

BERGEN COUNTY DEPARTMENT OF HEALTH SERVICES

220 East Ridgewood Ave, Paramus, New Jersey 07652

REHS MONTHLY REPORT SUMMARY

TOWN: Moonachie

MONTH/YEAR: October 2021

REHS:Schmitt

#	FOOD ESTABLISHMENTS	#	PUBLIC RECREATIONAL BATHING
	COVID-19 Complaints		
	COVID-19 Compliance Assistance/Activities		SEASONAL FACILITIES
	Plan reviews (unduplicated)		Pre-Operational Inspections
	Pre-Op Inspections (unduplicated)		Routine Chapter IX
	Non-Routine Investigations (complaints, emergencies etc.)		Reinspections
	N-R Investigations from Foodborne Outbreak		Non-routine, emergency, complaint-related
	Non-Routine Inspections (Ch. 24 performed)		Total number licensed in reporting year
	N-R Inspections from Foodborne Outbreak		CLOSURES:
	Enforcement Actions		Swimming / Wading Pool
	CHAPTER 24		Hot Tub / Spa
3	Site Inspections (BOH use only)		Spray Park
	Risk 1		Aquatic Recreational Facility
	Risk 2		Bathing Beach
1	Risk 3		YEAR-ROUND FACILITIES
	Risk 4		Pre-Operational Inspections
	Specialized Processes overseen		Routine Chapter IX
	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
	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		COVID-19 Compliance Assistance/Activities
2	Risk 3		COVID-19 Complaints
1	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
	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		Pre-Operational Inspections
	Complaint, emergency, non-routine inspections		Routine Inspections
	Total number licensed (reporting year)		Reinspections
	PET SHOPS		Complaint, emergency, non-routine inspections
	Pre-Operational Inspections		Enforcement Actions
	Routine Inspections		Total number licensed (reporting year)
	Reinspections		COVID-19 Compliance Assistance/Activities
	Complaint, emergency, non-routine inspections		COVID-19 Complaints
	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)		Complaint, emergency, non-routine inspections
	Cats licensed (reporting year)		Enforcement Actions
			Total number licensed
	COVID-19 Activities/Inquiries/Complaints		Total number unlicensed facilities identified



Bergen County Department of Health Services

Moonachie (a)

Supervisor: Maria Schmitt October 2021

Item	Date	Location	Address	Program	Type	Description	Inspector
1	10/4/2021	Moonachie Health Department	125 Moonachie Road	SAN-Administration	SAN-Administration	BOH Meeting	Peter Pena
2	10/5/2021	Moonachie Health Department	125 Moonachie Road	SAN-Administration	SAN-Administration	Prepared and submitted September monthly report	Maria Schmitt
3	10/6/2021	Robert L. Craig Elementary	20 W. Park Street	SAN-Food Surveillance	Report of Inspection	Site inspection	Anusua Biswas
4	10/12/2021	Prova	94 Moonachie Avenue	SAN-Food Surveillance	Report of Inspection	Site Inspection	Maria Schmitt
5	10/18/2021	La Havana 59	110 Moonachie Ave	SAN-Food Surveillance	Report of Inspection	Chapter 24 inspection - Conditionally Satisfactory	Maria Schmitt
6	10/26/2021	Segovia	150 Moonachie Road	SAN-Food Surveillance	Report of Inspection	Site inspection - Remains satisfactory	Maria Schmitt
7	10/28/2021	La Havana 59	110 Moonachie Ave	SAN-Food Surveillance	Report of Inspection	Chapter 24 reinspection - Risk 3 - Satisfactory	Maria Schmitt
8	10/28/2021	Foremost Caterers	65 Anderson Avenue	SAN-Food Surveillance	Report of Inspection	Follow up re: Dishwashers, sanitization, dumpsters	Anusua Biswas
9	10/28/2021	Arigato	19 Oak St.	SAN-Food Surveillance	Report of Inspection	Chapter 24 reinspection - Risk 4 - Satisfactory	Maria Schmitt

OFFICE OF THE BOROUGH CLERK
BOROUGH OF MOONACHIE

70 Moonachie Road Moonachie, New Jersey 07074
Telephone (201) 641-1813 Fax (201) 641-9542
Email: ssanyal@moonachie.us

SUPRIYA SANYAL
Borough Clerk



November 8, 2021

Board of Health
Borough of Moonachie

RE: Registrar of Vital Statistics Report for
Months of October , 2021

Marriage Licenses taken and/or issued:	1
Remarriage License taken and/or issued:	0
Certificate of Marriages recorded:	8
Certificate of Remarriages recorded:	0
Civil Union issued:	0
Certificate of Civil Union recorded:	0
Domestic Partnership registered:	0
Births:	3
Death:	3
Fetal Death:	1

A handwritten signature in black ink that reads "Supriya Sanyal".

Supriya Sanyal
Registrar

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="3"/>
First Re-visit (First Visit of Calendar Year):	<input type="text" value="0"/>
Revisits (Each Visit Thereafter):	<input type="text" value="3"/>
Total Client Visits (Each Month/Quarter):	<input type="text" value="6"/>
Telephone Contacts (Follow-Ups):	<input type="text" value="0"/>
MailContacts/Postcars (Reminders):	<input type="text" value="2"/>
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.



State of New Jersey

PHIL MURPHY
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION

SHAWN M. LATOURETTE
Commissioner

SHEILA OLIVER
Lt. Governor

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

October 21, 2021

Mr. Perry Schonfeld
Principal & Chief Operating Officer
c/o LBA OR Development - Company I, LLC
3347 Michelson Drive
Irvine, CA 92612

Mr. Donald Dinallo
President & CEO
c/o Terminal Construction Corp.
215 State Highway 17 South
Wood-Ridge, NJ 07075

RE: **Soil Remedial Action Permit Transfer / Change of Ownership**
Site: TERMINAL CONSTRUCTION CORP.
Address: 100 Anderson Avenue
Block/Lot: Block 65, Lot 6
City: Moonachie Borough
County: Bergen
SRP Program Interest #: 007895
Soil Remedial Action Permit #: RAP210002 (supersedes RAP200001)

Dear Sirs:

Enclosed is a Soil Remedial Action Permit Transfer / Change of Ownership (“transfer”) 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 transfer becomes effective on **October 22, 2021** and supersedes the Soil Remedial Action Permit issued on April 20, 2021 due to a change of real property ownership. Please note the referenced permit and program interest numbers and refer to them when corresponding with the Department.

The enclosed permit transfer requires the permittee to conduct monitoring, maintenance and evaluation for compliance and effectiveness of the remedial action and its associated institutional control. The permit transfer establishes all 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 transfer 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:

Mr. Perry Schonfeld
Principal & Chief Operating Officer
c/o LBA OR Development - Company I, LLC
3347 Michelson Drive
Irvine, CA 92612
Phone: (949) 955-9310
Email: pschonfeld@lbarealty.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 transfer.

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 transfer should be addressed to Erwin H. Flesch with the Bureau of Remedial Action Permitting at erwin.flesch@dep.nj.gov or (609) 633-1978.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Mitchell', written in a cursive style.

Lynne Mitchell, Assistant Director
Remediation Review Element

Enclosure

cc: Erwin H. Flesch, NJDEP, BRAP
Moonachie Borough Clerk (via e-mail)
Bergen County Clerk (via e-mail)
Bergen County Department of Health Services (via e-mail)
Peter R. Sorge, LSRP, J.M. Sorge, Inc. (via e-mail)

New Jersey Department of Environmental Protection



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 TRANSFER
Deed Notice with Engineering Control

The New Jersey Department of Environmental Protection hereby grants you a Soil Remedial Action Permit Transfer / Change of Ownership ("transfer") 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 transfer is the regulatory mechanism used by the Department to help ensure your remedial action will be protective of human health and the environment, and supersedes the Soil Remedial Action Permit issued on April 20, 2021 due to a change of real property ownership.

This permit transfer establishes the monitoring, maintenance, and evaluation requirements for determining the effectiveness of the Deed Notice's engineering control.

Site: TERMINAL CONSTRUCTION CORPORATION

<u>Facility Address:</u> 100 Anderson Avenue Moonachie Borough, NJ 07074 Bergen County	<u>SRP PI #:</u> 007895 <u>Permit #:</u> RAP210002 (supersedes RAP200001) <u>Transfer Issuance Date:</u> 10/21/2021 <u>Transfer Effective Date:</u> 10/22/2021
<u>Person Responsible for Conducting the Remediation - Co-Permittee:</u> Mr. Donald Dinallo President & CEO c/o Terminal Construction Corp. 215 State Highway 17 South Wood-Ridge, NJ 07075 Phone: (201) 939-9150 Email: dndinallo@terminalconstruction.com	
<u>Property Owner - Co-Permittee:</u> Mr. Perry Schonfeld Principal & Chief Operating Officer c/o LBA OR Development - Company I, LLC 3347 Michelson Drive Irvine, CA 92612 Phone: (949) 955-9310 Email: pschonfeld@lbarealty.com	

I. Authority

The Department is issuing this permit transfer 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 Transfer 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 Transfer. 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 Transfer. [N.J.A.C. 7:26C- 7.8(a)]
3. The permittee shall conduct periodic inspections of each engineering control to determine its integrity, operability, and effectiveness. [N.J.A.C. 7:26C- 7.8(b)2]
4. The permittee shall conduct periodic inspections of any excavations or disturbances that have resulted in unacceptable exposure to the soil contamination. The permittee shall maintain a detailed maintenance and evaluation log. [N.J.A.C. 7:26C- 7.8(b)]

B. REMEDIAL ACTION PROTECTIVENESS / BIENNIAL CERTIFICATION FORM

1. Reporting Requirements

- a. The permittee shall prepare and submit to the Department a Remedial Action Protectiveness / Biennial Certification Form every two (2) 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 transfer. [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. Reporting Requirements - Trust Fund

a. The permittee using a Surety Bond shall submit to the Department a written statement from the Obligor confirming the value of the bond in an amount that the Department has approved, or a Licensed Site Remediation Professional has certified, confirming that the bond shall continue to exist for the next consecutive 12-month period. Submit a statement confirming the value of the Financial Assurance annually, starting thirty (30) days prior to the initial anniversary date of this permit transfer. [N.J.A.C. 7:26C- 5.4(b)]

b. The permittee shall prepare an estimate of the future costs to operate, maintain, and inspect all engineering controls subject to this permit transfer, and submit it to the Department. Submit engineering controls maintenance cost estimate with the Protectiveness / Biennial Certification biennially from the effective date of this permit transfer. [N.J.A.C. 7:26C- 7.10(a)1]

2. Financial Assurance - Maintenance

a. The permittee shall maintain financial assurance in an amount equal to or greater than the most recent estimated full cost to operate, maintain, and inspect all engineering controls that are part of any remedial action over the life of the permit transfer. [N.J.A.C. 7:26C- 7.7(a)3]

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 sixty (60) days after the sale or transfer of the real property, or transfer of the operation of the real 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 ninety (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 transfer 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 childcare 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

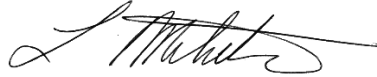
Permit Transfer Effective Date: 10/22/2021	
Submission Requirement	Due Date
Submit a statement confirming the value of the financial assurance	03/26/2022
Submit a statement confirming the value of the financial assurance	03/26/2023
Submit a Remedial Action Protectiveness / Biennial Certification Form	04/25/2023
Submit a statement confirming the value of the financial assurance	03/26/2024
Submit a statement confirming the value of the financial assurance	03/26/2025

Submit a Remedial Action Protectiveness / Biennial Certification Form	04/25/2025
Submit a statement confirming the value of the financial assurance	03/26/2026
Submit a statement confirming the value of the financial assurance	03/26/2027
Submit a Remedial Action Protectiveness / Biennial Certification Form	04/25/2027
Submit a statement confirming the value of the financial assurance	03/26/2028
Submit a statement confirming the value of the financial assurance	03/26/2029
Submit a Remedial Action Protectiveness / Biennial Certification Form	04/25/2029
Submit a statement confirming the value of the financial assurance	03/26/2030
Submit a statement confirming the value of the financial assurance	03/26/2031
Submit a Remedial Action Protectiveness / Biennial Certification Form	04/25/2031
Submit a statement confirming the value of the financial assurance	03/26/2032
Submit a statement confirming the value of the financial assurance	03/26/2033
Submit a Remedial Action Protectiveness / Biennial Certification Form	04/25/2033
Submit a statement confirming the value of the financial assurance	03/26/2034
Submit a statement confirming the value of the financial assurance	03/26/2035
Submit a Remedial Action Protectiveness / Biennial Certification Form	04/25/2035
Submit a statement confirming the value of the financial assurance	03/26/2036
Submit a statement confirming the value of the financial assurance	03/26/2037
Submit a Remedial Action Protectiveness / Biennial Certification Form	04/25/2037
Submit a statement confirming the value of the financial assurance	03/26/2038
Submit a statement confirming the value of the financial assurance	03/26/2039
Submit a Remedial Action Protectiveness / Biennial Certification Form	04/25/2039
Submit a statement confirming the value of the financial assurance	03/26/2040
Submit a statement confirming the value of the financial assurance	03/26/2041
Submit a Remedial Action Protectiveness / Biennial Certification Form	04/25/2041
Submit a statement confirming the value of the financial assurance	03/26/2042
Submit a statement confirming the value of the financial assurance	03/26/2043
Submit a Remedial Action Protectiveness / Biennial Certification Form	04/25/2043
Submit a statement confirming the value of the financial assurance	03/26/2044
Submit a statement confirming the value of the financial assurance	03/26/2045
Submit a Remedial Action Protectiveness / Biennial Certification Form	04/25/2045
Submit a statement confirming the value of the financial assurance	03/26/2046
Submit a statement confirming the value of the financial assurance	03/26/2047
Submit a Remedial Action Protectiveness / Biennial Certification Form	04/25/2047
Submit a statement confirming the value of the financial assurance	03/26/2048
Submit a statement confirming the value of the financial assurance	03/26/2049
Submit a Remedial Action Protectiveness / Biennial Certification Form	04/25/2049
Submit a statement confirming the value of the financial assurance	03/26/2050
Submit a statement confirming the value of the financial assurance	03/26/2051
Submit a Remedial Action Protectiveness / Biennial Certification Form	04/25/2051

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 transfer is terminated or modified.

Your Soil Remedial Action Permit Transfer 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 black ink, appearing to read "L. Mitchell", written in a cursive style.

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:	007895
RAP Number:	RAP210002 (supersedes RAP200001)
Case Name:	Terminal Construction Corporation
Address:	100 Anderson Avenue
City:	Moonachie Borough
County:	Bergen
Block and Lot of the Site:	Block 65, Lot 6

Monitoring and Maintenance Schedule:

Deed Notice Area	Institutional /Engineering Control	Inspection Schedule
Former UST	Asphalt Cap	Annually
Former UST	Concrete Cap	Annually

Attachment B
Deed Notice

John S. Hogan
Bergen County Clerk

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



INSTRUMENT# 2020076586

V 3677 1313

RECORDED DATE: 08/24/2020

Document Type: DEED NOTICE

Transaction #: 1549475

Document Page Count: 23

Operator Id: ERECORD

RETURN TO:

SUBMITTED BY:

CSC / INGEO SYSTEMS

919 N. 1000 WEST

LOGAN ,UT 84341

PRIMARY NAME

SECONDARY NAME

TERMINAL CONSTRUCTION CORPORATION

NJDEP

ADDITIONAL PRIMARY NAMES

ADDITIONAL SECONDARY NAMES

NEW JERSEY DEPARTMENT ENVIRONMENTAL
PROTECTION PROGRAM

MARGINAL REFERENCES: File Number: Volume: Page:

DOCUMENT DATE: 07/14/2020
MUNICIPALITY: MOONACHIE
LOT: 6
BLOCK: 65

INSTRUMENT#: 2020076586
Recorded Date: 08/24/2020

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

FEES/ TAXES:

RECORDING FEE	\$30.00
STATE RECORDING FEE	\$110.00
COUNTY RECORDING FEE	\$110.00
HOMELESSNESS TRUST FUND	\$3.00
MARGINAL NOTATION-COUNTY	\$5.00
MARGINAL NOTATION-STATE	\$5.00
HOMELESS CODE BLUE	
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



John S. Hogan
Bergen County Clerk

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

Total: \$265.00

OFFICIAL RECORDING COVER PAGE

Page 1 of 23

PLEASE DO NOT DETACH

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

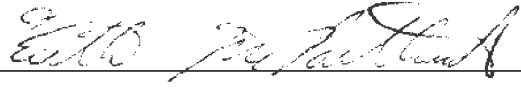
NOTE: If document data differs from cover sheet, document data always supersedes.

*COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.

Return Address:
Terminal Construction Corporation
c/o Donald N. Dinallo
215 Route 17 South
P.O. Box 348
Wood-Ridge, New Jersey 07075

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]

Keith McPartland
[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 14th day of July, 2020, by Terminal Construction Corporation, 215 Route 17 South, P.O. Box 348, Wood-Ridge, New Jersey 07075 (together with his/her/its/their successors and assigns, collectively "Owner").

1. THE PROPERTY. Terminal Construction Corporation, 215 Route 17 South, P.O. Box 348, Wood-Ridge, New Jersey 07075 is the owner in fee simple of certain real property designated as Block 65 Lot 6, 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 007895; and the property is more particularly described in Exhibit A, which is attached hereto and made a part hereof (the "Property").

2. REMEDIATION.

i. Keith McPartland, *LSRP License No. 625937* 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. Terminal Construction Corporation has remediated contaminated soil at the Property, such that soil contamination remains at certain areas of the Property that contains contaminants in concentrations that do not allow for the unrestricted use of

the Property. Such soil contamination is described, including the type, concentration and specific location of such contamination, and the existing engineering controls on the site are described, in Exhibit B, which is attached hereto and made a part hereof. As a result, there is a statutory requirement for this Deed Notice and engineering controls in accordance with N.J.S.A. 58:10B-13.

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

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

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

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

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

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

6A. CHANGE IN OWNERSHIP AND REZONING.

i. The Owner and the subsequent owners, lessors, and lessees, shall cause all leases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly requiring all holders thereof to take the Property subject to the restrictions contained herein and to comply with all, and not to violate any of the conditions of this Deed Notice. Nothing

contained in this Paragraph shall be construed as limiting any obligation of any person to provide any notice required by any law, regulation, or order of any governmental authority.

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

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

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

7A. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

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

ii. Except as provided in Paragraph 7B, below, no person shall make, or allow to be made, any alteration, improvement, or disturbance in, to, or about the Property which disturbs any engineering control at the Property without first retaining a licensed site remediation professional. Nothing herein shall constitute a waiver of the obligation of any person to comply with all applicable laws and regulations including, without limitation, the applicable rules of the Occupational Safety and Health Administration.

iii. A soil remedial action permit modification is required for any permanent alteration, improvement, or disturbance and the owner, lessor, lessee or operator shall submit the following within 30 days after the occurrence of the permanent alteration, improvement, or disturbance:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

vii. Submits to the Department of Environmental Protection within 60 calendar days after completion of the restoration of the engineering control, a report including: (a) the nature and

likely cause of the emergency; (b) the measures that have been taken to mitigate the effects of the emergency on human health and the environment; (c) the measures completed or implemented to restore the engineering control; and (d) any changes to the engineering control or site operation and maintenance plan to prevent reoccurrence of such conditions in the future.

8. TERMINATION OF DEED NOTICE.

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

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

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

10. ENFORCEMENT OF VIOLATIONS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) Sample elevation based upon mean sea level;

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

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

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

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

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

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

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

(C) The objective of the restrictions.

ii. Exhibit C-2: Asphalt/Concrete Cap: Exhibit C-2 includes a narrative description of the asphalt/concrete cap as follows:

(A) Description of the engineering control;

(B) The objective of the engineering control; and

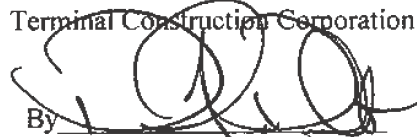
(C) How the engineering control is intended to function.

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

ATTEST:

Terminal Construction Corporation


Maxwell Rosen, Secretary

By 
Donald N. Dinallo, President & CEO

STATE OF NEW JERSEY
COUNTY OF BERGEN

I certify that on July 14, 2020, Maxwell Rosen personally came before me, and this person acknowledged under oath, to my satisfaction, that:

(a) this person is the Secretary/Treasurer of Terminal Construction Corporation, the corporation named in this document;

(b) this person is the attesting witness to the signing of this document by the proper corporate officer who is the President & CEO of the corporation;

(c) this document was signed and delivered by the corporation as its voluntary act and was duly authorized;

(d) this person knows the proper seal of the corporation which was affixed to this document; and

(e) this person signed this proof to attest to the truth of these facts.

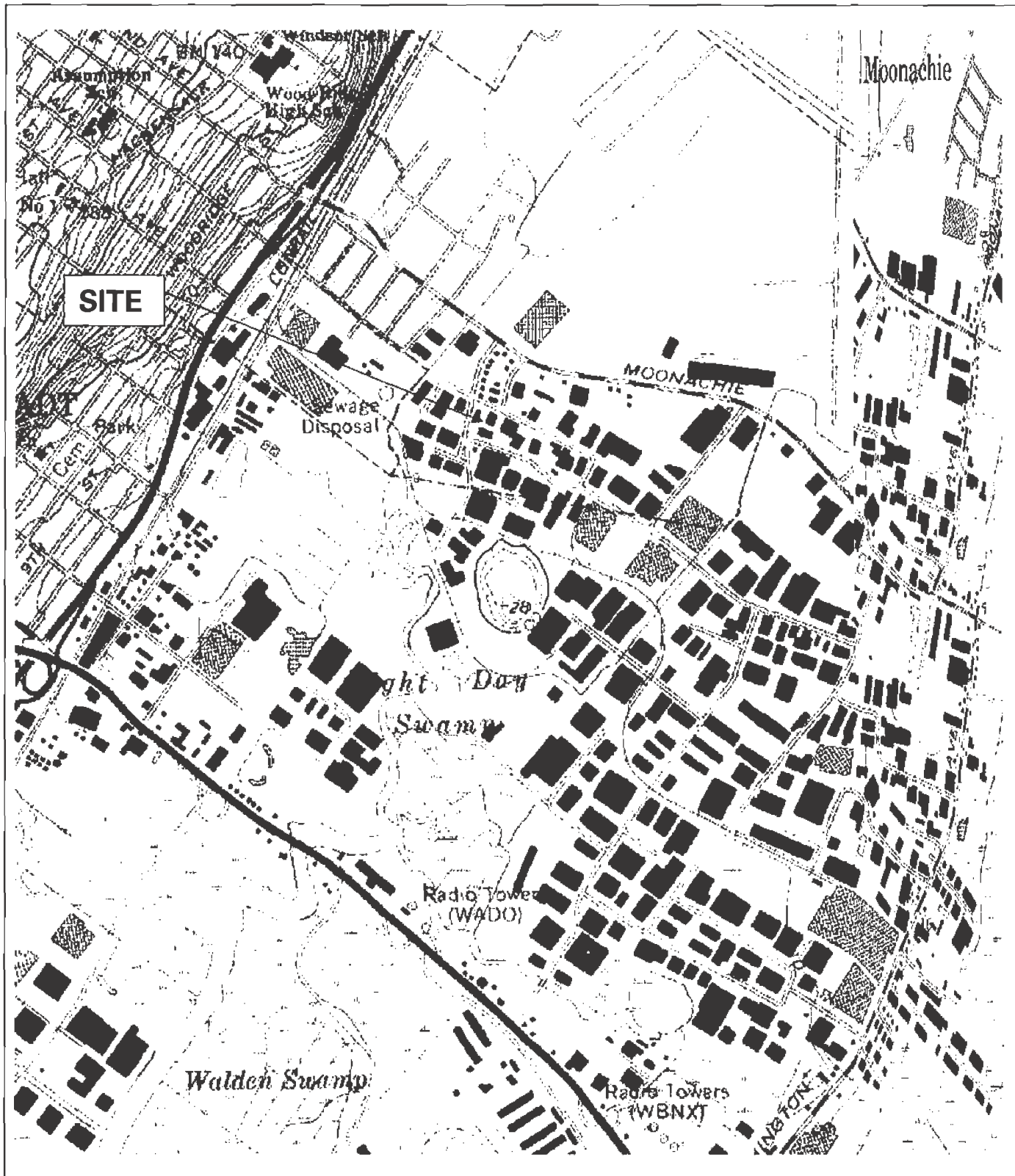

[Signature]

MAXWELL S. ROSEN - SECRETARY
[Print name and title of attesting witness]

Signed and sworn before me on July 14, 2020

, Notary Public

[Print name and title]
MARILYN LUZ
Commission # 2428319
Notary Public, State of New Jersey
My Commission Expires
December 27, 2022



Langan

Engineering & Environmental Services

- PARSIPPANY, NJ - NEW YORK, NY - MIAMI, FL - PHILADELPHIA, PA -
 - DOYLESTOWN, PA - NEW HAVEN, CT -

VICINITY MAP
Terminal Construction Maintenance Yard
 100 Anderson Avenue
 Moonachie, New Jersey

Project
 100108301

SCALE: NTS

DATE 1986

EXHIBIT A-1

EXHIBIT A-2

TAX MAP
TERMINAL CONSTRUCTION MAINTENANCE YARD
100 ANDERSON AVENUE
BLOCK 65 LOT 6
MOONACHIE, BERGEN COUNTY, NEW JERSEY

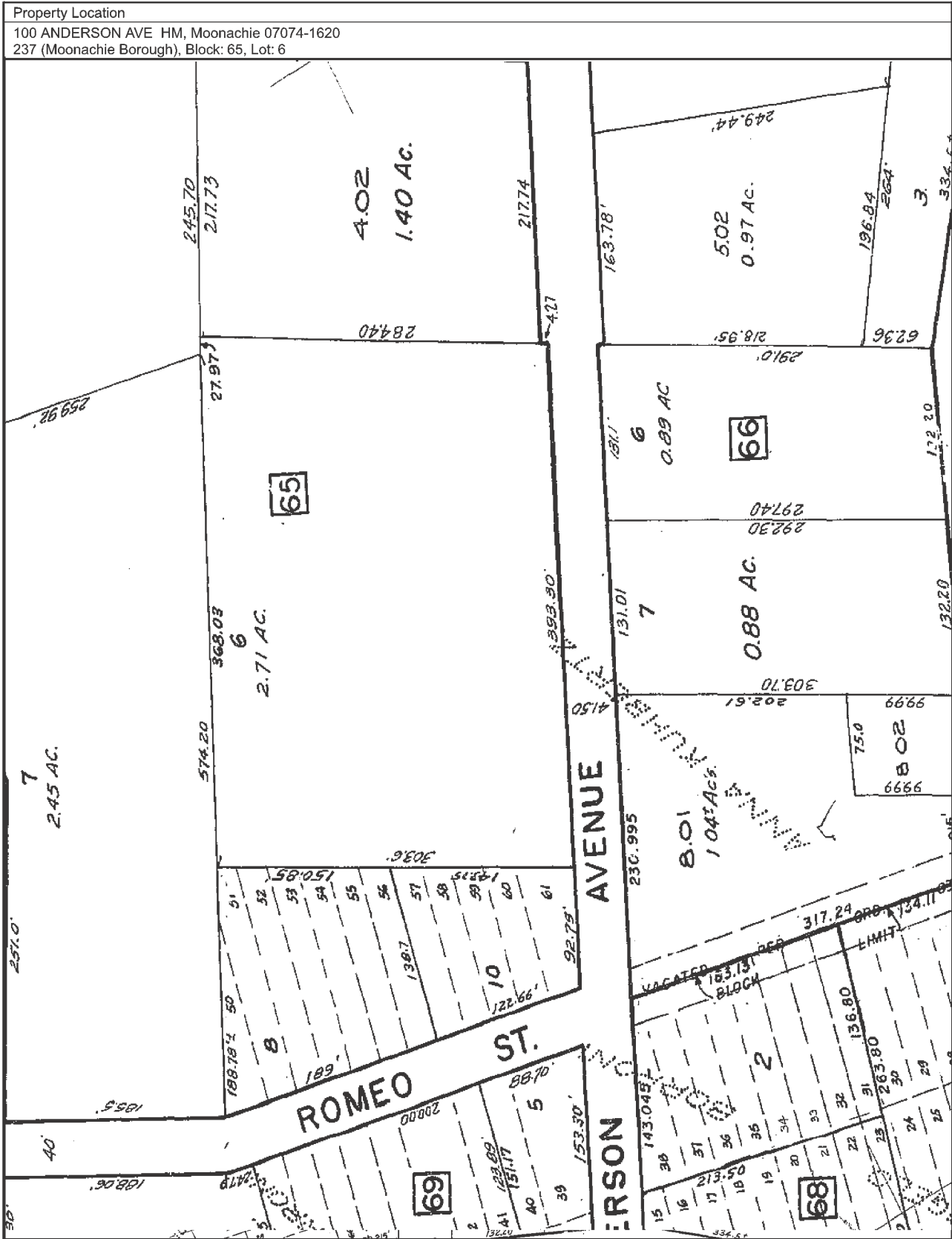
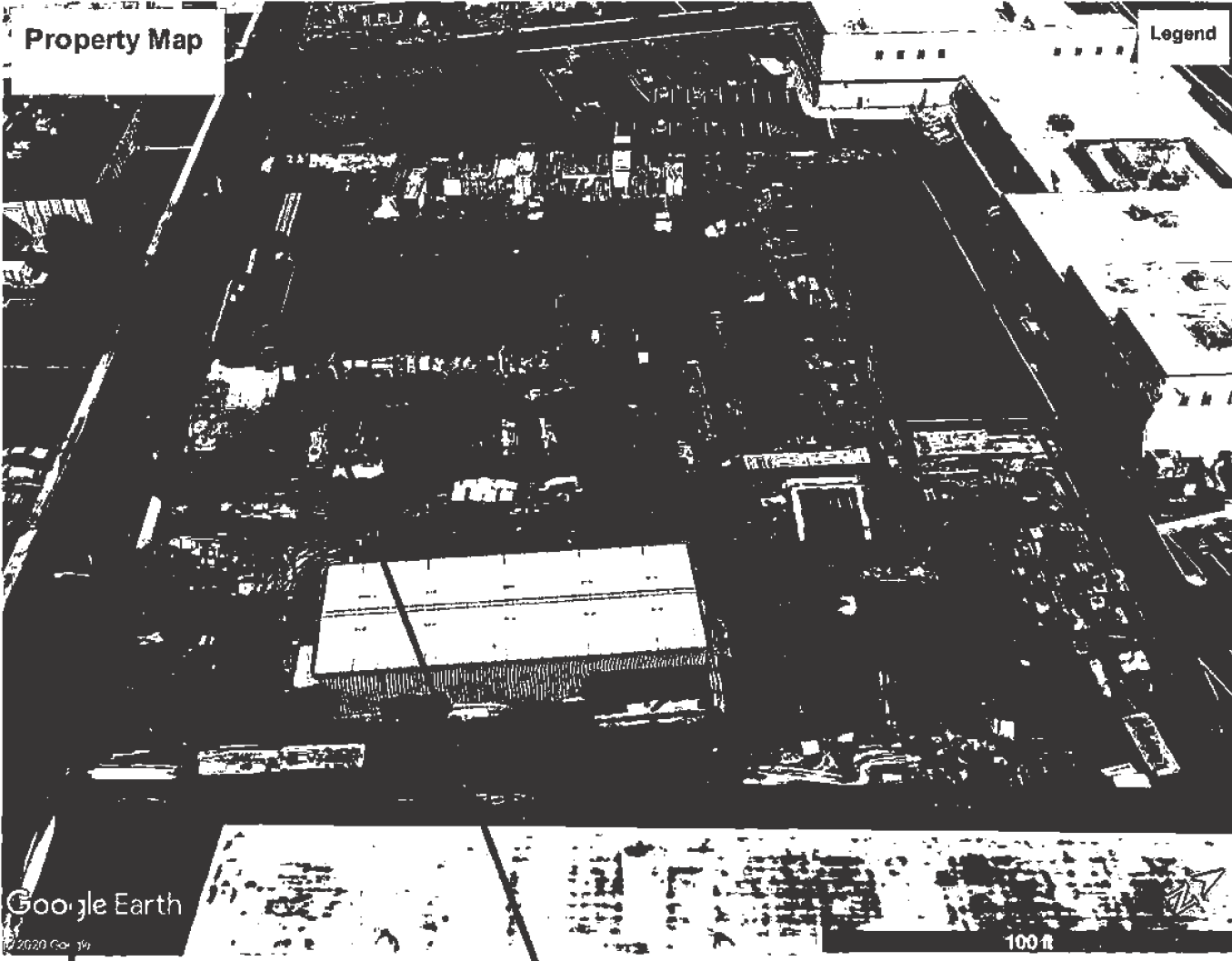


EXHIBIT A-2

**WRITTEN DESCRIPTION
TERMINAL CONSTRUCTION MAINTENANCE YARD
100 ANDERSON AVENUE
BLOCK 65 LOT 6
MOONACHIE, BERGEN COUNTY, NEW JERSEY**

BEGINNING IN THE NORTHWESTERLY CORNER THEREOF AND THE NORTHEASTERLY CORNER OF A LOT OF LAND CONVEYED BY ANNA KOBERTZ, WIDOW, TO LOUIS BERGER AND FROM THENCE RUNNING (1) SOUTH 54 DEGREES 15 MINUTES EAST, 396 FEET TO THE CENTRE OF A DITCH; THENCE (2) SOUTH 42 DEGREES WEST ALONG THE CENTRE OF SAID DITCH 291 FEET TO THE NORTHERLY LINE OF AN INTENDED STREET OF 60.5 LINKS IN WIDTH; THENCE (3) NORTH 56 DEGREES AND 15 MINUTES WEST 393.3 FEET ALONG THE NORTHERLY LINE OF SAID STREET AND THENCE (4) NORTH 41 DEGREES 15 MINUTES EAST 303.6 FEET TO THE PLACE OF BEGINNING. CONTAINING 2.66 ACRES. SAID TRACT OF LAND ABOVE DESCRIBED IS MARKED C., ON THE MAP FILED IN THE BERGEN COUNTY CLERK'S OFFICE MARCH THE 4TH, 1880, AND ENTITLED "PROPERTY OF ANNA KOHERTZ, SURVEYED FEB. 27TH, 1880, J.G. VAN RIPER, SURVEYOR."



Anderson Avenue

DEED NOTICE AREA

LEGEND

————— = Property Boundary

Langan

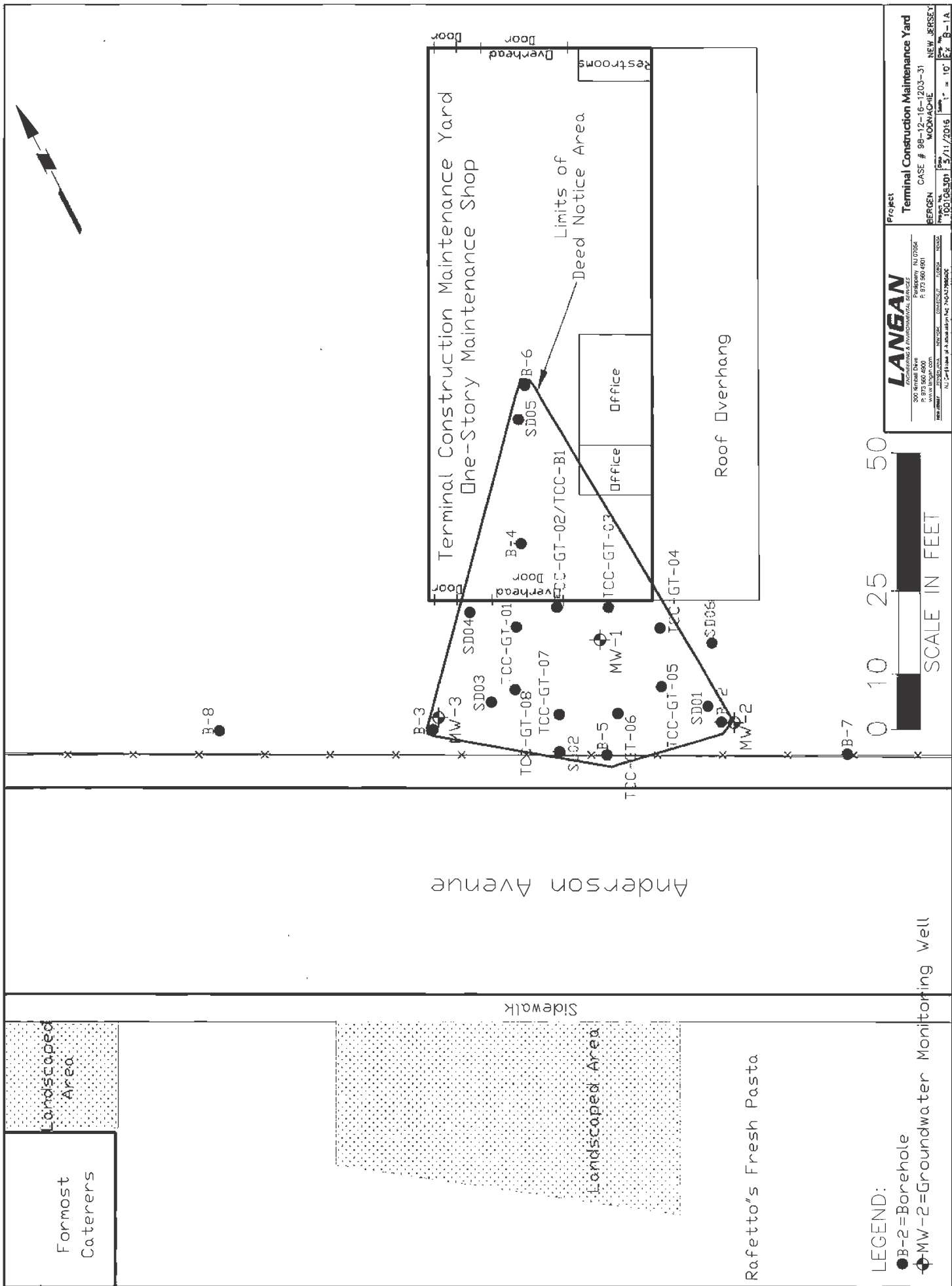
Engineering & Environmental Services

· PARSIPPANY, NJ – NEW YORK, NY – MIAMI, FL – PHILADELPHIA, PA –
 - DOYLESTOWN, PA – NEW HAVEN, CT -

PROPERTY MAP
Terminal Construction Maintenance Yard

100 Anderson Avenue
 Moonachie, New Jersey

Project 100108301	SCALE: NTS	DATE 1986	EXHIBIT A-3
----------------------	------------	-----------	-------------



LEGEND:

● B-2 = Borehole

⊕ MW-2 = Groundwater Monitoring Well

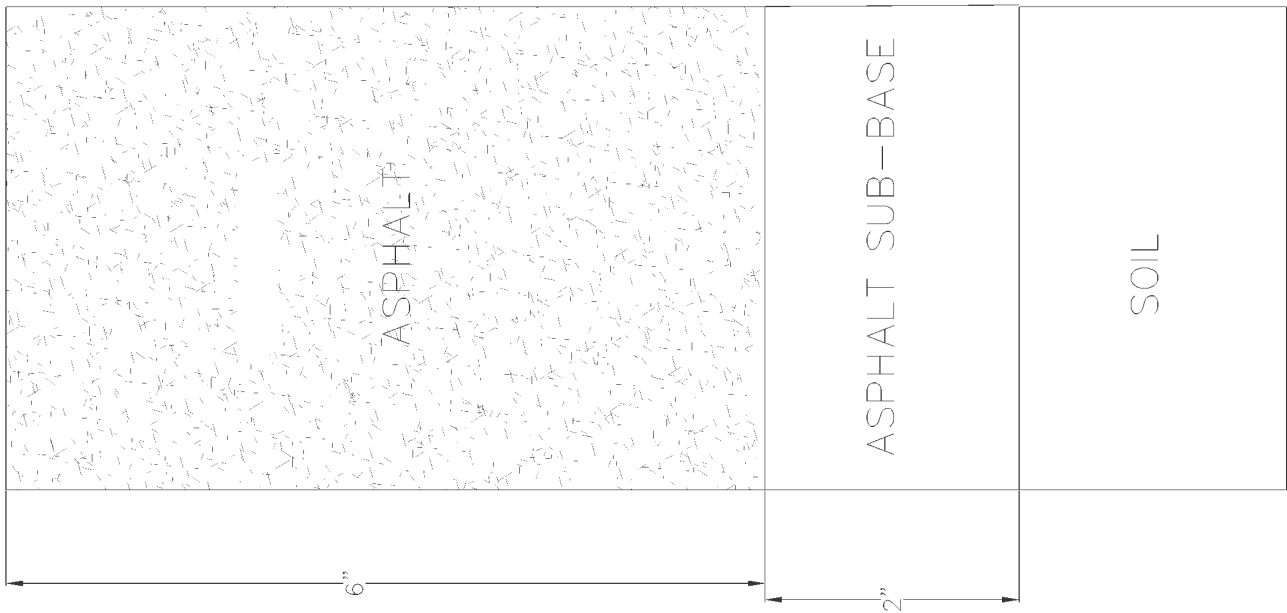
LANGAN
 300 Vermont Drive
 Paramus, NY 10765
 P: 973 260 1801
 WWW.LANGAN.COM

Project: Terminal Construction Maintenance Yard
 CASE # 98-12-16-1203-31
 BERGEN COUNTY, NEW JERSEY
 Project No. 100106301
 Date: 5/11/2016
 Scale: 1" = 10'

Sheet No. B-1A

WAREHOUSE CONCRETE SLAB CAP

ASPHALT PARKING LOT CAP



LANGAN

300 N. Walnut Drive
 Parsippany, NJ 07654
 P: 973.560.6000 F: 973.560.6901
 NJ State License of Professional Engineers No. 24-0427986400
 NJ State License of Professional Engineers No. 106103501

Project

Terminal Construction Maintenance Yard

CASE # 98-12-16-1203-31 NEW JERSEY

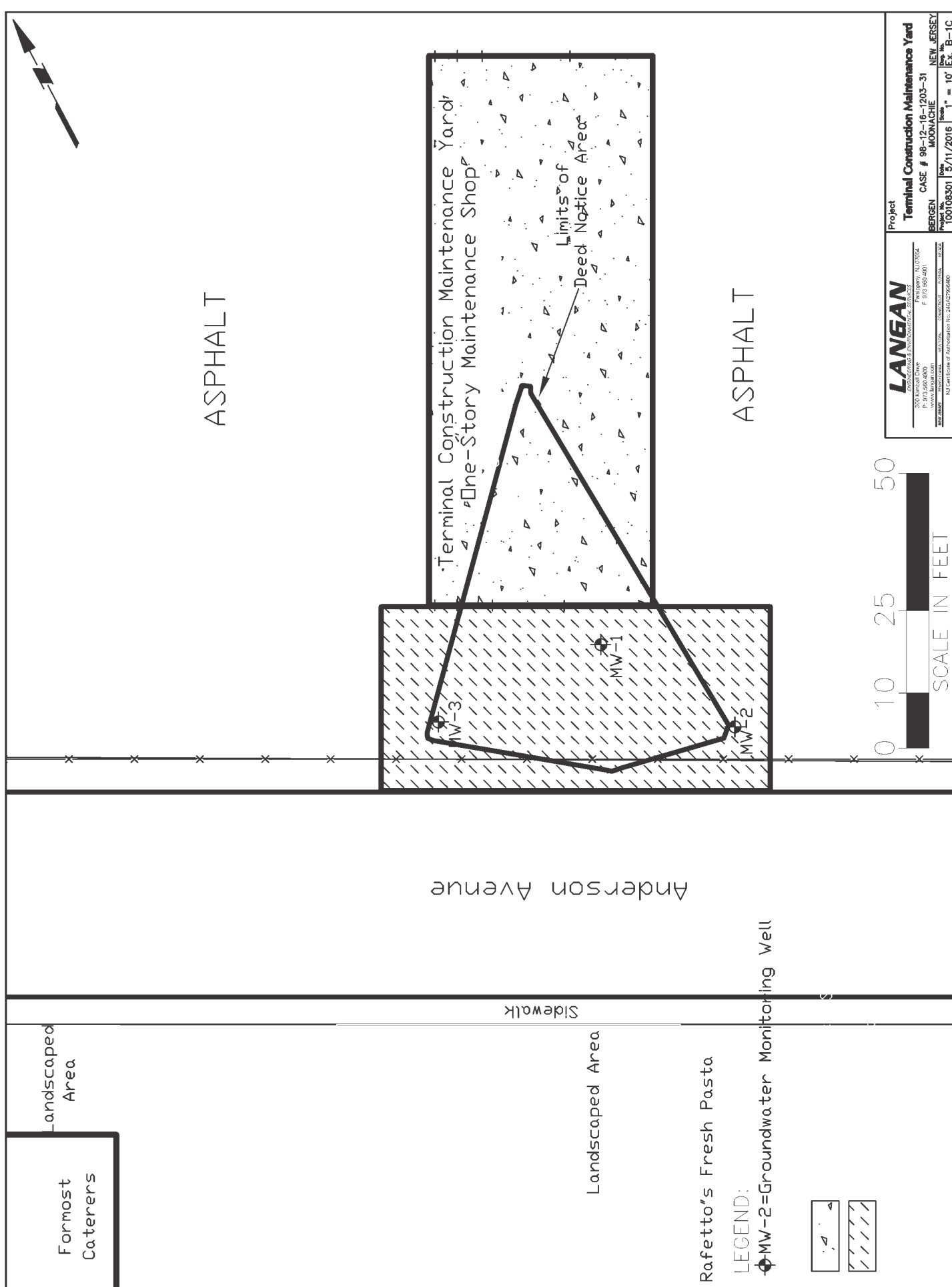
BERGEN MOONACHE

Project No. 100108301 Date 5/11/2016

Drawn By: AS Shown E.K. B-1B

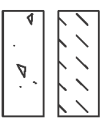
Checked By: MCH/ACH

Scale: 1"=10'-0"



LANGAN
 ENGINEERING AND ENVIRONMENTAL SERVICES, INC.
 300 Kamuela Drive
 Parsippany, NJ 07054
 P: 973.560.4500 F: 973.560.4501
 NJ Certificate of Authorization No. 2462796400

Project: Terminal Construction Maintenance Yard
 CASE # 98-12-16-1203-31 NEW JERSEY
 BERGEN COUNTY FACILITY
 Date: 5/11/2016
 Scale: 1" = 10'
 Drawn By: B-1C
 Checked By: B-1C



© 2003 Langan Engineering and Environmental Services, Inc.

EXHIBIT B-2
RESTRICTED AREA DATA TABLE
TERMINAL CONSTRUCTION MAINTENANCE YARD
MOONACHIE, NEW JERSEY
SRP ID 007895

SAMPLE ID	SAMPLE DATE	MATRIX	DEPTH (Feet Below Ground Surface)	Depth (MSL)	UNITS	NJDEP			TCC-GT-01	TCC-GT-02	TCC-GT-03	TCC-GT-04	TCC-GT-05	TCC-GT-06	TCC-GT-07
						Soil Remediation Standards		Impact							
						Residential	Non Residential	Groundwater							
						mg/kg	mg/kg	mg/kg							
Volatile Organic Compounds															
Benzene						2	5	0.005	0.72	5.8	ND	ND	1.1	1.3	1.7
Methyl-t-butyl ether						110	320	0.2	1.3	210	2.5	ND	ND	3	ND

SAMPLE ID	SAMPLE DATE	MATRIX	DEPTH (Feet Below Ground Surface)	Depth (MSL)	UNITS	NJDEP			TCC-GT-08	B-2	B-3	B-4	B-5	B-6	B-7	
						Soil Remediation Standards		Impact								
						Residential	Non Residential	Groundwater								
						mg/kg	mg/kg	mg/kg								
Volatile Organic Compounds																
Benzene						2	5	0.005	7.9	ND	0.75	ND	ND	ND	ND	ND
Methyl-t-butyl ether						110	320	0.2	ND	---	---	---	---	---	---	

SAMPLE ID	SAMPLE DATE	MATRIX	DEPTH (Feet Below Ground Surface)	Depth (MSL)	UNITS	NJDEP			B-8	SD01	SD02	SD03	SD04	SD05	SD06	TCC-B1	
						Soil Remediation Standards		Impact									
						Residential	Non Residential	Groundwater									
						mg/kg	mg/kg	mg/kg									
Volatile Organic Compounds																	
Benzene						2	5	0.005	ND	ND	0.65	ND	ND	ND	ND	ND	ND
Methyl-t-butyl ether						110	320	0.2	---	0.14	1.2	ND	ND	ND	ND	ND	ND

EXHIBIT C-1

Deed Notice as Institutional Control

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

(A) General Description of this Deed Notice:

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

As depicted in Exhibit B-1A, the Restricted Area encompasses about 2,400 square feet of the site identified as Tax Block 65, Lot 6. The Restricted Area contains benzene and methyl-t-butyl ether in the shallow soils at concentrations above the New Jersey Department of Environmental Protection (NJDEP) Residential Soil Remediation Standards. Refer to Exhibit B-2 for the list of the contaminants, concentrations, and sample locations. The contaminants exist from two and one-half feet to six feet below ground surface.

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

Restrictions on alterations, improvements and disturbances of the engineering control of the Property are described in this Deed Notice. The Deed Notice restricts intrusive activities (i.e. excavation) from occurring within the area and depth limits of the Restricted Area.

(3) The objective of the restrictions;

The objective of this Deed Notice is to prevent direct contact with soils exceeding unrestricted use criteria thereby protecting public health and safety and the environment.

(B) Description of the monitoring necessary to determine whether:

(1) Any disturbances of the soil in the Restricted Areas did not result in the unacceptable exposure to the soil contamination;

Monitoring of the engineering control will consist of a yearly inspection of the Restricted Area, at a minimum, and an evaluation of the cap. Specifically, the Hardscaped Cap will be inspected for missing components, cracks, subsidence and other signs of failure. The asphalt pavement and concrete slab will be inspected for weakness and failure in the surface due to weathering, alternate freezing and thawing and failures in the base or subgrade. The results of all inspections and maintenance and any disturbances of the controls shall be documented in a logbook, which will be made available on site to the NJDEP upon request.

(2) 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;

Same as (1) – Biennial visual inspections of the Property.

(3) The current land use on the Property is consistent with the restrictions in this Deed Notice;

Same as (1) – Biennial visual inspections of the Property.

(4) Any newly promulgated or modified requirements of applicable regulations or laws apply to the site; and

Regulatory monitoring for the institutional controls will include evaluation of new local, state and federal requirements, laws, and land use restrictions that apply to the restricted area.

(5) 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.

Same as (4)

(C) Description of the following items that will be included in the biennial certification:

(1) A monitoring report that describes the specific activities, pursuant to (A) and (B), above, conducted in support of the biennial certification of the protectiveness of the remedial action that includes this Deed Notice;

(2) Land use at the Property is consistent with the restrictions in this Deed Notice; and

(3) The remedial action that includes this Deed Notice continues to be protective of the public health and safety and of the environment.

Pursuant to N.J.S.A. 58:10B-13.1, monitoring for compliance and effectiveness of the institutional and engineering controls shall be conducted and a certification submitted to the Department every two (2) years in writing that the institutional and engineering controls are being properly maintained and continue to be protective of public health and safety and the environment. Any such certification shall include the information relied upon to determine that no changes have occurred.

The monitoring report will be included in the biennial certification. Components of the monitoring report will include the following:

- **A report of all conditions set forth in sections (A) and (B) above to assure that they have been adhered to. Includes an evaluation of any available documents created as a result of changes in land use or incidents.**
- **A report that determines whether or not the land use at the site has remained consistent with the restrictions in the Deed Notice.**
- **A report that determines whether or not the Deed Notice continues to be protective of the public health and safety and the environment.**

EXHIBIT C-2

The Cap

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

(A) General Description of the engineering control:

(1) Description of the engineering control;

Engineering Controls include:

- a. **A Hardscaped Cap consisting of asphalt pavement in the parking area and the concrete slab of the building above the Restricted Area is covering the Restricted Area (Exhibit B-1C). As illustrated in Exhibit B-1B, the cap consists of a pour-in-place concrete slab approximately six inches thick and asphalt pavement totaling about eight inches thick, both of which sit atop the soil contamination that is located from about two and one-half feet to six feet below ground surface.**

(2) The objective of the engineering control; and

The objective of this Deed Notice is to prevent direct contact with soils exceeding unrestricted use criteria thereby protecting public health and safety and the environment.

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

This cap prevents direct contact with underlying soils which contain benzene and methyl-t-butyl ether at concentrations exceeding the NJDEP's Residential Soil Remediation Standards and Non Residential Soil Remediation Standards. No excavating or other intrusive work is permitted, without following the requirements of this Deed Notice.

(B) Description of the operation and maintenance necessary to ensure that:

(1) Periodic inspections of each engineering control are performed in order to determine its integrity, operability, and effectiveness;

Performed biennially by visual inspection of the property. In accordance with N.J.A.C. 7:26E-8.4, monitoring of this engineering control and preparation of biennial certifications shall be conducted by the persons responsible for conducting the remedial action, the owner of the site at the time of the remedial action, or any owner, lessee, or operator of the Site. In accordance with N.J.A.C. 7:26E-8.7, monitoring shall consist of the following: periodic inspections; an evaluation of laws, regulations, and remediation standards; and, development of a monitoring log. Documentation of the monitoring activities shall be provided in the biennial certification, which shall be prepared in accordance with N.J.A.C. 7:26E-8.7.

Maintenance will be conducted as necessary to continually maintain the integrity of all cap materials and to prevent/minimize disturbances in the capped areas. Specifically:

- **Impermeable capped areas consisting of the building foundation and asphalt areas shall be routinely evaluated, maintained and repaired as necessary. Additionally, maintenance techniques appropriate for this use of paving include: patching, resurfacing and sealing.**

(2) Each engineering control continues as designed and intended to protect the public health and safety and the environment;

Same as (1)

(3) Each alteration, excavation or disturbance of any engineering control is timely and appropriately addressed to maintain the integrity of the engineering control;

Same as (1). Also, see subsections 7A and 7B of this Deed Notice for directions on Alterations, Improvements, Disturbances, and Emergencies

(4) This engineering control is being inspected and maintained and its integrity remains so that the remedial action continues to be protective of the public health and safety and of the environment;

Same as (1)

(5) A record of the self-inspection dates, name of the inspector, results of the inspection and condition(s) of this engineering control. Sampling, for example, may be necessary if it is not possible to visually evaluate the integrity/performance of this engineering control; and

Records of the inspections are to be maintained as listed in (5). Should the visual inspection indicate that other activities are necessary, those activities will be listed and a plan of action proposed.

(6) 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.

A review of any new standards, regulations, or laws will be conducted. Should the review indicate that other activities are necessary, those activities will be listed and a plan of action proposed.

(C) Description of the following items that will be included in the biennial certification:

(1) A monitoring report that describes the specific activities, pursuant to (A) and (B), above, conducted in support of the biennial certification of the protectiveness of the remedial action that includes this Deed Notice;

(2) The engineering controls continue to operate as designed; and

(3) The remedial action that includes the engineering control continues to be protective of the public health and safety and of the environment.

Pursuant to N.J.S.A. 58:10B-13.1, monitoring for compliance and effectiveness of the institutional and engineering controls shall be conducted and a certification submitted to the Department every two (2) years in writing that the institutional and engineering controls are being properly maintained and continue to be protective of public health and safety and the environment. Any such certification shall include the information relied upon to determine that no changes have occurred.

The monitoring report will be included in the biennial certification. Components of the monitoring report will include the following:

- **A report of all conditions set forth in sections (A) and (B) above to assure that they have been adhered to. This includes an evaluation to determine whether or not the cap is continuing to meet its objective, and function as a protective barrier.**
- **A report to determine whether or not the cap continues to operate as a protective barrier**
- **A report to determine whether or not the cap continues to be protective of the public health and safety and of the environment.**

\\langan.com\data\PAR\data3\100108301\Office Data\Deed Notice\Deed Notice 2020\Deed Notice\Exhibit C.doc