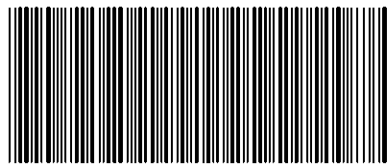


RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

One Montgomery Plaza
Swede and Airy Streets ~ Suite 303
P.O. Box 311 ~ Norristown, PA 19404
Office: (610) 278-3289 ~ Fax: (610) 278-3869

DEED BK 6168 PG 01965 to 01981
INSTRUMENT # : 2020003725
RECORDED DATE: 01/15/2020 10:13:03 AM



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MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 17

Document Type: Deed Miscellaneous
Document Date: 07/16/2019
Reference Info:

Transaction #: 5974941 - 2 Doc(s)
Document Page Count: 16
Operator Id: msanabia

RETURN TO: (Simplifile)
Commonwealth Land Title Philadelphia Commercial -
1700 Market St Ste 2100 PA 19103
1700 MARKET ST STE 2110
PHILADELPHIA, PA 19103
(215) 568-9690

PAID BY:
COMMONWEALTH LAND TITLE PHILADELPHIA
COMMERCIAL - 1700 MARKET ST STE 2100 PA 19103

*** PROPERTY DATA:**

Parcel ID #: 39-00-03934-00-5
Address: 300 BROOKSIDE AVE
CONDO 20 & 22
PA
Municipality: Lower Gwynedd Township
(100%)
School District: Wissahickon

*** ASSOCIATED DOCUMENT(S):**

FEES / TAXES:

Recording Fee: Deed Miscellaneous \$73.75
Additional Pages Fee \$24.00
Total: \$97.75

DEED BK 6168 PG 01965 to 01981
Recorded Date: 01/15/2020 10:13:03 AM

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



Jeanne Sorg
Recorder of Deeds

Rev1 2016-01-29

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**



Environmental Covenant

When recorded, return to:

Edward A. Vanyo
BASF Corporation, 100 Park Avenue, Florham Park, NJ 07932

The County Parcel Identification No. of the Property is: 39-00-03934-005

GRANTOR: BASF Corporation

PROPERTY ADDRESS: 300 Brookside Avenue, Ambler, Pennsylvania 19002

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 Lower Gwynedd Township, Montgomery County.

The postal street address of the Property [if any] is: 300 Brookside Avenue, Ambler, Pennsylvania 19002.

The latitude and longitude of the center of the Property affected by this Environmental Covenant is: 40° 09' 45.00", 75° 14' 4.92".

The Property has been known by the following name(s): American Chemical Paint Co., Amchem Products, Rohrer Amchem, Union Carbide, Henkel Corporation, Cognis Corporation, BASF Corporation.

The PADEP Tank Facility ID# is: 46-10465.

The DEP Primary Facility ID# is: 458546 and eFACTS No. 618527.

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.** BASF Corporation is the owner of the Property and the GRANTOR and GRANTEE of this Environmental Covenant.

3. The mailing address(es) of the owner(s) is: 100 Park Avenue, Florham Park, New Jersey 07932.



4. **Description of Contamination & Remedy.** A *Final Report: Site Investigation Results & Remedial Action Report for Soil* was prepared by AMO Environmental Decisions, Inc. and submitted by BASF Corporation's predecessor in interest, Cognis Corporation, to the Department on October 14, 2008. The October 2008 Final Report documents the results of site-wide soil investigations and remedial actions, and was approved by the Department on June 17, 2009 and June 18, 2015, Facility ID #458546. A separate report, *Final Report: Site Investigation Results & Remedial Action Report for Residential Parcel Soil* was prepared by AMO Environmental Decisions, Inc. and submitted by BASF Corporation to the Department on July 29, 2015. The July 2015 Final Report documents results of soil investigations that demonstrated the subject residential parcels should no longer be part of this Environmental Covenant, and was approved by the Department on September 29, 2015. A separate report, *Final Report: Site Investigation Results & Remedial Action Report for Building 23 AEC Soil* was prepared by AMO Environmental Decisions, Inc. and submitted by BASF Corporation to the Department on November 25, 2015. The November 2015 Final Report documents results of soil and indoor air investigations in and around the site's Building 23, and was approved by the Department on January 26, 2016. The administrative record is located at BASF Corporation, 100 Park Avenue, Florham Park, New Jersey 07932.

A total of 286 samples were collected from 167 locations and 18,461 analytical records are associated with the combined 2003-04/2006 site-wide soil investigation. Investigative work began with full analyses for USEPA *Target Compound List* volatile and semi-volatile organic compounds (TCL VOCs & SVOCs), *Target Analyte List* inorganics (TAL metals), pesticides, herbicides, polychlorinated biphenyls (PCBs), cyanide, and dioxin. Analytes were then targeted as the investigation proceeded. Only 31 (<0.2%) of the analyses identified constituents of concern (COCs) at levels above the most stringent applicable non-residential *Statewide Health Standards* (SHSs). These exceedances were detected at 13 locations. Some of the exceedances were found insignificant through statistical evaluation. Others were found at isolated locations and required more direct remedial action.

Cognis directed two forms of remedial actions at the site between May 5 and 29, 2008. Excavation and off-site disposal/recycling methods were used to remediate isolated locations outside the Building 14 area of environmental concern (AEC). A health-based risk assessment was performed and engineering controls were installed in the Building 14 AEC. The engineering controls consist of a fence along the perimeter of the property and a 2-inch thick asphalt cap.

Upon completion of remedial activities, site-wide soil investigation and remediation-confirmation sampling results were compared to the Department's SHSs under Pennsylvania's *Land Recycling and Environmental Remediation Standards Act* (Act 2). VOCs, SVOCs, metals, pesticides, herbicides, PCBs, cyanide, and dioxin were either not detected or found at levels below the Department's most stringent applicable non-residential SHSs at all sample locations outside the Building 14 AEC. Nearly all VOCs, SVOCs, metals, pesticides, herbicides, PCBs, cyanide, and dioxin were either not



detected or found at levels below the Department's most stringent applicable non-residential SHSs at sample locations inside the Building 14 AEC.

2,4,6-trichlorophenol (2,4,6-TCP, SVOC), 2,4-dichlorophenol (2,4-DCP, SVOC), 2,4-dichlorophenoxy acetic acid (2,4-D, herbicide), 2,4,5-trichlorophenoxy acetic acid (2,4,5-T, herbicide), naphthalene (SVOC), dioxin, and arsenic were detected at levels above the most stringent applicable non-residential SHSs in the Building 14 AEC soil. However, all were identified at levels below the respective risk-based screening levels (RBSLs), which are considered *Site-Specific Standards* (SSSs) for the AEC.

Statistically-based, random soil sampling techniques were employed beneath Building 23 in April 2012. A total of eight samples were collected along nodes of a grid having a random origin and random orientation. The soil borings extended to the top of rock (between approximately 4 and 14-feet below ground surface depending on location). Sample selection was biased toward strata exhibiting highest potential for contamination (elevated volatile organic concentrations, visual/olfactory, lower permeability observations). With the exception of three analytes at isolated locations, analytical results for the 2012 investigation met applicable non-residential SHS for all USEPA TCL VOCs & SVOCs, TAL metals, polychlorinated biphenyls (PCBs), pesticides, and herbicides.

Levels of arsenic exceeded non-residential SHS at three locations beneath the Building 23 potential area of environmental concern (AEC). Levels of 1,2-dichloroethane (1,2-DCA) and 2,4 dichlorophenol (2,4-DCP) exceeded non-residential SHS at one location. Levels of 1,2-DCA, 1,2 dichloropropane (1,2-DCPP), and chloroform also exceeded PADEP's *Soil Screening Values for Protection of Indoor Air* at the same location.

Levels of arsenic are found to meet the human health-based screening level previously established and approved as a SSS for Building 14 AEC, situated immediately southwest of Building 23. Levels of arsenic, 1,2-DCA and 2,4-DCP are found to be isolated beneath the concrete slab of Building 23 (the latter two compounds were delineated in December 2014).

Building 23 indoor air was investigated using USEPA Method TO-15 in June 2012. Results of the indoor air quality sampling found no constituents (including 1,2-DCA, 1,2-DCPP, and chloroform) at levels above PADEP *Medium Specific Concentrations* (MSC, residential or non-residential) for indoor air. Likewise, no analytes were found to exceed other risk-based criteria established by entities such as USEPA and OSHA.

In addition to the aforementioned perimeter fence and Building 14 AEC engineering controls, the concrete slab beneath Building 23 serves as an engineering control.

Potential exposure pathways were evaluated relative to potential ecological, indoor air, and groundwater receptors in each area of the site (Building 14, Building 23, and non-Building 14/23 areas). Upon installation of engineering controls in the Building 14 and Building 23 AECs, all such pathways are found to be incomplete, warranting no further assessment.



Attainment of non-residential SHSs for soil in all areas outside the Building 14 and Building 23 AECs is demonstrated. Attainment of non-residential SSSs for soil in the Building 14 and Building 23 AECs is demonstrated. Relevant potential exposure pathways are considered incomplete at the site.

Extensive hydrogeologic investigations and remedial actions have been conducted in groundwater beneath the site between 2006 and present. Although the mass of contamination has been reduced by nearly 99%, several COCs currently exist at concentrations above PADEP's used-aquifer SHSs. An Act 2 Final Report will be prepared and SSS will be developed for groundwater upon completion of final remedial measures and commensurate evaluation. Drinking water is provided to the site and local communities by public water supplies.

5. **Activity & Use Limitations.** 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:

(a) Use of the Property is restricted to only those uses included in the definition of "nonresidential property" under Act 2, 35 P.S. §6026.103;

(b) The engineering controls installed for the AECs designated as Building 14 and Building 23 must be maintained as described in the *Post-Remediation Care Plans* included with the approved October 2008 and November 2015 Act 2 Final Reports for the Property, and attached as Exhibit C; routine inspections of the Building 14 asphalt/concrete caps will be performed; routine inspections of the Building 23 concrete cap will be performed; routine inspections of the perimeter fence will be performed; related maintenance and repair records will be maintained by the Owner and available for review at the request of the Department; Building 14 engineering controls include: the building floor/slab serving as a concrete cap, the asphalt cap, and the perimeter fence; the Building 23 engineering control includes the building floor/slab serving as a concrete cap (all shown in Exhibit B);

(c) Groundwater beneath the Property shall not be withdrawn or extracted for any (industrial, commercial, agricultural, domestic, or potable) purposes other than those associated with environmental remediation and/or monitoring.

(d) Buildings or other permanent structures, in areas of groundwater contamination (shown in Exhibit B), shall not be constructed without prior investigation of and/or installation of measures to mitigate potential vapor intrusion to indoor air.

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.** After written request by the Department, the then current owner of the Property shall submit, to the Department 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 1 month after any of the following events, the then current owner of the Property shall submit, to the Department and any Holder listed in Paragraph 3, written documentation: noncompliance with the activity and use limitations in this Environmental Covenant; transfer of the Property; changes in use of the Property; or filing of applications for building permits for the Property and any proposals for any site work, if the building or proposed site work will affect the contamination on the Property subject to this Environmental Covenant.

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

9. **Recording & Proof & Notification.** Within 30 days after the date of the Department's approval of this Environmental Covenant, BASF Corporation 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 60 days of recording. Within that time period, BASF Corporation also shall send a file-stamped copy to each of the following: Lower Gwynedd Township and Montgomery County; and any Holder identified in this Environmental Covenant listed in Paragraph 3.

10. **Termination or Modification.**

(a) This Environmental Covenant may only be 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 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.

(d) In accordance with 27 Pa. C.S. § 6510(a)(3)(i), Grantor hereby waives the right to consent to any amendment or termination of the Environmental Covenant by



consent; it being intended that any amendment to or termination of this Environmental Covenant by consent in accordance with this Paragraph requires only the following signatures on the instrument amending or terminating this Environmental Covenant: (i) the Holder at the time of such amendment or termination; (ii) the then current owner of the Property and (iii) the Department.

11. **Department's address.** Communications with the Department regarding this Environmental Covenant shall be sent to:

ECP Manager
PA DEP – SERO
2 East Main Street
Norristown, PA 19401

12. **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.

[Signature Page Follows]

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

Date: JULY 16, 2019

BASF Corporation, Grantor

By: [Signature]

Name: Robert M. Smith

Title: Vice President

~~STATE OF NEW JERSEY~~

~~MORRIS COUNTY~~

~~SS~~



STATE OF NEW JERSEY

MORRIS COUNTY

) SS

On this 16th day of July, 2019, before me, the undersigned officer, personally appeared Robert Smith a duly authorized representative of BASF Corporation, the Property Owner and Holder herein, who acknowledged himself/herself to be the person 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.

Jeanne Hahn

JEANNE HAHN
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES DEC. 6, 2022

APPROVED, by Commonwealth of Pennsylvania,
Department of Environmental Protection

~~Date:~~

~~By: _____~~

~~Name: Ragesh R. Patel~~

~~Title: Regional Manager,
Environmental Cleanup and Brownfields~~



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

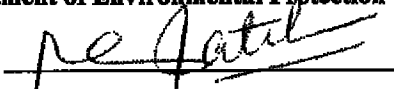


Property Owner: BASF Corporation
Property Address: 300 Brookside Avenue
Ambler, PA 19002
Lower Gwynedd Township
Montgomery County

APPROVED, by Commonwealth of Pennsylvania,

Department of Environmental Protection

Date: 11/06/2019

By: 

Name: Ragesh R. Patel

Title: Environmental Cleanup & Brownfields Program Manager

PA DEP – Southeast Regional Office

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF MONTGOMERY

On this 6th day of November, 2019, before me, the undersigned officer, personally appeared Ragesh R. Patel, who acknowledged himself to be the Environmental Cleanup & Brownfields Program Manager of the Commonwealth of Pennsylvania, Department of Environmental Protection, Southeast Regional Office, 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.


Notary Public

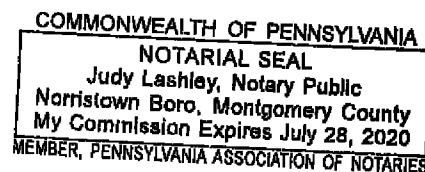


EXHIBIT A

ALL THAT CERTAIN tract or parcel of land situated in the Township of Lower Gwynedd, County of Montgomery, Commonwealth of Pennsylvania as shown on an ALTA/ACSM Survey Plan of the lands of BASF Corporation prepared for 300 Brookside Commercial LP and 300 Brookside Residential LP by Showalter & Associates, Chalfont Pa, dated March 17, 2015 and bounded and described as follows to wit:

BEGINNING at an iron pin found and held for a corner at the point of intersection of the common line between the lands N/L of B&U 24-15 (a portion of Tract-2) and the lands N/L of B&U 24-20 (a portion of the herein described Tract-1) on right-of-way of Francis Avenue (33' wide); THENCE along said right-of-way and offset the title line by 16.5 feet, South 45 degrees 25 minutes 55 seconds West, a distance of 232.86 feet to a point in line with the lands N/L of B&U 24-17, the North Branch of the Pennsylvania Railroad; Thence along said railroad right-of-way North 46 degrees 14 minutes 05 seconds West, a distance of 739.34 feet to a point, a corner of a lease area called for in the 1994 survey by Showalter & Associates; THENCE along said lease area the following three (3) courses and distances: 1). North 40 degrees 52 minutes 55 seconds East, a distance of 17.61 feet to a point; 2). North 43 degrees 44 minutes 05 seconds West, a distance of 341.42 feet to a point; 3). South 68 degrees 22 minutes 36 seconds West, a distance of 32.25 feet to a point in line with the lands N/L of the North Branch of the Pennsylvania Railroad; THENCE continuing along said railroad right-of-way the following six (6) courses and distances: 1). North 46 degrees 29 minutes 27 seconds West, a distance of 536.91 feet to a point; 2). North 44 degrees 37 minutes 00 seconds West, a distance of 99.00 feet to a point; 3). North 43 degrees 06 minutes 00 seconds West, a distance of 99.00 feet to a point; 4). North 41 degrees 38 minutes 00 seconds West, a distance of 99.00 feet to a point; 5). North 40 degrees 12 minutes 00 seconds West, a distance of 98.01 feet to a point; 6). North 38 degrees 31 minutes 00 seconds West, a distance of 104.52 feet to a concrete monument in the center of a vacated right-of-way of Mather Road, THENCE along said lands N/L of B&U 26-06, North 46 degrees 42 minutes 01 seconds East, a distance of 450.61 feet to a corner of the lands N/L of B&U 24-31; THENCE along said lands N/L of B&U 24-31 and along the lands N/L of B&Us 24-01, 24-21, 24-24, 24-29, 24-02, 24-33, and 24-32, passing over a concrete monument found 25.02 feet from the start of this line and again passing over an iron pin found 5.56 feet from the end of this line, South 45 degrees 41 minutes 00 seconds East, a distance of 876.59 feet to a point; THENCE continuing along said lands N/L of B&U 24-32 and passing over an iron pin 16.30 feet from the end of this line, North 46 degrees 11 minutes 30 seconds East, a distance of 284.07 feet to a point on the center line of Penn-Ambler Road (SR 2020 – varying widths); THENCE along said center line, South 45 degrees 41 minutes 00 seconds East, a distance of 162.88 feet to a point, the intersection of Houston Road (vacated) and Spring Garden Street (40' wide); THENCE along the title line the following two (2) courses and distances: 1). South 45 degrees 50 minutes 55 seconds West, a distance of 120.33 feet to a point; 2). South 37 degrees 47 minutes 29 seconds East, a distance of 369.43 feet to a point on the center line of Spring Garden Street (40' wide); THENCE South 45 degrees 25 minutes 55 seconds West, a distance of 20.14 feet



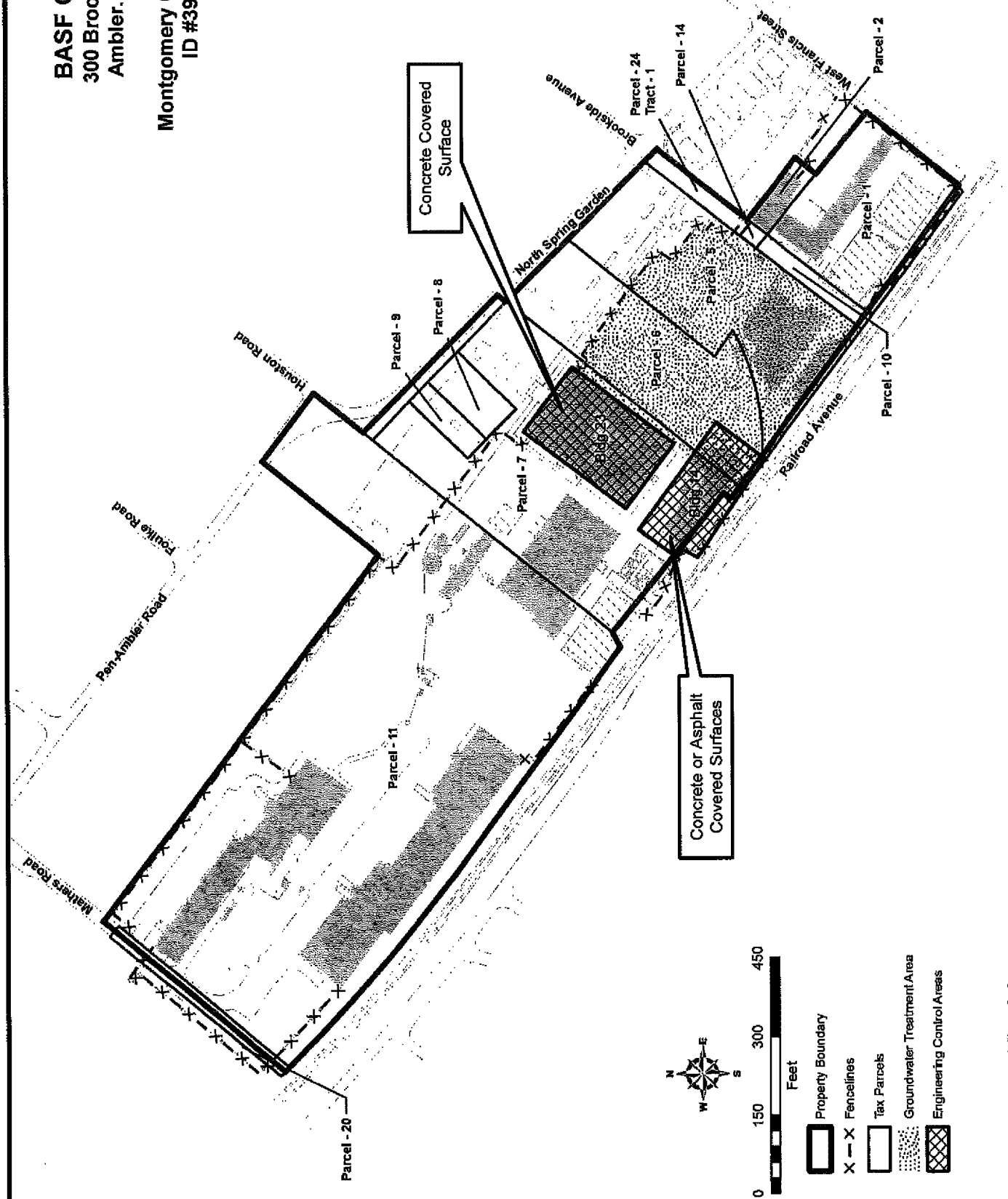
to a point on the right-of-way of Spring Garden Street (40' wide); THENCE along said right-of-way and offset the title line 20 feet and passing over a RRS found and held 38.42 feet from the end of this line, South 37 degrees 47 minutes 29 seconds East, a distance of 413.42 feet to a corner of the lands N/L of the internal parcel designated 24-04; THENCE along said lands N/L of B&U 24-04 the following two (2) courses and distances: 1). South 45 degrees 25 minutes 55 seconds West, a distance of 218.00 feet to a point; 2). South 44 degrees 34 minutes 05 seconds East, a distance of 150.00 feet to a corner of the lands N/L of B&U 24-19 and the lands N/L of B&U 24-16; THENCE along said lands N/L of B&U 24-16 and the lands N/L of B&U 24-15, South 45 degrees 25 minutes 55 seconds West, a distance of 50.00 feet to a point; THENCE continuing along said lands N/L of B&U 24-15, South 44 degrees 34 minutes 05 seconds East, a distance of 150.00 feet to a point, said point being the true PLACE OF BEGINNING.

CONTAINING: 1,065,715 S.F. of area more or less.



EXHIBIT B
BASF Corporation
300 Brookside Avenue
Ambler, Pennsylvania

Montgomery County Parcel
ID #39-00-03934-005



Final Report – Act 2 Building 23 AEC Soil
BASF Corporation
Ambler, Pennsylvania

Environmental Covenant - APPENDIX C
POST-REMEDIATION CARE PLAN

November 2015

4.0 POST-REMEDIATION CARE PLAN

The *Post-Remediation Care Plan* provides BASF with guidelines for conducting inspection, maintenance, and record keeping tasks required for engineering controls under Act 2 Subchapter G §250.708. The plan is designed to maintain protection of human health and the environment in the areas of: Building 14 where attainment of SSS has been achieved for 2,4,6-TCP, 2,4-DCP, 2,4-D, 2,4,5-T, naphthalene, dioxin and arsenic; and Building 23 where attainment of SSS has been achieved for arsenic, 1,2-DCA, and 2,4-DCP. Asphalt and concrete pavement, other concrete cover, and Building 14 itself serve as engineering controls in the Building 14 AEC. The concrete slab and Building 23 itself serve as engineering controls in the Building 23 AEC (Figure 4-1).

Pending PADEP's approval of this *Final Report*, and related *Release from Liability*, BASF intends to maintain the engineering control in perpetuity through methods outlined in this plan. An *Environmental Covenant* (EC, approved and signed by PADEP) will also be established to form an institutional control for these areas. BASF or any future "owner" (title holder) of the property is required to restrict property-use activities to those compatible with non-residential land-use categories. These restrictions include maintenance of the engineering controls that overlie the aforementioned COCs, which are known to exist in soil at levels above non-residential SHS.

Pursuant to §250.708(e), the title holder may terminate post-remediation care if attainment can be demonstrated under Subchapter G without the aforementioned engineering controls in place. A fate and transport analysis would also be necessary at that time to demonstrate that the standard(s) will not be exceeded in the future.

The following sections outline provisions for inspecting, maintaining, and reporting compliance with the above use restrictions. Section 4.1 describes the inspection schedule and procedures. Section 4.2 describes the reporting requirements and methods.

4.1 Inspection Schedule & Procedures

BASF (the owner), or its assignee, will perform routine site inspections consisting of visual observations related to the use of the facility and any related engineering or institutional controls installed to restrict its use. Whereas it is likely that more frequent inspections will occur, a minimum of one inspection per year will be performed. For planning purposes, the annual inspection will take place between summer and fall.

A fence exists along/near the perimeter of the property. The fence serves as an engineering control and security for the property. The fence, gates, locks, and other security measures should be inspected to ensure their integrity and functionality, and that access to the site's interior is adequately restricted.

Levels of 2,4,6-TCP, 2,4-DCP, 2,4-D, 2,4,5-T, naphthalene, dioxin and arsenic exceed PADEP's most stringent applicable non-residential SHS beneath the Building 14 AEC. Levels of arsenic 1,2-DCA, and 2,4-DCP exceed PADEP's most stringent applicable non-residential SHS beneath the Building 23 AEC (Figure 4-1). Grounds within the AECs should be inspected to document that engineering controls (asphalt/concrete/building cover) and/or soil have not been disturbed. Planning for any work that involves disturbance of Building 14 AEC or Building 23 AEC soil should consider the following general "rules":

1. Soil that exists within the subject AECs may not be relocated or reused anywhere on-site;



Final Report – Act 2 Building 23 AEC Soil
BASF Corporation
Ambler, Pennsylvania

Environmental Covenant - APPENDIX C
POST-REMEDIATION CARE PLAN

November 2015

2. Soil that exists outside the subject AECs may be relocated or reused on-site, but not within the subject AECs;
3. Any work involving the subject AECs' soil should be performed by individuals properly trained and certified to conduct work on hazardous sites (*e.g.* compliance with 29 CFR 1910.120); and
4. Any work that involves off-site transport, disposal, or treatment of subject AECs' soil should be in compliance with all applicable federal, state, and local regulations pertaining to such work.

The EC used to establish the institutional control for the AECs, should be consulted for more specific guidance regarding the above rules.

During each inspection, the inspector will observe and document the physical condition of the fence, asphalt/concrete/building cover, and general condition of the subject AECs. The inspector will evaluate if maintenance or repairs are required to maintain integrity and performance of these items. The inspector will record all observations in the *Inspection Log* given as Attachment 4-1.

Photographs will be taken during each inspection to document the condition of the AECs and specified items of concern. The inspector will photograph any areas of concern before and after implementing any required corrective actions. Likewise, the inspector will photograph any actions associated with relocation or reuse of AEC soil.

4.2 Reporting Requirements & Methods

For planning purposes, annual inspections of the subject AECs will commence during the first summer-fall period following PADEP's commensurate, approved *Release from Liability*.

Copies of all *Inspection Logs* (including photographs) deemed appropriate to document compliance with the *Post-Remediation Care Plan* will be maintained by BASF (the owner) or its assignee. A *Record of Corrective Action or Soil Reuse Form* (or something similar), given as Attachment 4-2, will be used to report any activities that extend beyond routine inspection tasks. Such reports will include descriptions and photographs taken during implementation of any maintenance to engineering controls, other necessary corrective actions, and/or work involving soil relocation/reuse in the AECs.

The annual inspection logs/reports will be maintained by the following individuals or their designees:

Entity:	BASF	Consultant
Address:	BASF Corporation 100 Park Avenue Florham Park, NJ 07932	AMO Environmental Decisions 875 N. Easton Road, Suite 10 Doylestown, PA 18902
Contact:	Edward A. Vanyo	John M. (Jay) Ash
Telephone:	973-245-5610	215-230-8282
Email:	ed.vanyo@basf.com	jash@amoed.com.

All inspection and corrective action work orders will be created in and tracked through BASF's computerized regulatory-action tracking system.



Final Report – Act 2 Building 23 AEC Soil
BASF Corporation
Ambler, Pennsylvania

Environmental Covenant - APPENDIX C
POST-REMEDIAL CARE PLAN

November 2015

ATTACHMENT 4-1
FACILITY INSPECTION LOG
BASF Corporation
Ambler, Pennsylvania

Building 14 AEC and Building 23 AEC			
Inspector Name:		Inspection Date:	
Inspector Signature:		Inspection Time: (24-hr time)	
Weather Conditions:			
Potential Problem Location	Problem Item # (see below)	Description	Date that Record of Response Action Form was signed*
No potential problems identified →		(Inspector Initials, if applicable)	
Identify Inspected Areas:			

** If Applicable*

#	Potential Problem Item
1	Asphalt/concrete covers
2	Building 14
3	Building 23
4	Fence
5	Soil
6	Other
X	No Problems Identified



Final Report – Act 2 Building 23 AEC Soil
BASF Corporation
Ambler, Pennsylvania

Environmental Covenant - APPENDIX C
POST-REMEDIATION CARE PLAN

November 2015

ATTACHMENT 4-2
RECORD OF CORRECTIVE ACTION OR SOIL REUSE FORM
BASF Corporation
Ambler, Pennsylvania

WORK LOCATION (circle one): Building 14 AEC / Building 23 AEC

DESCRIPTION OF WORK: _____

QUANTITY OF MATERIALS: _____

PERSONAL PROTECTIVE EQUIPMENT (if applicable): _____

WORK PERFORMED BY: (Contractor Name)

ADDRESS: _____

TELEPHONE: _____

START DATE: _____

COMPLETION DATE: _____

DESIGNATED INSPECTOR: _____

SIGNATURE: _____ DATE SIGNED (inspected): _____

