbers and shall be sent to:

New Jersey Department of Environmental Protection
Bureau of Case Assignment and Initial Notice
Mail Code 401-05H
401 East State Street, 5th floor
PO Box 420
Trenton, New Jersey 08625-0420

NOTICES

Well Decommissioning

Pursuant to N.J.A.C. 7:9D-3, all wells installed as part of this remediation have been properly decommissioned by a New Jersey licensed well driller of the proper class in accordance with the procedures set forth in N.J.A.C. 7:9D and I have verified that the well driller's well decommissioning report has been submitted to the Bureau of Water Allocation and Well Permitting.

Building Interiors Not Addressed (Non-Child Care)

Please be advised that the remediation that is covered by this Response Action Outcome does not address the remediation of hazardous substances that may exist in building interiors or equipment, including, but not limited to, radon, asbestos and lead. As a result, any risks to human health presented by any building interior or equipment remains. A complete building interior evaluation should be completed before any change in use or re-occupancy is considered.

Contamination Remains On-Site due to Off-site Contamination

Please be advised that contamination in the ground water at this site exists above the Ground Water Quality Standards (N.J.A.C. 7:9C-1.7) which may limit ground water use at this site. Based on completion of a preliminary assessment and site investigation (as applicable), pursuant to N.J.A.C. 7:26E-3, and completion of a background investigation pursuant to N.J.A.C. 7:26E-3.9, there is no onsite contribution to this contamination and I have confirmed the source of this contamination is from offsite. This aspect

May 11, 2023
Alison Pollack Elbert
Response Action Outcome

of the site was reported to the Department and assigned the Department's Hotline incident number 23-01-11-0909-43. Any redevelopment on this site should take into consideration the potential for vapor intrusion from the ground water contamination.

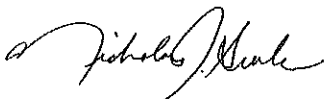
In concluding that this remediation has been completed, I am offering no opinions concerning whether either primary restoration (restoring natural resources to their pre-discharge condition) or compensatory restoration (compensating the citizens of New Jersey for the lost interim value of the natural resources) has been completed.

Pursuant to N.J.S.A. 58:10C-25, the Department may audit this Response Action Outcome and associated documentation up to three years following issuance. Based on a finding by the Department that a Response Action Outcome is not protective of public health, safety and the environment, the Department can invalidate the Response Action Outcome. Other justifications for the Department's invalidation of this Response Action Outcome are listed in the Administrative Requirements for the Remediation of Contaminated Sites at N.J.A.C. 7:26C-6, including, but not limited to, a Department audit following issuance of this document may be initiated at any time if: a) undiscovered contamination is found that was not addressed by the Response Action Outcome, b) if the Site Remediation Professional Licensing Board conducts an investigation of the Licensed Site Remediation Professional issuing the Response Action Outcome or, c) if the license of that person is suspended or revoked.

Thank you for your attention to these matters. If you have any questions, please contact me at (609) 236-8171 x92.

Sincerely,

for Terraphase Engineering Inc.



Nicholas J. Scala, PG
Licensed Site Remediation Professional #783586

NS:cs

cc: Board of Health, Moonachie Borough
Borough Clerk, Moonachie Borough
Bergen County Department of Health Services
ISRA Authorized Agent – Frank L. Tamulonis III



State of New Jersey

PHIL MURPHY
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Contaminated Site Remediation & Redevelopment
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

SHAWN M. LATOURETTE
Commissioner

SHEILA OLIVER
Lt. Governor

May 25, 2023

Brett Richer
Prologis Director, Global Environmental and Engineering
Liberty Property Limited Partnership
Pier 1, Bay 1
San Francisco, CA 94111

RE: Soil Remedial Action Permit
Site: Industrial Building @ 115 Moonachie Avenue
Address: 115 Moonachie Avenue
City: Moonachie Borough
County: Bergen
SRP Program Interest #: 014667
Soil Remedial Action Permit #: RAP210001
Block: 57 Lot: 12

Dear Mr. Richer:

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 May 30, 2023. 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 requirements necessary for demonstrating that the remedial action and control continue to be protective of public health, safety and the environment.

Requirement to Retain a Licensed Site Remediation Professional (LSRP)

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.

Annual Fees

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:

Brett Richer
Prologis Director, Global Environmental and Engineering
Liberty Property Limited Partnership
Pier 1, Bay 1
San Francisco, CA 94111
Phone: (415) 733-9574
Email: bricher@prologis.com

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 Justine Burnett with the Bureau of Remedial Action Permitting at Justine.Burnett@dep.nj.gov or (609) 940-4659.

Sincerely,



Lynne Mitchell, Assistant Director
Remediation Review Element

Enclosure

cc: Moonachie Borough Clerk (via email)
Moonachie Borough Health Department (via email)
Bergen County Clerk (via email)
Bergen County Health Department (via email)
Piotr Serwik, LSRP (via email)



Bureau of Remedial Action Permitting
401 East State Street
P.O. Box 420
Mail Code 401-05S
Trenton, NJ 08625-0420
Phone: (609) 984-2990

SOIL REMEDIAL ACTION PERMIT
Deed Notice

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.

Site: Industrial Building @ 115 Moonachie Avenue

Table with 2 columns: Facility Address, SRP PI #, Permit #, Issuance Date, Effective Date, Person Responsible for Conducting the Remediation - Co-Permittee, Property Owner - Co-Permittee.

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 Licensed Site Remediation Professional (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 Attachment A of the Soil Remedial Action Permit. [N.J.A.C. 7:26C- 7.8(a)]
3. 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. No Engineering Control

a. Financial Assurance is not required since an engineering control is not in place for this site. [N.J.A.C. 7:26C- 7.10]

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, no later than 60 days after 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 after a change in the remedial action pursuant to N.J.A.C. 7:26C-6.4. [N.J.A.C. 7:26C- 7.12(b)1]

b. The permittee shall apply to have the Department modify a Remedial Action Permit after a modification of the engineering or institutional controls, which will result in changes to the exhibits in the deed notice or in the notice in N.J.A.C. 7:26C-7.2(c)2. [N.J.A.C. 7:26C- 7.12(b)2]

c. The permittee shall apply to have the Department modify a Remedial Action Permit after the permittee changes its address. [N.J.A.C. 7:26C- 7.12(b)3]

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: 05/30/2023	
Submission Requirement	Due Date
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/30/2025
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/30/2027
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/30/2029
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/30/2031
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/30/2033
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/30/2035
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/30/2037
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/30/2039
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/30/2041
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/30/2043
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/30/2045
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/30/2047
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/30/2049
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/30/2051
Submit a Remedial Action Protectiveness/Biennial Certification Form	05/30/2053

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,

A handwritten signature in blue ink, appearing to read "L. Mitchell", with a stylized flourish at the end.

Lynne Mitchell, Assistant Director
Remediation Review Element

IV. Attachments:

- A. Monitoring and Maintenance Plan
- B. Deed Notice

Attachment A
Monitoring and Maintenance Plan for
Soil Remedial Action Permit

Case Information:

Preferred ID:	014667
RAP Number:	RAP210001
Case Name:	Industrial Building @ 115 Moonachie Avenue
Address:	115 Moonachie Avenue
City:	Moonachie Borough
County:	Bergen County

Monitoring and Maintenance Schedule:

Deed Notice Area	Institutional /Engineering Control	Inspection Schedule
Restricted Area	Monitoring for land use	Biennial

Attachment B
Deed Notice

John S. Hogan
Bergen County Clerk

Bergen County Clerk
One Bergen County Plaza
Hackensack, NJ 07601
(201) 336-7000
www.bergencountyclerk.org/



INSTRUMENT# 2021128069

V 4320 726

RECORDED DATE: 08/09/2021

Document Type: DEED NOTICE

Transaction #: 1717419

Document Page Count: 24

Operator Id: MS

RETURN TO:

AECOM
625 W RIDGE PIKE
STE E-100
CONSHOHOCKEN, PA 19428

SUBMITTED BY:

AECOM TECHNOLOGY CORPORATION
9400 AMBERGIEN BOULEVARD
BLDG C
AUSTIN, TX 78729-1100

PRIMARY NAME

LIBERTY PROPERTY LIMITED PARTNERSHIP

SECONDARY NAME

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL
PROTECTION

ADDITIONAL PRIMARY NAMES

ADDITIONAL SECONDARY NAMES

MARGINAL REFERENCES: File Number: Volume: Page:

DOCUMENT DATE: 05/11/2021
MUNICIPALITY: MOONACHIE
LOT: 12
BLOCK: 57

INSTRUMENT#: 2021128069
Recorded Date: 08/09/2021

I hereby CERTIFY that this document is recorded
in the Clerk's Office in Bergen County, New
Jersey.



John S. Hogan
Bergen County Clerk

FEES/ TAXES:

RECORDING FEE	\$30.00
STATE RECORDING FEE	\$115.00
COUNTY RECORDING FEE	\$115.00
HOMELESSNESS TRUST FUND	\$3.00
HOMELESS CODE BLUE	\$2.00
NPNR	\$0.00
Basic County	\$0.00
Basic State	\$0.00
PHPF	\$0.00
Extra-Aide	\$0.00
Gen-Purpose	\$0.00
Mansion-Tax	\$0.00

Total: \$265.00

Recording Fees: \$265.00
Realty Transfer Tax Fees: \$0.00
Consideration: \$

OFFICIAL RECORDING COVER PAGE

Page 1 of 24

PLEASE DO NOT DETACH

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT


NOTE: If document data differs from cover sheet, document data always supersedes.
*COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.

DEEDW

23

265

MPS

Bergen County Recording Data Page Honorable John S. Hogan Bergen County Clerk		<i>Official Use Only - Barcode</i>	
			
		<i>Official Use Only - Realty Transfer Fee</i>	
Date of Document: 05/11/2021		Type of Document: Deed Notice	
First Party Name: Liberty Property Limited Partnership		Second Party Name: X	
Additional Parties:			

THE FOLLOWING SECTION IS REQUIRED FOR DEEDS ONLY	
Block: 57	Lot: 12
Municipality: Borough of Moonachie	
Consideration: Owner has agreed to restrictions, monitoring, maintenance, and biennial certification requirements.	
Mailing Address of Grantee: Pier 1, Bay 1, San Francisco, California 94111	

THE FOLLOWING SECTION IS FOR ORIGINAL MORTGAGE BOOKING & PAGE INFORMATION FOR ASSIGNMENTS, RELEASES, SATISFACTIONS, DISCHARGES & OTHER ORIGINAL MORTGAGE AGREEMENTS ONLY	
Original Book:	Original Page:

BERGEN COUNTY RECORDING DATA PAGE

Please do not detach this page from the original document as it contains important recording information and is part of the permanent record.

Return Address:
AECOM
625 W. Ridge Pike, Suite E-100
Conshohocken, PA 19428

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]

Piotr Serwik, LSRP
[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 11 day of May, 2021, by *Liberty Property Limited Partnership, Pier 1, Bay 1, San Francisco, California 94111* (together with their successors and assigns, collectively "Owner").

1. THE PROPERTY. *Liberty Property Limited Partnership, Pier 1, Bay 1, San Francisco, California 94111* is the owner in fee simple of certain real property designated as Block(s) 57 Lot(s) 12, on the tax map of the *Borough of Moonachie, Bergen County*; the New Jersey Department of Environmental Protection Program Interest Number (Preferred ID) for the contaminated site which includes this property is *014667*; and the property is more particularly described in Exhibit A, which is attached hereto and made a part hereof (the "Property").

2. REMEDIATION.

i. *Piotr Serwik, LSRP License No. 580156* 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. *Liberty Property Limited Partnership* 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 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. Not Applicable.

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 *Bergen County Clerk*, 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;

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 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 acres and square feet 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.

13. Not applicable

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

WITNESS:

Liberty Property Limited Partnership


[Signature]

By: , General Partner
[Signature]

BRETT RICHER

DIRECTOR

[Print name and title]

Megan Robert
Senior Vice President

[Print name]

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

I certify that on May 11, 2021, Name of person executing document on behalf of owner partnership personally came before me, and this person acknowledged under oath, to my satisfaction, that this person:

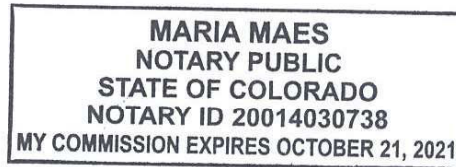
(a) Is a general partner of *Liberty Property Limited Partnership*, the partnership named in this document;

(b) Signed, sealed and delivered this document as his or her act and deed in his capacity as a general partner of *Liberty Property Limited Partnership*; and

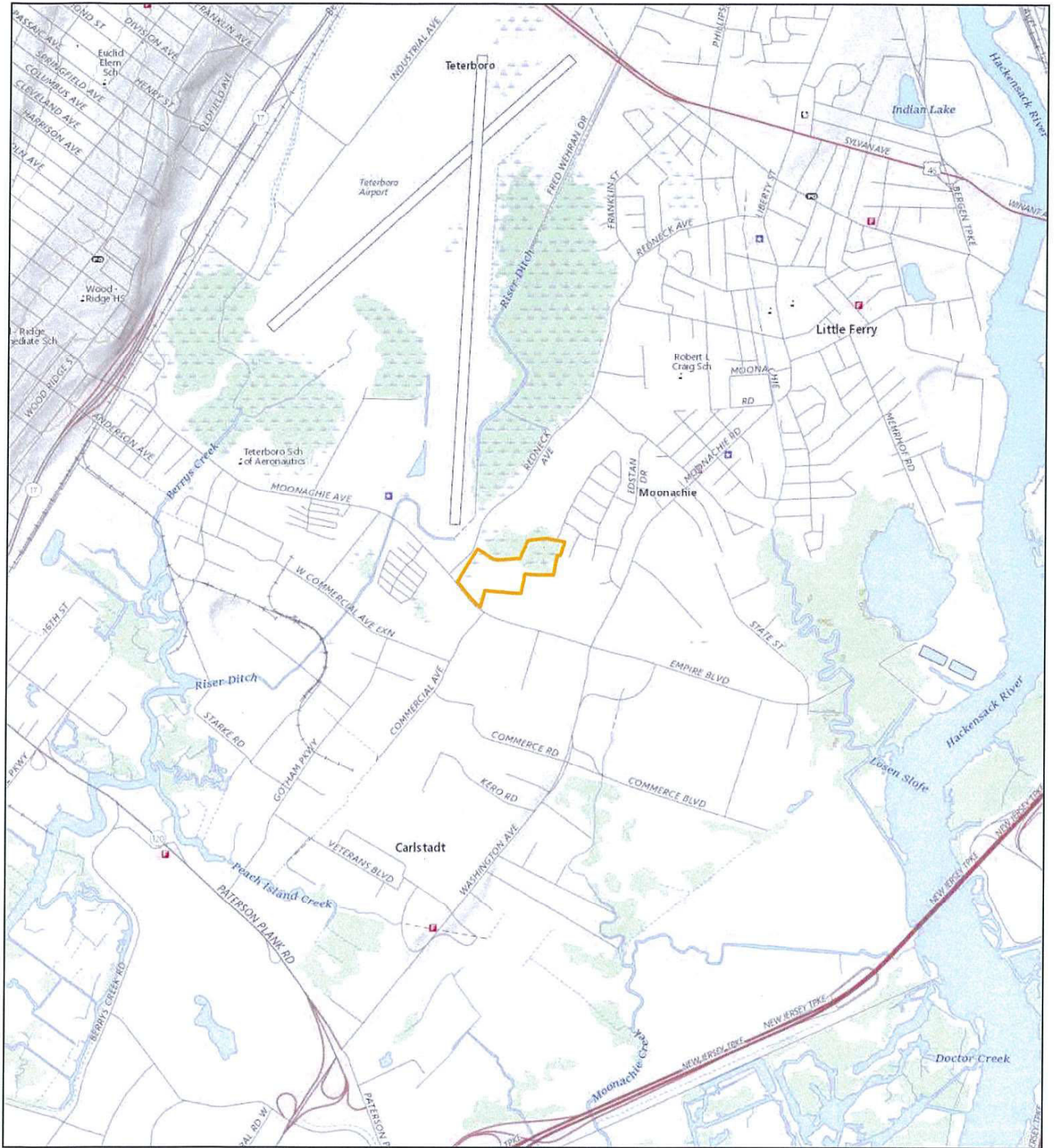
(c) This document was signed and delivered by such partnership as its voluntary act, duly authorized.

Maria Maes, Notary Public
[Signature]

Maria Maes
[Print name]



15. Not applicable



Legend

 Subject Property



NAD 1983 State Plane New Jersey
 Projection: Transverse Mercator
 Linear Unit: U.S. Foot

References
 Bergen County Tax Parcels (NJOT 2015)
 USGS 7.5' Topographic Maps
 Weehawken, NJ (2016)



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 Conshohocken, PA 19428
 Phone: (610) 832-3500 Fax: (610) 832-3501

Job: 60596448

Prepared by: BSF

Checked by: LJ

Date: 1/25/2019

EXHIBIT A-1
 Site Vicinity Map
 115 Moonachie Avenue
 Moonachie, Bergen County, New Jersey



PROPERTY DESCRIPTION
TAX LOT 12, BLOCK 57
BOROUGH OF MOONACHIE
BERGEN COUNTY, NEW JERSEY

ALL THAT CERTAIN part and parcel of land situate, lying and being in the Borough of Moonachie, County of Bergen, State of New Jersey and being more particularly described as follows:

BEGINNING at a point for a corner in the northerly line of Moonachie Avenue – width varies, at the division line between tax lot 1, block 45 and tax lot 12, block 57, said beginning point having New Jersey State Plane Coordinate System, NAD '83 (2011) grid values of N 729,887.31 feet, E 613,815.37 feet; thence,

1. North 30°15'38" East, along said division line, a distance of 556.53 feet to a point for a corner; thence
2. South 58°23'01" East, still along said division line, a distance of 280.42 feet to a point for a corner in same; thence
3. South 78°03'01" East, still along said division line, a distance of 66.00 feet to a point for a corner in same; thence
4. North 86°23'58" East, still along said division line, a distance of 338.47 feet to a point for a corner in same; thence
5. North 20°28'44" East, still along said division line, a distance of 197.44 feet to a point for a corner in same; thence
6. North 25°35'09" East, still along said division line, a distance of 81.93 feet to a point for a corner in same; thence
7. North 82°51'21" East, still along said division line, a distance of 291.66 feet to a point for a corner in the division line between tax lot 1, block 45, tax lot 24, block 46 and tax lot 12, block 57; thence
8. South 77°43'40" East, along the division line between tax lot 24, block 46, tax lot 3, block 51, tax lot 12, block 57 and along the terminus of Jackson Place (50' wide), a distance of 277.29 feet to a point for a corner in the division line between tax lot 2, block 51, tax lot 3, block 51, tax lot 12, block 57 and tax lot 12.04, block 57; thence
9. South 17°57'47" West, along the division line between tax lots 12, 12.01-12.04, block 57, a distance of 207.35 feet to a point for a corner in the division line between tax lots 12, 12.01 and 15, block 57; thence
10. North 78°17'45" West, along the division line between tax lots 12 and 15, block 57, a distance of 59.58 feet to a point for a corner in same; thence
11. South 09°05'35" West, still along said division line, a distance of 303.06 feet to a point for a corner in the division line between tax lots 10, 12 and 15, block 57; thence
12. North 87°09'51" West, along the division line between tax lots 10 and 12, block 57, a distance of 419.04 feet to a point for a corner in same; thence
13. South 09°44'31" West, a distance of 299.19 feet to a point for a corner in the division line between tax lots 10, 11 and 12, block 57; thence

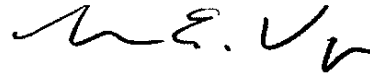
14. North 89°14'45" West, along the division line between tax lots 11 and 12, block 57, a distance of 90.56 feet to a point for a corner in same; thence
15. North 85°33'45" West, along the division line between tax lots 11, 11.01 and 12, block 57, a distance of 463.50 feet to a point for a corner in the division line between tax lots 11.01 and 12, block 57; thence
16. South 14°35'44" West, still along said division line, a distance of 236.62 feet to a point for a corner in the northerly line of Moonachie Avenue – width varies; thence
17. Along said line of Moonachie Avenue, a non-tangent curve, curving to the right in a northeasterly direction with a radius of 969.00 feet, an arc length of 239.07 feet (a central angle of 14°08'10", Chord North 45°37'24" West, 238.47 feet) to a point of tangency; thence
18. North 38°33'18" West, still along said line of Moonachie Avenue, a distance of 263.72 feet to the point and place of **BEGINNING**.

CONTAINING within said bounds 17.411 acres, more or less.

This description has been prepared in accordance with a plan prepared by Vargo Associates entitled "Deed Restriction Plan, Part of Tax Lot 12, Block 57, Borough of Moonachie, Bergen County, NJ", dated May 4, 2020 and noted thereon as project #20057.

May 4, 2020

Prepared by:



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



2"E

1" E N 86°23'58" E 338.47'
 N86°11'47"E (DEED)

BLOCK LIMIT

N40°21'04"E 83.60'
 N67°27'49"W 98.10'
 S00°34'12"E 108.76'
 N78°17'28"W 102.66'
 S45°47'53"W

TAX LOT 12
 BLOCK 57

FND. 1. PIPE

N87°22'02"W (DEED) 419.04'
 N 87°09'51" W

SECTION
 3+
 : S.F.

S 09°44'31" W 299.19'
 S09°32'20"W (DEED)

185°33'45"W 463.50'
 463.50' (DEED)

N 89°14'45" W 90.56'
 N89°14'45"W 90.56'
 N89°26'56"W (DEED)

TAX LOT 10
 BLOCK 57



Residential Direct Contact Soil Remediation Standard (RDCSRS)
 Non-Residential Direct Contact Soil Remediation Standard (NRDCSRS)
 mg/kg - milligrams per kilogram
 bgs - below ground surface
 SI - Site Investigation
 RI - Remedial Investigation

Legend

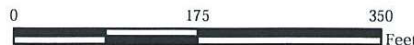
Soil Boring Locations

- ▲ Historic fill observed during SI and exceeds the RDCSRS and/or NRDCSRS
- ▲ Historic Fill Observed Not Exceeding Residential Direct Contact Soil Standard (RDCSRS)
- △ Historic fill observed during RI (not analyzed)



NAD 1983 State Plane New Jersey
 Projection Transverse Mercator
 Linear Unit: U.S. Foot

References:
 Bergen County Tax Parcels (NJGIT 2015)
 AECOM Custom Data



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Job: 60612985

Prepared by: BSF

Checked by: LJ

Date: 2/22/2021

Exhibit B-1
 Restricted Area Map

115 Moonachie Avenue
 Moonachie, Bergen County, New Jersey

EXHIBIT B-2

DESCRIPTION OF RESTRICTED AREA CONTAMINANTS

Historic fill material generally consisting of medium to fine sand or silty sand with trace brick, concrete, and/or gravel has been identified at the Subject Property at depths ranging from approximately 0.5 to 5 feet below ground surface (See Exhibit B-1 for historic fill extent). Such material may include, but is not limited to, such contaminants as Polycyclic Aromatic Hydrocarbons (PAHs) and metals. Samples of historic fill material collected during site investigation (SI) activities revealed concentrations of benzo(a)pyrene in three samples above the Residential and/or Non-Residential Direct Contact Soil Remediation Standards (RDSCRS and/or NRDCRS; See Table 1). However, following the remedial investigation (RI), which identified the full extent of historic fill onsite through visual assessment of on-site fill materials and review of historical aerial photography, the NJDEP attainment compliance guidance document was utilized to apply compliance averaging to the benzo(a)pyrene concentrations detected at the Subject Property during the SI. Compliance averaging using the arithmetic mean was applied to the nine soil samples collected at the Subject Property during the SI. The calculated arithmetic mean value was 0.78 mg/kg which is below the NRDCRS.

Therefore, only institutional controls (Deed Notice) restricting the site to non-residential use is needed.

Table 1
 5-SS0 Analytical Results
 Remedial Action Standards
 115 Metropolitan Avenue
 Monticello, New Jersey

Element	CAS#	Remedial Action Standard (mg/kg)	Non-Hazardous Disposal Unit (mg/kg)	Default Remedial Action Standard (mg/kg)	SR-1 (0.5-1)		SR-2 (1.0-2.5)		SR-3 (2.5-10)		SR-4 (10-50)	
					Result	MDL	Result	MDL	Result	MDL	Result	MDL
SOIL BY AREA												
4-1 DDD	3	NR	4	NR	NR	NR	NR	NR	NR	NR	NR	NR
4-1 DDE	18	NR	8	NR	NR	NR	NR	NR	NR	NR	NR	NR
4-1 DDT	2	NR	8	NR	NR	NR	NR	NR	NR	NR	NR	NR
Arochl.	0.04	NR	0.2	NR	NR	NR	NR	NR	NR	NR	NR	NR
alpha-BHC	0.1	NR	0.002	NR	NR	NR	NR	NR	NR	NR	NR	NR
Beta-BHC	0.4	NR	0.002	NR	NR	NR	NR	NR	NR	NR	NR	NR
Delta-BHC (Technical)	NA	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Endrin	0.04	NR	0.002	NR	NR	NR	NR	NR	NR	NR	NR	NR
Endosulfan I	NA	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Endosulfan II	NA	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Endosulfan sulfate	2	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Endrin allethrin	NA	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Endrin ketone	NA	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Gamma-BHC (Lindane)	0.4	NR	0.002	NR	NR	NR	NR	NR	NR	NR	NR	NR
Heptachlor	0.1	NR	0.5	NR	NR	NR	NR	NR	NR	NR	NR	NR
Heptachlor epoxide	0.02	NR	0.05	NR	NR	NR	NR	NR	NR	NR	NR	NR
Methoxychlor	300	NR	160	NR	NR	NR	NR	NR	NR	NR	NR	NR
Toxaphene	0.6	NR	0.3	NR	NR	NR	NR	NR	NR	NR	NR	NR
SOIL BY AREA												
Arochl. 1218	NA	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Arochl. 1221	NA	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Arochl. 1232	NA	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Arochl. 1242	NA	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Arochl. 1248	NA	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Arochl. 1254	NA	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Arochl. 1260	NA	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Arochl. 1268	NA	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Arochl. 1282	NA	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Total PCBs	0.2	NR	0.2	NR	NR	NR	NR	NR	NR	NR	NR	NR
SOIL BY AREA												
As	1	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Co	1	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Cr	1	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Fe	1	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Mn	1	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Mo	1	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Ni	1	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Pb	1	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Se	1	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Sr	1	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Sum of Metals	17,000**	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
SOIL BY ELEMENT (mg/kg)												
Antimony	38020	NA	6050	11.1	39.2	0.950	11.2	39.5	22500	11.2	39.4	67.0
As	81	420	19	7.1	1.2	3.0	2.6	1.0	4.0	0.0	0.0	0.0
Barium	10000	59000	2100	115	2.2	39.5	40.0	2.7	39.2	36.9	2.2	39.5
Bismuth	16	140	0.7	0.36	0.088	0.42	0.27	0.087	0.39	0.36	0.088	0.42
Boron	7440	1000	0.02	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01
Calcium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Chromium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cobalt	16000	5500	90	4.5	1.2	9.9	3.1	1.1	9.8	3.9	1.2	9.9
Copper	31000	45000	11000	61.6	7.6	4.9	17.7	2.1	4.8	15.5	7.6	4.9
Lead	400	800	100	30	0.45	29.0	39.0	14.1	29.4	11300	14.5	29.7
Magnesium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Manganese	11000	5900	60	235	0.34	3.0	139	0.34	2.9	62.9	0.35	140
Nickel	16000	23000	48	16.8	0.73	7.9	7.7	0.71	7.8	77.8	0.73	7.9
Selenium	390	3200	11	34.8	0.13	688	310	0.01	979	417	0.13	689
Silver	390	5200	1	0.19	0.19	2.0	0.19	0.19	2.0	0.19	0.19	2.0
Sodium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Sulfur	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Titanium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Zinc	23000	110000	390	26.2	0.66	9.9	15.1	0.66	9.9	17.6	0.66	9.9
Mercury	23	85	0.1	657	0.073	0.020	0.33	0.01	0.019	0.069	0.013	0.021
SOIL BY AREA												
Cyanide, Total (ppm)	47	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

NR: Not Analyzed
 NA: Not Applicable
 * Field data is shown in bold face text
 ** Field data is shown in bold face text
 † Result is less than the RSL but greater than or equal to the MDL and the concentration is an approximate value.
 U: Indicates the analysis was a yes for but not detected
 NA: Not Applicable/No Standard
 NA: Not Applicable/No Standard
 NA: Not Applicable/No Standard

EXHIBIT C-1

DEED NOTICE AS INSTITUTIONAL CONTROL

Narratives describing institutional controls and the monitoring and maintenance activities for the institutional controls are provided below. Maps are included in Exhibit B.

General Description of the Area:

The area included in this notice consists of an approximate 7-acre portion of the Subject Property identified as Block 57, Lot 12 in Moonachie, New Jersey which is an approximate 17.5-acre (762,300 square feet) parcel of land. Specifically, soil impacts are located in the southwestern (6.018 acres; 287,757 square feet) and northern (0.588 acres; 25,613 square feet) portions of the Subject Property. These areas are located in asphalt-paved parking lot and building areas of the Subject Property.

Description of Institutional Controls

Samples of historic fill material collected during site investigation (SI) activities revealed concentrations of benzo(a)pyrene in three samples collected at depths ranging from approximately one foot below ground surface (bgs) to 4.5 feet bgs above the Residential and/or Non-Residential Direct Contact Soil Remediation Standards (RDCSR and/or NRDCSR). However, following the RI, which identified the full extent of historic fill materials onsite through visual assessment and review of historical aerial photography, the NJDEP Technical Guidance for the Attainment of Remediation Standards and Site-Specific Criteria (Version 1.0) was utilized to apply compliance averaging to the benzo(a)pyrene concentrations detected at the Subject Property during the SI. Compliance averaging using the arithmetic mean was applied to the nine soil samples collected at the Subject Property during the SI. The calculated arithmetic mean value was 0.78 mg/kg which is below the NRDCSR (N.J.A.C. 7:26D, September 18, 2017). Visual assessment of soils at the Subject Property identified historic fill materials to a maximum depth of approximately 5 feet bgs.

The objective of the institutional controls is to restrict access to remaining contamination. The historic fill area is currently located beneath the Subject Property building or asphalt pavement thereby limiting any potential exposure to direct contact. Institutional controls include restriction of the property to non-residential use in areas with soil above residential cleanup standards (RDCSR).

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. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(12), also 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.

Operation and Maintenance Program

Monitoring and Inspection

Monitoring of the institutional controls will consist of periodic inspections of the deed notice area. The results of all inspections and maintenance and any disturbances of the controls will be documented in a logbook, which will be made available onsite to the NJDEP upon request.

The purpose of the monitoring will be to determine the following:

- (1) If there have been any land use changes subsequent to the filing of this Deed Notice or the most recent biennial certification, whichever is more recent;
- (2) The current land use on the property is consistent with the restrictions in this Deed Notice;
- (3) Any newly promulgated or modified requirements of applicable regulations or laws apply to the site; and
- (4) Any new standards, regulations or laws apply to the site that might necessitate additional sampling in order to evaluate the protectiveness of the remedial action which includes this Deed Notice, and conduct the necessary sampling.

Reporting

In accordance with NJAC 7:26E-8.7, certification will be provided by the person(s) responsible for monitoring the protectiveness of a remedial action to NJDEP every two years that the specific activities described above are conducted in support of the biennial certification of the protectiveness of the remedial action that includes this Deed Notice. The report will certify that land use at the site is consistent with the restrictions in this Deed Notice and the remedial action that includes this Deed Notice continues to be protective of the public health and safety and of the environment. The Deed Notice will act as the institutional control for the contaminants identified above NJDEP DCSRS in soils at the site.