

BUCKS COUNTY RECORDER OF DEEDS

55 East Court Street
Doylestown, Pennsylvania 18901
(215) 348-6209

Instrument Number - 2018046393
Recorded On 8/22/2018 At 2:57:04 PM * Total Pages - 33
* Instrument Type - DEED AGREEMENT - NO PROPERTY TRANSFER
Invoice Number - 958074 User - KGB
* Grantor - SOLVAY USA INC
* Grantee - PENNA COMWTH DEPT ENVIRON PROTECTION
* Customer - FOX ROTHSCHILD
* FEES

RECORDING FEES	\$182.75
TOTAL PAID	\$182.75

Bucks County UPI Certification
On August 22, 2018 By TF

This is a certification page
DO NOT DETACH
This page is now part
of this legal document.

RETURN DOCUMENT TO:
FOX ROTHSCHILD

I hereby CERTIFY that this document is
recorded in the Recorder of Deeds Office
of Bucks County, Pennsylvania.



Robin M. Robinson
Robin M. Robinson
Recorder of Deeds

* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

148B95



BUCKS COUNTY RECORDER OF DEEDS

55 East Court Street
Doylestown, Pennsylvania 18901
(215) 348-6209

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2018 AUG 22 A 11: 08

**BUCKS COUNTY
RECORDER OF DEEDS**

Instrument Number - 2018037983
Recorded On 7/16/2018 At 1:33:49 PM * Total Pages - 25
* Instrument Type - DEED AGREEMENT - NO PROPERTY TRANSFER
Invoice Number - 950590 User - KLJ
* Grantor - SOLVAY USA INC
* Grantee - PENNA COMWTH DEPT ENVIRON PROTECTION
* Customer - FOX ROTHSCHILD
* FEES
RECORDING FEES \$148.75
TOTAL PAID \$148.75

Bucks County UPI Certification
On July 13, 2018 By TF

* RE-RECORDING
TO CORRECT EXHIBIT B.

**This is a certification page
DO NOT DETACH
This page is now part
of this legal document.**

RETURN DOCUMENT TO:
FOX ROTHSCHILD

I hereby CERTIFY that this document is
recorded in the Recorder of Deeds Office
of Bucks County, Pennsylvania.



Robin M. Robinson

Robin M. Robinson
Recorder of Deeds

* - Information denoted by an asterisk may change during
the verification process and may not be reflected on this page.

14674C



DEP-LEAD VERSION 5 30 17

When recorded, return to:

Mike Shatynski, Solvay USA Inc., 504 Carnegie Center, Princeton, NJ 08054

RECEIVED

2018 JUL 13 A 10:36

BUCKS COUNTY
RECORDER OF DEEDS

The County Parcel Identification No. of the Property is: 13-47-97

GRANTOR: Solvay USA Inc.

PROPERTY ADDRESS: 2300 S. Pennsylvania Ave Morrisville, PA 19067

ENVIRONMENTAL COVENANT

This Environmental Covenant is executed pursuant to the Pennsylvania Uniform Environmental Covenants Act, Act No. 68 of 2007, 27 Pa. C.S. §§ 6501 – 6517 (UECA). This Environmental Covenant subjects the Property identified in Paragraph 1 to the activity and/or use limitations in this document. As indicated later in this document, this Environmental Covenant has been approved by the Pennsylvania Department of Environmental Protection (Department).

1. **Property affected.** The property affected (Property) by this Environmental Covenant is located in Morrisville Falls Township, Bucks County.

The latitude and longitude of the center of the Property is: 40.19221 N, -74.764352 W.

The Property has been known by the following name(s): Rhodia, Inc., Rhone-Poulenc Basic Chemicals, Stauffer Chemical

[For registered tanks, the PADEP Tank Facility ID# is: _____]

[For other facilities, the DEP Primary Facility ID# is/are: #620000_____]

A complete description of the Property is attached to this Environmental Covenant as Exhibit A. A map of the Property is attached to this Environmental Covenant as Exhibit B.

2. **Property Owner / GRANTOR / GRANTEE.** Solvay USA Inc. is the owner of the Property and the GRANTOR and GRANTEE of this Environmental Covenant.

The mailing address of the owner is: 504 Carnegie Center, Princeton, NJ 08540.

4. Description of Contamination & Remedy.

Remedial Investigation (RI) activities were performed at the Site to assess the path forward for obtaining a site-wide ROL under Act 2 for soil and groundwater in accordance with the SHS and SSS. The Remedial Investigation Report (RIR) was submitted to PADEP in August 2012 (Arcadis 2012) and was approved by PADEP on November 27, 2012. The Remedial Investigation Report Addendum and Cleanup Plan (RIRA CP; Arcadis 2015) was submitted on July 16, 2015. PADEP provided approval in a letter dated October 6, 2015 and USEPA provided approval on December 7, 2015.

Characterization activities have occurred at the Site since the 1970's, including soil, groundwater, and sediment investigations. Historical investigation activities and the results are presented in detail in the approved RIR (Arcadis 2012). Based on the results of the RI activities, arsenic was identified as the primary constituent of concern (COC) at the Site. Arsenic was identified above the residential Medium-Specific Concentration (MSC) within Areas 5, 6, 10, the Former Manufacturing Area, and the Waste Pipeline. In addition, benzo(a)pyrene was detected above the residential MSC within the Former Manufacturing Area and Area 3.

Historical groundwater activities have focused on arsenic as the primary COC. Based on evaluation of exposure pathways presented in the RIR, groundwater is not used at the Site and groundwater discharge to surface water is not a complete pathway. Institutional controls will be put in place to prohibit the use of groundwater as a drinking water source.

The Final Report, dated August 2017 and prepared by Arcadis, presents a summary of the remediation activities implemented at the Site as proposed in the approved Cleanup Plan (RIRA CP; Arcadis 2015) conducted at the Site to attain Statewide Health Standards (SHS) and Site-Specific Standards (SSS; pathway elimination) in accordance with Act 2. The Final Report was approved by PADEP in a letter dated January 16, 2018. The EPA issued a Final Decision and Response to Comments dated October 3, 2016. In addition, records pertaining to the contamination and remedy are located or available through EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103.

As documented in the Final Report, a combination of remedial measures and institutional controls was used to demonstrate attainment of the SHS and SSS. In addition, both residential and non-residential MSCs were considered for different portions of the Sites. A summary of the approach used at each area and for each use scenario is provided as follows and a site figure is included in Exhibit B:

- Residential Areas

- Area 5 – A soil cover was installed to eliminate exposure to arsenic above the residential MSCs. Institutional controls (deed restriction) will be used to prevent exposure to subsurface soils.
- Area 6 – A cap is present at Area 6 and therefore direct contact pathway is not complete. Institutional controls (deed restriction) will be used to prohibit disturbance of the cap
- Area 10 – A permeable liner and fill were installed to eliminate exposure to arsenic above the residential MSCs. Institutional controls (deed restriction) will be used to prevent exposure to subsurface soils.
- Former Manufacturing Area – A 95 UCL calculation was used to show that results were below residential MSCs and therefore the pathway was not complete.
- Non-Residential Areas
 - Non-Residential Area – Excavation of a high concentration area of arsenic was completed and a 95 UCL calculation was used to show non-residential MSCs are met.
 - Waste Pipeline – Concentrations of arsenic are below non-residential MSCs and therefore direct contact is not a complete pathway
 - Area 3 - Concentrations of arsenic are below non-residential MSCs and therefore direct contact is not a complete pathway

5. **Activity and Use Limitations.** The Post Remediation Care Plan (PRCP) included in the Final Report specified quarterly inspections at Areas 5 and 10 for a period of one year. The final quarterly inspection is planned for the second quarter of 2018 and an annual report will be submitted by July 2018. As indicated in the Final Report, after the first year, additional on-going post-remediation care will be implemented through an enforceable mechanism such as a permit, order, or Environmental Covenant. An updated PRCP has been included as Exhibit C and specifies the on-going inspection, corrective action, and notification requirements.

The Property is subject to the following activity and use limitations, which the then current owner of the Property, and its tenants, agents, employees and other persons under its control, shall abide by:

The controls required at each area of concern consist of the following:

- Residential Soil Areas
 - Annual inspections of Areas 5, 6, and 10 will be conducted by the then current owner of the Property in accordance with the PRCP as presented in Exhibit C.
 - Covers/caps installed at Areas 5, 6, and 10 will be maintained to mitigate the direct contact with underlying soils (Area 5 and 6) or

sediment (Area 10). In the event that inspection indicates that the covers/caps need to be repaired or replaced, the then current owner of the Property shall submit to the Department and any Holder listed in Paragraph 3 written documentation stating actions taken to repair or replace the covers.

- All earth moving activities, including excavation, drilling, and foundation-construction activities, within Areas 5, 6, and 10 shall be prohibited unless it is demonstrated to PADEP and EPA that such activity will not pose a threat to human health or the environment or adversely affect or interfere with the selected remedy and PADEP/EPA provides written approval for such use.
- Non-Residential Soil Areas
 - Use of the Property by any and all present or future owners or occupiers shall be limited to “nonresidential property” uses, as the term “nonresidential property” is defined in Section 103 of Act 2, 35 P.S. § 6026.103. This applies to the “non-residential area”, “waste pipeline area”, and Area 3.
 - Non-residential areas (i.e., the non-residential area, waste pipeline area, and Area 3) shall be restricted to commercial and/or industrial purposes and shall not be used for residential purpose unless it is demonstrated to PADEP/EPA that such use will not pose threat to human health or the environment or adversely affect or interfere with the selected remedy and the Facility provides prior written approval from PADEP/EPA for such use.
 - All earth moving activities, including excavation, drilling, and foundation-construction activities, within the non-residential area, waste pipeline area, and Area 3 shall be prohibited unless it is demonstrated to PADEP and EPA that such activity will not pose a threat to human health or the environment or adversely affect or interfere with the selected remedy and PADEP/EPA provides written approval for such use.
- Groundwater
 - Groundwater at the Facility shall not be used for potable purposes
 - No new wells shall be installed on Facility property in areas where caps are required by this remedy decision.
 - Groundwater cannot be used for another purpose other than monitoring or remediation. This control also prevents groundwater use for commercial/industrial or commercial agricultural activities, including,

but not limited to, irrigation of crops, watering of livestock, food production, processing or packaging.

6. **Notice of Limitations in Future Conveyances.** Each instrument hereafter conveying any interest in the Property subject to this Environmental Covenant shall contain a notice of the activity and use limitations set forth in this Environmental Covenant and shall provide the recorded location of this Environmental Covenant.

7. **Compliance Reporting.** By the end of every July following the Department's approval of this Environmental Covenant, the then current owner of the Property shall submit to the Department, the EPA and any Holder listed in Paragraph 3, written documentation stating whether or not the activity and use limitations in this Environmental Covenant are being abided by. In addition, within 21 days after a) written request by DEP or EPA, b) transfer of title of the Property or of any part of the Property affected by this Environmental Covenant, c) noncompliance with paragraph 5 (Activity and Use Limitations), d) an application for a permit or other approval for any building or site work that could affect contamination on any part of the Property, the then current owner will send a report to the DEP, the EPA and any Holder. The report will state whether or not there is compliance with paragraph 5. If there is noncompliance, the report will state the actions that will be taken to assure compliance.

8. **Access by the Department and by the EPA.** In addition to any rights already possessed by the Department and by the EPA, this Environmental Covenant grants to the Department and to the EPA a right of reasonable access of the Property in connection with implementation or enforcement of this Environmental Covenant.

9. **Recording and Notification of Recording.** Within 30 days after the date of the Department's approval of this Environmental Covenant, the Solvay USA Inc. shall file this Environmental Covenant with the Recorder of Deeds for each County in which the Property is located, and send a file-stamped copy of this Environmental Covenant to the Department within 90 days of the Department's approval of this Environmental Covenant. Within 90 days after this Environmental Covenant has been filed with the Recorder of Deeds for each County in which the Property is located, Solvay USA Inc. also shall send a file-stamped copy to each of the following: Falls Township, Bucks County; the EPA, any Holder listed in Paragraph 3.

10. **Termination or Modification.**

(a) This Environmental Covenant runs with the land unless terminated or modified in accordance with 27 Pa. C.S. §§ 6509 or 6510, or in accordance with this paragraph.

(b) This Environmental Covenant may be amended or terminated as to any portion of the Property that is acquired for use as state highway right-of-way by the

May 2015

Commonwealth provided that: (1) the Department waives the requirements for an environmental covenant and for conversion pursuant to 27 Pa. C.S. §6517 to the same extent that this Environmental Covenant is amended or terminated; (2) the Department determines that termination or modification of this Environmental Covenant will not adversely affect human health or the environment; and (3) the Department provides 30-days advance written notice to the current property owner, each holder, and, as practicable, each person that originally signed the Environmental Covenant or successors in interest to such persons.

(c) This Environmental Covenant shall terminate upon attainment, in accordance with 35 P.S. §§ 6026.101 – 6026.908, with an unrestricted use remediation standard for the above-described contamination at the Property. The Department must approve, in writing, of such termination.

11. **EPA.**

(a) Notification. The then current owner shall provide the EPA written notice of:

- (1) the pendency of any proceeding that could lead to a foreclosure as referred to in 27 Pa. C.S. § 6509(a)(4), within seven calendar days of the owner's receiving notice of the pendency of such proceeding;
- (2) any judicial action referred to in 27 Pa. C.S. § 6509(a)(5), within seven calendar days of the owner's receiving notice of such judicial action;
- (3) any judicial action referred to in 27 Pa. C.S. § 6509(b), within seven calendar days of the owner's receiving notice of such judicial action; and
- (4) termination or amendment of this Environmental Covenant pursuant to 27 Pa. C.S. § 6510, within seven calendar days of the owner's becoming aware of such termination or amendment.

(b) Enforcement. A civil action for injunctive or other equitable relief for violating this Environmental Covenant may be maintained by the EPA.

12. **Department's and EPA's Addresses.** Communications with the Department and the EPA regarding this Environmental Covenant shall be sent to:

- Regional Manager, Environmental Cleanup and Brownfields, PADEP Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915
- Director, Land and Chemicals Division, USEPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029

13. **Severability.** The paragraphs of this Environmental Covenant shall be severable and should any part hereof be declared invalid or unenforceable, the remainder shall continue in full force and effect between the parties.

APPROVED, by Commonwealth of Pennsylvania, Department of Environmental Protection

Date:

By: _____
Name: _____
Title: _____

COMMONWEALTH OF PENNSYLVANIA)

)

COUNTY OF _____)

SS:

On this ___ day of _____, 20___, before me, the undersigned officer, personally appeared _____, who acknowledged himself/herself to be the _____ [Title] of the Commonwealth of Pennsylvania, Department of Environmental Protection, _____ [insert name of regional office], whose name is subscribed to this Environmental Covenant, and acknowledged that s/he executed same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

Property Owner: Solvay USA, Inc.
Property Address: 2300 S. Pennsylvania Avenue
Morrisville, PA 19067
Falls Township
Bucks County

APPROVED, by Commonwealth of Pennsylvania,
Department of Environmental Protection

Date: 6/20/2018

By: [Signature]

Name: Ragesh R. Patel

Title: Environmental Cleanup & Brownfields Program Manager
PA DEP - Southeast Regional Office

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF MONTGOMERY

On this 20th day of JUNE, 2018, before me, the undersigned officer, personally

appeared Ragesh R. Patel who acknowledged himself to be the person whose name is

subscribed to this Environmental Covenant, and acknowledged that he executed same for the

purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

[Signature]
Notary Public

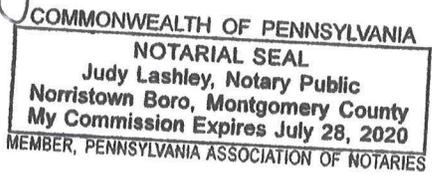


Exhibit A – Property Deed

SCHEDULE A

~~ALL THAT CERTAIN~~ tract or piece of ground with the buildings and improvements thereon erected, situate on Loon Island, Falls Township, Bucks County, Pennsylvania, bounded and described according to a plan and survey thereof made by H. H. Lee, Jr., Registered Surveyor, Morrisville, Pennsylvania, dated September 27, 1947, as follows, to wit:

BEGINNING at a point marked by a stone monument in the Easterly line of the Morrisville and Bordentown Road, said line being the Westerly property line of the Morningside Tract (as shown on Morningside Tract, Plan #2, a recorded Plan), said point being distant in a Southerly direction two thousand three hundred and fifty and forty one-hundredths (2350.40) feet from the Southerly line of Post Road, said Southerly line of Post Road being the Morrisville Borough line, and running thence (all bearings throughout being based on U.S.E.D. true North):

1. North sixty-three (63) degrees four (4) minutes East one hundred ninety-four and fifty one-hundredths (194.50) feet along the Southerly line of Block #11 on Plan #2 Morningside Tract to a point; thence

2. North fifty-eight (58) degrees thirty-three (33) minutes East one hundred and fifteen (115) feet, continuing along said Block #11 to a point in the Westerly bank of Smith Creek or Carlyle Creek (now filled); thence

3. North twelve (12) degrees twenty-nine (29) minutes West five hundred and twenty-six and eighty-eight one-hundredths (526.88) feet along the Westerly bank of said Smith Creek and the Easterly line of the Morningside Tract to a point; thence

4. North twenty-four (24) degrees twenty-two (22) minutes West nine hundred and fifty-nine and six one-hundredths (959.06) feet along the Westerly bank of said Smith Creek and the Easterly line of the Morningside Tract to a stone monument; thence

5. North sixty-one (61) degrees five (5) minutes East one thousand five hundred and thirty-one and forty-five one-hundredths (1531.45) feet, across said Smith Creek and along land now owned by the American Philosophical Society to low water mark in the Delaware River; thence along low water mark in the Delaware River the following approximate courses and distances:

6. South twenty-seven (27) degrees thirty (30) minutes East one hundred seventy (170) feet;

7. South one (1) degree twenty (20) minutes East three hundred seventy-one (371) feet;

8. South eighteen (18) degrees thirty-four (34) minutes East six hundred and fourteen (614) feet;

9. South thirteen (13) degrees zero (0) minutes East three hundred and eight (308) feet to a point where the 1947 low water mark meets the 1909 low water mark as shown on the June 17-22 1909 Plan drawn by the Corps of Engineers, U. S. Army; thence along the 1909 low water mark across land filled in 1935 the following approximate courses and distances:

10. South eight (8) degrees fifty (50) minutes East four hundred and seventy-five (475) feet;

11. South fourteen (14) degrees forty-five (45) minutes East two hundred and sixty-six (266) feet;

12. South six (6) degrees ten (10) minutes West one hundred and thirty-one (131) feet;

13. South sixteen (16) degrees thirty (30) minutes West one hundred and fifty-one (151) feet;

14. South twenty-eight (28) degrees three (3) minutes West four hundred and twenty and sixteen one-hundredths (420.16) feet to low water mark in Biles Creek in line with the Northerly line of Lot #14 Block #13 Morningside Tract extended, which said Northerly line is also the Northerly line of property formerly owned by Alexander Bohonyi; thence

15. South sixty-five (65) degrees eleven (11) minutes West two hundred and sixty-two (262) feet along the extension of said Northerly line of Lot #14 Block #13 Morningside Tract, to a point in the middle line of said Smith Creek; thence

16. North thirty-six (36) degrees thirty-three (33) minutes West thirty-seven and thirty-two one-hundredths (37.32) feet along the middle line of said Smith Creek to a point; thence

17. North fifty-nine (59) degrees forty-three (43) minutes West one hundred ninety-eight and seventeen one-hundredths (198.17) feet along the middle line of the said Smith Creek to a point; thence

18. South forty-three (43) degrees zero (0) minutes West forty-nine and forty-one one-hundredths (49.41) feet to a point in the West bank of said Smith Creek; thence

19. North sixty-five (65) degrees fifty-six (56) minutes West four hundred and twenty-four and sixteen one-hundredths (424.16) feet along the Westerly bank of said Smith Creek to a point; thence

20. North forty-eight (48) degrees forty-two (42) minutes West two hundred and twenty (220) feet along the Westerly bank of said Smith Creek and the Easterly line of Block #12 Morningside Tract to a point; thence

21. North nine (9) degrees twelve (12) minutes West three hundred and twenty-one (321) feet along the Westerly bank of said Smith Creek and the Easterly line of Block #12 Morningside Tract to a point; thence

22. South sixty-two (62) degrees forty-eight (48) minutes West two hundred and ninety-six and five tenths (296.5) feet, along the Northerly line of Lot #1 Block #12 Morningside Tract to a point in the Easterly line of the Morrisville and Bordentown Road; thence

23. North twenty-six (26) degrees twelve (12) minutes West eighteen and fifteen one-hundredths (18.15) feet along the Easterly line of the Morrisville and Bordentown Road to the point and place of Beginning.

CONTAINING seventy-seven and five thousand and eighty-seven ten thousandths (77.5087) Acres of land.

TOGETHER with all the estate, right, title and interest whatsoever of the said grantor of, in and to all lands, now or formerly within the lines of any and all roads, lanes, highways, rivers, creeks, waters and streams, wholly or partly abounding, abutting or intersecting the above described premises and also all the estate, right, title and interest of the said grantor of, in and to the fishery or fisheries, landing or fording place or places, or any other privilege or privileges or rights-of-way pertaining to the above described premises and also all riparian and other rights of said grantor and all the muds, flats and land under water in front of and contiguous to the above described premises, extending as far into the rivers and creeks as the right, title and interest of said grantor now extends

AND the said grantor by these presents does grant, bargain, sell, remise, release and quit-claim unto the said grantee, its Successors and Assigns ALL THAT CERTAIN fill, tract or piece of ground with the improvements thereon erected situate on Moon Island, Falls Township, Bucks County, Pennsylvania, bounded and described according to a plan and survey thereof made by H. H. Lee, Jr., Registered Surveyor, Morrisville, Pennsylvania, dated Sept. 27, 1947, as follows, to wit:

BEGINNING at a point in the extension of the northerly line of Lot #14 Block #13 Morningside Tract Plan #2, which said northerly line is also the northerly line of property formerly owned by Alexander Bohonyi, said point being distant in an easterly direction nine hundred and seventy-two and fifty-seven one-hundredths (972.57) feet from the easterly line of the Morrisville and Bordentown Road, said easterly line being also the westerly property line of the Morningside Tract (as shown on Morningside Tract Plan #2, a recorded Plan), and running thence along the 1909 low water mark as shown on the June 17-22 1909 plan drawn by the Corps of Engineers, U. S. Army, and across the 1935 fill the following approximate courses and distances (all bearings throughout being based on U.S.E.D. true north):

1. North twenty-eight (28) degrees three (3) minutes East four hundred and twenty and sixteen one-hundredths (420.16) feet;

2. North sixteen (16) degrees thirty (30) minutes East one hundred and fifty-one (151) feet;

3. North six (6) degrees ten (10) minutes East one hundred and thirty-one (131) feet;

4. North fourteen (14) degrees forty-five (45) minutes West two hundred and sixty-six (266) feet;

5. North eight (8) degrees fifty (50) minutes West four hundred and seventy-five (475) feet to a point where the 1909 low water line meets the 1947 low water line of the Delaware River, and thence along the 1947 low water line of the Delaware River the following approximate courses and distances:

6. South thirty (30) degrees forty (40) minutes East one hundred and twenty-seven (127) feet;

7. South eighteen (18) degrees forty-five (45) minutes East three hundred and sixty-two (362) feet;

8. South fifteen (15) degrees ten (10) minutes East five hundred and twenty-nine (529) feet;

9. South eighteen (18) degrees fifty (50) minutes West one hundred and thirty (130) feet to a point in the low water line of Biles Creek;

10. South sixty-six (66) degrees five (5) minutes West one hundred and eighty-five (185) feet along the low water line of Biles Creek to a point;

11. South fifty-four (54) degrees zero (0) minutes West one hundred and seventy-two (172) feet along the low water line of Biles Creek to a point;

12. South thirty-six (36) degrees fifty-five (55) minutes West one hundred and thirty-eight and forty-six one-hundredths (138.46) feet along the low water line of Biles Creek to the point and place of Beginning.

CONTAINING three and four hundred and twenty-one one-thousandths (3.421) Acres

BEING the same three and four hundred and twenty-one one-thousandths (3.421) acres conveyed to the Grantor by a Patent from the Department of Internal Affairs of the Commonwealth of Pennsylvania, dated July 14, 1949 enrolled in Patent Book H. Vol. 80 Page 91, recorded on September 22, 1949 in Deed Book 778, Page 586 in the Office for Recording of Deeds in and for Bucks County.

PA 1700 P0415

THENCE S61°15'00" W 100.00 FEET TO A POINT IN THE BOROUGH OF MORRISVILLE, BUCKS COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED ACCORDING TO A PLAN AND SURVEY THEREOF MADE BY H. LEE, JR., REGISTERED SURVEYOR, MORRISVILLE, PENNSYLVANIA, DATED SEPTEMBER 27, 1967, AS FOLLOWS, TO WIT:

BEGINNING AT A STONE MONUMENT IN THE NORTHERLY LINE OF POST ROAD EXTENDED (FORMERLY FERRY ROAD), SAID POINT BEING DISTANT IN AN EASTERLY DIRECTION SEVEN HUNDRED THIRTY-FIVE AND FIFTY-FOUR ONE-HUNDREDTHS (735.54) FEET FROM THE CENTER LINE OF SOUTH PENNSYLVANIA AVENUE (60 FEET WIDE), AND RUNNING THENCE (ALL BEARINGS THROUGHOUT BEING BASED ON U.S.E.D. TRUE NORTH):

- (1) NORTH SIXTY-THREE (63) DEGREES EIGHTEEN (18) MINUTES EAST ONE THOUSAND ONE HUNDRED THIRTEEN AND EIGHTY-SEVEN ONE-HUNDREDTHS (1,113.07) FEET ALONG OTHER LAND OF THE GRANTOR, FROM WHICH THIS IS TAKEN, TO A STONE MONUMENT IN THE WESTERLY LINE OF SOUTH DELMORR AVENUE; THENCE
 - (2) SOUTH THIRTY (30) DEGREES FORTY-FOUR (44) MINUTES EAST TWENTY-THREE AND THIRTY-ONE ONE-HUNDREDTHS (23.31) FEET ALONG THE WESTERLY LINE OF SOUTH DELMORR AVENUE TO A STONE MONUMENT; THENCE
 - (3) NORTH SIXTY-THREE (63) DEGREES EIGHTEEN (18) MINUTES EAST SIXTY AND FIFTEEN ONE-HUNDREDTHS (60.15) FEET ALONG THE SOUTHERLY END OF SOUTH DELMORR AVENUE TO A STONE MONUMENT; THENCE
 - (4) NORTH THIRTY (30) DEGREES FORTY-FOUR (44) MINUTES WEST TWENTY-THREE AND THIRTY-ONE ONE-HUNDREDTHS (23.31) FEET ALONG THE EASTERLY LINE OF SOUTH DELMORR AVENUE TO A STONE MONUMENT; THENCE
 - (5) NORTH SIXTY-THREE (63) DEGREES EIGHTEEN (18) MINUTES EAST TWO HUNDRED AND FORTY-NINE AND NINETY-THREE ONE-HUNDREDTHS (246.93) FEET ALONG OTHER LAND OF THE GRANTOR TO LOW WATER MARK IN THE DELAWARE RIVER; THENCE ALONG LOW WATER MARK IN THE DELAWARE RIVER THE FOLLOWING APPROXIMATE COURSE AND DISTANCES:
 - (6) SOUTH TWENTY-TWO (22) DEGREE TWO (2) MINUTES EAST FOUR HUNDRED TWENTY-TWO AND FORTY-TWO ONE-HUNDREDTHS (422.42) FEET;
 - (7) SOUTH TWENTY-NINE (29) DEGREES TWENTY (20) MINUTES EAST TWO HUNDRED AND TWENTY-TWO (22) FEET;
 - (8) SOUTH FOUR (4) DEGREES THIRTY-TWO (32) MINUTES WEST TWO HUNDRED AND FORTY-NINE (249) FEET TO THE NORTHEAST CORNER OF LAND RECENTLY CONVEYED BY WARNER COMPANY TO VICTOR CHEMICAL WORKS; THENCE
 - (9) SOUTH SIXTY-ONE (61) DEGREES FIVE (5) MINUTES WEST ONE THOUSAND FOUR HUNDRED FORTY-THREE AND FORTY-FIVE ONE-HUNDREDTHS (1,443.45) FEET ALONG THE NORTHERLY LINE OF LAND RECENTLY PURCHASED BY VICTOR CHEMICAL WORKS FROM WARNER COMPANY, TO A STONE MONUMENT; THENCE
 - (10) NORTH FIFTEEN (15) DEGREES FIFTY-FIVE (55) MINUTES WEST NINE HUNDRED TWENTY-FIVE AND THIRTY-TWO ONE-HUNDREDTHS (925.32) FEET ALONG THE EASTERLY SIDE OF SMITH CREEK OR CARLISLE CREEK BED (NOW FILLED) AND ALONG THE EASTERLY LINE OF LAND NOW OR FORMERLY OWNED BY JOSEPH BRUNACKER, TO THE POINT AND PLACE OF BEGINNING.
- CONTAINING TWENTY-NINE AND FIVE THOUSAND SIX HUNDRED AND SIXTY-SEVEN TEN-THOUSANDTHS (29.5667) ACRES OF LAND.

Excepting therefrom:

ALL THAT CERTAIN piece or strip of land situate and located in Morrisville Borough, Bucks County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the Northernly line of Post Road at the Northwest corner of land now owned by the Victor Chemical Works, -- said point being distant in an Easterly direction Seven Hundred thirty five and fifty-four hundredths (735.54) feet from the center line of South Pennsylvania Avenue and running thence;

- (1) North sixty three (63) degrees eighteen (18) minutes East Nine Hundred fifty three and twenty-three hundredths (953.23) feet along the Southernly line of land now owned by General Refractories Company to a point, thence;
- (2) Along a three hundred fifty foot (350) radius curve to the Southwest an arc distance of One Hundred sixty eight and forty-three hundredths (168.43) feet to a point in the Morrisville Borough line, thence;
- (3) South sixty three (63) degrees eighteen (18) minutes West Seven Hundred ninety eight and eighty hundredths (798.80) feet along the said Borough line and through land of the Victor Chemical Works to a point at the Easterly end of the Southernly line of Post Road, thence;
- (4) North fifteen (15) degrees fifty five (55) minutes West Forty and forty-six hundredths (40.46) feet across the end of Post Road to the point and place of BEGINNING.

Containing 0.80 of an acre, and BEING a portion of the same premises which American Philosophical Society by Deed dated December 16, 1947 and recorded in the Office for the recording of Deeds in and for the County of Bucks, Pennsylvania, in Deed Book No. 778, at Page 46, granted and conveyed, in fee unto Victor Chemical Works, the

EX 700 0416

DESCRIPTION AND RECEIPT

ALSO EXCEPTING THEREFROM: C 944-493

ALL THAT CERTAIN lot or parcel of ground with the buildings and improvements situate in Falls Township, Berks County, Pennsylvania, described according to a "As Built Survey Plan made for Seashen Inc." by William G. Major Associates, Engineers, Architects, Planners and Surveyors, dated April 22, 1977, as follows, to wit:

BEGINNING at a point on the southeasterly side of Post Road (40 feet wide) said point being at the distance of 726.27 feet measured North 63 degrees 18 minutes 00 seconds West along the southeasterly side of Post Road from a point of intersection which the extended southeasterly side of Post Road makes with the center line of South Pennsylvania Avenue thence extending from said point of beginning, North 63 degrees 18 minutes 00 seconds East along the southeasterly side of Post Road crossing the heads of certain 28.00 feet wide Philadelphia Electric Co. Easement 28.00 feet wide Moedan Driveway and a stone drive 794.00 feet to a point of curve; thence extending on the arc of a circle curving to the left having radius of 350.00 feet crossing the bed of Post Road the arc distance of 169.63 feet to a point on the northwesterly side of Post Road; thence extending North 63 degrees 18 minutes 00 seconds East along the northwesterly side of Post Road crossing a 60.00 feet wide Railroad Easement 160.64 feet to a point on the southwesterly side of South Delmarz Avenue (60 feet wide); thence extending South 10 degrees 44 minutes 00 seconds East along the southwesterly side of South Delmarz 23.21 feet to a point on the title line in the bed of Post Road; thence extending North 63 degrees 18 minutes 00 seconds East along the title line in the bed of Post Road, 69.15 feet to a point; thence extending North 10 degrees 44 minutes 00 seconds West 21.21 feet to a point on the northwesterly side of Post Road; thence extending North 43 degrees 18 minutes 00 seconds East crossing the southwesterly side of the Delaware River 244.91 feet to a point in the bed of the Delaware River; thence extending through the bed of the Delaware River, the three following courses and distances (1) South 22 degrees 02 minutes 00 seconds East 417.43 feet to a point (2) South 19 degrees 10 minutes 00 seconds East 227.00 feet to a point and (3) South 04 degrees 12 minutes 00 seconds West 67.81 feet to a point in line of lands now or late of Stauffer Chemical Company; thence extending South 63 degrees 18 minutes 00 seconds West along lands now or late of Stauffer Chemical Company, recrossing the southwesterly side of the Delaware River, a 60.00 feet wide Railroad Easement and recrossing the heads of a 28.00 feet wide access Easement; a 28.00 feet wide Philadelphia Co. Easement, 1,303.64 feet to a point, a corner of lands now or late of William W. Ludlow; thence extending North 13 degrees 39 minutes 00 seconds West along lands now or late of William W. Ludlow, 633.01 feet to the first mentioned point and place of beginning.

COUNTY PARCEL NUMBER 13-47-97-1

SUBJECT TO and together with a certain proposed 30 foot wide access easement as shown on the aforesaid plan bounded and described as follows, to wit:

BEGINNING at a point in the southeasterly right of way line of Post Road, said

APR 11 1987

1700 10417

SCHEDULE A

ALL THAT CERTAIN tract or piece of land known and designated as all of Lot No. 1 and the greater and easternmost portion of Lots Nos. 2, 3, 4 and 5, Block No. 12, Morningside Tract Plan No. 2, as laid out and developed by Joseph Krumacker, in the Township of Falls, County of Bucks, State of Pennsylvania, recorded in Plan Book No. 2, page 38, bounded and described as follows, to wit: _____

BEGINNING at a point in the Easterly line of the Morrisville and Boraentown Road, said point being distant in a Southerly direction two thousand three hundred and sixty-eight and fifty-five one-hundredths (2,368.55) feet from the Southerly line of Post Road, said Southerly line of Post Road being the Morrisville Borough line, and running thence (all bearings throughout being based on Morningside Tract Plan No. 2 meridian) _____

_____ (1) North sixty-three (63) degrees thirty-six (36) minutes East two hundred ninety-six and fifty one-hundredths (296.50) feet along the Southerly line of land late of Warner Company and now of Victor Chemical works to a point in the westerly bank of Smith Creek (now filled); thence _____

_____ (2) South eight (8) degrees twenty-four (24) minutes East one hundred thirty-three and twelve one-hundredths (133.12) feet along the Westerly bank of Smith Creek (now filled) and along the Westerly line of land late of Warner Company and now of Victor Chemical Works to a point at the Northeast corner of Lot No. 6, Block No. 12, Morningside Tract Plan No. 2; thence _____

_____ (3) South sixty-four (64) degrees thirty-six (36) minutes West one hundred and fifty-seven and fifty-four one-hundredths (157.54) feet along the Northerly line of said Lot No. 6 to a point; thence _____

_____ (4) North twenty-five (25) degrees twenty-four (24) minutes West one hundred (100) feet across Lots Nos. 5, 4, 3 and 2 to a point in the Southerly line of Lot No. 1; thence _____

_____ (5) South sixty-four (64) degrees thirty-six (36) minutes West one hundred (100) feet along the Northerly line of Lot No. 2 to a point in the Easterly line of the Morrisville and Boraentown Road; thence _____

21700-0416

(6) North twenty-five (25) degrees twenty-four (24) minutes
West twenty-two and fifteen one-hundredths (22.15) feet along the
Easterly line of the Lorrisville and Bordentown Road to the point and
place of BEGINNING.

98 OCT 29 AM 9:02

106217



25
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B.C.B.O.A. Registry	5.00 <i>5/2</i>
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Frank J. [Signature]
RECORDS OF DEEDS

OCT 29 98

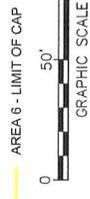
RECORDED
INDEXED

Exhibit B – Site Figures

Label	Longitude	Latitude
83	-074.76303419	040.19110615
84	-074.76323229	040.19093225
85	-074.76303216	040.19067866
86	-074.76310873	040.19076432
87	-074.76319110	040.19071451
88	-074.76323345	040.19074790
89	-074.76320920	040.19101401
90	-074.76302419	040.19110615



LEGEND:



SOLVAY, INC.
MORRISVILLE, PENNSYLVANIA

**SITE PLAN
(AREA 6)**

ARCADIS | Engineering & Technology for water and built assets

FIGURE **2C**

Exhibit C – Post-Remediation Care Plan

EXHIBIT C - POST-REMEDATION CARE PLAN

The following sections describe the inspection and maintenance requirements to be performed according to the Activity and Use Limitations (Section 5) provided in the Environmental Covenant.

Inspections

Annual inspections are required to be completed at Areas 5, 6, and 10 to document the status of the remedial measures installed at each area. It is anticipated that the inspection will be completed in April of each year following the effective date of this Environmental Covenant. For each of these areas, the following inspection activities will be performed and recorded:

- Visual inspection of each area to check for possible evidence of erosion or other disturbances.
- Visual inspection of the work area to determine the existence of any seeps created as a result of the work.
- Visual inspection of areas for evidence of disturbance that might expose impacted soils.

A standardized inspection form (attached) will be filled out during each inspection to document findings, including condition of vegetative growth, presence of possible erosion rills, condition of stormwater engineering controls, evidence of any vandalism at the Site and maintenance/repairs required (if any). A brief photo log, if applicable, will also be included.

Corrective Actions

The engineering controls were designed and constructed to take advantage of the natural vegetation and function with the minimum maintenance possible. Any required maintenance of the Site identified during the inspections will be documented and completed within 90 days. A list of maintenance activities will be kept and submitted to PADEP and USEPA as part of annual reporting. The maintenance list will briefly describe the identified issue, remedy, and results of the implementation of the remedy. Any problems discovered that are beyond the scope of routine maintenance will be referred to the engineer of record, who will evaluate and develop a solution as soon as practicable.

Notifications/Reporting

If corrective actions are needed following inspection, the PADEP and USEPA will be notified by phone or electronic mail within 30 days of the inspection. The nature of the corrective actions and schedule for implementation will be provided as part of the notification. A second notification will be provided within 30 days of implementing the corrective action to document the work completed.

In addition, an annual report will be submitted by the end of every July. The annual report will document the results of the annual inspection and any corrective measures that were implemented as a result of the inspection. The annual report will also evaluate if the activity and use limitations identified in Section 5 of the environmental covenant are being abided by.



Design & Consultancy
for natural and
built assets

Site Inspection Log

Project Solvay Morrisville Facility

Site Location Morrisville, PA

Inspection Date & Time _____ Inspection Personnel & Title _____

Weather _____ Professional Engineer Inspection Yes No

Soil Conditions (dry/wet/saturated) _____

Area 5	Visually Checked Y/N	Condition Good/Fair/Poor	Maintenance Required or Comments	Photos (#)
Condition of Vegetative Cover Growth				
Erosion rills				
Depressed areas				
Disturbance (unnatural)				
Evidence of vandalism				
Note any other observations or repairs that may be needed here:				

Area 6	Visually Checked Y/N	Condition Good/Fair/Poor	Maintenance Required or Comments	Photos (#)
Condition of Vegetative Cover Growth				
Erosion rills				
Depressed areas				
Disturbance (unnatural)				
Evidence of vandalism				
Note any other observations or repairs that may be needed here:				

Area 10	Visually Checked Y/N	Condition Good/Fair/Poor	Maintenance Required or Comments	Photos (#)
Condition of Pond Cover (stone)				
Erosion rills				
Depressed areas				
Disturbance (unnatural)				
Evidence of vandalism				
Note any other observations or repairs that may be needed here:				