

# **ENVIRONMENTAL COVENANT**

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**HOLDER: Cytec Industries Inc.**

**PROPERTY ADDRESS: 1300 Revolution Street, Havre de Grace, Maryland 21078**

This Environmental Covenant is executed pursuant to the provisions of Subtitle 8, Title 1 of the Environmental Article, Ann. Code of Md. (2007 Repl. Vol.). 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 Maryland Department of the Environment (the Department) and the United States Environmental Protection Agency (EPA).

1. **Property Affected.** The property affected (Property) by this Environmental Covenant is located in Havre de Grace, Harford County, Maryland.

The postal street address of the Property is: 1300 Revolution Street, Havre de Grace, Maryland 21078.

The County Land Records Deed References: Liber No. 2075, Folio 941, dated December 17, 1993; and Liber No. 2075, Folio 945, dated December 17, 1993 and recorded on January 26, 1994.

The latitude and longitude of the center of the Property affected by this Environmental Covenant is: 39° 37' 04" North / 76° 06' 15" West.

The Property has been known by the following names:

- Cytec Aerospace Materials, Inc.
- Cytec Industries Inc.
- Cytec Engineered Materials, Inc.
- American Cyanamid
- Bloomingdale Rubber Company

A complete metes and bounds description of the Property is attached to this Environmental Covenant as Exhibit A. A map of the Property boundary line is attached to this Environmental Covenant as Exhibit B.

2. **Property Owner/Holder.** Cytec Industries Inc. is the owner of the Property. The mailing address of the Owner is: 5 Garret Mountain Plaza, Woodland Park, New Jersey 07424.
3. **Holder/Grantee.** Cytec Industries Inc.

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4. **Regulatory Program(s) Issuing Departmental Determination.** The United States Environmental Protection Agency and the following regulatory program(s) within the Department are responsible for having issued a determination requiring the implementation of institutional controls and requiring the use of this Environmental Covenant:

- Voluntary Cleanup Program
- Controlled Hazardous Substance Enforcement Division
- Oil Control Program
- Solid Waste Program
- Waste Diversion and Utilization Program
- Other Program within the Department:

On December 5, 2012, EPA issued a Final Decision and Response to Comments (FDRTC) selecting the Final Remedy for the Cytex Industries, Inc. Facility, located in Havre De Grace, Maryland. The Final Remedy includes a requirement that the Activity and Use Limitations described in paragraph 6, below, of this Environmental Covenant be imposed on the Property described above in paragraph 1, above, pursuant to Cytex Industries, Inc.'s RCRA Corrective Action Permit, effective December 6, 2012.

5. **Administrative Record.** The Administrative Record pertaining to the final remedy selected in the 2012 Final Decision and Response to Comments (FDRTC) is maintained at U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103.

6. **Activity & Use Limitations.** The Property is subject to the following activity and use limitations, which the Owner and each subsequent owner of the Property shall abide by:

a. The Property shall not be used for residential purposes (defined as single family homes, multiple family dwellings, schools, day care centers, child care centers, apartment buildings, dormitories, other residential-style facilities, hospitals, and in-patient health care facilities) unless it is demonstrated to EPA and the Department that (1) such use will not pose a threat to human health or the environment or adversely affect or interfere with the selected final remedy and (2) EPA and the Department provide prior written approval for such use.

b. Groundwater at the Property shall not be used for any purpose other than industrial usage and to conduct the operation, maintenance, and monitoring activities required by EPA and the Department unless it is demonstrated to EPA and the Department that, (1) such use will not pose a threat to human health or the environment or adversely affect or interfere with the selected final remedy and (2) EPA and the Department provide prior written approval for such use.

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c. No new wells shall be installed on the Property unless EPA and the Department provide prior written approval to install such wells.

7. **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.

8. **Access by EPA and the Department.** In addition to any rights already possessed by EPA and/or the Department, this Environmental Covenant grants to EPA and the Department a right of access of the Property to implement and/or enforce this Environmental Covenant.

9. **Recordation & Filing with Registry.** The Owners shall file this Environmental Covenant in the Land Records of Harford County at the Harford County Circuit Court (Land records) following the execution of the this Environmental Covenant and send proof of the recording to the Department and EPA within thirty (30) days of recordation. A copy of this Environmental Covenant filed in the Land Records shall be filed as soon as possible after execution in the Registry of environmental covenants maintained by the Department.

10. **Termination or Modification.** This environmental covenant may only be terminated or modified in accordance with Section 1-808 and/or Section 1-809 of the Environmental Article, Ann. Code of Md. (2007 Repl. Vol.). The then-current owner agrees to provide the Department and EPA written notice of the pendency of any foreclosure referred to in Section 1-808(a)(4) of the Environmental Article, Ann. Code of Md. (2007 Repl. Vol.) within seven (7) calendar days of becoming aware of such pendency.

11. **Department's Address.** Communications with the Department regarding this Environmental Covenant shall be sent to: Registry of Environmental Covenants, Maryland Department of the Environment, Land Management Administration, Land Restoration Program, 1800 Washington Blvd., Baltimore, MD 21230.

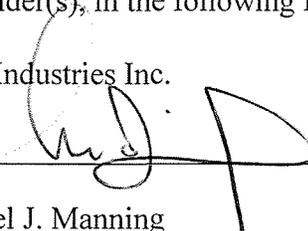
12. **EPA's Address.** Communications with the EPA regarding this Environmental Covenant shall be sent to: Leonard Hotham (3LC20), Land and Chemical Division, Office of Remediation EPA Region III, 1650 Arch St, Philadelphia, PA 19103

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ACKNOWLEDGMENTS by Owner(s) and any Holder(s), in the following form:

Cytec Industries Inc.

Date:

By: 

Michael J. Manning  
Vice President, Safety, Health & Environment  
CYTEC Industries Inc.  
5 Garret Mountain Plaza  
Woodland Park, NJ 07424

STATE OF NEW JERSEY

COUNTY OF PASSIAC

)  
) SS:

On this 7<sup>TH</sup> day of MARCH, 2014, before me, the undersigned authorized Member and Holder, Cytec Industries Inc., personally appeared Michael J. Manning, who acknowledged himself to be the Managing Member of Cytec Industries Inc., and being authorized to do so, acknowledged that he executed same on behalf of the Holder for the purposes therein contained.

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

  
\_\_\_\_\_  
Notary Public

My Commission Expires: October 16, 2017

**RECEIVED**

MAR 13 2014

WASTE DIVERSION &  
UTILIZATION PROGRAM

Environmental Covenant  
Cytex Industries, Inc.  
1300 Revolution Street  
Havre de Grace, MD 21078

APPROVED, by Maryland Department of the Environment

Date: 3/21/14

By: [Signature]

Name: Horacio Tablada

Title: Director, Land Management Administration

STATE OF MARYLAND

COUNTY OF Baltimore ) SS:

On this 21<sup>st</sup> day of march, 2014, before me, the undersigned officer, personally appeared Horacio Tablada, who acknowledged himself/herself to be the Director, Land Management Administration for the Maryland Department of the Environment, 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.



Lisa B. Ramjohn

Notary Public

My Commission Expires: 11-14-2017

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APPROVED, by: United States Environmental  
Protection Agency

Date: 4.9.14

By: *John A. Armstead*

John A. Armstead, Director  
Land and Chemicals Division  
US Environmental Protection Agency, Region III

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF *Philadelphia* ) SS:

On this *9th* day of *April*, 20*14*, before me, the undersigned officer, personally appeared John A. Armstead, who acknowledged himself to be the Director of the Land and Chemicals Division for the U.S. Environmental Protection Agency, Region III, 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.

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
Patricia J. Schwenke, Notary Public  
City of Philadelphia, Philadelphia County  
My commission expires August 14, 2014

*Patricia J. Schwenke*  
Notary Public

My Commission Expires: *08/14/2014*



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Exhibit A

Cytec Aerospace Materials Inc., Havre de Grace, MD				
Point ID	Logitude	Latitude	Easting	Northing
1	-76.108816	39.538643	1563682.6	683001.5148
2	-76.107474	39.539287	1564058.8	683239.8122
3	-76.106014	39.538037	1564474.9	682788.4321
4	-76.107592	39.537173	1564032.9	682469.3713
5	-76.107247	39.536864	1564131.3	682358.0047
6	-76.106538	39.53726	1564329.8	682503.8777
7	-76.10629	39.53742	1564399.3	682563.1313
8	-76.105759	39.537834	1564547.5	682715.1126
9	-76.103465	39.535861	1565201.6	682002.8179
10	-76.103518	39.535824	1565186.9	681989.2902
11	-76.100679	39.533386	1565996.3	681109.007
12	-76.100816	39.533199	1565958.4	681040.7544
13	-76.100398	39.532878	1566077.3	680924.9724
14	-76.10086	39.532518	1565948.4	680792.4144
15	-76.107115	39.536769	1564169	682323.68

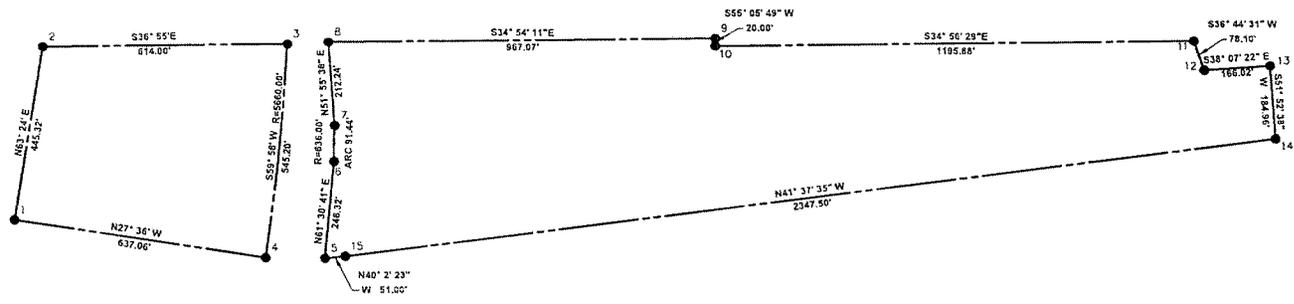
Lat/Long coordinates are in WGS 1984

Northing/Easting coordinates are NAD 1983 Maryland St Plane feet

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Exhibit B

CITY OF BALTIMORE, DIVISION OF ENGINEERING, OFFICE OF PLANNING AND DESIGN, 1515 WEST BALTIMORE AVENUE, BALTIMORE, MARYLAND 21201-1001  
 DATE: 08/14/2013  
 PROJECT: CYTEC ENGINEERED MATERIALS INC. HAVRE DE GRACE, MARYLAND  
 DRAWING: EXHIBIT B BOUNDARY LINE  
 SCALE: AS SHOWN  
 PROJECT NAME: CYTEC ENGINEERED MATERIALS INC. HAVRE DE GRACE, MARYLAND



CYTEC ENGINEERED MATERIALS INC. HAVRE DE GRACE, MARYLAND	
EXHIBIT B BOUNDARY LINE	
ARCADIS	FIGURE B