



Pfizer Inc.
100 Route 206 North, MS 4305
Peapack, NJ 07977
Tel: 908-901-8630

Via e-mail

August 20, 2020

Mr. Luis Negrón
Project Manager
US EPA-Region 2
Caribbean Environmental Protection Division
City View Plaza II, Suite 7000
Guaynabo, Puerto Rico 00968

**RE: Pfizer Pharmaceuticals, LLC, Barceloneta Site, EPA ID PRD090346909
Framing Fulfillment of Corrective Action Objectives in support of:
Request for Closure SWMU#11 - Former Tank Farm UST Area**

Dear Mr. Negrón:

On behalf of Pfizer Pharmaceuticals, LLC (PPLLC), this letter report serves as follow-up to our December 12, 2019 virtual meeting discussions regarding additional information in support of a request for Closure of Resource Conservation Recovery Act (RCRA) Solid Waste Management Unit (SWMU) number (#) 11 which is located at Pfizer Barceloneta site (the Site) Former Tank Farm Underground Storage Tank (UST) area. SWMU#11 is the last RCRA SWMU (unit) to be closed before pursuing the process for Closure of the Barceloneta Site RCRA Part B Permit. During the December 12, 2019 meeting, the following items were requested by US Environmental Protection Agency (EPA) and their contractors to support closure approval of SWMU#11:

1. Provide a framing document that summarizes the Corrective Action Objectives (CAO's) specific to SWMU#11, with reference to supporting documents to help demonstrate and document CAO's have been met.
2. PPLLC to provide Draft Institutional controls (i.e. Draft Deed Restriction) to align with proposed cleanup goals for soil-vapor and Site future use (i.e. restricted to Commercial/Industrial Use) – to help address item #12 in EPA's "Ready for Anticipated Use" (RAU) form (Attachment 1).

Considering a substantial amount of time has elapsed since various phases of RCRA Facility Investigations (RFI's) and Corrective Actions, this letter report provides some background information and overview of the Site Conceptual Site Model (CSM) – as suggested by EPA on December 2019 - along with CAO's and a summary of how those objectives were met to support closure approval of SWMU#11.



Background and Conceptual Site Model (CSM)

In 1986, Pfizer applied for a RCRA Part B Permit to store/handle hazardous waste. As part of the Part B process, EPA conducted a RCRA Facility Assessment (RFA) in 1988 and identified a number of potential SWMU's, one being the former tank farm UST area designated as SWMU#11 that was retained for further study. The former UST facility identified as SWMU#11 operated between approximately 1973 and 1984, after which it was decommissioned and replaced with a lined above-ground storage tank facility with double-containment. There were no suspected releases during the operations of the former UST SWMU#11 unit (TRC, 2006).

Following issuance of the Part B Permit in 1990, PPLLC conducted multiple phases of RFI's pursuant to EPA-approved Work Plans prepared by TRC and submitted on 1991, 1999, 2003 and 2006. The extensive RFI investigations included, but were not limited to the following:

- 33 soil test borings in/around the former UST (SWMU#11) area (Figure 1) Soil samples generally collected at 5-foot intervals, with nearly 100 soil samples obtained,
- 26 soil vapor well installations in/around and angled (borings/wells) under SWMU#11 and the current tank farm area - with many years/rounds of vapor sampling (> 1000 samples),
- 6 groundwater monitoring wells (MW-1 & MW-2 installed in 2003 and MW-3 to MW-6 installed in 2006), including aquifer profile sampling prior to well installations (Figure 2),
- A Risk Assessment (TRC, 2006), and a
- Soil vapor extraction (SVE) pilot test from 2015 thru 2018.

Attachment 2 includes a list of RFI or RCRA Corrective Action Pilot test related submittals to EPA pursuant to SWMU#11.

The RFI studies identified the following significant results:

- Chlorobenzene was detected in groundwater samples slightly above the Federal Maximum Contaminant Level (MCL) (i.e. > 100 ppb) in monitoring wells MW-1 and MW-2 located immediately downgradient of the former UST (SWMU#11), with the downgradient plume extent exceeding MCLs bracketed by monitoring wells MW-5 and MW-6 (located further north and downgradient of the former UST area). The site property boundary is over 1,200 feet downgradient of wells MW-5 and MW-6. Historical use of chlorobenzene for chemical synthesis at Site was limited to a period between 1976 to 1980 – i.e. 40 years ago (TRC, 2006).
- Benzene in soil vapor was detected above risk screening levels in a relatively small area proximal to former SWMU#11, where there are no occupied buildings (TRC, 2006). Historical site use of benzene for manufacturing process at Site was for a period between 1973 and 1979, also > 40 years ago (TRC, 2003). Note, benzene did not exceed the Federal Maximum Contaminant Level (MCL) in groundwater.
- Based on extensive RFI studies and site history, the CSM can be summarized as follows:
 - SWMU #11 is underlain by a thick karst limestone vadose-zone (~ 290 feet thick – i.e. to groundwater), with a soil (silt, sand and clay-rich) filled sinkhole 10 to 80 feet deep underlying SWMU#11 (Figures 3 & 4).



- The relatively localized dilute (low-level) concentrations of chlorobenzene detected in groundwater (slightly exceeding MCLs in MW-1 and MW-2) - is supported by the historic record – i.e. no major spills/releases – with potential incidental spillage (e.g. priming of pumps) when chlorobenzene was used (> 40 years ago). No chlorobenzene was detected in RFI soil samples beneath SWMU#11 with low-levels in historic soil vapor samples. The decreasing concentrations over time (meeting MCLs in groundwater since 2016) is indicative of a small, discontinuous, diminished source.
- Coincidental with SVE operations (2015 thru 2018), chlorobenzene concentrations in groundwater continued to decline, meeting Federal MCLs in all wells since 2016 – consistent with a diminishing (low-level), discontinuous source – as chlorobenzene was not detected in SVE soil vapor samples. Groundwater meets MCLs for all Volatile Organic Compounds (VOC's) by method EPA 8260.
- The Supplemental RFI by TRC (2006) included a risk assessment which concluded that the only potential risk pathway from SWMU#11 is benzene in soil vapor that is localized to this unit area – should there be an occupied building (future use scenario). Considering the dilute plume of chlorobenzene in groundwater was limited in extent (on-site), it was not identified as a potential risk pathway by TRC.
- Benzene concentrations in groundwater have not exceeded MCLs; therefore, the source mass of benzene beneath SWMU#11 was very limited - as to not significantly impact groundwater, consistent with historic records (i.e. no major releases/spill events when used over 40 years ago). The spatial extent of benzene in soil vapor above screening levels was localized to the former SWMU#11 UST area (with no occupied buildings), based on the many (26) vapor wells/probes installed (Figure 5). The minimal source mass of benzene beneath SWMU#11 was evident during SVE Corrective Action pilot operations that removed an average of 0.17 pounds per day between 2015 and 2018 (ERTEC, Aug 2018 SVE Progress Report No. 9). Benzene in soil-vapors beneath SWMU#11, is in the soil-filled sinkhole underlying the concrete covered/lined tank farm, with limited back-diffusion from clay-rich soils over time. Nevertheless, the source of benzene in soil vapor has been substantially diminished following SVE pilot efforts by PPLC between 2015 to 2018 - to levels that now meet proposed site-specific risk-based criteria, confirmed with rebound confirmation testing during November 2018 after 5-months of SVE system shutdown (ERTEC, 2019). Prior SVE pulsing events also showed no significant rebound.
- Site use is currently Industrial (for Pharmaceutical manufacturing) and future use would also be restricted to Industrial/commercial.

Corrective Action Objectives:

In EPA's April 29, 2008 comments on TRC's 2006 Supplemental RFI report, EPA commented that additional vapor monitoring for benzene may be warranted and also provided comments on chlorobenzene in groundwater. Following discussions with EPA, PPLC (Oct. 2008) responded to EPA comments by proposing a long-term SVE pilot test to remove or diminish the source of benzene in addition to further reducing the source of chlorobenzene, such that if the Corrective Action pilot was successful, no additional studies or actions would be warranted as all remaining media-pathways would then be addressed (i.e. addressing both the groundwater and soil-vapor potential pathways), even though there were no completed pathways.



Fulfillment of Corrective Action Objectives:

During SVE pilot operations, chlorobenzene levels in groundwater coincidentally diminished to levels well-below MCLs since 2016. Time-trend concentrations are included in Attachment 3, with referenced monitoring reports listed in Attachment 2. The declining trend of chlorobenzene concentrations (near SWMU#11 and downgradient) is consistent with a discontinuous, depleted source as summarized in the CSM above.

SVE pilot operations also diminished benzene levels in soil vapor to levels that meet proposed site-specific risk-based levels (TRC, Sept. 6, 2018). The following Table (A) illustrates benzene concentrations in soil vapor over three periods of time: 1) pre-SVE operation (2009), 2) during SVE pilot operation and 3) post-SVE pilot operation (Nov. 2018) after shutdown at steady-state conditions on early July 2018 (ERTEC, Feb. 12, 2019):

TABLE A
BENZENE CONCENTRATIONS YEARS 2009, 2017 AND 2018

Well ID	Nov-09 (ppbv)	Feb-17 (ppbv)	Nov-18 (ppbv)
AB-10	1100000	1.4	^{1/}
AB-10B	4300000	42000	520U
AB-19	46000	0.26J	1.4
AB-21	65	2.4	9.7U
AB-23	630000	340U	23
B-1	3600000	19000	5700
B-4	370000	3700	2700

Note:

^{1/} Test America laboratories notified that sample was received with an elevated residual vacuum pressure. Analysis of sample AB-10 was cancelled.

ppbv Parts per billion per volume J Estimated value

U Indicates the analyte was analyzed for but not detected.

The 1E-05 site-specific risk-based level (consistent with Industrial/Commercial use) provided by TRC (2018) is (65 mg/m³ = 65,000 µg/m³ ~ = 20,312 ppbv or 20.3 ppmv). Again, SWMU#11 (where the current above ground storage tank area is located) is currently a concrete covered/lined area, with no occupied buildings or current exposure pathways. Nevertheless, in following discussions with EPA, the Site would address future use by placing a Deed Restriction (Environmental Restrictive Covenant) – restricting future use of SWMU#11 and the manufacturing area to Industrial/commercial use, consistent with its current use/zoning. Such future use restrictions would also help support the ultimate closure of the Part B Permit. The use restriction would also identify the location of SWMU#11 to address the potential for future construction (if redeveloped with occupied buildings) – to note that vapor barriers or controls may be warranted in that specific area to address the potential pathway. A Draft Deed Restriction is provided in Attachment 4, with a supporting Figure identifying SWMU#11. Such restrictions (institutional controls) would then be referenced in EPA’s form for “Ready for Anticipated Use” (Attachment 1) when Closure of SWMU#11 unit is approved by EPA.



In summary, Corrective Action objectives have been met to address all media and potential cross-media transfers - as identified in Table 1, which is modified from EPA's RCRA FIRST Handbook worksheet (EPA, May 2016). Further, the three RCRA Corrective Action threshold criteria have been achieved – i.e. 1) Protection of Human Health, 2) attain media standards, and 3) control sources of release.

I trust that the information provided and referenced in this letter report is sufficient to facilitate Closure approval of SWMU#11, but, feel free to contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink that reads "William G. Gierke".

William G. Gierke, P.G., Senior Manager
Pfizer Inc.

cc. Jorge Esquilín and Ruth Llorens (Pfizer Pharm. LLC.)
Ron Schott, Pfizer Inc.

Table 1: Corrective Action Objectives Worksheet (Media-Specific)

Table A.2 Corrective Action Objectives Worksheet

Environmental Media	Human Health Residential	Human Health Non-Residential	Ecological Receptors	Cross-media Transfer	Resource Restoration
Groundwater	N/A				
Soil	N/A				
Surface Water	N/A	N/A	N/A	N/A	N/A
Air	N/A				
Waste	N/A				
Other	N/A	N/A	N/A	N/A	N/A

Green Shading – Indicates Objective met (Worksheet Framework from EPA RCRA FIRST Toolbox May 2016).

The three RCRA Corrective Action threshold criteria are:

- 1) Protection of Human Health (Achieved)
- 2) Attain Media Standards/CUGs (Achieved, GW & Soil-Vapor)
- 3) Control Sources of Release (Also Achieved)

N/A = Not applicable

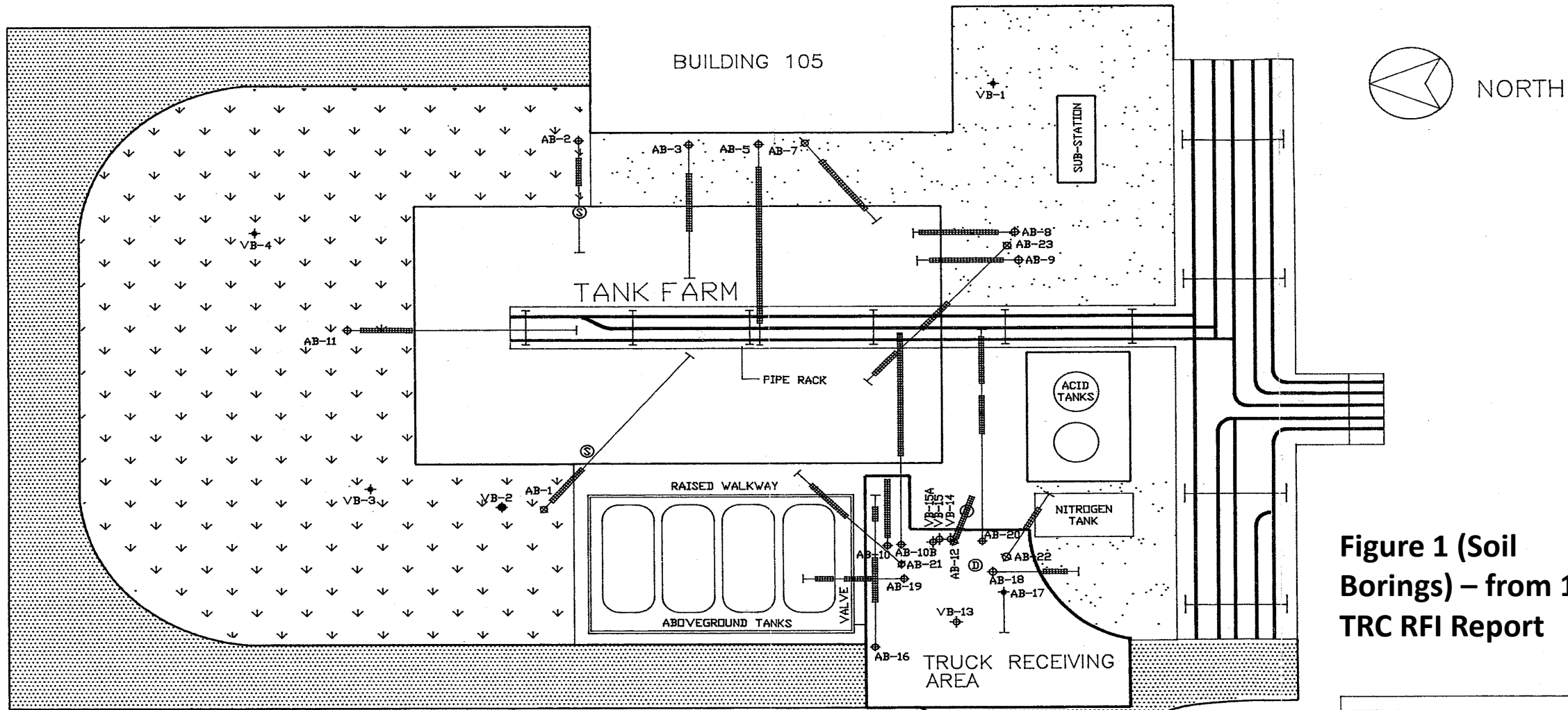
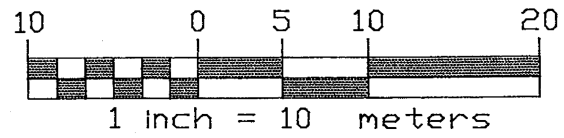


Figure 1 (Soil Borings) – from 1994 TRC RFI Report

LEGEND

- MH MANHOLE
- ⊙ SUMP
- ⊕ DRAIN
- ◆ BORING WELL HEAD
- ⊕ WELL SCREEN
- ⊕ END OF BORING
- ASPHALT PAVEMENT
- GRAVEL
- GRASS



TRC	
TRC Environmental Corporation	
FIG. 2-1 BORING AND WELL LOCATIONS	
DATE:	2/4/94
DRAWN BY:	DW/MM
REVISED BY:	
PROJECT: PFIZER PHARMACEUTICALS, INC.	

Figure 2 – Groundwater Monitoring Well Location Map – with Groundwater Elevations (1/07)

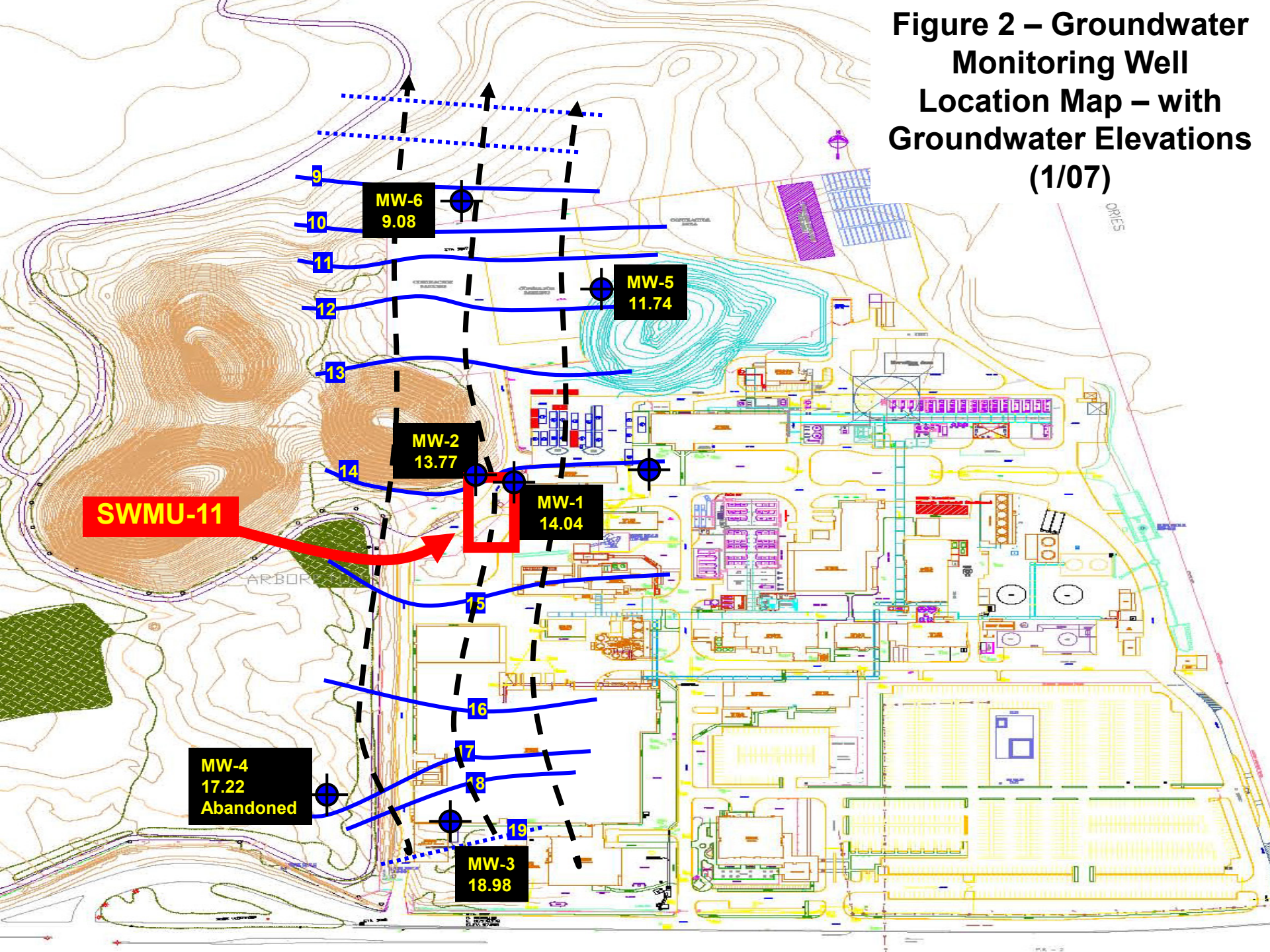


Figure 3 Soil Sample Locations and Depth to Bedrock

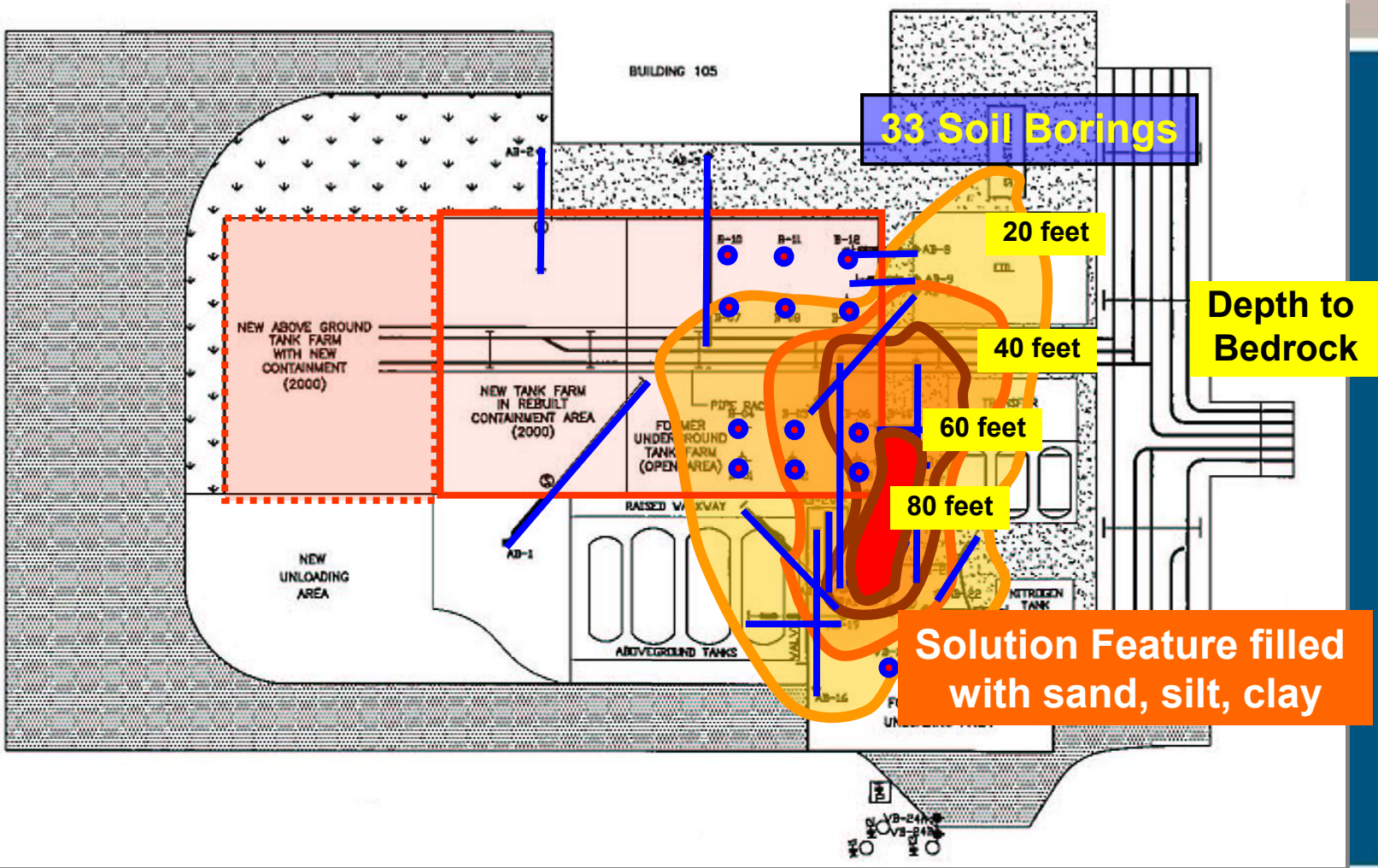


Figure 4 - Depth to Bedrock Block Diagram (SWU-11 Area)

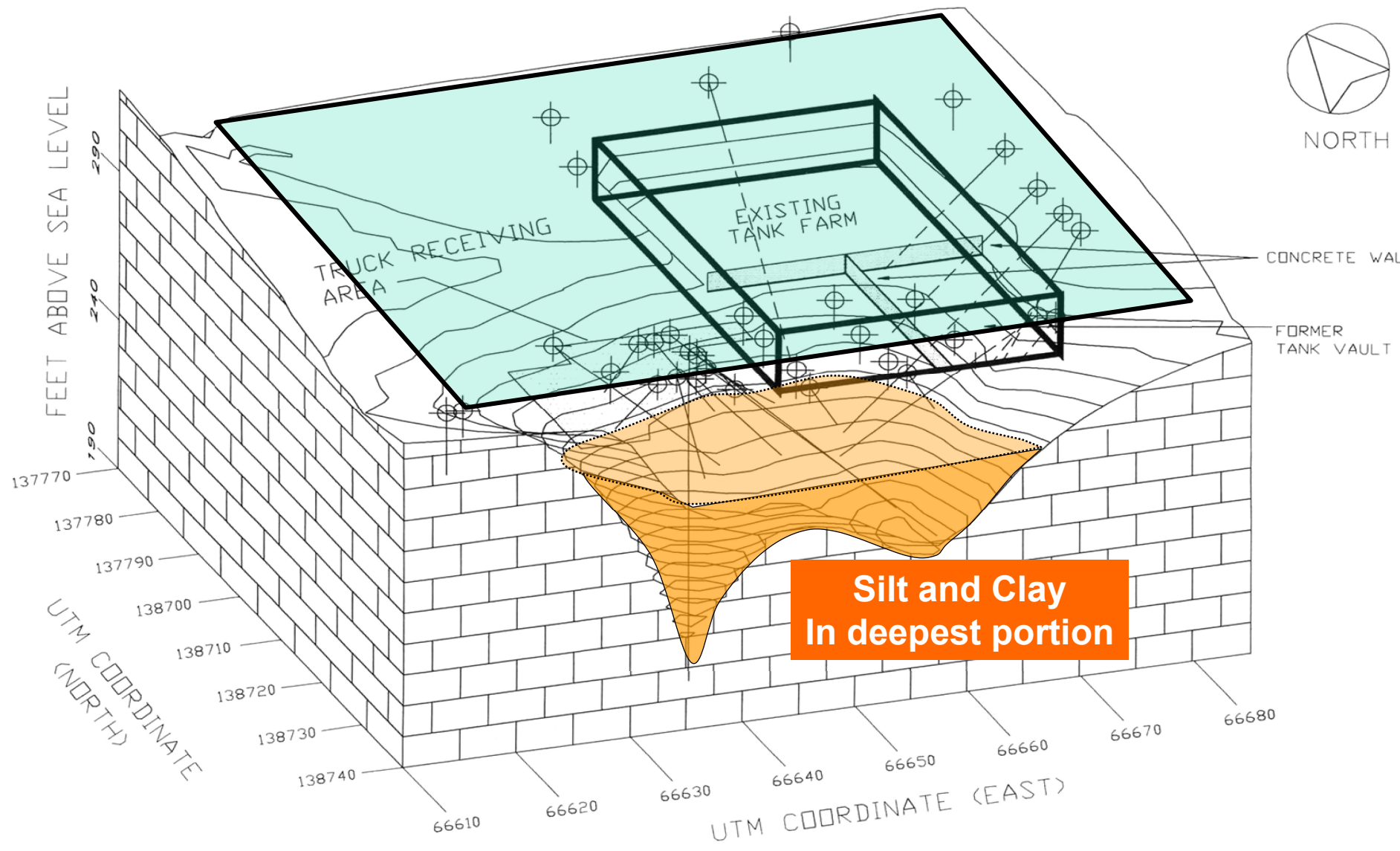
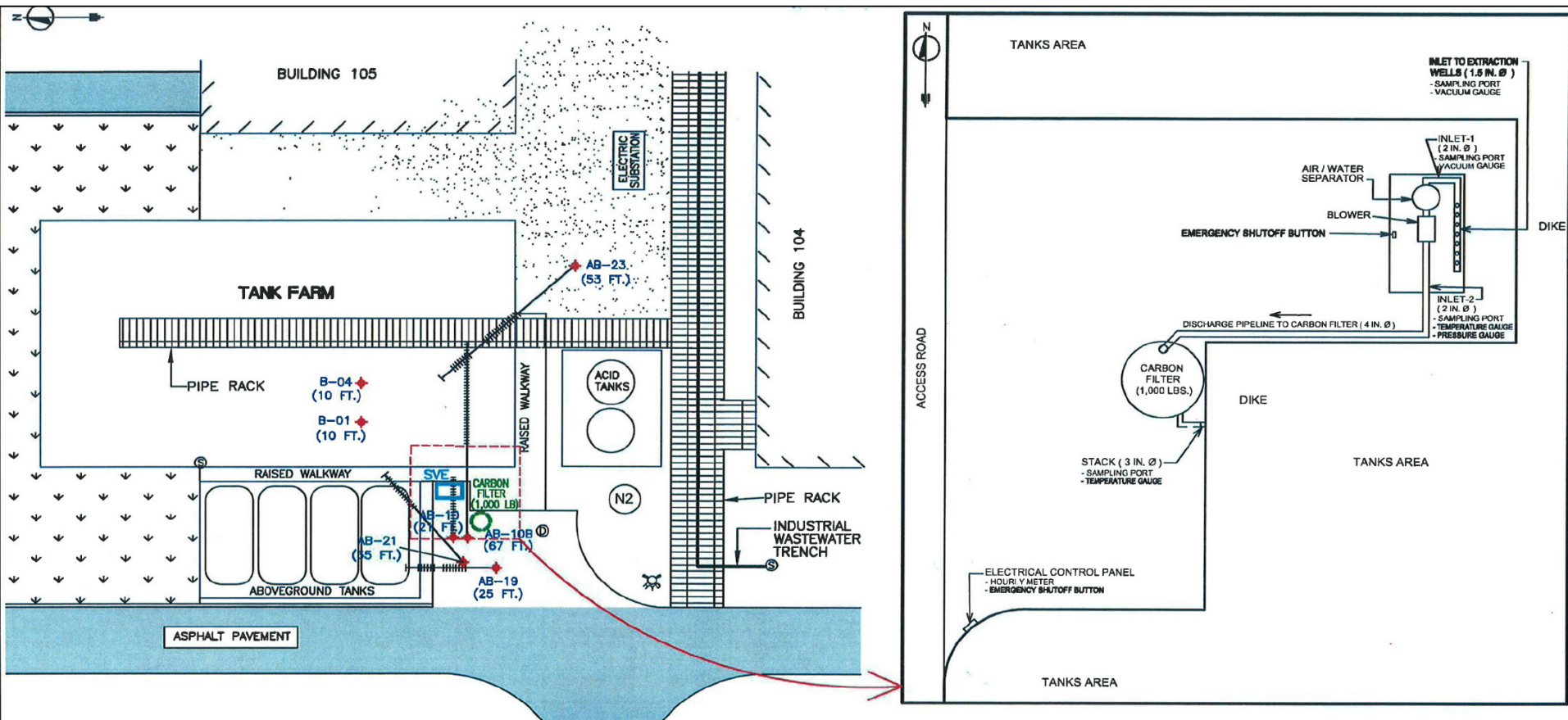


Figure 5: SVE Wells/Layout



ATTACHMENT 1

US EPA RCRA – Ready for Anticipated Use Form

RCRA READY FOR ANTICIPATED USE (RAU) DOCUMENTATION FORM



United States
ENVIRONMENTAL PROTECTION AGENCY
Washington, DC 20460

PART A – GENERAL FACILITY INFORMATION

1. Facility Name	2. EPA ID	
3. Street Address		
4. City	5. State	6. Zip Code
7. Project Manager	8. Organization	

PART B – READY FOR ANTICIPATED USE DETERMINATION

9. This RAU Determination is for:

Facility-wide Designation, Number of Acres at Facility ____ ; or

Area Designation – Area defined in RCRA INFO as _____
Number of Acres in Area _____

10. Protective for People under Current Conditions Requirements.

A Current Human Exposure Under Control Environmental Indicator (CA 725) determination has been made.

Date of Determination _____

11. Cleanup Goals for Media That Affect Land Use Have Been Achieved

All final cleanup goals in the remedy selection document or other decision document(s) that may affect current and reasonably anticipated future **land** uses have been achieved. (See RCRA Land Revitalization guidance for more specific information.)

Documentation : _____

Documentation may include a construction complete determination (550), Completion Determination (CA999), no further action letter, comfort letter, Interim Measures Report, RFI Report or other documents.

12. Institutional Controls Status

- All acres covered by this RAU form meet the requirement for unrestricted use for all media and no institutional controls are necessary, **or**
- All institutional controls or other administrative controls (e.g. orders, permit, written agreement) required in the remedy decision document or other decision document(s) have been put in place.

List any contaminated media and use restrictions on facility or acres being considered for RAU:

Identify Institutional Controls implemented at the facility (each of these should be entered into RCRAInfo, CA772 event code):

PART C – SIGNATURE

NOTE: The outcome of this Property Reuse Evaluation does not have any legally binding effect and does not expressly or implicitly create, expand, or limit any legal rights, obligations, responsibilities, expectations, or benefits of any party. EPA assumes no responsibility for reuse activities and/or any potential harm that might result from reuse activities. EPA retains any and all rights and authorities it has, including but not limited to legal, equitable, or administrative rights. EPA specifically retains any and all rights and authorities it has to conduct, direct, oversee, and/or require environmental response actions in connection with the facility, including but not limited to instances when new or additional information has been discovered regarding the contamination or conditions at the facility that indicates that the response and/or the conditions at the facility are no longer protective of human health or the environment.

13. Project Manager:	14. Signature	15. Date
16. Supervisor:	17. Signature	18. Date

PART D – REMOVAL OF ACRES FROM READY FOR ANTICIPATED USE DETERMINATION

19. Retraction of RAU Determination

- RAU Determination retracted for entire facility, or
- RAU Determination retracted for area.
Area Name
Number of acres

Reason:

20. Project Manager	21. Signature	22. Date
23. Supervisor	24. Signature	25. Date

ATTACHMENT 2

**Barceloneta, Puerto Rico, PPLC SWMU # 11
RFI and Corrective Action Related Documents submitted to EPA
(Chronological Order)**

Attachment 2

Barceloneta, Puerto Rico, PPLL SWMU # 11 RFI and Corrective Action Related Documents submitted to EPA (Chronologically)

1. PPLL, Aug. 20, 2019. EPA Meeting Presentation.
2. ERTEC. 2019 (Feb. 12). Pfizer Barceloneta SVE Confirmatory Soil Vapor Sampling Results. PPLL, Barceloneta, Puerto Rico. EPA ID PRD090346909
3. ERTEC. 2019 (Jan. 29.). Groundwater Sampling Report – December 2018 Sampling Event – PPLL Barceloneta, Puerto Rico. EPA ID PRD090346909
4. TRC. 2018 (Sept. 6). PPLL Barceloneta Site, Benzene Cleanup Level for Soil Vapor.
5. ERTEC. 2018 (Aug. 31). Groundwater Sampling Report – July 2018 Sampling. PPLL, Barceloneta Site. EPA ID PRD090346909
6. ERTEC. 2018 (Aug. 6). SVE System Progress Report No. 9 Jan. to July 2018. PPLL Barceloneta. EPA ID PRD090346909.
7. PPLL. 2018 (May 16). Barceloneta Site – RCRA Investigations, CSM, Corrective Measures, Proposed CUG - Overview and Next Steps (PDF of Presentation modified from TRC).
8. TRC, 2018 (March 19). PPLL Barceloneta Site, CMS – Updated Soil Vapor Cleanup Level for Benzene.
9. ERTEC. 2018 (Aug. 1). Pfizer Barceloneta, SVE Confirmatory Soil Vapor Sampling Procedures. EPA ID PRD090346909
10. PPLL, 2018 (April 12). Response to EPA Comments dated March 21, 2018 on July 2017 Groundwater Sampling Report (Submitted Aug. 28, 2017), PPLL Barceloneta Puerto Rico.
11. ERTEC. 2018 (Feb. 23). Groundwater Sampling Report – Jan 2018. PPLL Barceloneta, Puerto Rico.
12. ERTEC, 2018 (Feb. 15). SVE System Progress Report No. 8 – July to Dec. 2017. PPLL Barceloneta Site.
13. ERTEC. 2017 (Aug. 28). Groundwater Sampling Report – July 2017. PPLL Barceloneta Site, EPA ID PRD090346909
14. TRC, 2017 (July 19). Benzene Cleanup Level for Soil Vapor. Barceloneta Site.
15. ERTEC. 2017 (July 19). SVE System (CMS Pilot) Progress Report No. 7, April to June 2017.
16. ERTEC. 2017 (May 30). SVE System (CMS Pilot) Progress Report No. 6, January to March 2017.
17. ERTEC. 2017 (May 4.). Groundwater Sampling Report – March 2017 Sampling Event. PPLL Barceloneta Site, EPA ID PRD090346909
18. ERTEC. 2017 (Feb. 22). SVE System (CMS Pilot Study) Progress Report No. 5.
19. ERTEC. 2017 (Jan. 25). Groundwater Sampling Report – Dec. 2016.
20. ERTEC. 2016 (Nov. 21). SVE System (CMS Pilot) Progress Report No. 4 July to October 2016. PPLL Barceloneta Site, EPA ID PRD090346909
21. ERTEC. 2016 (Sept. 15). Groundwater Sampling Report – August 2016. PPLL Barceloneta Site, EPA ID PRD090346909
22. ERTEC. 2016 (Aug. 31). SVE System (CMS Pilot Study) Progress Report No. 3 April to June 2016. PPLL Barceloneta Site, EPA ID PRD090346909
23. ERTEC. 2016 (Aug. 1). SVE System (CMS Pilot Study) Progress Report No. 2 January to March 2016. PPLL Barceloneta Site, EPA ID PRD090346909
24. ERTEC. Jan. 29, 2016. SVE System (CMS-Pilot) Progress Report No. 1 August to December 2015. PPLL Barceloneta Site, EPA ID PRD090346909

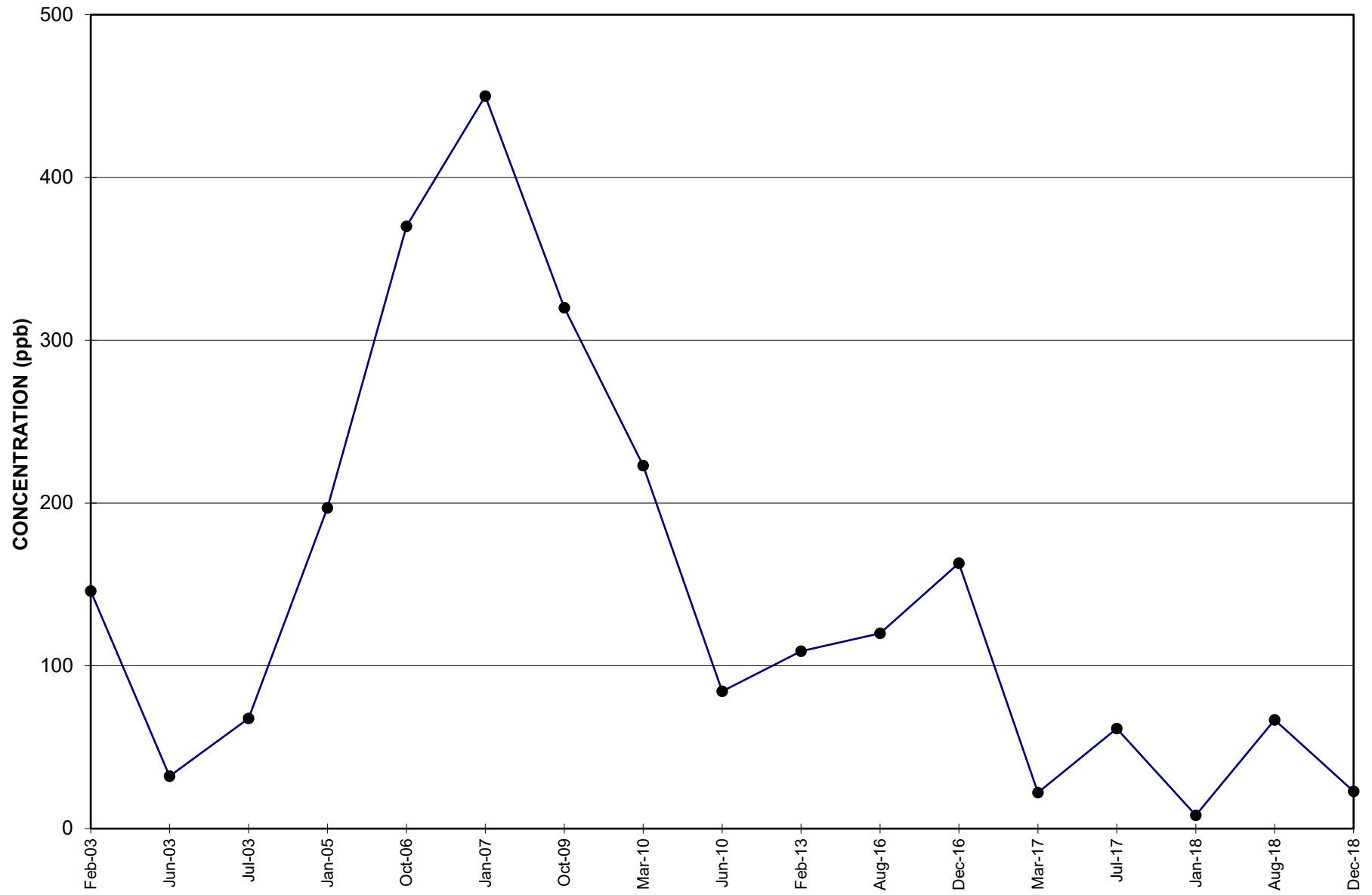
Attachment 2

25. Puerto Rico EQB, 2015 (April 13). SVE Construction Permit Modification.
26. TRC, Environmental Corporation (TRC). 2007 (March). Draft Supplemental RCRA Facility Investigation Report (2 volumes). Pfizer Pharmaceuticals Inc., Barceloneta Site.
27. TRC, Environmental Corporation (TRC). 1994 (Dec.). RCRA Facility Investigation Report. Pfizer Pharmaceuticals Inc., Barceloneta Site.
28. TRC, Environmental Corporation (TRC). 1993. Final Interim Measures Work Plan. Pfizer Pharmaceuticals Inc., Barceloneta Site.

ATTACHMENT 3

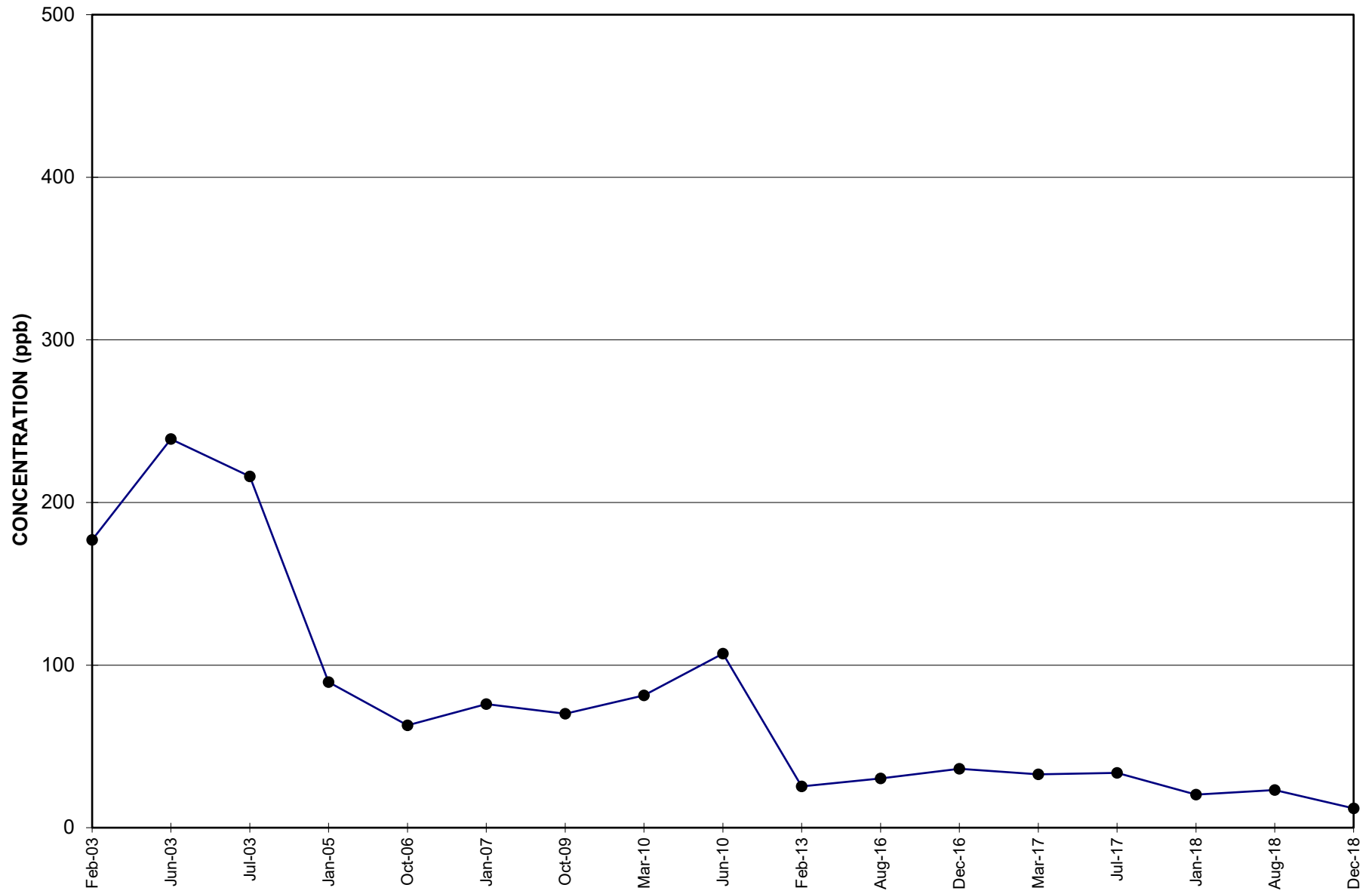
Groundwater Monitoring Time-Trend Graphs

**MONITORING WELL MW-1
CHLOROBENZENE IN GROUNDWATER - FEBRUARY 2003 TO DECEMBER 2018
GROUNDWATER MONITORING REPORT - DECEMBER 2018**



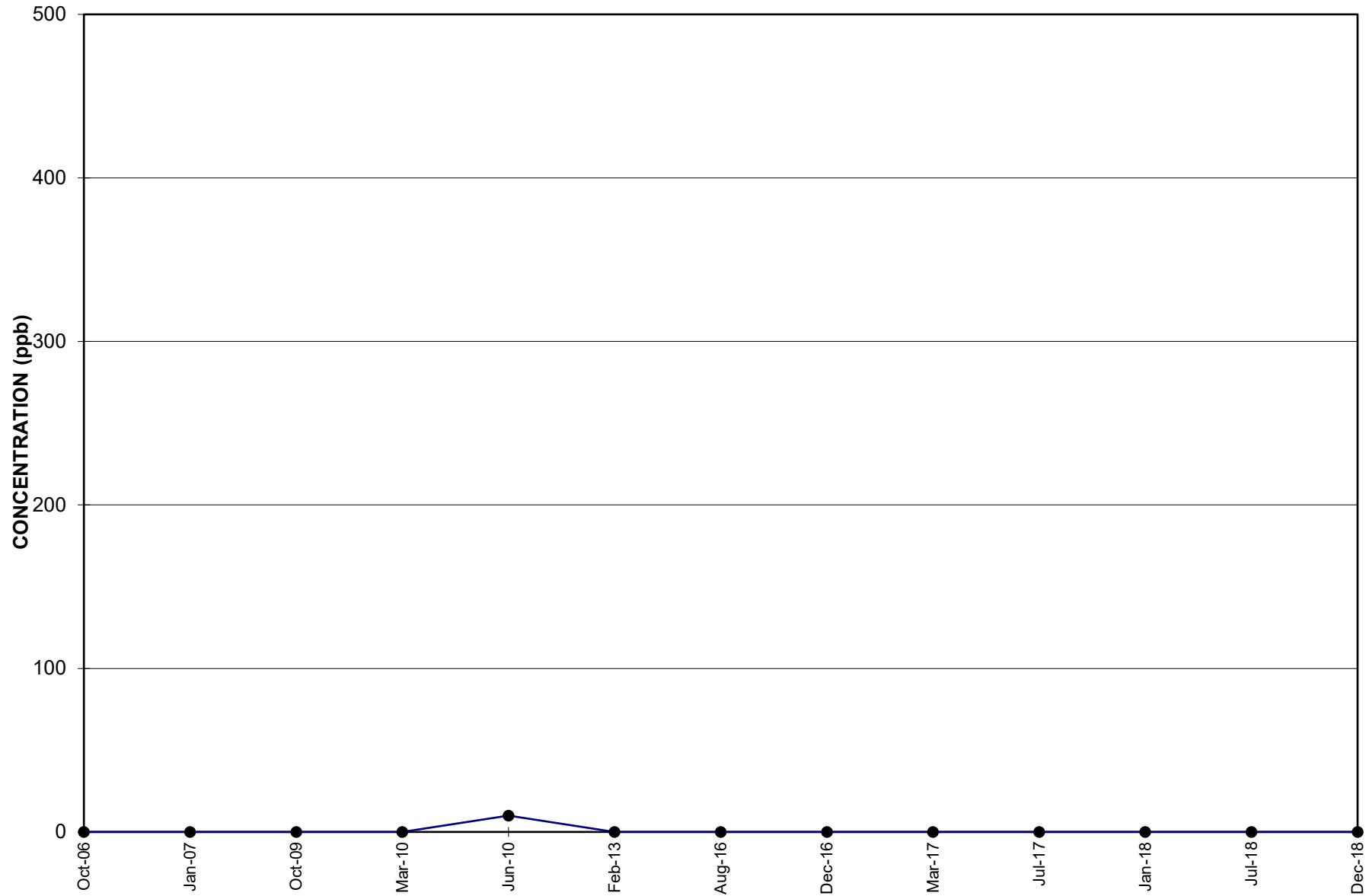
ppb = Parts per billion or micrograms per liter (ug/L).

**MONITORING WELL MW-2
CHLOROBENZENE IN GROUNDWATER - FEBRUARY 2003 TO DECEMBER 2018
GROUNDWATER MONITORING REPORT - DECEMBER 2018**



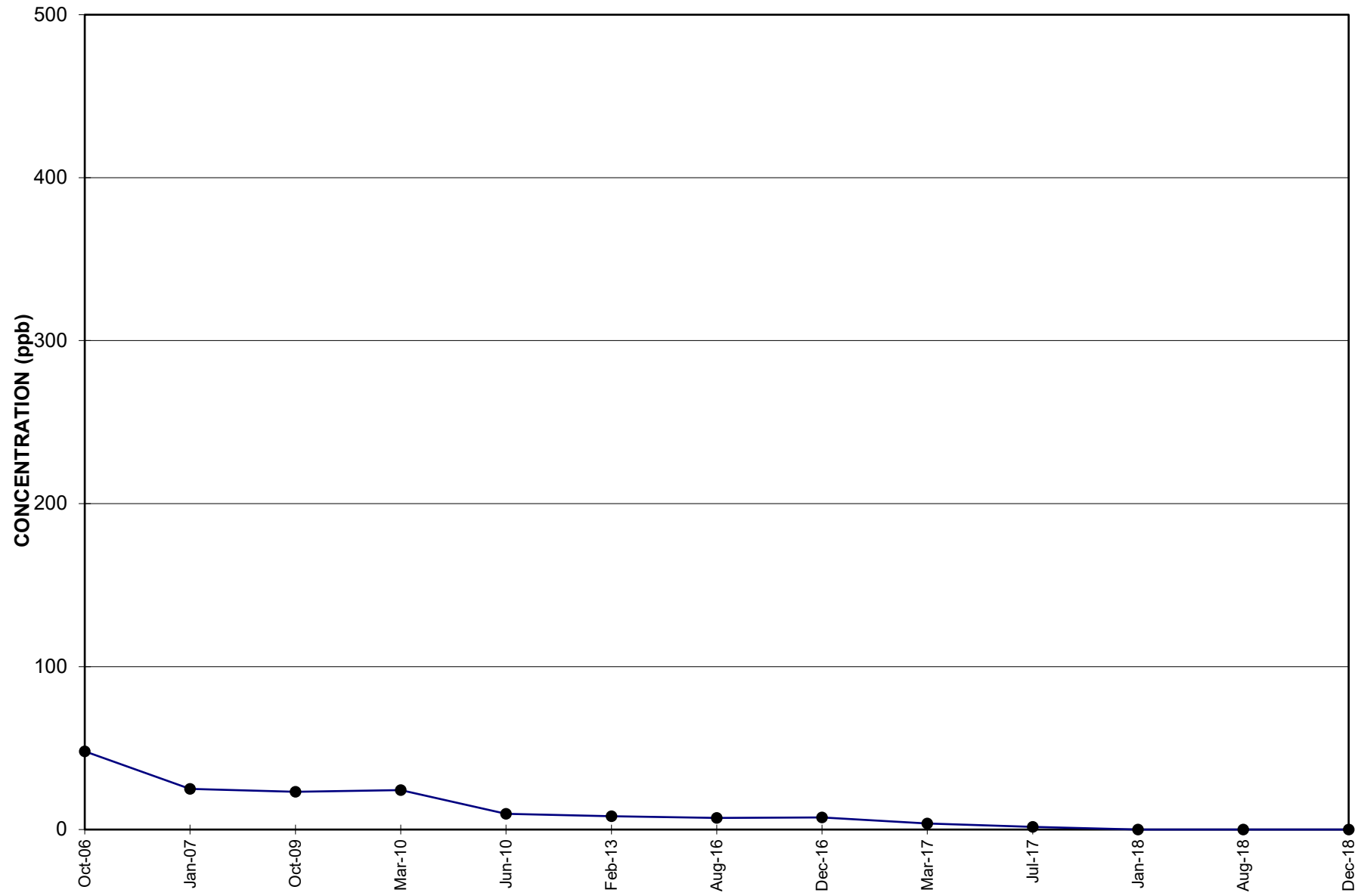
ppb = Parts per billion or micrograms per liter (ug/L).

**MONITORING WELL MW-5
CHLOROBENZENE IN GROUNDWATER - OCTOBER 2006 TO DECEMBER 2018
GROUNDWATER MONITORING REPORT - DECEMBER 2018**



ppb = Parts per billion or micrograms per liter (ug/L).

MONITORING WELL MW-6
CHLOROBENZENE IN GROUNDWATER - OCTOBER 2006 TO DECEMBER 2018
GROUNDWATER MONITORING REPORT - DECEMBER 2018



ppb = Parts per billion or micrograms per liter (ug/L).

ATTACHMENT 4

Draft Deed Restriction

-----DEED OF ESTABLISHMENT OF EQUITABLE SERVITUDE ---

---In the City of San Juan, Commonwealth of Puerto Rico, this _____ (_____) day of _____, Two Thousand Twenty (2020). -----

----- BEFORE ME -----

_____, Attorney-at-Law and Notary Public in and for the Commonwealth of Puerto Rico with office and residence in _____, Puerto Rico. -----

-----APPEARS -----

---AS PARTY OF THE SOLE PART: PFIZER PHARMACEUTICALS LLC, a limited liability company duly organized and validly existing under the laws of the State of Delaware and duly authorized to do business in the Commonwealth of Puerto Rico (hereinafter referred to as the "GRANTOR"), represented herein by its _____, _____, of legal age, _____, executive and resident of _____, Puerto Rico, who is duly authorized to appear herein per _____, which document I, the Notary, have examined and found to be in compliance with all requisites and formalities of law, and to confer sufficient authority for this act. -----

---I, the Notary, do hereby certify and give faith that I personally know the person who appears herein, and I further certify through his statements as to his age, civil status, profession and residence. He assures me that he has, and in my judgement, he does have, the necessary legal capacity to execute this instrument, and therefore he freely and of his own will and accord

-----STATES -----

---FIRST: The Property. GRANTOR is the owner in fee simple of the property described as follows (hereinafter referred to as the "Property"): -----

---"RURAL: Parcel of land located at the Municipality of Barceloneta, Puerto Rico, [INSERT LEGAL DESCRIPTION OF BARCELONTA PARCEL]_____.

The Property is recorded in the Registry of Property of Puerto Rico, Section of Manatí (the "Registry") at

folio ____ of volume ____ of Barceloneta, property number _____, and has been assigned the cadaster number _____ for property tax purposes. -----

---SECOND: Title, and Liens and Encumbrances. GRANTOR acquired title to the Property pursuant to Deed Number _____ executed on [date] before Notary _____, recorded in the Registry at folio ____ of volume ____ of Barceloneta, _____ inscription. -----

The Property is subject to the following liens and cumbrances of record:

By its origin: [TO BE PROVIDED]

By itself: [TO BE PROVIDED]

---THIRD: Environmental Condition of the Property. Upon Grantor's knowledge and belief, in the year nineteen hundred seventy-three (1973) the construction of a pharmaceutical manufacturing facility on the Property was commenced and, since then, it has been used for this purpose. -----

Certain portions of the Property are subject to a voluntary remedial action plan to address environmental impacts in ground water and soil, as approved by the United States Environmental Protection Agency (the "EPA") and the Puerto Rico Environmental Quality Board. In connection with the closure of an underground storage tank "farm" located at a portion of the Property, identified as "SWMU #11", the EPA has required that Grantor subjects the Property to certain institutional controls consisting of a legal restriction limiting the future use of the land in a part of the Property that has been associated with pharmaceutical operations located therein. -----

---FOURTH: Purpose. Pursuant to and as required by EPA in connection with the closure plan of SWMU #11 and to assure that the environmental conditions identified on the Property do not pose a risk or threat to public health and the environment, GRANTOR (as owner of the

Property) hereby subjects the Property to certain use restrictions as follows: -----

----**RESTRICTION IMPOSED BY EQUITABLE SERVITUDE**-----

---FIFTH: Land Use Limitation. Grantor hereby declares that the development and use of the Property shall be subject to the following restriction and covenant in perpetuity: The development, use and occupancy of the portion of the Property (the "Affected Portion") depicted in the drawing attached as Exhibit 1 to the original of this deed, and which is made an integral part hereof, shall be restricted to industrial and commercial uses, regardless of the zoning district on which it lies or to which it may be reclassified by subsequent administrative action by the corresponding governmental authority. The Affected Portion shall not be developed, occupied or used, in whole or in part, for any type of residential uses or educational uses, including without limitation, elementary or secondary schools, or child or adult daycare services, hotels, and transient housing. Within the Affected Portion, the area identified in Exhibit 1 as "Former SWMU# 11 Area" indicates a section of the Property where vapor controls/barriers may be warranted in the event of future construction of any buildings to be occupied by any person.

A verbal description of the Affected Portion is as follows: [TO BE PROVIDED]

-----**GENERAL PROVISIONS**-----

---SIXTH: Deed Binding. This Deed shall be binding in perpetuity upon each owner, lessee and operator while each is an owner, lessee or operator of the Property.

---SEVENTH: Deed Intent and Enforcement. This Deed is not intended to create any interest in real estate in favor of any environmental regulatory agency, but merely is intended to provide notice of certain conditions and restrictions on the Property. The restrictions provided herein will be enforceable by any

interested party through the procedures in law or in equity applicable under the laws of the Commonwealth of Puerto Rico, and will be enforceable against any person or entity which may violate such restrictions. The restrictions set forth herein shall be the basis for presenting and/or requesting before courts with jurisdiction and/or pertinent government agencies, injunctive relief to prevent activities on the Property as prohibited under PARAGRAPH FIFTH herein. -----

---EIGHT: Deed Recording. GRANTOR agrees to execute and deliver whatever instruments or documents as shall be reasonably required or requested and perform whatever actions may be necessary to cause the recording of this Deed in the appropriate Section of the Property Registry. -----

--- NINTH: Separability. If any provision included in this Deed is declared null and void, illegal or unconstitutional by judgment of a court, such declaration or judgment shall not affect the other provisions of this Deed, which shall remain in full force and effect, as each one is considered separate.

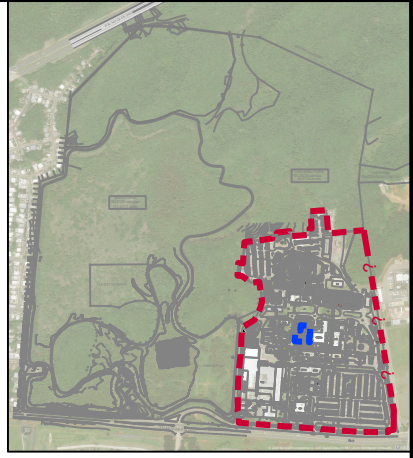
----- **ACCEPTANCE** -----

---I, **THE NOTARY**, do hereby CERTIFY and ATTEST that the appearing party: (a) was advised of the legal effects of this Deed; (b) read and accepted this Deed in all its parts as drafted in accordance with his instructions, stipulations, terms and conditions; (c) acknowledges that he fully understands the English and Spanish used herein; (d) waived the right to have attesting witnesses; (e) placed his initials on each and every page of this Deed; and (f) signed before me on the last page of this Deed in one act. -----

---I, the undersigned Notary Public, having made to the appearing party all necessary legal warnings and admonitions and warnings pertinent to this Deed, including the need for it to be recorded so that the restrictions imposed become legally binding, hereby

CERTIFY AND GIVE FAITH, as to all matters contained
herein, under my signature, seal and scroll. -----

EXHIBIT 1 - Drawing depicting the Affected Portion -



INSET MAP

- LEGEND**
- RESTRICTED AREA (COMMERCIAL / INDUSTRIAL USE)
 - FORMER SWMU #11 - AREA WHERE SOIL VAPOR CONTROLS MAY BE WARRANTED IF REDEVELOPED (WITH OCCUPIED BUILDINGS)

- REFERENCE(S)**
1. BASE MAP TAKEN FROM DIGITAL FILE PR-100-2000 (SITE PLAN) (REV-26).dwg, ENTITLED "SITE PLAN," DRAWING NUMBER PR-100-2000, REVISED FEBRUARY 1, 2010, PFIZER PHARMACEUTICALS LLC.

CLIENT
PFIZER INC.

PROJECT
PFIZER PHARMACEUTICALS LLC
 ROAD 2 KM. 58.2
 BARCELONETA, PUERTO RICO

TITLE
EXHIBIT 1 - RESTRICTED AREA

CONSULTANT	DATE
YYYY-MM-DD	2020-03-09
DESIGNED	ESB
PREPARED	RG
REVIEWED	
APPROVED	



NJ Authorization #24GA28029100	CONTROL	REV.	FIGURE
PROJECT NO. 20138671	0001-001	0	1

IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM ANSI B