

**DETERMINATION OF NEED REPORT
BEESLEY'S POINT STUDY AREA**

**TOWNSHIP OF UPPER
CAPE MAY COUNTY, NEW JERSEY**

**Prepared for:
Township of Upper**

September 2020

As recommended by the Land Use Board
on _____ by Resolution # _____;

Adopted by the Governing Body on _____ by Resolution # _____

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**TOWNSHIP OF UPPER
CAPE MAY COUNTY, NEW JERSEY**

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TABLE OF CONTENTS

STUDY AREA	3
STATUTORY REQUIREMENTS	4
FINDINGS	7
Zoning	7
Existing and Historic Land Uses	8
Property Conditions – Discontinuance of Uses	9
Property Conditions - Wetlands	13
Environmental Contamination	14
Soil Limitations	16
Redevelopment Findings.....	16
CONCLUSION.....	21
APPENDIX	23

INTRODUCTION

Upper Township is located in the upper most portion of Cape May County, New Jersey encompassing approximately 63.4 square miles. The communities of Strathmere, Tuckahoe, Beesley's Point, Marmora and Seaville are all located within the Township. The Township borders the municipalities of Dennis Township, Ocean City, Sea Isle City and Woodbine in Cape May County; Corbin City, Egg Harbor Township, Estell Manor and Somers Point in Atlantic County; and Maurice River Township in Cumberland County.

The Beesley's Point Area of the Township is unique, with beaches along the Great Egg Harbor Bay, recreation and tourism and residential development. The area has seen substantial changes over the years due to the removal of the Route 9 Beesley's Point Bridge and the closure of the B.L. England Electrical Generation Facility. What was once the local road option to the Garden State Parkway is now a dead end of a former major State Highway terminating at the Great Egg Harbor River. This now sleepy area provides recreation and tourist attractions nestled amongst a residential area. The 2019 decommissioning of the plant operations at B.L. England has added to the changes in this area, creating a low-key area with gorgeous views and access to the Great Egg Harbor Bay.

The B.L. England property offers many opportunities for redevelopment ranging from industrial, given its history and rail access, to water and tourist related commercial uses. Any redevelopment of this site and surrounding area will create a change to the character of the area as the overall intensity of use and traffic patterns have changed considerably since the closing/removal of the Bridge and the closing of the plant operations. Given the uniqueness of this area, the traffic levels and access and the historical land uses, the Township has determined to review the site and determine if it meets the statutory criteria to be declared an Area in Need of Redevelopment.

The Township had previously determined this area, as part of a much larger area, met the statutory criteria to be declared an area in need of redevelopment in 2005/2006. Subsequently, in 2007, as part of a working process with R.C. Cape May Holdings to keep the electrical generating facility operational and continue to provide a beneficial service to

the local and regional community, the Township rescinded the redevelopment area designation. Now, over ten (10) years later, with the closure of the B.L. England plant, many of the same conditions exist, along with worsening conditions, and must be appropriately addressed. or have worsened, that supported the earlier redevelopment designation.

On September 14, 2020 the Upper Township Mayor and Committee, adopted Resolution #244-2020, directing the Planning Board to investigate various blocks and lots to determine if they meet the required statutory criteria to be declared an Area in Need of Redevelopment (Condemnation) in accordance with the New Jersey Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 et seq. (LRHL). A redevelopment designation in accordance with the LRHL would authorize the municipality to use all of the powers provided by the Legislature for use in the redevelopment of the Study Area identified in Resolution 244-2020, including the power of eminent domain.

As provided for in the LRHL, before a study area may be designated as a Redevelopment Area, whether a condemnation or non-condemnation area, the Planning Board must gather and evaluate existing conditions within the Study Area in order to determine whether the Study area satisfies the statutory criteria to be declared an area in need of redevelopment. Such a finding and subsequent designation as a Redevelopment Area by the Governing Body permits the Governing Body to undertake a number of activities to help revitalize and redevelop the study area. These include, but are not limited to, the preparation of a redevelopment plan, the issuance of bonds for redevelopment projects, acquisition of buildings and land through condemnation, leasing or selling property without public bidding, entering into contracts with private entities to effectuate the redevelopment, the use of various tax abatement programs and other actions in conjunction with an adopted redevelopment plan pursuant to the LRHL.

STUDY AREA

The Study Area includes six (6) parcels primarily consisting of the B.L. England facility and surrounding properties. The Study Area extends along the Great Egg Harbor Bay to the north and is bounded by North Shore Road (formerly Route 9) on the east and marshlands on the west. The southern boundary is the extent of the plant and golf course property which borders the residential development along Heritage Drive. The Study Area is primarily located within the recently enacted Waterfront Town Center (WTC) zoning district with the former golf course located in the Recreation and Park (RP) zoning district.

The complete Study Area is depicted on the Map in Appendix XIII. Specifically, the identified Blocks and Lots shown in the Table below and within Resolution 244-2020 of the Governing Body are included in the Study Area.

Beesley's Point Study Area		
Block	Lot	Property Location
479	76	900 RT US 9 NO
479	76.01	RIPARIAN GRANT
479	94.01	RT US 9 NO
479	106.02	850 RT US 9 NO
479	107 & 107.01	CLAY AVE
479	108 & 108.01	912 RT US 9 NO

The tax maps from Upper Township which depict these properties are attached hereto as Appendix XII.

STATUTORY REQUIREMENTS

This document is a "Determination of Need" report, a gathering and evaluation of existing conditions within the Study Area in order to determine if such conditions support a finding by the Planning Board that substantial credible evidence exists to declare that the Study Area is in need of redevelopment under the statutory requirements of the LRHL (N.J.S.A. 40A:12A-5.a-h). These standards have been clarified by the courts and changed in part through legislative action over the years.

Changes to the statute occurred in 2013 when the Legislature amended the LRHL generally to allow for either a “condemnation” or a “non-condemnation” Redevelopment designation. These amendments also clarified the findings necessary to support a designation pursuant to N.J.S.A. 40A:12A-5.e. More recently, in 2019, the legislature amended N.J.S.A. 40A:12A-5.b to address vacancies and abandonment of buildings.

In order to satisfy the statutory criteria for designation as an area in need of redevelopment, one, or more, of the following conditions listed in N.J.S.A. 40A:12A-5 must be found to exist:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.

- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to Sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

In addition to the above criteria, N.J.S.A. 40A:12A-3 of the LRHL allows a redevelopment area to include parcels which are necessary for the effective redevelopment of the area but that may not satisfy a statutory condition (a-h), by stating “a redevelopment area may include land, buildings, or improvements, which of themselves are not detrimental to the health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area in which they are a part.”

Over the years, the Courts have ruled that a Determination of Need finding an Area in Need of Redevelopment shall be supported by substantial credible evidence and supported by credible expert testimony. The findings for the determination cannot include “net opinions” or a mere recitation of the statute. The findings and conclusions set forth in this Determination of Need Report satisfy this requirement.

Where there exist conditions of deterioration of land uses and services and an improper, or lack of proper development, the legislature has adopted the LRHL to aide local governments to help reverse these conditions. This statute was adopted by the legislature to aide local governments in “promoting the physical development that will be most conducive to the social and economic improvement of the State and its several municipalities.” (N.J.S.A. 40A:12A-2(a),(c)).

FINDINGS

An investigation of the Study Area was completed which included, but was not limited to, a review of the existing land uses, the physical condition of the area, the relationships among uses, the relationship to the community and region and other similar items. As part of this study to determine if an area is in need of redevelopment, the conditions of the Study Area were looked at both alone and in relation to the rest of the community. This investigation concludes that the Study Area meets the required criteria to be declared an Area in Need of Redevelopment as defined by the LRHL for the reasons set forth below.

Zoning

The Study Area is located within two zoning districts: (1) the recently enacted Waterfront Town Center (WTC) zoning district, and (2) the Recreation and Park (RP) zoning district. A copy of the Township's Zoning Map is attached hereto as Appendix III. Lot 76.01, 106.2, 107, 107.01, 108 & 108.01 are located within the WTC District, while Lot 94.01 is located within the RP District. However, Lot 76 is bisected, with a portion of the lot located in the WTC District and a portion of the lot located in the RP District.

The goal of the WTC district is to create an appropriate reuse and/or redevelopment of the existing BL England property. The purpose of the WTC zone is stated in the 2020 Master Plan Reexamination Report as follows:

“The purpose of the "WTC" District is intended to promote the redevelopment of the BL England property and surrounding area while promoting the waterfront area. Existing land uses enhancing the waterfront area include restaurants, beach access, and water related recreational rentals.”

The WTC zone permits retail and personal service uses, offices, hotels and motels, municipal buildings, recreational and entertainment uses, and jet ski rentals.

Under the RP Zone, permitted uses include farms and various recreational uses such as public playgrounds, conservation areas, parks and public purpose uses, swimming pools,

indoor commercial recreation facilities, equestrian centers and trails, athletic fields, tennis courts, basketball courts, hockey rinks, skate parks and recreational community centers. Golf courses and miniature golf courses are permitted in the RP zone as conditional uses.

Currently, none of the properties within the Study Area are being used in accordance with the existing zoning, with the exception of the parcel containing a Jet Ski Rental business (and the portion of lot 94.01 and lot 76 which contain the softball field, picnic area and fishing pier.)

Existing and Historic Land Uses

The Beesley's Point Study Area consists of an estimated 348 acres of land located in the northern section of the Township to the west of Route 9 at the terminus of the former Beesley's Point Bridge. The B.L. England Facility makes up the largest part of the Study Area at approximately 323 acres, which is located on Lots 76 and 76.01. The B.L. England Facility formerly operated as a coal and oil electrical generating system. The Facility, which had operated for over 60 years, closed in early 2019 and was decommissioned. Portions of Lots 76 and 76.01 also included a nine-hole golf course, which closed in 2009, as well as a clubhouse, softball field, a picnic area, a fishing pier and riparian lands. The golf course and recreation areas were required to be constructed as part of the agreement to build the Facility in the 1950's. The fishing pier is still utilized.

Lot 94.01 was formerly used as a tree farm and contains approximately 17 acres. This site consists of vacant land and has been vacant for at least ten (10) years. According to an Existing Land Use Map of Upper Township taken from the 2006 Master Plan, Lot 94.01 is identified as vacant land. A copy of the Existing Land Use Map is attached hereto as Appendix IV. This is also confirmed by information obtained from the New Jersey Department of Environmental Protection's (NJDEP) GIS Data Viewer known as GeoWeb. A copy of the GIS data viewer information on impervious coverage is attached hereto as Appendix V. It shows the majority of Lot 94.01 as having no impervious coverage as of 2007. A Preliminary Assessment Report (PA) was completed for the B.L. England property on June 7, 2019, which was prepared as part of the decommissioning of the generating station. A copy of the PA Report, without attachments is attached hereto as

Appendix VI. A full copy of the PA report is available at https://maleyassociates.sharepoint.com/:f/g/EoA0cftQwfFMu9HIF7prKJMBF_9OMVDUc8MVwy_NAp-dVQ?e=YiVoze. The PA Report identifies Lot 94.01 as “undeveloped commercial property.” Other than its use as a tree farm, no other current or historical use is identified for this site.

The Study Area also includes property that extends between the Facility property and North Shore Road. Two of these parcels, Lot 108 and Lot 108.01 includes a Jet Ski rental business. These lots include limited improvements and buildings which are associated with the Jet Ski rental business, while the bulk of the property is primarily used for Jet Ski storage.

The balance of the parcels within the Study Area, Lots 106.02, 107 and 107.01 are vacant. Like Lot 94.01, Lots 107 and 107.01 has been vacant for more than ten (10) years, as they are identified on the 2006 Existing Land Use Map as being vacant parcels, and are shown on the GIS Data Viewer as having no impervious surfaces. Lot 106.02 is also shown on the 2006 Existing Land Use Map as being a vacant parcel, but GIS Data Viewer shows that a portion of that lot had some impervious cover.

The B.L. England facility was the source of significant tax revenues over the years. With the closure of the facility the tax value has been substantially reduced by close to 62% of the 2010 value when the plant was fully operational. The appropriate reuse/redevelopment of the property is important in terms of providing a positive land use and economically viable development that contributes to the safety, health, morals, or welfare of the surrounding area or the community in general.

Property Conditions – Discontinuance of Uses

The B.L. England property consists of the largest part of the Study Area (Lot 76) which contains approximately 291 acres and constitutes approximately 83% of the 348 acres within the Study Area. Lot 76 contains air scrubbers, cooling towers, two (2) oil tanks each having a capacity of 6.3 million gallons, a coal storage facility, gypsum storage facility, generator and turbine housing and a variety of wastewater detainment systems and

other similar structures. The plant served eight southern New Jersey counties and approximately 521,000 customers. The plant utilized coal and oil with steam units and diesel generators to provide energy in for their Southern New Jersey customers. Two of the steam units would burn coal as the primary fuel and use a cooling system with water taken from the Great Egg Harbor Bay. The third steam unit used oil with a closed-loop salt water cooling tower to provide condenser cooling. The fuel was transported to the site via rail car. The plant operation includes two riparian areas, where the water was taken from the Bay and let out back into the Bay in another location.¹

The B.L. England Plant was decommissioned in 2019 and the components of the former use remain on-site. The decommissioning of the Facility has resulted in the abandonment of the associated structures which were used for an industrial purpose. The B.L. England Plant was decommissioned because its facilities had become obsolete for purposes of generating electricity.

According to page 94 of the State of New Jersey's 2019 Energy Master Plan (Energy Master Plan), which is found on the New Jersey Board of Public Utility's Website at https://www.bpu.state.nj.us/bpu/pdf/publicnotice/NJBPU_EMP.pdf, last visited 9/28/20, "New Jersey has committed to reaching 100% clean energy by 2050." Page 94 of the Energy Master Plan notes that "New Jersey's transition to a clean energy future requires the substantial growth of carbon-free generation resources sufficient to meet not only today's electricity needs, but also the increased load growth that accompanies end-use electrification of the state's homes and transportation sector." The Energy Master Plan goes on to explain, "[d]ue to the market forces inherent in the PJM market, natural gas has overtaken nuclear as the dominant electricity source in New Jersey, and coal is almost entirely out of business." (Page 95 to 96). Prior to its decommission in 2019, the B.L. England Plant was planning to upgrade its plant in order to transition to natural gas. However, according to the Energy Master Plan, the owners of the B.L. England plant withdrew the application and instead opted to shut down completely. (Page 96 to 97).

¹ Beesley's Point Investigation of Area in Need of Redevelopment prepared September 2005 by Maser Consulting.

The Energy Master Plan explains the reason that coal powered plants are no longer acceptable energy generating facilities: “[t]his hard-fought transition from coal to natural gas over the course of the past few decades was made possible through the work of NJBPU and the New Jersey Department of Environmental Protection’s (NJDEP) authority under the Federal Clean Air Act and the New Jersey Air Pollution Control Act. In 2005, NJDEP classified carbon dioxide (CO₂) as an air contaminant, which encouraged the state to look critically at the harmful effects that polluting coal was having on air quality.” (Page 20 to 21).

The structures which comprise the B.L. England plant include the air scrubbers, cooling towers, various buildings, oil storage and coal storage buildings and areas, and other similar related improvements. The following pictures show the existing conditions and structures.

Figure 1 shows the larger building and air scrubbers. The plant operations required various elements to enable the conversion of coal and oil to electric.



Figure 1 – Air Scrubbers and Buildings

Figure 2 shows the air scrubber and pipes as well as a closer look at the various elements/structures needed to operate the plant.



Figure 2 – Air Scrubber, buildings and improvements

Figure 3 is one of the oil storage areas.



Figure 3 – Oil Storage

Within Figure 4 is the electrical substation, located in the center of the site, will be required to remain and be incorporated into any future redevelopment of the property. This substation area will consist of about an acre of land from the total 300+ acres of the site. The substation is surrounded by various improvements and structures which will require removal from the property.



Figure 4 – Cooling Tower, Electrical Substation and improvements

The reuse of the structures comprising the B.L. England Plant is extremely limited. Removal of the structures and improvements would be an extensive and costly undertaking. The plant has operated for over 60 years. This long-term use as a coal powered and oil powered electrical generating system, has resulted in land and water contamination which must be remediated before any new use of the property can be made.

Property Conditions - Wetlands

According to information obtained from the NJDEP GIS Data Viewer, several parcels within the Study Area are constrained by wetlands. A copy of the NJDEP GIS Data View for wetlands is attached hereto as Appendix VII. Approximately one-third of Lot

94.01 is constrained by wetlands, or approximately five and a half (5 ½) of the lot's approximately 17 acres. Lot 76 contains approximately 291 acres of which 154 acres are constrained by wetlands, just over half of the lot. The majority of these wetlands are located to the west of the railroad tracks which bisect Lot 76. According to the NJDEP GIS Data for impervious cover, most of the area to the west of the railroad tracks did not have any impervious coverage in 2007. This area is currently vacant and has been for more than ten (10) years. South and east of the B.L. England Plant on Lot 76 was the former golf course. When the golf course closed in 2009, it was allowed to return to its natural state. Thus, the majority of the land comprising the golf course has been vacant for more than ten (10) years.

Lot 76.01 is a riparian grant and is entirely under water as part of the Great Egg Harbor Bay. Wetlands also appear to constrain a portion of Lot 106.02, as shown on the NJDEP GIS Data View for wetlands.

NJDEP regulations severely restrict, and in many cases prohibit, development of wetlands. As a result, it is unlikely that the portions of these parcels that contain wetlands will be able to be developed by private capital.

Environmental Contamination

The BL England Plant is considered a contaminated site due to ground water and soil contamination.

A Preliminary Assessment Report (PA Report) was completed for the B.L. England property on June 7, 2019 as part of the decommissioning of the generating station. A copy of the PA Report is attached hereto at Appendix VI. (A full copy of the PA Report is available at <https://maleyassociates.sharepoint.com/:f/g/EoA0cftQwfFMu9HIF7prKJMBF9OMVDUc8MVwyNAp-dVQ?e=YiVoze>.) The PA Report was performed in accordance with New Jersey's Technical Requirements for Site Remediation and the New Jersey Department of Environmental Protection's guidelines.

The PA report identified 111 Areas of Concern (AOC) indicating areas that were contaminated or suspected of contamination at the time of the report.² Of the 111 AOC's most have been issued a Letter of No Further Action (NFA) by the NJDEP or a Response Action Outcome (RAO) by a licensed site remediation specialist (LSRP), demonstrating that there are no longer contaminants present, or that the property has been remediated appropriately. However, four (4) of the AOC's received a Notice of Deficiency (NoD) letter requiring further remediation in order to comply with the Industrial Site Recovery Act (ISRA) and allow for the issuance of an NFA. In addition, Lot 76 has twelve (12) AOC's which were recently identified and remain open. The status of all of the AOC's for Lot 76 are summarized in a letter prepared by Henry D. Weigal, PE, LSRP of ARH Associates dated February 6, 2020 ("Weigal Letter"), a copy of which is attached hereto as Appendix VIII of this report.

According to the Weigal Letter, approximately 73.6 acres of Lot 76 are contaminated with the following contaminants: Benzene, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Beryllium, Naphthalene, PCBs, Petroleum Hydrocarbons, and Thallium. This contaminated soil is subject to a Deed Notice, which restricts the use to which the contaminated area may be used. A copy of the Deed Notice is attached hereto as Appendix IX. Figure 1 to the Weigal Letter depicts the area within Lot 76 that is subject to the deed restriction. Within the 73.6 acres that are subject to the Deed Notice, approximately 35.4 acres have contaminants which have impacted groundwater. According to the Weigal Letter, these contaminants include: Arsenic, Beryllium, Benzene, Bis (2-ethylhexyl) phthalate, Chromium, Lead, Nickel, and Thallium. Figure 1 to the Weigal Letter depicts the area within Lot 76 that is impacted by groundwater contamination.

The contaminated areas must be continuously monitored for environmental quality relating to water and soil conditions and the deed restrictions limit the use of the property unless additional remediation of the contaminated areas is undertaken.

² A glossary of terms relating to the Site Remediation Program has been prepared by NJDEP and can be found on its website at <https://www.nj.gov/dep/srp/community/basics/glossary.htm#n>.

Soil Limitations

The United States Department of Agriculture (USDA) maintains a Web Soil Survey that provides soil data and information produced by the National Cooperative Soil Survey that can be used for area wide planning. One of the pieces of information contained within the Soil Survey is a site's suitability for shallow excavations. A copy of the Shallow Excavation information obtained from the USDA Soil Survey is attached hereto in Appendix X. As explained in the information obtained from the Soil Survey, "[s]hallow excavations are trenches or holes dug to a maximum depth of five or six feet for graves, utility lines or other purposes. The ratings are based on the soil properties that influence the ease of digging and the resistance to sloughing." It goes on to explain that a rating of "very limited" means that "the soil has one or more features that are unfavorable for the specific use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures." Much of the undeveloped portion of Lot 76, Lot 94.01, Lot 107, 107.01 and Lot 106.02 are all identified as "very limited."

The Soil Survey also provides information on a soil's corrosion of concrete. A copy of the Corrosion of Concrete information obtained from the USDA Soil Survey is attached hereto in Appendix XI. As explained in the information obtained from the Soil Survey, "'[risk of corrosion]' pertains to potential soil-induced electrochemical or chemical action that corrodes or weakens concrete." Much of the undeveloped portion of Lot 76, Lot 94.01, Lot 107, 107.01 and Lot 106.02 are is rated as "high" for corrosion of concrete.

Redevelopment Findings

Substantial credible evidence exists to support a determination that the Study Area meets one, or more, of the criteria set forth in Section 5 of the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-5a-h) to be declared an area in need of redevelopment. Specifically, the following criteria are met:

Criterion "a"

Under criterion “a,” a property qualifies as in need of redevelopment if “[t]he generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.” (N.J.S.A. 40A:12A-5.a.). The vast majority of the buildings within the Study Area are the buildings and structures which were utilized as part of the B.L. England Plant. Specifically, Lot 76 contains air scrubbers, cooling towers, two (2) oil tanks each having a capacity of 6.3 million gallons, a coal storage facility, gypsum storage facility, generator and turbine housing and a variety of wastewater detainment systems and other similar structures.

These structures have been abandoned and have no ability for reuse unless the electrical generating plant is restored. Given the decommissioning of the plant, and the conversion of electrical generating plants to natural gas and other clean energy production methods for generating electricity, the facilities and the structures that make up the B.L. England Plant are largely obsolete and not conducive to future reuse as they are coal and oil burning energy generating facilities. The obsolescence is based in large part on the fact that coal powered energy facilities pollute the air, which is detrimental to wholesome living and working conditions. Because the buildings and structures located on Lot 76 are obsolete and are conducive to unwholesome living and working conditions, Lot 76 satisfies criterion “a.”

Criterion “b”

Criterion “b” allows an area to qualify as a redevelopment area where there is “[t]he discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.” (N.J.S.A. 40A:12A-5.b.). Lot 76 contains numerous buildings previously used for an industrial purpose, namely the generation of electricity, which were abandoned and discontinued when the B.L. England Plant was decommissioned. The reuse of the structures comprising the B.L. England Plant is extremely limited. First, the use of the buildings and structures as an energy production

facility would require substantial upgrades as the current configuration as a coal and oil facility has been rendered obsolete due to power generation plants conversions to natural gas. Second, the conversion of these buildings to other uses would be extremely difficult because these buildings and structures were designed specifically for electric generation. Finally, conversion of this site to a different use would require environmental monitoring and/or remediation and is likely to be limited by deed restrictions.

Likewise, the golf course on Lot 76 contained a clubhouse which was part of that commercial use. The commercial use of the golf course and its clubhouse ended in 2009 when the golf course ceased operations. According to the PA Report, the golf course has Areas of Concern which will need to be remediated if the site is to be reused, including “Historically Applied Pesticides on the Former Golf Course,” “Former Golf Course Pesticide Storage Building,” and a “Surface Water Pond on Former Golf Course.”

The appropriate reuse/redevelopment of the property within the Study Area is important in terms of providing a positive land use and economically viable development that contributes to the safety, health, morals, or welfare of the surrounding area or the community in general.

All of these factors contribute to a finding that Lot 76 satisfies criterion “b”.

Criterion “c”

Several properties within the Study Area are vacant and have remained vacant for more than ten years. Criterion “c” allows designation of an area as a redevelopment area when there is unimproved vacant land that has remained vacant for at least ten (10) years and which “by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is unlikely to be developed through the instrumentality of private capital.” (N.J.S.A. 40A:12A-5.c.).

Specifically, Lot 94.01, Lot 107 & Lot 107.01 have been vacant for more than ten years. The topography of Lot 94.01 makes it unlikely to be developed by private capital. Approximately one-third of Lot 94.01 is constrained by wetlands, which significantly restricts or prohibits development on that parcel. In addition, environmental buffer

requirements would further restrict development on the site. Due to the significant wetlands restraints, it is unlikely that this parcel would be developed through private capital. This is especially true since the only road access to this site is at the end of Lincoln Avenue, which is a small residential street, and a paper street identified as Spencer Avenue. All of these factors significantly increase development costs making the lot unlikely to be developed through private capital.

In addition, Lot 94.01, Lot 107 and Lot 107.01 each have soils that make development more challenging and costly. All three lots are located in an area which has a very limited ability to do shallow excavations. This means that if any development requires excavation for the laying of utility lines or the construction of building foundations, it will require “major soil reclamation, special design, or expensive installation procedures.” (See Appendix X). In addition, “[p]oor performance and high maintenance can be expected.” (See Appendix X). These factors increase the cost of construction, making development by private capital unlikely.

Lot 94.01 and portions of Lot 107 are also located in an area where corrosion of concrete is high. Many building foundations are constructed with concrete blocks or poured concrete. Given the nature of the soil and its corrosive effects, it is likely that development will require a different type of material to be used for building foundations, which would increase the costs of development, making it unlikely to be developed by private capital.

A portion of Lot 76 is also vacant land that has been vacant for more than ten (10) years. Specifically, the portion of the site to the south and west of the railroad is constrained by wetlands and has not been developed. Similarly, the portion to east of the railroad tracks south of the B.L. England Plant was the former golf course, which closed in 2009 and was allowed to return to its natural state. Due to the topography of this land, specifically the wetlands on the property, the development potential of this portion of the site is limited. In addition, the soils in this area suffer from the same issues as many of the other vacant lots, which have very limited ability to allow for shallow excavations and they have high corrosion of concrete. Together, these factors substantially increase the costs of development of this site, and together with the potential for the contaminants from the B.L.

England Plant to migrate to these areas, it is unlikely that these undeveloped portions of Lot 76 would be developed with private capital.

All of these factors contribute to a finding that Lot 94.01, Lot 107, Lot 107.1 and portions of Lot 76 satisfy criterion “c.”

Criterion “d”

Under criterion “d”, a property qualifies as an area in need of redevelopment when the area contains buildings or improvements which “by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals or welfare of the community.” (N.J.S.A. 40A:12A-5.d.).

The decommissioned electric plant is obsolete because electrical generating plants are converting to natural gas and other clean energy production methods for generating electricity. For this reason, the plant was abandoned. Reuse of this site as an electric power plant without substantial upgrades to the system would simply release more contamination into the environment.

Based on a visual inspection of the site, these buildings are vacant and in disrepair. The buildings have been vacant since the B.L. England Plant was decommissioned in 2019. Vacant buildings are a deleterious land use that is detrimental to the public health, safety and welfare. Vacant buildings are inviting to squatters, and commonly create a nest for criminal activity such as drug use and vandalism. Occupancy of vacant structures by squatters during the winter months pose a fire hazard as squatters will often start fires to keep warm. Vacant buildings often create a perception to neighbors or potential investors that the area is unsafe and that the condition of the vacant structures invite potential crime, which leads to disinvestment. The negative effects of vacant and abandoned buildings has been recognized by the New Jersey Legislature who has declared “[t]he continued presence and proliferation of these vacant, abandoned, and other problem properties in the communities of this State has a negative effect on the public health and welfare, reduces property values and municipal revenues, and impedes the economic development and

revitalization of the State's municipalities, particularly its older cities...” N.J.S.A. 40A:12A-75(b). The continued vacancy and deterioration of these obsolete, abandoned structures are detrimental to the safety, health and welfare of the community. As a result, Lot 76 satisfies the criterion “d.”

Entirety of Study Area

There are some parcels included in the Study Area which do not, in and of themselves, meet the statutory criteria to be declared an area in need of redevelopment. However, they are included in the finding of this Report due to their location and are necessary for the effective redevelopment of the Study Area. These include parcels that are central to the Study Area and integral to the overall improvement of the Study Area because they provide additional access to Route 9. These parcels include Lot 106.02, Lot 108 and Lot 108.01. Inclusion of these properties provides the opportunity for a contiguous development plan which would connect Lot 76 to Route 9 in multiple locations, which allows for flexibility and the potential for increased safety and decreased congestion when addressing circulation at the site. Because of their location at key intersections within the Study Area and because they are adjacent to properties within the Study Area that satisfy the criteria for designation of as a redevelopment area, the inclusion of these parcels becomes necessary in order to effectuate the overall redevelopment of the Study Area.

CONCLUSION

The B.L. England Facility was the source of significant commerce for decades. With the closure of the Facility, the appropriate reuse/redevelopment of the property is important. The site has been investigated and contains soil and ground water contamination and remediation is ongoing pursuant to NJDEP regulations. These conditions must be taken into consideration as the municipality works toward ensuring the appropriate reuse/redevelopment of the property.

The Study Area, based upon substantial credible evidence as set forth herein, satisfies the following criteria under the Local Redevelopment and Housing Law to be declared an area in need of redevelopment:

- N.J.S.A. 40A:12A-5.a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- N.J.S.A. 40A:12A-5.b. The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- N.J.S.A. 40A:12A-5.c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- N.J.S.A. 40A:12A-5.d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

The patterns of land use, condition of properties and other factors as described herein, all lead to the conclusion that the Study Area is in need of redevelopment under the criteria noted, N.J.S.A. 40A:12A-5 (a) (b) (c) and (d).

The Study Area, as a whole, meets the statutory criteria to be declared an "area in need of redevelopment" and that the Governing Body and Planning Board may take the action necessary, after public notice and hearing as required by the LRHL, to make that determination according to law.

APPENDIX I – Governing Body Resolution



TOWNSHIP OF UPPER

P.O. BOX 205 • TUCKAHOE, NEW JERSEY 08250 • 609-628-2011 • FAX: 609-628-1836

MAYOR

RICHARD PALOMBO

Personnel, Emergency Management,
Lifeguards, Housing, Engineering,
Clerk's Office, Zoning and Planning,
and Construction Code.

DEPUTY MAYOR

EDWARD BARR

Department of Public Works.

COMMITTEEMAN

HOBART YOUNG

Sports and Recreational Programs,
Public Buildings and Grounds, and
Department of Public Works.

COMMITTEEMAN

JOHN D. COGGINS, JR.

Revenue and Finance.

COMMITTEEMAN

CURTIS T. CORSON, JR.

Municipal Court, Public Safety,
Animal Control, and Division of EMS.

TOWNSHIP CLERK

BARBARA L. YOUNG, RMC

September 15, 2020

Upper Township Planning Board

Attention: Shelley Lea, Secretary

PO Box 205

Tuckahoe, NJ 08250

sent via email to shelley@uppertownship.com

Re: Resolution 244-2020 – Authorizing the Planning Board of the Township of Upper to conduct a preliminary investigation to establish a Condemnation Redevelopment Area within the Township of Upper, Cape May County.

Dear Ms. Lea:

Attached please find a copy of Resolution No. 244-2020, referenced above, and adopted by the Upper Township Committee at the September 14, 2020 Committee Meeting.

Thank you for your time and consideration in this matter.

Sincerely,

Barbara L. Young, RMC
Municipal Clerk

Cc sent via email to:

Jeffrey P. Barnes - jpbares@barneslawgroupllc.com

M. James Maley, Jr. - jmaley@maleygivens.com

Daniel J. Young - dyoungocnj@aol.com

Tiffany A. Morrissey - tcuviello@comcast.net

Paul Dietrich - engineer@uppertownship.com

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N**

RESOLUTION NO. ²⁴⁴ -2020

**RE: AUTHORIZING THE PLANNING BOARD OF THE TOWNSHIP OF UPPER
TO CONDUCT A PRELIMINARY INVESTIGATION TO ESTABLISH A
CONDEMNATION REDEVELOPMENT AREA WITHIN THE TOWNSHIP OF
UPPER, CAPE MAY COUNTY**

WHEREAS, N.J.S.A. 40A:12A-6, authorizes the governing body of any municipality, by Resolution, to have its Planning Board conduct a preliminary investigation to determine whether any area of the municipality is a redevelopment area pursuant to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Mayor and Township Committee of the Township of Upper (“Township”) consider it to be in the best interest of the Township to have the Township’s Planning Board (“Planning Board”) conduct such an investigation regarding the parcels identified within **Exhibit A** (the “Study Area”); and

WHEREAS, a redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area including the use of eminent domain (hereinafter referred to as a “Condemnation Redevelopment Area”); and

WHEREAS, the land located within the Study Area appears to be in a state of dilapidation, appears to be vacant, obsolete and/or underutilized and/or otherwise appears to be in need of redevelopment; and

WHEREAS, the present conditions at the Study Area may be detrimental to the safety and welfare of the community thereby requiring redevelopment to better serve the Township.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Upper, County of Cape May, State of New Jersey as follows:

1. The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area, or any part thereof, if applicable, is a Condemnation Redevelopment Area according to the criteria set forth in N.J.S.A. 40A:12A-5.

2. The Planning Board is hereby directed to prepare a report of its findings and once completed, the Planning Board is directed to transmit the report to the Township Committee of

3. the Township of Upper for their review and approval in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.
4. This Resolution shall take effect immediately.


RICHARD PALOMBO, Mayor


BARBARA L. YOUNG, Township Clerk

Resolution No. 244 -2020
Offered by: Coggins Seconded by: Barr
Adopted: September 14, 2020
Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			
Corson	X			
Young	X			
Palombo	X			

Exhibit A

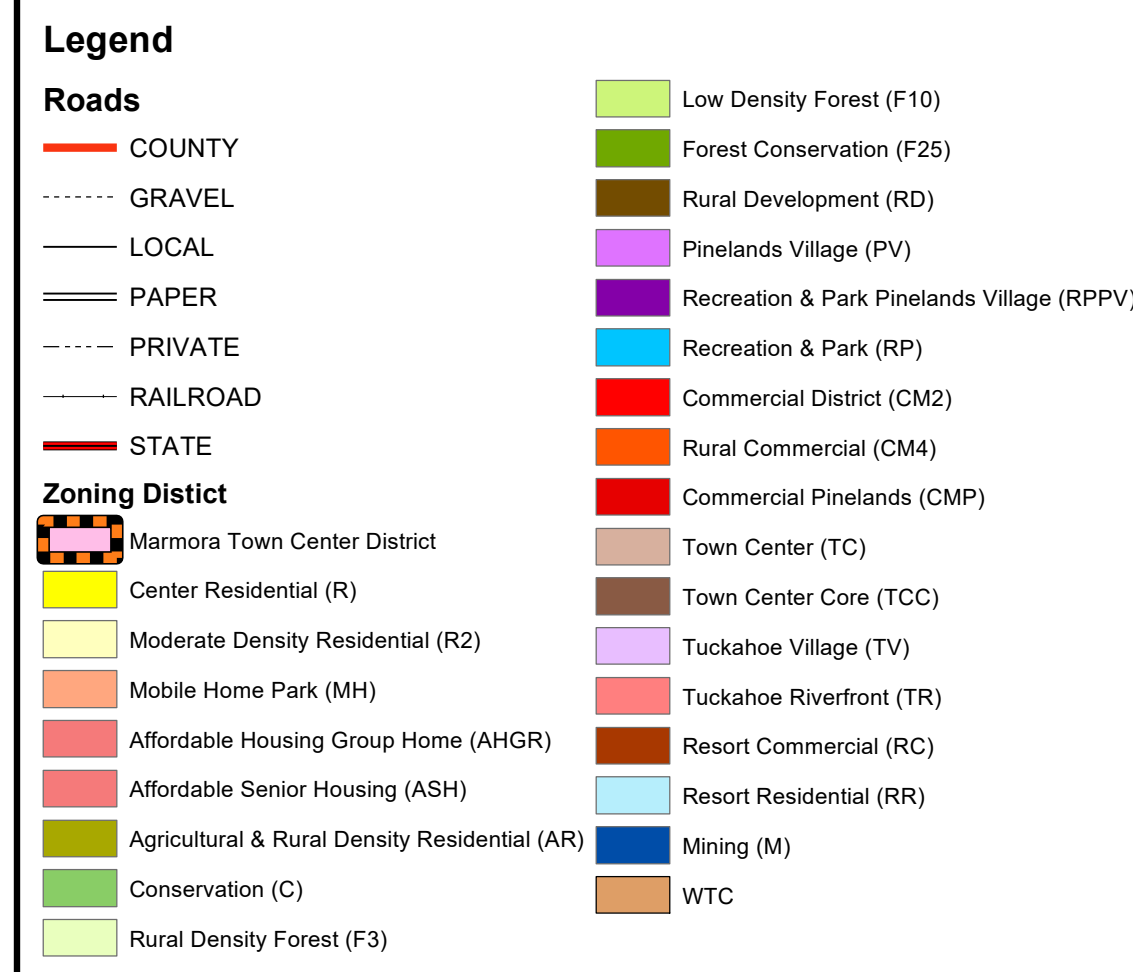
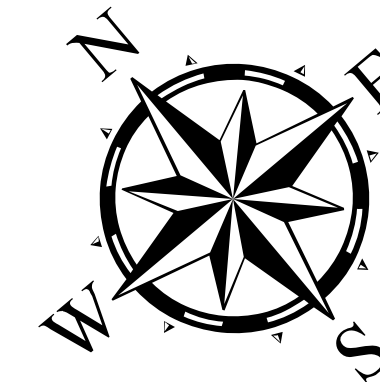
Block	Lot
479	76
479	76.01
479	94.01
479	106.02
479	107
479	107.01
479	108
479	108.01

APPENDIX II – Table of Properties

Block	Lot	Location	Owners	Address	City	State	Zip Code
479	76	900 RT US 9 NO	RC Cape May Holdings, LLC	900 RT US 9 NO	Beesleys Point	NJ	08223
479	76.01	RIPARIAN GRANT	RC Cape May Holdings, LLC	900 RT US 9 NO	Beesleys Point	NJ	08223
479	94.01	RT US 9 NO	RC Cape May Holdings, LLC	900 RT US 9 NO	Beesleys Point	NJ	08223
479	106.02	850 RT US 9 NO	Thomas Tower	P.O. Box 59	Ocean City	NJ	08226
479	107	Clay Avenue	Jean Harriet Grundborg	9600 Accord Drive	Potomac	MD	20854
479	107.01	Clay Avenue	Jean Harriet Grundborg	9600 Accord Drive	Potomac	MD	20854
479	108	912 RT US 9 NO	912 North Shore Road, LLC	547 Sunny Avenue	Somers Point	NJ	08244
479	108.01	912 RT US 9 NO	912 North Shore Road, LLC	547 Sunny Avenue	Somers Point	NJ	08244

APPENDIX III – Upper Township Zoning Map

Prepared by:
Paul E. Dietrich, Sr., P.E.
Upper Township Engineer
2100 Tuckahoe Road
Tuckahoe, NJ 08250-0205



Tuckahoe
December 19, 2019
1 inch = 800 feet

Roads

- COUNTY
- GRAVEL
- LOCAL
- PAPER
- PRIVATE
- RAILROAD
- STATE

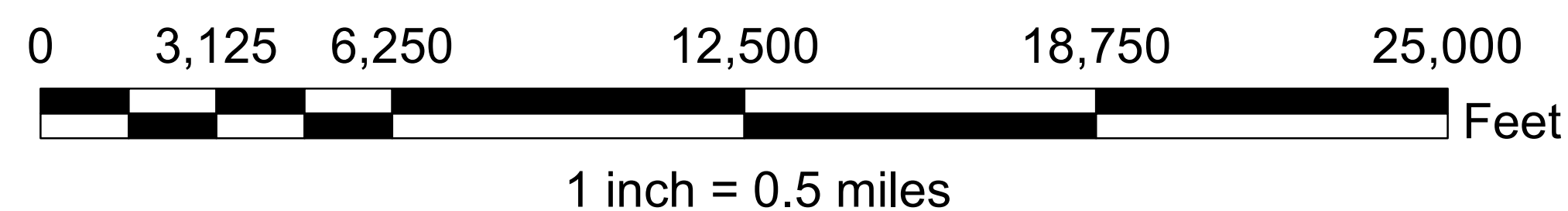
Zoning District

- Marmora Town Center District
- Center Residential (R)
- Moderate Density Residential (R2)
- Mobile Home Park (MH)
- Affordable Housing Group Home (AHGR)
- Affordable Senior Housing (ASH)
- Agricultural & Rural Density Residential (AR)
- Conservation (C)
- Rural Density Forest (F3)
- Low Density Forest (F10)
- Forest Conservation (F25)
- Rural Development (RD)
- Pinelands Village (PV)
- Recreation & Park Pinelands Village (RPPV)
- Recreation & Park (RP)
- Commercial District (CM2)
- Rural Commercial (CM4)
- Commercial Pinelands (CMP)
- Town Center (TC)
- Town Center Core (TCC)
- Tuckahoe Village (TV)
- Tuckahoe Riverfront (TR)
- Resort Commercial (RC)
- Resort Residential (RR)
- Mining (M)
- WTC



Strathmere
























1 inch = 600 feet



APPENDIX IV – 2006 Exhibit Land Use

\\njcad\Hydro\GIS\State\NewJersey\Counties\Cape May County\MUNICIPAL\Upper_Twp\060000830\Existing_Land_Use.MXD

LEGEND

- | | |
|---|--|
|  Upper Township Boundary |  School Property |
|  Municipal Boundaries |  Church |
|  Roads |  Cemetery |
|  Water Bodies |  Federally Owned Property |
|  Parcels |  State Owned Property |
|  Residential |  County Owned Property |
|  Apartment |  Township Owned Property |
|  Commercial |  Other Exempt Property |
|  Industrial |  Railroad |
|  Farm (Regular) |  Vacant Land |
|  Farm (Qualified) |  Not Classified |
| |  Preserved Farmland |

EXISTING LAND USE

TOWNSHIP OF UPPER

CAPE MAY COUNTY, NEW JERSEY

OCTOBER 2006



2,500 0 2,500 5,000 7,500 10,000
Feet

1 inch equals 6,500 feet

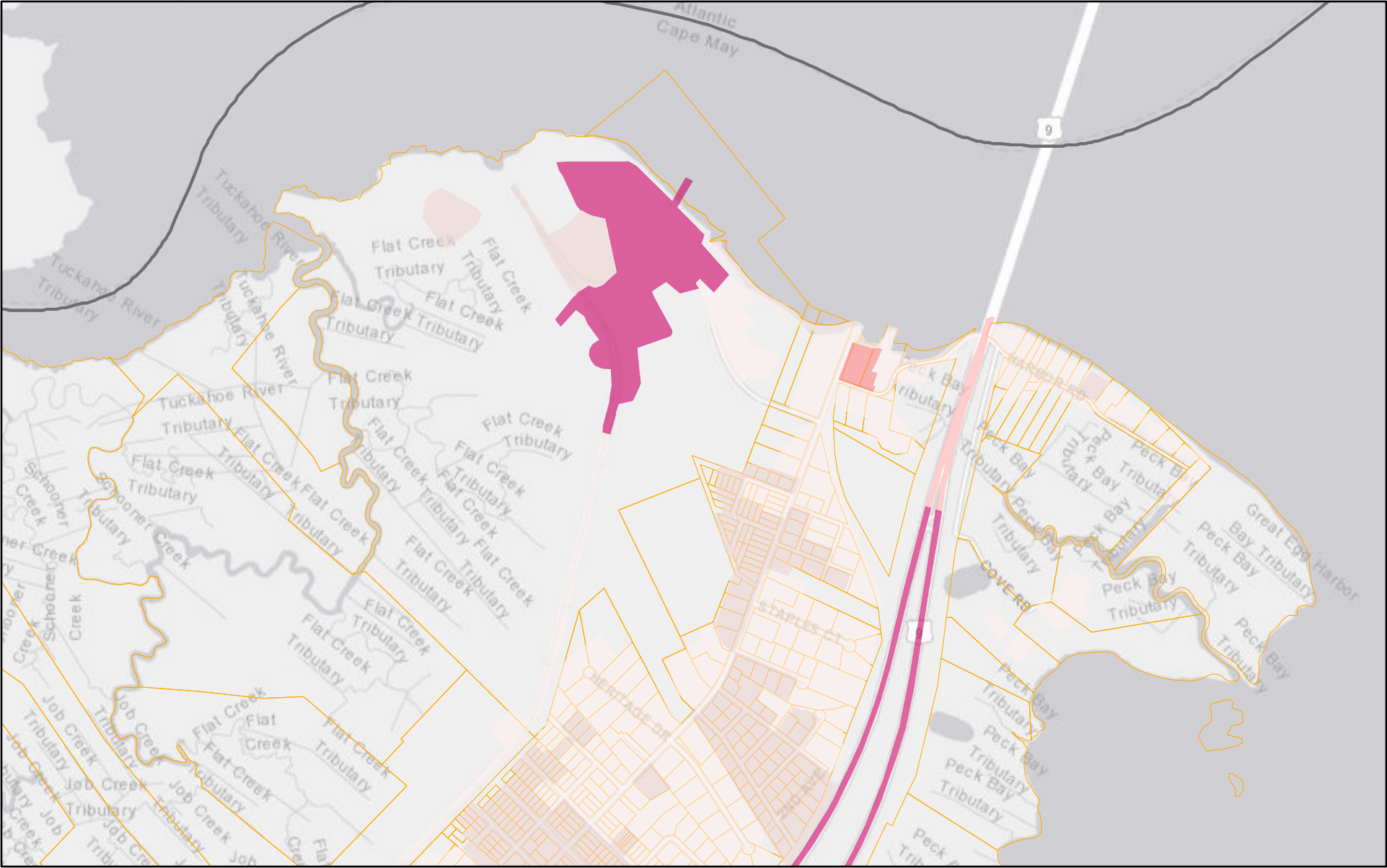
DIGITAL SPATIAL DATA SOURCES:

- CAPE MAY COUNTY GEOGRAPHIC INFORMATION SYSTEM
- NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS, OFFICE OF SMART GROWTH
- NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF GEOGRAPHIC INFORMATION
- UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICES
- NEW JERSEY OFFICE OF INFORMATION TECHNOLOGY, OFFICE OF GIS



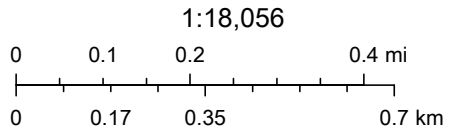
APPENDIX V – NJDEP GIS Data Viewer
2007 Impervious Surfaces

NJDEP GIS Data Viewer



9/28/2020, 6:46:39 PM

County Boundaries	81 - 100	21 - 40	Less than 20
Impervious Surface % (2007)	61 - 80	21 - 40	Less than 20
81 - 100	41 - 60	21 - 40	Less than 20



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user

APPENDIX VI - ARH Preliminary Assessment Report

PRELIMINARY ASSESSMENT REPORT

**B.L. England Generating
Station
900 North Shore Road
Upper Township, Cape May
County, New Jersey
NJDEP PI No. 011645**



June 7, 2019

TRC Project No: 274790.0000.0000

Prepared For:

RC Cape May Holdings, LLC
900 North Shore Road
Upper Township, New Jersey 08223

A blue ink signature of Joshua P. Morris.

Joshua P. Morris
Project Manager

Prepared By:

TRC Environmental Corporation
41 Spring Street, Suite 102
New Providence, New Jersey 07974

A blue ink signature of Rebecca K. Hollender.

Rebecca K. Hollender, PG, LSRP
Office Practice Leader, Director of LSRP
Services



TABLE OF CONTENTS

	Page No.
EXECUTIVE SUMMARY	1
1.0 INTRODUCTION.....	3
1.1 PURPOSE AND SCOPE OF SERVICES.....	3
1.2 LIMITATIONS AND DEVIATIONS.....	3
<i>Accuracy and Completeness.....</i>	<i>3</i>
<i>Warranties and Representations</i>	<i>4</i>
<i>Significant Assumptions.....</i>	<i>4</i>
2.0 SITE DESCRIPTION.....	6
2.1 SITE LOCATION AND LEGAL DESCRIPTION	6
2.2 SITE IMPROVEMENTS.....	6
2.3 CURRENT AND HISTORICAL SITE USE	7
<i>Current Site Use</i>	<i>7</i>
<i>Previous Owner and Operator Information.....</i>	<i>8</i>
<i>Wastewater Discharge History.....</i>	<i>8</i>
<i>Environmental Permits, Licenses, and Registrations.....</i>	<i>9</i>
<i>Summary of Violations and Enforcement Actions</i>	<i>11</i>
2.4 PHYSICAL SETTING	11
3.0 RECORDS REVIEW	13
3.1 SOURCES OF INFORMATION	13
3.2 HISTORICAL USE INFORMATION.....	13
<i>Site and Operational History.....</i>	<i>13</i>
3.3 DATABASE REPORT	14
3.4 PREVIOUS REPORTS.....	14
<i>Protectiveness Evaluation of Approved Remedies</i>	<i>15</i>
<i>Order of Magnitude.....</i>	<i>16</i>
4.0 SITE INSPECTION AND AREA OF CONCERN DESCRIPTION.....	17
4.1 METHODOLOGY AND LIMITING CONDITIONS	17
4.2 INTERVIEWS	17
4.3 SITE INSPECTION AND AREA OF CONCERN DESCRIPTION	17
<i>Hazardous Substances.....</i>	<i>24</i>
<i>Discharge History</i>	<i>24</i>
5.0 REFERENCES.....	25

Figures

- Figure 1: Site Location Map
- Figure 2: Site Plan – Entire Site
- Figure 2A: Site Plan with Areas of Concern – Operating Area
- Figure 2B: Site Plan with Areas of Concern – Southeastern Portion of Site
- Figure 2C: Site Plan with Areas of Concern – Railway Easement

Appendices

- Appendix A: Description of Former Operations
- Appendix B: Wastewater and Industrial Waste Streams
- Appendix C: Current and Historical Permits, Licenses, and Registrations
- Appendix D: EDR Database Report
- Appendix E: Historical Research Documentation
- Appendix F: Order of Magnitude Evaluation
- Appendix G: Areas of Concern (AOC) Descriptions
- Appendix H: Site Material Safety Data Sheets (MSDSs)
- Appendix I: Discharge History of Hazardous Substances and Wastes

EXECUTIVE SUMMARY

TRC Environmental Corporation (TRC) was retained by RC Cape May Holdings, LLC (RCCMH) (also known as “Client”) to perform a Preliminary Assessment (PA) of the B.L. England Generating Station (BL England) facility located at 900 North Shore Road in Upper Township, Cape May County, New Jersey (herein referred to as the “Site”). TRC’s assessment was conducted in connection with the Client’s current decommissioning and potential sale of the Site. The PA described in this report was performed in accordance with the scope and limitations of the New Jersey Department of Environmental Protection’s (NJDEP’s) March 2018 *Preliminary Assessment Technical Guidance* document and *Technical Requirements for Site Remediation* (TRSR). Limitations and/or deviations from the NJDEP’s guidance document and TRSR are described in Section 1.2 of this report.

The approximately 386-acre Site is located at 900 North Shore Road, Upper Township, Cape May County, New Jersey, in a mixed commercial/residential area. The Site is operated as an approximately 477-megawatt (MW) net coal- and oil-fired generating facility currently being decommissioned by RCCMH and includes an operational area, wetlands, riparian lands, former golf course, former tree farm, and vacant lots that previously contained a motel and a residence.

The Site is described by the Upper Township Tax Assessor as Block 479, Lots 74, 76, 76.01, 94.01, 97, 98, and 99, and is currently owned by RCCMH. In addition, RCCMH operates a rail easement on Block 661, Lot 81, owned by Atlantic City Electric (ACE).

As a result of the PA, including but not limited to our visual observation of the Site; review of historical information, environmental databases, and information provided by the Client; interviews with current Site representatives; and TRC’s professional judgment, TRC recommends additional investigation at the following Areas of Concern (AOCs):

- AOC 67: Substation
- AOC 88: Historically Applied Pesticides on Former Golf Course;
- AOC 89: Former Golf Course Pesticide Storage Building;
- AOC 90: Historically Applied Pesticides on Former Tree Farm;
- AOC 91: Historic Heating Sources for Former Beachfront Building Clay Avenue;
- AOC 92: Historic Heating Sources for 708 North Shore Road (Former Motel);
- AOC 93: Historic Heating Sources for 712 North Shore Road;
- AOC 94: Surface Water Pond on Former Tree Farm;
- AOC 95: Surface Water Ponds on Former Golf Course;
- AOC 96: Stormwater Drainage System on Former Golf Course;
- AOC 97: Foam Fire Suppression System;
- AOC 98: Former Septic at Former Motel (708 North Shore Road); and
- AOC 99: Railroad Track System

The investigation is complete, and remediation is pending, for AOC 50: Dredge-Spoils Dewatering Area and AOC 54: Coal Pile Area.

Remediation has been completed for AOC 49: Slag Ponds and AOC 76: Slag Piles, reporting and permitting requirements are pending.

TRC recommends no further action for the remaining AOCs.

This Executive Summary is part of this complete report; any conclusions in this Executive Summary are made in the context of the complete report. TRC recommends that the Client read the entire report for all supporting information related to the conclusions.

1.0 INTRODUCTION

TRC Environmental Corporation (TRC) has prepared this Preliminary Assessment (PA) report for RC Cape May Holdings, LLC (RCCMH) (hereinafter “Client”).

This report was prepared for and may be relied upon by Client for the purposes set forth herein; it may not be relied on by any party other than the Client and reliance may not be assigned without the express approval of TRC. Authorization for third party reliance on this report will be considered by TRC if requested by the Client. TRC reserves the right to deny reliance on this report by third parties.

1.1 Purpose and Scope of Services

The following PA report was performed for the property located at 900 North Shore Road, Upper Township, Cape May County, New Jersey (hereinafter the “Site”). A Site location map is included as **Figure 1**. This PA report has been prepared by TRC in accordance with the scope and limitations of the New Jersey Department of Environmental Protection’s (NJDEP’s) March 2018 *Preliminary Assessment Technical Guidance* document and *Technical Requirements for Site Remediation* (TRSR) and is intended for the sole use of RCCMH as per the December 14, 2016 *Proposal of Environmental Consulting Services – Compliance Support and LSRP Services* between TRC and RCCMH and purchase order PO-2017-0106 issued on March 2, 2017 by RCCMH.

The purpose of this assessment is to identify Areas of Concern (AOCs) in accordance with the NJDEP’s March 2018 *Preliminary Assessment Technical Guidance* document and TRSR.

The Scope of Services for this PA included the following tasks:

- Site inspection;
- Site description and physical setting;
- Historical source review and description of historical Site conditions;
- Interviews with owners, operators, and/or occupants of the Site, and/or local officials;
- Review of environmental databases and regulatory agency records;
- Review of previous environmental reports/documentation, as applicable; and
- Preparation of a report summarizing the PA conclusions.

A Receptor Evaluation was not included in the PA/Phase I scope of work.

1.2 Limitations and Deviations

Accuracy and Completeness

TRC does not make a statement i) of warranty or guarantee, express or implied for any specific use; ii) that the Site is free of AOCs or environmental impairment; iii) that the Site is “clean”; or iv) that impairments, if any, are limited to those that were discovered while TRC was performing

the PA. This limiting statement is not meant to compromise the findings of this report; rather, it is meant as a statement of limitations and intended scope of this assessment. Specific limitations identified during the Site inspection are described in Section 4.1. Subsurface conditions may differ from the conditions implied by surface observations, and can be evaluated more thoroughly through intrusive techniques that are beyond the scope of this assessment. Information in this report is not intended to be used as a construction document and should not be used for demolition, renovation, or other construction purposes.

This report presents TRC's Site inspection observations and conclusions as they existed at the time of the Site inspection. TRC makes no representation or warranty that the past or current operations at the property are, or have been, in compliance with all applicable federal, state and local laws, regulations and codes. TRC makes no guarantees as to the accuracy or completeness of information obtained from others during the course of this PA report. It is possible that information exists beyond the scope of this assessment, or that information was not provided to TRC. Additional information subsequently provided, discovered, or produced may alter findings or conclusions made in this PA report. TRC is under no obligation to update this report to reflect such subsequent information. The findings presented in this report are based upon reasonably ascertainable information and observed Site conditions at the time of the assessment.

This report does not warrant against future operations or conditions. Regardless of the findings stated in this report, TRC is not responsible for consequences or conditions arising from facts that were not fully disclosed to TRC during the assessment. An independent data research company may have provided the government agency database referenced in this report.

TRC is not a professional title insurance or land surveyor firm and makes no guarantee, explicit or implied, that any land title records acquired or reviewed, or any physical descriptions or depictions of the property in this report, represent a comprehensive definition or precise delineation of property ownership or boundaries.

Warranties and Representations

This report does not warrant against: (1) operations or conditions which were not evident from visual observations or historical information provided; (2) conditions which could only be determined by physical sampling or other intrusive investigation techniques; (3) locations other than the client-provided addresses and/or legal parcel description; or (4) information regarding off-site locations (with possible impact to the Site) not published in publicly available records.

Significant Assumptions

During this PA, TRC relied on database information; interviews with Site representatives, regulatory officials, and other individuals having knowledge of Site operations; and/or information provided by the Client as requested in our authorized Scope of Work. TRC has assumed that the information provided is true and accurate. Reliance on electronic database search reports is subject to the limitations set forth in those reports. TRC did not independently verify the information provided. TRC found no reason to question the validity of the information received unless

explicitly noted elsewhere in this report. If other information is discovered and/or if previous reports exist that were not provided to TRC, our conclusions may not be valid.

2.0 SITE DESCRIPTION

2.1 Site Location and Legal Description

The approximately 386-acre Site is located at 900 North Shore Road, Upper Township, Cape May County, New Jersey, in a mixed commercial/residential area. The Site is described by the Upper Township Tax Assessor as Block 479, Lots 74, 76, 76.01, 94.01, 97, 98, and 99, and is currently owned by RCCMH. In addition, RCCMH operates a rail easement on Block 661, Lot 81, owned by Atlantic City Electric (ACE). A Site location map is included as **Figure 1**.

The Site is bound by residential and commercial properties to the east and south, and Great Egg Harbor Bay, and associated wetlands, to the west and north.

2.2 Site Improvements

Current on-Site improvements for each portion of the Site are discussed below and listed in the following table. A Site layout plan is included as **Figure 2** and **Figure 2A** thru **Figure 2C**.

B.L. England Generating Station

Construction Date: Continuing construction and development from 1960-1982
Location: The site is located in a mixed commercial/light residential area
Type of Facility: Generating plant, golf course, and riparian lands
Tax Block and Lots: Block 479, Lots 76 and 76.01
Area of Site: 323 Acres

Tree Farm

Location: South of the generating station and golf course
Type of Facility: Undeveloped commercial property
Tax Block and Lot: Block 479, Lot 94.01
Area of Site: 17.1 Acres

708 North Shore Road

Construction/Demolition Date: 1951 – 1956 / 2018
Location: South of the generating station and golf course
Type of Facility: 3,000 square foot commercial building (former motel)
Tax Block and Lot: Block 479, Lot 97
Area of Site: 0.7 Acres

712 North Shore Road

Construction/Demolition Date: 1921 / 2018
Location: South of the generating station and golf course
Type of Facility: 2,000 square foot residential building with garage and shed
Tax Block and Lot: Block 479, Lot 98
Area of Site: 0.7 Acres

716 North Shore Road

Construction Date: No buildings
Location: South of the generating station and golf course
Type of Facility: Undeveloped residential property
Tax Block and Lot: Block 479, Lot 99
Area of Site: 0.5 Acres

Rail Easement

Construction: No buildings on easement
Location: Following the rail lines southwest of the facility
Type of Facility: Rail Easement as per Purchase and Sale Agreement
Tax Block and Lot: Block 661, Lot 81
Area of Easement: 4.0 acres

Wetlands

Construction: No buildings
Location: West of the facility
Type of Area: Wetlands
Tax Block and Lot: Block 479, Lot 74
Area of Lot: 40 Acres

Site Feature	Description
Buildings (stories)	See above.
Construction date	See above.
Exterior areas	Concrete / Asphalt / Gravel / Vegetation / Wetlands / Surface Water
On-Site roads/rail lines	On-Site roads and rail lines are present
Other large equipment	Locomotive, heavy machinery, crane, coal transport conveyor belt and crusher, forklifts
Potable water supply	Three on-Site production wells
Sewage disposal system	Discharge to Groundwater
Heating/Cooling system fuel source	Electric; 712 North Shore Road formerly used heating oil
Back-up fuel source	Diesel
Electricity supplier	Atlantic City Electric
Stormwater system	Wastewater treatment plant or overland flow to Great Egg Harbor Bay
Other	Nine-hole golf course and former public pool, tennis courts, baseball field and associated buildings

2.3 Current and Historical Site Use

Current Site Use

The approximately 386-acre Site is an approximately 477-megawatt (MW) net coal- and oil-fired generating facility currently being decommissioned by RCCMH. In addition, RCCMH operates a rail easement on Block 661, Lot 81, owned by ACE. Please see **Appendix A** for a description of past operations.

Previous Owner and Operator Information

Based on information provided by the Client, the historical record review (Section 3), and/or interviews conducted during this PA, historical Site ownership and operator information is provided in the tables below.

Site Owner	From	To
RC Cape May Holdings, LLC	August 15, 2006	Present
Atlantic City Electric Company from Charles Palgeman and Kathleen Heath (Lot 99)	November 12, 1993	August 15, 2006
Atlantic City Electric Company from James M. and Doreen A. Meis (Lot 97 and 98)	October 28, 1992	August 15, 2006
Atlantic City Electric Company from Ray and Miriam Snyder and Margaret H. Speck (Tree Farm - Lot 94.01)	January 27, 1989	August 15, 2006
Atlantic City Electric Company from the State of New Jersey (Riparian Grant)	February 27, 1962	August 15, 2006
Atlantic City Electric Company from Olaf Pearson (Former building in eastern corner of property)	January 5, 1960	August 15, 2006
Atlantic City Electric Company from Southern Properties	December 14, 1959 and October 24, 1960	August 15, 2006
Southern Properties (approximately 35 acquisitions)	1954 to 1960	December 14, 1959 and October 24, 1960

Site Operator	Description	From	To
RC Cape May Holdings, LLC	Generating Facility	August 15, 2006	Present
Atlantic City Electric	Generating Facility	1960	August 15, 2006
None	Vacant	Prior to 1960	1960

Wastewater Discharge History

A summary of current and historical on-Site wastewater discharges of sanitary, stormwater, and/or industrial waste, and present and past production processes including the dates these processes were active and their respective water use is provided below, if applicable. The summary is inclusive of ultimate and potential discharge and disposal points and how and where materials are or were received on-Site, as appropriate. Where applicable, discharge and disposal points are depicted on a scaled Site maps (**Figure 2** and **Figure 2A** thru **Figure 2C**). Information under this item is intended to identify potential discharges to any on-Site disposal system, such as a septic system, lagoon, or drywell, if applicable.

Discharge Period		Discharge Type	Discharge Location
FROM	TO		
1960	1988	Sanitary – Plant	On-Site Septic System
1988	1994	Sanitary – Plant	On-Site Septic System (By Oil Tank Storage)
1994	Present	Sanitary – Plant	Ground Water Injection Wells (T02)
1960	Present	Stormwater from Non-Process Area	GEHB (DSN 006 and DSN 007)

Discharge Period		Discharge Type	Discharge Location
1974	Present	Cooling tower blowdown (non-contact)	Intake Structure for Units 1 and 2 (DSN 001)
1960	1974	Industrial	GEHB via Neutralization Tanks
1974	1982	Industrial	GEHB via Neutralization Tanks and Settlement Ponds
1982	Present	Industrial	GEHB via On-Site WWTP (DSN 013)
1995	Present	Industrial – Scrubber	GEHB via Scrubber WWTP (DSN 014)
1960	Present	Industrial – Screenwash	GEHB (DSN 008)
1960	Present	Non-Contact Cooling Water	GEHB (DSN 009 and DSN 010)

During the 1960's, wastewater discharges from Units 1 and 2 were passed through a neutralization tank prior to discharge to GEHB. In 1974 two ponds were constructed to allow wastewater to settle prior to discharge into the bay. A treatability/feasibility study for a wastewater treatment facility was initiated in 1979 and in 1982, the existing wastewater treatment system became operational. A complete summary of current and historic wastewater and industrial waste streams is included as **Appendix B**.

Environmental Permits, Licenses, and Registrations

Current federal, state and local environmental permits, licenses, and registrations at the Site are summarized below. Copies of current permits, and a summary of Site permits, current and historic, are included in **Appendix C**.

NEW JERSEY AIR POLLUTION CONTROL – Title V		
Permit Number	Expiration Date	Type of Permitted Unit
BOP170001	12/29/20	Unit 2 Coal Boiler, Unit 3 Fuel Oil Boiler, 447-MW combined cycle plant, auxiliary boiler, emergency fire pump, coal and TDF fuel handling, cooling tower, limestone handling, water treatment LimeSilo, storage tanks, screen wash pump, sorbent silo operation, ash handling system, TPE system and fuel oil storage.

UNDERGROUND STORAGE TANKS		
Registration No: UST160002		
Size of Tank	Tank Contents	Current Status
1,000-Gallon	Unleaded Gasoline	Removed under Closure No. UCL180001 on 08/28/18
1,000-Gallon	Unleaded Gasoline	Removed

NEW JERSEY POLLUTANT DISCHARGE ELIMINATION SYSTEM (NJPDES)		
Permit Number	Discharge Type	Expiration Date
NJ0077771	Discharge to groundwater: Underground injection – sanitary; infiltration/percolation lagoon - industrial	04/30/09
NJ0005444	Discharge to surface water: Industrial wastewater and stormwater outfalls into Great Egg Harbor Bay	07/31/18; Renewal Application submitted on 01/26/18
NJG0235423	Sludge Quality Exempt (GP)	12/31/20

NJDEP WATER SUPPLY		
Permit Number	Expiration Date	Water Uses
WAP160001	08/31/26	Cooling-Industrial, Industrial Process, Public Non-Community Supply

NJDEP RADIOACTIVE MATERIALS		
License Number	Expiration Date	Devices
RAG180001	06/30/19	20 Thermo MeasureTech TN Technologies gauges; Model Nos. 5197, 5211, and 5200
RAD180001	12/31/23	Six Gamma Gauges from ABB Industrial Systems, Ltd., Model No. LS-100 and four General Neutron Source Applications from Frontier Technology Corp., Model No. 100 Series

NJDEP Air PI Nos.	73001, 73242, and 73363
NJDEP DPCC PI No.	051100015000
NJDEP Hazardous Waste PI Nos.	NJD980644710, NJT350010690, and NJD000726729
NJDEP Lab Certification PI No.	05295
NJDEP Land Use PI Nos.	0511-03-0011.1 thru 0511-03-011.7
NJDEP Pesticides PI Nos.	NL001790 and 00878
NJDEP Radioactive Materials PI No.	444566
NJDEP Right-to-Know PI Nos.	00060103024 and 00060103023
NJDEP SRP Program Interest (PI) No.	011645 and 571140
NJDEP Solid Waste PI Nos.	213459 and 459627
NJDEP Water Quality PI Nos.	46087 and 776449
NJDEP Water Supply PI Nos.	0511308, 11183W, and 2103P
US Environmental Protection Agency (USEPA) Identification No.	NJD000726729
Resource Conservation and Recovery Act (RCRA) Permit No.	NJD000726729

There are no other environmental permits listed for the Site.

Summary of Violations and Enforcement Actions

TRC reviewed the February 25, 2019 EDR Report (**Appendix D**); information regarding enforcement actions was available throughout the document. Enforcement actions identified in the EDR report included numerous entries which identified air emissions and equipment malfunctions.

TRC interviewed plant personnel regarding the air emissions and equipment malfunctions. B.L. England's existing air permits require NJDEP notification for allowable emission thresholds as well as equipment malfunctions, all of which are repaired/modified during site activities. BLE is in compliance with all current permits.

The specific details pertaining to each enforcement action can be found in **Appendix D** to this document.

2.4 Physical Setting

According to the United States Geological Survey (USGS) topographic map, Marmora, New Jersey quadrangle dated 2016 (**Figure 1**), the Site consists of wetlands areas associated with the GEHB, the Site topographic elevation of the developed portions of the Site is approximately ten feet above mean sea level (MSL). Local and Site topography slopes towards the GEHB. Based on local topography and historical environmental reports provided to TRC, as applicable, the assumed direction of shallow ground water flow is towards the GEHB located to the west, north and east of the Site.

The database radius report supplied by Environmental Data Resources, Inc. (EDR) of Milford, Connecticut was reviewed to obtain information regarding the dominant soil compositions in the Site vicinity. This information is summarized below:

Hydric Status:	All hydric
Soil Surface Texture:	Mucky peat
Soil Component Name:	PAWCATUCK
Deeper Soil Types:	Loamy sand and sand

Hydric Status:	All hydric
Soil Surface Texture:	Sand
Soil Component Name:	BERRYLAND
Deeper Soil Types:	Sand

Hydric Status:	Not Hydric
Soil Surface Texture:	Variable
Soil Component Name:	URBAN LAND
Deeper Soil Types:	Unknown

Hydric Status: All hydric
Soil Surface Texture: Mucky peat
Soil Component Name: TRANSQUAKING
Deeper Soil Types: Mucky peat

Hydric Status: Partially hydric
Soil Surface Texture: Loamy sand
Soil Component Name: GALLOWAY
Deeper Soil Types: Loamy sand and sand

Hydric Status: All hydric
Soil Surface Texture: Sandy Loam
Soil Component Name: HAMMONTON
Deeper Soil Types: Sandy loam and sand

3.0 RECORDS REVIEW

3.1 Sources of Information

Information regarding historical Site uses was obtained from various publicly available and practically reviewable sources including: aerial photographs; topographic maps; city directories; local municipal records; the NJDEP Historic Fill Map database; an environmental database report; and interviews with Site representatives and regulatory agency officials, as necessary. Historical research documentation is included in **Appendix E**.

3.2 Historical Use Information

Historical Site use information was obtained from the following sources:

- Aerial photographs (scale: 1" = 750) dated 1931, 1940, 1951, 1957, 1961, 1977, 1984, 1986, 1991, 1995, 2006, 2010, 2013, and 2017 from EDR, and aerial photographs dated 1956, 1963, 1970, 1987, 2002, 2007, 2008, 2012, and 2015 were reviewed from HistoricAerials.com;
- Topographic maps dated 1890, 1893, 1942, 1943, 1946, 1948, 1952, 1972, 1989, 1994, 2014, and 2016 from EDR and topographic maps dated 1899, 1910, 1918, 1925, 1955, 1966, 1973, 1984, and 1998 were reviewed from HistoricAerials.com; and,
- City directories dated 1977, 1982, 1987, 1992, 1995, 2000, 2005, 2010, and 2014.

Historical Sanborn® Fire Insurance Maps (Sanborn Maps) were originally produced for assessing fire insurance liability in urban areas in the United States. The maps provide detailed information (i.e., building construction, facility occupants, storage tank locations, and hazardous material storage areas), which can be used as a resource to document land use and structural change over time. Research concerning the availability of Sanborn Maps in the vicinity of the Site was conducted by EDR; however, EDR stated that Sanborn Map coverage does not exist for the Site or nearby surrounding area. The absence of maps for a specific area may signify the area was not significantly developed at the time at which the maps were published.

Site and Operational History

A description of Site and operational history is included as **Appendix A** and summarized in the table below.

Year	Site and Operational History
Prior to 1925	The Site was vacant and naturally vegetated. Topographic maps from 1890 and 1893 indicate the Site was mostly wetlands and woodlands.
1925 to 1942	Farmland appears in the southcentral portion of the Site, a dirt road is constructed from Route 9 through the area of the golf course, and straight, lengthy ditches can be seen in the marshland areas. The dirt road extends to a small site with at least one building appears in the northern portion of the Site, an elevated area of land is still present today. In addition, a building is constructed in the far eastern corner of the Site. No industrial operations present.

Year	Site and Operational History
1942 to 1960	A new dirt road is observed in the area of the current North Shore Drive and one small building was constructed along the coast in the eastern portion of the Site. No industrial operations present.
1960 to Present	Construction of generating facility begins in 1960 and continues through 1982. ACE operates at the site until 2006, when RCCMH purchased the property and has operated the facility since. Additional details are included in Appendix A .

3.3 Database Report

A database search report that identifies properties listed on state and federal databases was obtained from EDR. Site information included in the database search report is summarized in the following table:

Site Facility Name and/or Listed Address	BL England / BL England Generating Station / Connectiv Co. / Atlantic Electric / Atlantic Energy / Pepco 900 North Shore Road / Route 9 Beesley's Point, Upper Township, New Jersey
EDR Map No.	A1 thru B312, B315 thru B319, B321, B322, C324 thru C331
Databases	NJ Release, NJEMS, NJPDES, NJ UST, NJ ISRA, NJ Spills, TSCA, ERNS, ECHO, FINDS, RCRA-SQG, ICIS, US AIRS, NY Manifest, TRIS, EPA Watch List, NJ HIST HWS, NJ Airs, NJ Chrome, NJ Eng. Controls, NJ Inst. Controls, NJ Coal Ash, NJ Financial Assurance, NJ Manifest, NJ Major Facilities, NJ Brownfields
Description/ID Number	NJDEP SRP PI: 011645 USEPA ID: NJD000726729 FINDS and ECHO Registry ID: 110000321526
Database Review Summary	Based on a review of database results, information provided has been incorporated into, and are discussed within this report.

3.4 Previous Reports

The following environmental reports regarding the Site were provided for review by TRC staff:

- February 18, 1993, *Preliminary Assessment Report*, prepared by the NJDEP;
- June 16, 2000, *Preliminary Assessment Report*, prepared by NTH Consultants Ltd. (NTH);
- June 16, 2000, *Site Investigation Report*, prepared by NTH;
- July 1, 2005, *Remedial Action Workplan – AOC 77, Historic Spill No. 41 – Free-Phase Product Plume*, prepared by NTH;
- April 5, 2007, *4th Remedial Action Progress Report*, prepared by NTH;
- April 30, 2007, *Supplemental 4th Remedial Action Progress Report*, prepared by TRC;
- August 3, 2007, *Remedial Investigation Workplan*, prepared by TRC;
- October 30, 2007, *Fifth Remedial Action Progress Report*, prepared by TRC;
- April 28, 2008, *Sixth Remedial Action Progress Report*, prepared by TRC;

- December 14, 2007, *October 29, 2007 CSXT Locomotive 4814 Diesel Fuel Oil Release Response, Remedial Action & Closure Report*, prepared by AMEC Earth & Environmental, Inc. (AMEC);
- June 5, 2008, *Preliminary Assessment Report*, prepared by TRC;
- October 22, 2008, *Supplemental Remedial Investigation Workplan – Site-Wide Ground Water Investigation*, prepared by TRC;
- December 17, 2008, *Groundwater Quality Assessment*, prepared by NTH;
- April 30, 2009, *Eighth Remedial Action Progress Report*, prepared by TRC;
- August 1, 2011, *Remedial Investigation Report and Remedial Action Selection Report with Remedial Action Workplan*, prepared by TRC;
- August 13, 2012, *Ground Water Remedial Investigation and Remedial Action Report* prepared by TRC;
- January 14, 2014, *Soil Remedial Action Report*, prepared by TRC;
- September 15, 2014, *Response Action Outcome – Restricted Use with Permit Requirements*, prepared by James P. Mack, LSRP, amended January 12, 2015;
- September 15, 2014, *Response Action Outcome – Limited Restricted Use with Permit Requirements*, prepared by James P. Mack, LSRP, amended January 12, 2015;
- September 15, 2014, *Response Action Outcome – Unrestricted Use*, prepared by James P. Mack, LSRP, amended January 12, 2015;
- June 29, 2015, *Ground Water Remedial Investigation and Remedial Action Report for Areas of Concern 56 and 78*, prepared by TRC;
- June 29, 2015, *Response Action Outcome – Restricted Use with Permit Requirements*, prepared by James P. Mack, LSRP;
- October 2018, *UST Closure / Site Investigation Report*, prepared by CTM Environmental Services, Inc. (CTM);
- February 1, 2019, *Response Action Outcome – Unrestricted Use*, prepared by CTM;

Information provided in these reports is summarized throughout this report.

Protectiveness Evaluation of Approved Remedies

The preliminary assessment data gathering activities must include the identification and evaluation of all remedies previously implemented at the Site. The evaluation must include a determination of whether the remedy remains protective of public health, safety and the environment. This section includes, but is not limited to, a review of past biennial certifications and monitoring reports. Specific attention should be paid to any known changes in Site conditions, Site use, or new information developed since completion of previous remediation, and how those changes relate to the protectiveness of the implemented remedy.

Was an engineering control used to address contamination left on-Site?	Yes
If yes, is this engineering control being properly maintained?	Yes
Did the remedy address all of the residual soil contamination?	Yes

Is the remedy working as designed?	Yes
Have required biennial certifications been submitted?	Yes
Is a remedial action permit in place?	Yes

Order of Magnitude

The preliminary assessment data gathering activities must include an evaluation of each AOC identified at the Site for which a final remediation document was filed or issued, to compare the contaminant concentrations remaining in the AOC with the applicable remediation standards at the time of the comparison. Therefore, a comparison of the remediation standards referenced in the September 2014 RAOs and current remediation standards was conducted. Based on the comparison, 1,1'-biphenyl, nitrobenzene, and cyanide have soil remediation standards more than an order of magnitude lower than when the September 2014 RAOs were issued; therefore, TRC conducted an Order of Magnitude Evaluation (OME).

Soil samples were not analyzed for 1,1'-diphenyl in any AOC at the Site; soil samples were analyzed for nitrobenzene in AOCs 23, 33, 42, 50, 51, 56, 63, 65, 76, 77, and 78; and, soil samples were analyzed for cyanide in AOC 50.

Based on the results of the OME, nitrobenzene and cyanide have not been detected at concentrations over the current remediation standards in any AOC at the Site. Summary tables listing the standards at the time of the comparison compared with the contaminant concentrations remaining at the Site by AOC are included in **Appendix F**.

4.0 SITE INSPECTION AND AREA OF CONCERN DESCRIPTION

4.1 Methodology and Limiting Conditions

Mr. Joshua P. Morris, TRC Project Manager, and Ms. Alison Beckett, TRC Staff Scientist, conducted a Site inspection of accessible areas at the Site on March 5, 2019, for the purpose of identifying AOCs. Mr. Morris conducted an additional Site inspection on April 3, 2019; during both Site inspections, TRC personnel were accompanied by Ms. Juliana Pollara, EHS Coordinator, of BLE, who provided access to the property and answered questions during the inspection. A Site layout plan is included as **Figure 2** and **Figure 2A** thru **Figure 2C**.

During the Site inspection, detailed inspections of the wetland areas and wooded areas could not be conducted. This limiting condition is not expected to impact the results of this PA report.

4.2 Interviews

The following persons were interviewed to obtain historically and/or environmentally-pertinent information regarding AOCs at the Site.

- Ms. Juliana Pollara, EHS Coordinator for BLE; and,
- Mr. Tom Fromm, Environmental Specialist for BLE

The information provided by each is discussed and referenced in the text.

4.3 Site Inspection and Area of Concern Description

AOCs identified during TRC's Site inspection and/or environmental document review are listed in the table below and summarized in the section following the table.

Item	Present (Yes/Yes- Historical /No)	AOC ID	Recommendation
Bulk Storage Tanks and Appurtenances			
Aboveground storage tanks (ASTs) and associated piping	Yes	AOC 1 thru AOC 13, AOC 15 thru AOC 18, AOC 81, AOC 86	See below.
Underground storage tanks (USTs) and associated piping	Yes	AOC 19, AOC 20a, AOC 2b, AOC 20c, AOC 87	See below.
Silos	Yes	AOC 21 and AOC 22	See below.
Rail cars	Yes	AOC23, AOC 24	See below.
Loading & unloading areas	Yes	AOC 24 thru AOC 34	See below.
Piping, above ground and below ground pumping stations, sumps and pits	Yes	AOC 35 thru AOC 37	See below.

Item	Present (Yes/Yes- Historical /No)	AOC ID	Recommendation
Storage and Staging Areas			
Storage pads including drum and/or waste storage	Yes	AOC 14, AOC 38, AOC 39, AOC 41, AOC 43 thru AOC 47	See below.
Surface impoundments and lagoons	Yes	AOC 49 thru AOC 51, AOC 84	See below.
Dumpsters	Yes	AOC 42, AOC 52	See below.
Loading docks	No		
Chemical Storage Cabinets/Closets	Yes	AOC 53	See below.
Drainage Systems and Areas			
Floor Drains, Trenches, Piping and Sumps	Yes	AOC 56, AOC 57	See below.
Process area sinks and piping which receive process waste	No		
Roof leaders when process operations vent to the roof	No		
Drainage swales & culverts	Yes	AOC 58	See below.
Storm Sewer Collection Systems	Yes	AOC 96	
Storm Water Detention Ponds and Fire Ponds	Yes	AOC 59, AOC 60	See below.
Surface Water Bodies	Yes	AOC 61, AOC 94, AOC 95	See below.
Septic Systems Leach-Fields or Seepage Pits	Yes	AOC 62	See below.
Drywells and Sumps	Yes	AOC 63	See below.
Discharge and Disposal Areas			
Areas of Discharge per N.J.A.C. 7:1E	Yes	AOC 88, AOC 90	
Waste Piles as Defined by N.J.A.C. 7:26	No		
Waste Water Collection Systems Including Septic Systems, Seepage Pits, and Dry Wells.	Yes	AOC 64, AOC 98	See below.
Landfills or Land-Farms	Yes	AOC 65	See below.
Spray-Fields	No		See below.
Historic Fill or any Other Fill Material	Yes	AOC 66	See below.
Open Pipe Discharges	No		
Burn Pits	No		
Incinerators	No		
Building Interior Areas with a Potential for Discharge to the Environment			
Loading or Transfer Areas	No		
Waste Treatment Areas	No		
Boiler Rooms	No		
Air Vents and Ducts	Yes	AOC 74	See below.
Chemical Storage Cabinets or Closets	Yes	AOC 53	See below.

Item	Present (Yes/Yes- Historical /No)	AOC ID	Recommendation
Hazardous Material Storage or Handling Areas	Yes	AOC 54, AOC 55, AOC 75, AOC 76, AOC 89	See below.
Other Areas of Concern			
Electrical Transformers and Capacitors	Yes	AOC 67, AOC 68	See below.
Waste Treatment Areas	Yes	AOC 69, AOC 70	See below.
Discolored Areas	No		See below.
Spill Areas	Yes	AOC 77, AOC 77a thru AOC 77j, AOC 87	See below.
Open Areas Away From Production Areas	Yes	AOC 79	See below.
Areas of Stressed Vegetation	Yes	AOC 71	See below.
Underground Piping Including Industrial Process Sewers	No		See below.
Compressor Vent Discharges	No		See below.
Non-Contact Cooling Water Discharges	Yes	AOC 72	See below.
Areas which Receive Flood or Storm Water From Potentially Contaminated Areas	Yes	AOC 78	See below.
Active or Inactive Production Wells	Yes	AOC 73	See below.
Active or Inactive Rail Lines, Spurs or Sidings	Yes	AOC 23, AOC 99	See below.
Any Other Site-Specific Areas of Concern			
Warehouse and Construction Trailers	Yes	AOC 40	See below.
Oil/Water Separators	Yes	AOC 48	See below.
Coal Pile Area	Yes	AOC 54	See below.
Tire Fuel Staging Area	Yes	AOC 55	See below.
Diesel Generators	Yes	AOC 80	See below.
Ecological Evaluation	Yes	AOC 82	See below.
Free Product on Water Table	Yes	AOC 83	See below.
Ground Water	Yes	AOC 86	See below.
Historic Heating Sources	Yes	AOC 91, AOC 92, AOC 93	See below.
Foam Fire Suppression System	Yes	AOC 97	See Appendix X.

As a result of the Preliminary Assessment, TRC Environmental Corporation (TRC) identified the following areas of concern (AOCs), the locations of which are shown on **Figure 2A** thru **Figure 2C**. TRC's identification of AOCs at the site was based upon the Preliminary Assessment Reports dated June 16, 2000 and June 5, 2008, as prepared by NTH and TRC, respectively, for the B.L. England Generating Station (BLE).

The information provided in this report is considered to be true and correct at the time of publication; TRC makes no guarantees as to the accuracy or completeness of information obtained

from others. It is possible that information exists beyond the scope of this report, or that was not provided to TRC. Additional data subsequently provided, discovered, or produced may alter findings or conclusions made in this Preliminary Assessment. The findings presented in this report are based upon the information reasonably available and observed site conditions at the time of this assessment. Conditions may have changed since that time and the findings and conclusions of this report are not meant to be indicative of future conditions at the subject property.

TRC has identified 111 AOCs associated with BLE Site. A description of the AOCs and recommendations for future remedial activities is provided below:

The New Jersey Department of Environmental Protection (NJDEP) issued a No Further Action (NFA) letter on December 21, 2000 to BLE for the AOCs listed below:

- AOC 21: Limestone Silo
- AOC 22: Hydrated Lime Silos
- AOC 39: Bottle Gas Storage Area
- AOC 45: Gypsum Storage Building
- AOC 52: Dumpsters
- AOC 53: Chemical Storage Cabinets or Closets
- AOC 55: Tire Fuel Staging Area

A second letter from the NJDEP, dated July 17, 2002, granted NFA for the AOCs listed below:

- AOC 1: Two 6,300,000-Gallon No. 6 Fuel Oil Aboveground Storage Tanks (ASTs)
- AOC 2: 88,000-Gallon No. 2 Fuel Oil AST
- AOC 3: 60,000-Gallon No. 6 Fuel Oil Surge AST
- AOC 4: Diesel Fuel Fire Pump Tank
- AOC 5: Diesel Fuel-Handling Tank
- AOC 7: 5,500-Gallon Sulfuric Acid AST and 5,500-Gallon Caustic ASTs
- AOC 8: Sulfuric Acid Tank for Wastewater Treatment
- AOC 9: Dust Suppressant Tank (Not in Service)
- AOC 10: Former Magnesium Oxide Tank
- AOC 11: Waste Oil Storage Tank at WWTP (Not in Service)
- AOC 12: Waste Oil Storage Tank No. 1 in Storage Shed
- AOC 13: Waste Oil Storage Tank No. 2 in Storage Shed
- AOC 14: Intake Water Screen Wash Pump Fuel Oil Storage
- AOC 15: Diesel Fuel AST and Gasoline AST (Adjacent Facility)
- AOC 16: Two 30,000-Gallon Urea Tanks
- AOC 17: Interior Hydrochloric Acid AST
- AOC 18: Turbine Oil Tank
- AOC 19: 1,000-Gallon Gasoline UST
- AOC 25: Unloading Area for 88,000-Gallon No. 2 Fuel Oil AST
- AOC 26: Unloading Area for Diesel Fire Pump Fuel Tank
- AOC 28: Unloading Area for the Acid AST & Caustic AST for Unit Nos. 1 and 2
- AOC 29: Unloading Area for the Acid AST & Caustic AST for Unit No. 3
- AOC 30: Unloading Area for Sulfuric Acid AST for Wastewater Treatment

AOC 31: Unloading Area for the Dust Suppressant Tank
AOC 32: Unloading Area for Urea ASTs
AOC 34: Unloading Area for Turbine Oil
AOC 35: Forwarding Pumps from the 6.3-Million-Gallon ASTs to the Surge Tank
AOC 36: Forwarding Pumps from the Surge Tank to Unit No. 's 1, 2, and 3
AOC 37: Forwarding Pumps from the Rail Cars to the 6.3-Million-Gallon Oil Tank
AOC 38: Parts Storage on Ground Floor
AOC 40: Warehouse and Construction Trailers
AOC 41: Oil and Chemical Storage Areas
AOC 42: Oily Waste Roll-off
AOC 43: Oil Storage Building
AOC 44: Storeroom
AOC 46: Two metal Drum Storage Sheds
AOC 48: Oil/Water Separator
AOC 57: Trenches
AOC 58: Drainage Swales and Culverts
AOC 59: Storm Sewer Collection Systems
AOC 60: Stormwater Detention Ponds
AOC 61: Surface Water Bodies
AOC 64: Waste Water Treatment Plant
AOC 69: Scrubber Treatment Plant
AOC 70: Sanitary Sewer Plant
AOC 72: Non-Contact Cooling Water
AOC 74: Air Ducts and Vents
AOC 81: 550-Gallon Kerosene AST

A third letter from the NJDEP, dated August 29, 2006, granted NFA for the AOCs listed below:

AOC 20a: Former 175-Gallon Emergency Gasoline Fire Pump UST
AOC 20b: Former 175-Gallon Gasoline Generator UST
AOC 20c: Former 1,000-Gallon Gasoline UST
AOC 73: Production Wells
AOC 77c: Spill No. 14 – No. 6 Fuel Oil Release to Great Egg Harbor Bay
AOC 77d: Spill No. 17 – No. 6 Fuel Oil Spill at the Surge Tank
AOC 77e: Spill No. 24 – Air Line Rupture at the No. 6 Fuel Oil Surge Tank
AOC 77g: Spill No. 29 – Fly Ash and No. 6 Fuel Oil Release to Great Egg Harbor
AOC 77h: Spill No. 32 – Unit No. 3 No. 6 Fuel Oil Release through Air Vents

A June 13, 2007 Notice of Deficiency (NOD) letter from the NJDEP stated the remediation of the following AOCs was complete, and NFA would be granted at the completion of the ISRA case and after the filing of all applicable institutional controls:

AOC 47: Waste Oil Drum Storage Adjacent to Rail Unloading Section
AOC 75: Oil Drum Storage Area
AOC 77f: Spill No. 's 28 & 36 – East Main Storage Tank
AOC 77j: Spill No. 40 – Contaminated Soil from Former 2,000-Gallon Fuel Oil AST

Pursuant to the Site Remediation Reform Act (N.J.S.A. 58:10C-1 et seq.) (SRRA), all remediation parties were required to retain a Licensed Site Remediation Professional (LSRP) and continue remediating, and submit remedial phase documents, under LSRP oversight. Consistent with SRRA, the case was unassigned in late 2011, prior to issuance of additional NFA determinations by the Department.

Following the submittal of the May 2011 *Remedial Action Report* (May 2011 RAR), a Response Action Outcome (RAO) was issued on May 25, 2011 for the following AOC:

AOC 87: No. 2 Fuel Oil Spill (NJDEP Incident No. 10-02-18-1525-46)

Following the submittal of the August 1, 2011 *Remedial Investigation Report and Remedial Action Selection Report with Remedial Action Workplan* (August 2011 RIR/RASR/RAW), August 13, 2012 *Ground Water Remedial Investigation and Remedial Action Report* (August 2012 GWRIRAR), and January 14, 2014 *Soil Remedial Investigation and Remedial Action Report* (January 2014 RIRAR), RAOs were issued for 90 AOCs, including the AOCs listed above that had received NFAs. Three RAOs, one each for unrestricted use, restricted use with permit requirements, and limited restricted use with permit requirements were issued on September 15, 2014 and amended on January 12, 2015.

The AOC-specific, unrestricted use RAO was issued for all AOCs listed above as receiving an NFA, except AOC 73: Production Wells. In addition, the following AOCs were also included in the RAO:

AOC 6: 4,600-Gallon Sulfuric Acid AST and 4,600-Gallon Caustic ASTs
AOC 24: Unloading Area for No. 6 Fuel Oil AST
AOC 77b: Spill No. 7 – Drainage Ditch Near Oil/Water Separator
AOC 77i: Spill No. 35 - Ditch near Oil/Water Separator Filled with Oil
AOC 84: Two Former 150,000-Gallon Settling Ponds
AOC 86: AST Located Near the Cooling Tower

The AOC-specific, restricted use with permit requirements RAO was issued for the following AOCs:

AOC 27: Unloading Area for Diesel Fuel Handling Tank
AOC 33: Unloading Area for Coal
AOC 51: Fly Ash Pond
AOC 63: Sumps
AOC 65: Former Landfill
AOC 66: Fill Material
AOC 68: Transformers
AOC 71: Areas of Stressed Vegetation
AOC 73: Production Wells
AOC 77: Historic Spill No. 41 – The Free-Phase Product Plume
AOC 79: Coal Dust
AOC 80: Four Diesel Generators

- AOC 83: Free Product on Water Table
- AOC 85: Site-Wide Ground Water

The AOC-specific, limited restricted use with permit requirements RAO was issued for the following AOCs:

- AOC 23: Railcars/Railroad Tracks
- AOC 62: Former Plant Septic System
- AOC 77a: Spill No. 5 – Sullair Compressor Building

Following submission of the June 29, 2015 *Ground Water Remedial Investigation and Remedial Action Report for Areas of Concern 56 and 78* (June 2015 GWRIRAR), an AOC-specific, restricted use RAO with permit requirements was issued on June 29, 2015 for the following AOCs:

- AOC 56: Floor Drains
- AOC 78: Coal Pile Runoff Pipe

Based on the correspondence related to the Site to date, existing AOCs that have not received an RAO include:

- AOC 49: Slag Ponds
- AOC 50: Dredge-Spoils Dewatering Area
- AOC 54: Coal Pile Area
- AOC 67: Substation
- AOC 76: Slag Piles

Based on the findings of this PAR the following additional AOCs have been identified:

- AOC 88: Historically Applied Pesticides on Former Golf Course
- AOC 89: Former Golf Course Pesticide Storage Building
- AOC 90: Historically Applied Pesticides on Former Tree Farm
- AOC 91: Historic Heating Sources for Former Beachfront Building Clay Avenue
- AOC 92: Historic Heating Sources for 708 North Shore Road (Former Motel)
- AOC 93: Historic Heating Sources for 712 North Shore Road
- AOC 94: Surface Water Pond on Former Tree Farm
- AOC 95: Surface Water Ponds on Former Golf Course
- AOC 96: Stormwater Drainage System on Former Golf Course
- AOC 97: Foam Fire Suppression System
- AOC 98: Former Septic at Former Motel (708 North Shore Road)
- AOC 99: Railroad Track System

Descriptions of all the AOCs, including summaries of the environmental investigations to date, are provided in **Appendix G**. The locations of AOCs are shown on **Figure 2** and **Figure 2A** thru **Figure 2C**.

Hazardous Substances

Hazardous substances including raw materials; finished products and formulations; hazardous wastes; hazardous constituents and pollutants including intermediates and byproducts that are currently or were historically present at the Site; and unidentified substance containers (when open or damaged, and containing unidentified substances suspected of being hazardous or petroleum products) are summarized in the table below. All Site material safety data sheets (MSDSs) are included in **Appendix H**.

Material Name	Previous Typical Annual Usage	Storage Containers & Conditions
Coal	> 10 million lbs	Stockpile
Diesel fuel	1,000 – 10 million lbs	AST
#6 Fuel Oil	> 10 million lbs	AST
Urea	500,001 – 1 million lbs	AST
Hydrazine	101 – 10,000 lbs	Plastic Drum
Hydrogen	101 – 10,000 lbs	Cylinder
Calcium Sulfate Dihydrate	1 million – 10 million lbs	Other
Fly Ash	10,001 – 50,000 lbs	Stockpile
Gasoline	10,001 – 50,000 lbs	UST
Kerosene	10,001 – 50,000 lbs	Portable Tanks
Chlorine	101 – 1,000 lbs	Cylinder
Ethylene Glycol	10,001 – 50,000 lbs	Tank Inside Building
Sulfuric Acid	50,001 – 100,000 lbs	AST
Hydrochloric Acid	1,001 – 50,000 lbs	Tank Inside Building
Sodium Hydroxide	50,001 – 100,000 lbs	AST
Ferric Chloride	1,001 – 50,000 lbs	Plastic Drum
Limestone	250,001 – 500,000 lbs	Stockpile
Hydrated Lime (calcium oxide)	1,001 – 10,000 lbs	Other
Bromotrifluoromethane	101 – 1,000 lbs	Cylinder
Petroleum Oil	10,001 – 50,000 lbs	Steel Drum
Lead	1,001 – 10,000 lbs	Other

Discharge History

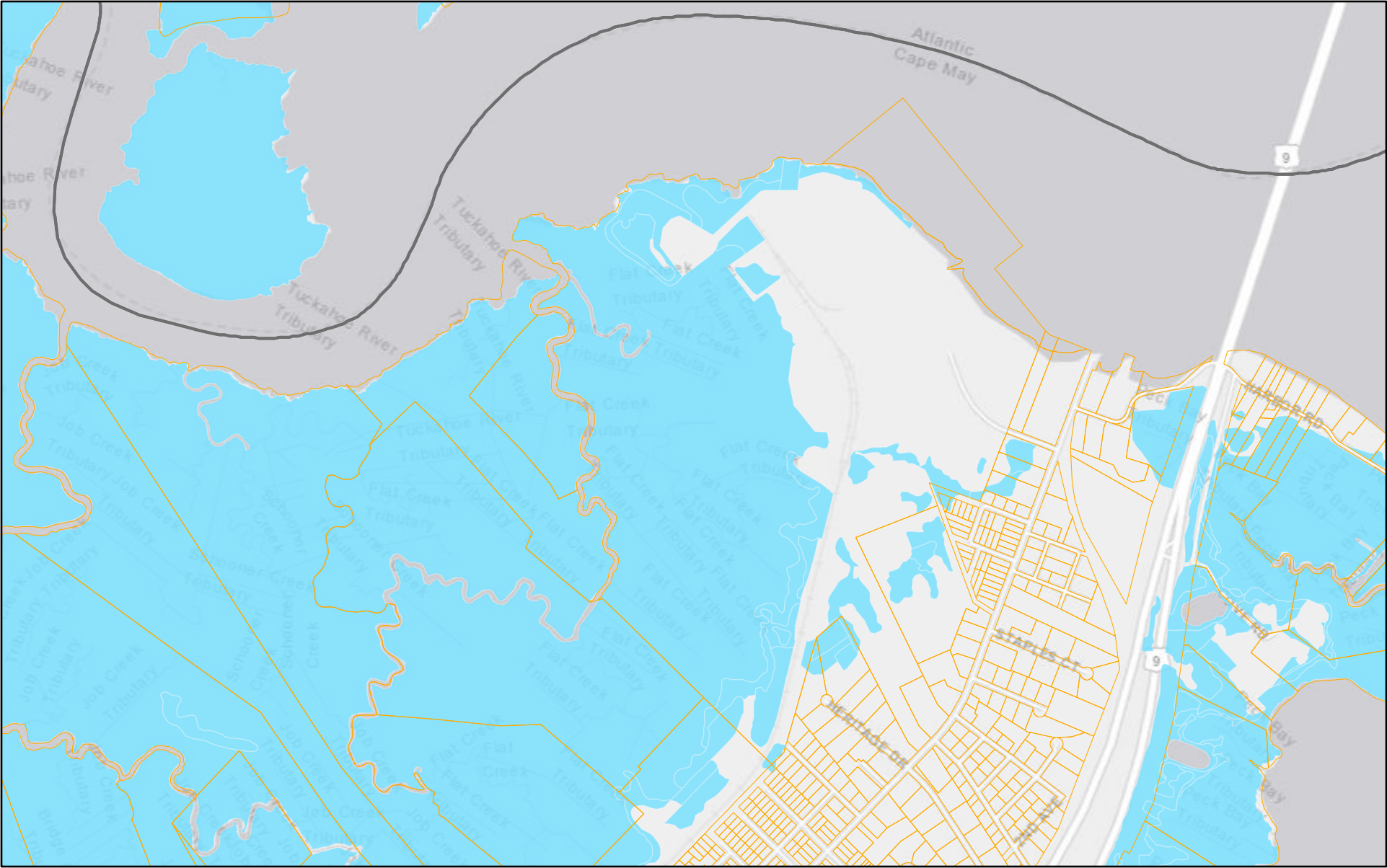
A discharge history of hazardous substances and wastes for both current and former operations at the Site is included in **Appendix I**.

5.0 REFERENCES

Description/Title of document received or agency contacted	Date information request filled/date of agency contact	Information Updated	Reference source
EDR Radius Map Report with Geocheck and Historical Research Documentation	February 25, 2019	N/A	EDRnet.com
NJDEP's DataMiner Website	February 25, 2019	As needed	https://www13.state.nj.us/DataMiner
NJDEP's GeoWeb Website	February 25, 2019	As needed	https://www.nj.gov/dep/gis/geoweb splash.htm
NJDEP OPRA Request	March 28, 2019	June 4, 2019	New Jersey Department of Environmental Protection
Cape May County OPRA Request	February 25, 2019	March 28, 2019	Cape May County Clerk
Upper Township OPRA Request	February 25, 2019	April 4, 2019	Upper Township Clerk
Interview with B.L. England employees	March 5, 2019	As needed	--

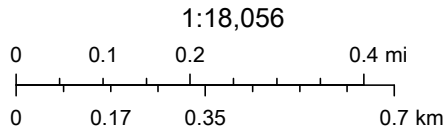
**APPENDIX VII – NJDEP GIS Data Viewer
Wetlands Mapping (2012)**

NJDEP GIS Data Viewer



9/28/2020, 5:32:27 PM

-  Wetlands (2012)
-  Parcels Data (Block and Lot)
-  County Boundaries



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user

APPENDIX VIII – 2-6-20 Letter from Henry D. Weigal



Principals
Richard Rehmann, GISP
Chris Rehmann, PE, CME, PP, PLS
Richard Heggan, PLS, PP
Robert Heggan, PLS, PP

Via email (dinapat@comcast.net)

February 6, 2020

Daniel J. Young, Esq.
Attorney At Law, A Professional Corporation
701 West Avenue, Suite 302
Ocean City, NJ 08226

Re: ***Preliminary Assessment Report***
B.L. England Generating Station
900 N Shore Road
Upper Twp, Cape May Co, NJ
SRP PI #011645
ARH #67-00011

Dear Mr. Young:

Pursuant to the authorization issued by the Township of Upper, I have reviewed the *Preliminary Assessment Report* (June 7, 2019) prepared by TRC Environmental Corporation (TRC) of New Providence (NJ) for the referenced site. Additionally, in response to your request, I have drafted the following which summarizes the findings detailed in the report.

~~~~~

It is understood that TRC was retained by RC Cape May Holdings LLC (RCCMH) to perform a Preliminary Assessment (PA) of the B.L. England Generating Station (BL England) facility. The PA was reportedly conducted in connection with the RCCMH's current decommissioning of the facility and potential sale of the property. The PA was performed in accordance with the State's *Technical Requirements for Site Remediation* (NJAC 7:26E) and the New Jersey Department of Environmental Protection's (NJDEP) associated guidance.

The ±386-acre property was operated as a ±477-megawatt (MW) net coal- and oil-fired generating facility currently being decommissioned by RCCMH; and includes an operational area, wetlands, riparian lands, former golf course, former tree farm, and vacant lots that previously contained a motel and a residence.

The property is described by the Upper Township Tax Assessor as Block 479, Lots 74, 76, 76.01, 94.01, 97, 98, and 99; and is currently owned by RCCMH. In addition, RCCMH operates a rail easement on Block 661, Lot 81, owned by Atlantic City Electric (ACE).

As a result of the PA, TRC identified 111 AOCs associated with property. A brief description of each AOC and its regulatory status follows:

On December 21, 2000, the NJDEP issued a No Further Action (NFA) letter, to BLE for the following AOCs: Limestone Silo (AOC 21); Hydrated Lime Silos (AOC 22); Bottle Gas Storage Area (AOC 39); Gypsum Storage Building (AOC 45); Dumpsters (AOC 52); Chemical Storage Cabinets or Closets (AOC 53); and Tire Fuel Staging Area (AOC 55).

**ARH Associates**

Corporate Headquarters – 215 Bellevue Avenue – PO Box 579 – Hammonton, NJ 08037 – 609.561.0482 – fax 609.567.8909  
Bloomfield Office – 2 Broad Street – Suite 602 – Bloomfield, NJ 07003 – 973.337.8562 – fax 973.337.8876

**www.arh-us.com**

On July 17, 2002, the NJDEP issued a second NFA letter to BLE for the following AOCs: Two 6,300,000-Gallon No. 6 Fuel Oil Aboveground Storage Tanks (ASTs) (AOC 1); 88,000-Gallon No. 2 Fuel Oil AST (AOC 2); 60,000-Gallon No. 6 Fuel Oil Surge AST (AOC 3); Diesel Fuel Fire Pump Tank (AOC 4); Diesel Fuel-Handling Tank (AOC 5); 5,500-Gallon Sulfuric Acid AST and 5,500-Gallon Caustic ASTs (AOC 7); Sulfuric Acid Tank for Wastewater Treatment (AOC 8); Dust Suppressant Tank - Not in Service (AOC 9); Former Magnesium Oxide Tank (AOC 10); Waste Oil Storage Tank at WWTP - Not in Service (AOC 11); Waste Oil Storage Tank No. 1 in Storage Shed (AOC 12); Waste Oil Storage Tank No. 2 in Storage Shed (AOC 13); Intake Water Screen Wash Pump Fuel Oil Storage (AOC 14); Diesel Fuel AST and Gasoline AST - Adjacent Facility (AOC 15); Two 30,000-Gallon Urea Tanks (AOC 16); Interior Hydrochloric Acid AST (AOC 17); Turbine Oil Tank (AOC 18); 1,000-Gallon Gasoline UST (AOC 19); Unloading Area for 88,000-Gallon No. 2 Fuel Oil AST (AOC 25); Unloading Area for Diesel Fire Pump Fuel Tank (AOC 26); Unloading Area for the Acid AST & Caustic AST for Unit Nos. 1 and 2 (AOC 28); Unloading Area for the Acid AST & Caustic AST for Unit No. 3 (AOC 29); Unloading Area for Sulfuric Acid AST for Wastewater Treatment (AOC 30); Unloading Area for the Dust Suppressant Tank (AOC 31); Unloading Area for Urea ASTs (AOC 32); Unloading Area for Turbine Oil (AOC 34); Forwarding Pumps from the 6.3-Million-Gallon ASTs to the Surge Tank (AOC 35); Forwarding Pumps from the Surge Tank to Unit No. 's 1, 2, and 3 (AOC 36); Forwarding Pumps from the Rail Cars to the 6.3-Million-Gallon Oil Tank (AOC 37); Parts Storage on Ground Floor (AOC 38); Warehouse and Construction Trailers (AOC 40); Oil and Chemical Storage Areas (AOC 41); Oily Waste Roll-off (AOC 42); Oil Storage Building (AOC 43); Storeroom (AOC 44); Two metal Drum Storage Sheds (AOC 46); Oil/Water Separator (AOC 48); Trenches (AOC 57); Drainage Swales and Culverts (AOC 58); Storm Sewer Collection Systems (AOC 59); Stormwater Detention Ponds (AOC 60); Surface Water Bodies (AOC 61); Waste Water Treatment Plant (AOC 64); Scrubber Treatment Plant (AOC 69); Sanitary Sewer Plant (AOC 70); Non-Contact Cooling Water (AOC 72); Air Ducts and Vents (AOC 74); and 550-Gallon Kerosene AST (AOC 81).

On August 29, 2006, the NJDEP issued a third NFA letter to BLE for the following AOCs: Former 175-Gallon Emergency Gasoline Fire Pump UST (AOC 20a); Former 175-Gallon Gasoline Generator UST (AOC 20b); Former 1,000-Gallon Gasoline UST (AOC 20c); Production Wells (AOC 73); Spill No. 14 – No. 6 Fuel Oil Release to Great Egg Harbor Bay (AOC 77c); Spill No. 17 – No. 6 Fuel Oil Spill at the Surge Tank (AOC 77d); Spill No. 24 – Air Line Rupture at the No. 6 Fuel Oil Surge Tank (AOC 77e); Spill No. 29 – Fly Ash and No. 6 Fuel Oil Release to Great Egg Harbor (AOC 77g); and Spill No. 32 – Unit No. 3 No. 6 Fuel Oil Release through Air Vents (AOC 77h).

On June 13, 2007, NJDEP issued a Notice of Deficiency (NOD) letter stating that the remediation of the following AOCs was complete, and an NFA letter would be issued after the filing of all applicable institutional controls at the completion of the industrial site recovery act (ISRA) case: Waste Oil Drum Storage Adjacent to Rail Unloading Section (AOC 47); Oil Drum Storage Area (AOC 75); Spill No. 's 28 & 36 – East Main Storage Tank (AOC 77f); and Spill No. 40 – Contaminated Soil from Former 2,000-Gallon Fuel Oil AST (AOC 77j). However, prior to issuance of NFA letter by NJDEP for these AOCs, the State passed the Site



Remediation Reform Act (SRRA). This Act required remediating parties to retain a licensed site remediation professional (LSRP) to close-out such AOCs.

On May 25, 2011, the first response action outcome (RAO) letter was issued at this site for the following AOC after additional investigation/ remediation: No. 2 Fuel Oil Spill - NJDEP Incident No. 10-02-18-1525-46 (AOC 87).

On September 15, 2014, an AOC-specific, unrestricted use RAO letter was issued for all AOCs listed above as receiving an NFA letter, except for the Production Wells (AOC 73). In addition, the following AOCs were also included in the subject RAO letter: 4,600-Gallon Sulfuric Acid AST and 4,600-Gallon Caustic ASTs (AOC 6); Unloading Area for No. 6 Fuel Oil AST (AOC 24); Spill No. 7 – Drainage Ditch Near Oil/Water Separator (AOC 77b); Spill No. 35 - Ditch near Oil/Water Separator Filled with Oil (AOC 77i); Two Former 150,000-Gallon Settling Ponds (AOC 84); and AST Located Near the Cooling Tower (AOC 86).

On September 15, 2014, an AOC-specific, restricted use with permit requirements RAO letter was issued for the following AOCs: Unloading Area for Diesel Fuel Handling Tank (AOC 27); Unloading Area for Coal (AOC 33); Fly Ash Pond (AOC 51); Sumps (AOC 63); Former Landfill (AOC 65); Fill Material (AOC 66); Transformers (AOC 68); Areas of Stressed Vegetation (AOC 71); Production Wells (AOC 73); Historic Spill No. 41 – The Free-Phase Product Plume (AOC 77); Coal Dust (AOC 79); Four Diesel Generators (AOC 80); Free Product on Water Table (AOC 83); and Site-Wide Ground Water (AOC 85).

On September 15, 2014, an AOC-specific, limited restricted use with permit requirements RAO letter was issued for the following AOCs: Railcars/Railroad Tracks (AOC 23); Former Plant Septic System (AOC 62); and Spill No. 5 – Sullair Compressor Building (AOC 77a).

On June 29, 2015, an AOC-specific, restricted use RAO with permit requirements was issued for the following AOCs after additional investigation/ remediation: Floor Drains (AOC 56) and Coal Pile Runoff Pipe (AOC 78).

As noted in the PA Report, the following ‘known’ AOCs have not been issued either an NFA or RAO letter and remain ‘open’: Slag Ponds (AOC 49); Dredge-Spoils Dewatering Area (AOC 50); Coal Pile Area (AOC 54); Substation (AOC 67); and Slag Piles (AOC 76).

Additionally, the following ‘new’ AOCs were recently identified by TRC and also remain ‘open’: Historically Applied Pesticides on Former Golf Course (AOC 88); Former Golf Course Pesticide Storage Building (AOC 89); Historically Applied Pesticides on Former Tree Farm (AOC 90); Historic Heating Sources for Former Beachfront Building Clay Avenue (AOC 91); Historic Heating Sources for 708 North Shore Road - Former Motel (AOC 92); Historic Heating Sources for 712 N. Shore Road (AOC 93); Surface Water Pond on Former Tree Farm (AOC 94); Surface Water Ponds on Former Golf Course (AOC 95); Stormwater Drainage System on Former Golf Course (AOC 96); Foam Fire Suppression System (AOC 97); Former Septic at Former Motel - 708 N. Shore Road (AOC 98); and Railroad Track System (AOC 99).

In addition to the PA Report, I also reviewed NJDEP’s geographic information system (GIS) mapping for the site via *NJ-GeoWeb*. Specifically, Figure 1 (see enclosed) was generated for the area of impacted soil that is included in the current Deed Notice(s) and associated Remedial Action





Permit(s). Reportedly, this area currently encompasses  $\pm 73.6$  acres and is impacted with the following contaminants: Benzene, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Beryllium, Naphthalene, PCBs, Petroleum Hydrocarbons, and Thallium. Similarly, Figure 2 (see enclosed) was generated for the area of impacted groundwater that is included in the current Classification Exception Area(s) and associated Remedial Action Permit(s). Reportedly, this area currently encompasses  $\pm 35.4$  acres and is impacted with the following contaminants: Arsenic, Beryllium, Benzene, Bis (2-ethylhexyl) phthalate, Chromium, Lead, Nickel, and Thallium.

I've also had some preliminary discussions with Barry Durham from the NAES Corporation, who is currently managing the site closure activities. Although I've not been provided with any further details to-date, I am scheduling to meet on-site with Mr. Durham in an effort to gain a better understanding as to the current status of the 'open' AOCs. Additionally, I'll be requesting copies of the previously issued Remedial Action Permit(s) and associated documents to gain insight into the site-specific environmental restrictions and potential costs to migrate portions of the property from non-residential use to residential use standards.

~~~~~

Should you have any questions regarding the information presented, please do not hesitate to contact me by telephone [609-561-0482 x3227] or email [hweig@arh-us.com]. Additionally, I will provide you with further updates as additional information becomes available.

Sincerely,

A handwritten signature in blue ink that reads 'Henry D. Weigel'.

Henry D. Weigel, PE, LSRP
Associate – Envr. Services

Encl.

Noted contaminants of concern, include: Benzene, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Beryllium, Naphthalene, PCBs, Petroleum Hydrocarbons, and Thallium



ADAMS, REHMANN & HEGGAN
ASSOCIATES, INC.
215 BELLEVUE AVENUE
PO BOX 579
HAMMONTON, NJ 08037-2019
TEL (609) 561-0482
FAX (609) 562-8909
certificate of authorization
NJ no. 246CAZ7973300, DE no. 2167

not to scale

Environmental Assessment	
B.L. England Generating Station	
900 N. Shore Road	
Upper Township, Cape May Co, NJ	
Figure 1	
Soil – Deed Notice Mapping	

Noted contaminants of concern, include: Arsenic, Beryllium, Benzene, Bis (2-ethylhexyl) phthalate, Chromium, Lead, Nickel, and Thallium.



ADAMS, REHMANN & HEGGAN
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certificate of authorization
NJ no. 246A27973300, DE no. 2167

Environmental Assessment

B.L. England Generating Station
900 N. Shore Road

Upper Township, Cape May Co, NJ

Figure 2

Groundwater CEA Mapping



not to scale

APPENDIX IX – Deed Notice



Cape May County Document Summary Sheet

2019119065 Bk X925 Pgs 210-252
Recorded County of Cape May, NJ
Date 12/24/2019 11:29:08 By DH
Rita Marie Fulginiti, County Clerk
Recording Fees \$455.00

CAPE MAY COUNTY CLERK
PO BOX 5000
7 NORTH MAIN STREET
CAPE MAY COURT HOUSE
NJ 08210-5000

Return Name and Address
EJ Baumgarten
TRC Environmental
41 Spring Street, Suite 102
New Providence, NJ 07974

Official Use Only

Submitting Company

TRC Environmental

Document Date (mm/dd/yyyy)

12/04/2019

Document Type

Deed Notice

No. of Pages of the Original Signed Document
(including the cover sheet)

43

Consideration Amount (if applicable)

First Party

(Grantor or Mortgagor or
Assignor)
(Enter up to five names)

Name(s)

(Last Name First Name Middle Initial Suffix)
(or Company Name as written)

RC Cape May Holdings

Address (Optional)

Second Party

(Grantee or Mortgagee or
Assignee)
(Enter up to five names)

Name(s)

(Last Name First Name Middle Initial Suffix)
(or Company Name as written)

Address (Optional)

Parcel Information

(Enter up to three entries)

Municipality

Block

Lot

Qualifier

Property Address

Upper Township

479

76

Reference Information

(Enter up to three entries)

Book Type

Book

Beginning Page

Instrument No.

Recorded/File Date

*DO NOT REMOVE THIS PAGE.

COVER SHEET [DOCUMENT SUMMARY FORM] IS PART OF CAPE MAY COUNTY FILING RECORD.

RETAIN THIS PAGE FOR FUTURE REFERENCE.

43

\$455

- 44819

Return Address:
Rebecca K. Hollender, LSRP
TRC Environmental Corporation
41 Spring Street, Suite 102
New Providence, NJ 07974

Instrument Number

DEED NOTICE

IN ACCORDANCE WITH N.J.S.A. 58:10B-13, THIS DOCUMENT IS TO BE
RECORDED IN THE SAME MANNER AS ARE DEEDS AND OTHER INTERESTS IN
REAL PROPERTY.

Prepared by: _____
[Signature]

Rebecca K. Hollender
[Print name below signature]

Recorded by: _____
[Signature, Officer of County Recording Office]

[Print name below signature]

DEED NOTICE

This Deed Notice is made as of the 4 day of December, 2019, by RC Cape May Holdings, LLC (together with its successors and assigns, collectively "Owner").

1. THE PROPERTY. RC Cape May Holdings, LLC is the owner in fee simple of certain real property designated as Block 479 Lot 76, on the tax map of the Upper Township, Cape May County; the New Jersey Department of Environmental Protection Program Interest Number (Preferred ID) for the contaminated site which includes this property is 011645; and the property is more particularly described in Exhibit A, which is attached hereto and made a part hereof (the "Property").

2. REMEDIATION.

i. Rebecca K. Hollender, Licensed Site Remediation Professional (LSRP), License No. 585022 has approved this Deed Notice as an institutional control for the Property, which is part of the remediation of the Property.

ii. N.J.A.C. 7:26C-7 requires the Owner, among other persons, to obtain a soil remedial action permit for the soil remedial action at the Property. That permit will contain the monitoring, maintenance and biennial certification requirements that apply to the Property.

3. SOIL CONTAMINATION. RC Cape May Holdings, LLC has remediated contaminated soil at the Property, such that soil contamination remains in certain areas of the Property that contains contaminants in concentrations that do not allow for the unrestricted use of the Property; this soil contamination is described, including the type, concentration and specific location of such contaminants, in Exhibit B, which is attached hereto and made a part hereof. As a result, there is a statutory requirement for this Deed Notice and engineering controls in accordance with N.J.S.A. 58:10B-13.

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

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

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

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

ii. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(12), prohibits the conversion of a landfill, with gas venting systems and or leachate collection systems, to a single family residence or a child care facility without the Department's prior written approval.

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

6A. CHANGE IN OWNERSHIP AND REZONING.

i. The Owner and the subsequent owners and lessees, shall cause all leases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly requiring all holders thereof to take the Property subject to the restrictions contained herein and to comply with all, and not to violate any of the conditions of this Deed Notice. Nothing contained in this Paragraph shall be construed as limiting any obligation of any person to provide any notice required by any law, regulation, or order of any governmental authority.

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

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

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

7A. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

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

ii. Except as provided in Paragraph 7B, below, no person shall make, or allow to be made, any alteration, improvement, or disturbance in, to, or about the Property which disturbs any engineering control at the Property without first obtaining a soil remedial action permit modification pursuant to N.J.A.C. 7:26C-7. Nothing herein shall constitute a waiver of the obligation of any person to comply with all applicable laws and regulations including, without limitation, the applicable rules of the Occupational Safety and Health Administration.

iii. Notwithstanding subparagraph 7Aii., above, a soil remedial action permit modification is not required for any alteration, improvement, or disturbance provided that the owner, lessee or operator:

(A) Notifies the Department of Environmental Protection of the activity by calling the DEP Hotline, at 1-877-WARN-DEP or 1-877-927-6337, within twenty-four (24) hours after the beginning of each alteration, improvement, or disturbance;

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

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

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

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

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

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

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

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

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

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

vi. Restores the engineering control to the pre-emergency conditions as soon as possible, and provides notification to the Department of Environmental Protection within sixty (60) calendar days after completion of the restoration of the engineering control, including: (a) the nature and likely cause of the emergency; (b) the potential discharges of or exposures to contaminants, if any, that may have occurred; (c) the measures that have been taken to

mitigate the effects of the emergency on human health and the environment; (d) the measures completed or implemented to restore the engineering control; and (e) the changes to the engineering control or site operation and maintenance plan to prevent reoccurrence of such conditions in the future.

8. TERMINATION OF DEED NOTICE.

i. This Deed Notice may be terminated only upon filing of a Termination of Deed Notice, available at N.J.A.C. 7:26C Appendix C, with the office of the County Clerk of Cape May County, New Jersey, expressly terminating this Deed Notice.

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

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

10. ENFORCEMENT OF VIOLATIONS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) Sample elevation based upon mean sea level;

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

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

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

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

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

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

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

(C) The objective of the restrictions.

ii. Exhibit C-2: Existing Asphalt Pavement. Exhibit C-2 includes a narrative description of Existing Asphalt Pavement as follows:

(A) Description of the engineering control;

(B) The objective of the engineering control; and

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

iii. Exhibit C-3: Existing and New Stone/Aggregate Cover. Exhibit C-3 includes a narrative description of Existing and New Stone/Aggregate Cover as follows:

(A) Description of the engineering control;

(B) The objective of the engineering control; and

(C) How the engineering control is intended to function

iv. Exhibit C-4: Clean Gravel and Existing Riprap Cover: Exhibit C-4 includes a narrative description of the Clean Gravel and Existing Riprap Cover as follows:

(A) Description of the engineering control;

(B) The objective of the engineering control; and

(C) How the engineering control is intended to function

v. Exhibit C-5: Existing Soil Cover: Exhibit C-5 includes a narrative description of the Existing Soil Cover as follows:

(A) Description of the engineering control;

(B) The objective of the engineering control; and

(C) How the engineering control is intended to function

vi. Exhibit C-6: Existing Vegetated Soil Cover: Exhibit C-6 includes a narrative description of the Existing Vegetated Soil Cover as follows:

(A) Description of the engineering control;

(B) The objective of the engineering control; and

(C) How the engineering control is intended to function

vii. Exhibit C-7: Existing Concrete Pavement: Exhibit C-7 includes a narrative description of the Existing Concrete Pavement as follows:

(A) Description of the engineering control;

(B) The objective of the engineering control; and

(C) How the engineering control is intended to function

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

ATTEST:

RC CAPE MAY HOLDINGS, LLC

Barry Durham

By: Russell S. Arlotta

Environmental Manager

[Print name and title]

[Signature]

STATE OF NEW JERSEY
COUNTY OF CAPE MAY

SS.:

I certify that on Dec. 3, 2019, Barry Durham personally came before me, and this person acknowledged under oath, to my satisfaction, that:

(a) this person is the Environmental Manager of RC Cape May Holdings, LLC, the corporation named in this document;

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

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

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

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

[Signature]

Barry Durham, Environmental Manger
[Print name and title of attesting witness]

Signed and sworn before me on December 3, 2019

Karen L Riley, Notary Public

Karen L Riley Admin
[Print name and title]

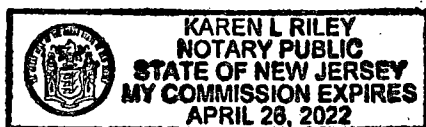


EXHIBIT A-2
Metes and Bounds Description

DESCRIPTION OF PROPERTY

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATE IN THE TOWNSHIP OF UPPER, THE COUNTY OF CAPE MAY AND THE STATE OF NEW JERSEY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL ONE

BEGINNING AT A CONCRETE MONUMENT IN THE NORTHWESTERLY LINE OF SHORE ROAD, U.S. ROUTE 9 (66.00 FEET WIDE) WHERE THE SAME IS INTERSECTED BY THE NORTHEASTERLY LINE OF BLOCK 479, LOT 88.01 AND FROM SAID BEGINNING POINT RUNS; THENCE, ALONG LOT 88.01 (1) NORTH 46° 05' 25" WEST, 127.68 FEET TO A CONCRETE MONUMENT CORNER TO THE SAME; THENCE, STILL ALONG LOT 88.01 AND ALSO ALONG BLOCK 479, LOTS 88.02, 88.03, 88.04 AND 88.05 (2) NORTH 28° 41' 01" WEST, 1,191.44 FEET TO A POINT CORNER TO LOT 88.05 BEARING SOUTH 62° 49' 31" WEST, DISTANT 0.59 FEET TO A CONCRETE MONUMENT; THENCE, ALONG LOT 88.05 (3) SOUTH 47° 50' 26" WEST, 280.39 FEET TO A POINT CORNER COMMON TO THE SAME AND TO BLOCK 479, LOT 88.06 BEARING SOUTH 44° 20' 41" WEST, DISTANT 0.63 FEET TO A CONCRETE MONUMENT; THENCE, ALONG LOT 88.06, BLOCK 479, LOT 77, THE NORTHWESTERLY TERMINUS OF WILKE BOULEVARD (50.00 FEET WIDE) AND BLOCK 677, LOT 11 (4) SOUTH 15° 37' 36" WEST, 990.83 FEET TO A POINT CORNER TO BLOCK 677, LOT 11 WITH CONCRETE MONUMENT ON LINE AND 0.52 FEET SOUTHWEST OF SAID CORNER; THENCE, ALONG THE SAME (5) SOUTH 43° 53' 26" WEST, 139.73 FEET TO A POINT CORNER TO LOT 11 BEARING NORTH 71° 21' 46" EAST, DISTANT 0.27 FEET TO A CONCRETE MONUMENT; THENCE, CONTINUING ALONG LOT 11 (6) SOUTH 46° 06' 34" EAST, 50.00 FEET TO A POINT CORNER TO BLOCK 677, LOT 9 BEARING SOUTH 09° 30' 52" EAST, DISTANT 0.14 FEET TO A CONCRETE MONUMENT; THENCE, ALONG LOT 9 AND ALSO ALONG THE NORTHWESTERLY TERMINUS OF MAPLE SHADE LANE (66.00 FEET WIDE), BLOCK 672, LOTS 9 AND 29, THE NORTHWESTERLY TERMINUS OF HOLLYWOOD AVENUE (66.00 FEET WIDE) AND BLOCK 671, LOTS 9 AND 29 (7) SOUTH 43° 53' 26" WEST, 739.00 FEET TO A CONCRETE MONUMENT IN THE NORTHEASTERLY LINE OF GOLDEN OAK LANE (66.00 FEET WIDE); THENCE ALONG THE SAME (8) NORTH 46° 06' 34" WEST, 50.00 FEET TO A POINT IN THE SAME BEARING SOUTH 43° 53' 26" WEST, DISTANT 0.27 FEET FROM A CONCRETE MONUMENT; THENCE, ALONG THE NORTHWESTERLY TERMINUS OF GOLDEN OAK LANE AND ALSO ALONG BLOCK 663, LOTS 28, 29, 30, 31, 32 AND 4 AND BLOCK 661, LOTS 80.05, 80.06 AND 75 (9) SOUTH 43° 53' 26" WEST, 2,033.98 FEET TO A BROKEN CONCRETE MONUMENT CORNER COMMON TO BLOCK 663, LOTS 75 AND 74; THENCE, ALONG LOT 74 AND ALSO ALONG BLOCK 663, LOTS 60, 59 AND 58, THE NORTHWESTERLY TERMINUS OF BOYD AVENUE (60.00 FEET WIDE) AND BLOCK 661, LOTS 57, 56, 39, 35, THE NORTHWESTERLY TERMINUS OF GLORY ROAD (WIDTH VARIES) AND BLOCK 661, LOTS 34.10, 33, 25, 16, 15, 14, 13, 12, 11 THE NORTHWESTERLY TERMINUS OF THE PENNSYLVANIA READING SEASHORE LINES ATLANTIC CITY RAILROAD BEASLEY POINT BRANCH AND BLOCK 479, LOT 65 (10) SOUTH 66° 51' 15" WEST, 4,510.51 FEET TO A POINT CORNER COMMON TO BLOCK 479, LOTS 65 AND 51.01 BEARING NORTH 79° 00' 00" EAST, DISTANT 0.52 FEET TO A CONCRETE MONUMENT; THENCE, ALONG LOT 51.01 (11) NORTH 29° 20' 36" WEST, 502.94 FEET TO A POINT IN THE LINE OF THE SAME CORNER TO BLOCK 479, LOT 50 BEARING SOUTH 66° 51' 15" WEST, DISTANT 0.56 FEET TO A CONCRETE MONUMENT; THENCE, ALONG LOT 50 AND ALSO ALONG BLOCK 479, LOTS 66, 67, 68, 69 AND 70 (12) NORTH 66° 51' 15" EAST, 4,378.66 FEET TO A POINT CORNER TO LOT 70; THENCE, ALONG LOT 70 AND ALSO ALONG BLOCK 479, LOTS 71 AND 72 (13) NORTH 43° 53' 26" EAST, 1,698.00 FEET TO A POINT CORNER TO LOT 72 BEARING NORTH 42° 28' 41" EAST, DISTANT 3.07 FEET TO A CONCRETE MONUMENT; THENCE, STILL ALONG LOT 72 (14) NORTH 49° 54' 09" WEST, 266.58 FEET TO A POINT CORNER TO BLOCK 479, LOT 73; THENCE, ALONG LOT 73 THE FOLLOWING THREE COURSES: (15) NORTH 43° 53' 26" EAST, 329.93 FEET TO A POINT; THENCE, (16) NORTH 46° 06' 34" WEST, 17.00 FEET TO A POINT; THENCE, (17) NORTH 43° 53' 26" EAST, 739.00 FEET TO A POINT CORNER TO THE SAME BEARING NORTH 31° 35' 41" EAST, DISTANT 6.45 FEET TO AN IRON PIPE; THENCE, CONTINUING ALONG BLOCK 479, LOT 73 (18) NORTH 46° 06' 34" WEST, 1,194 FEET MORE OR LESS (1193.65 FEET TO A CONNECTING COURSE) TO A POINT IN THE EASTERLY APPROXIMATE MEAN HIGH WATER LINE FOR THE SOUTH FORK OF FLAT CREEK; THENCE, ALONG THE

SOURCE: ALTA/ACSM Land Title Survey for the Lands of Atlantic City Electric Company Known as the BL England Generating Station; Block 479, Lots 74, 76, 76.01, 94.01, 97, 98 & 99; Block 661, Lot 81; Upper Township, Cape May County, New Jersey. Prepared by Taylor, Wiseman & Taylor; October 1999.

EXHIBIT A-2
Metes and Bounds Description

APPROXIMATE MEAN HIGH WATER LINE FOR THE SOUTH FORK OF FLAT CREEK, AN UNNAMED TRIBUTARY OF THE SOUTH FORK OF FLAT CREEK, THE SOUTH FORK OF FLAT CREEK, THE NORTH FORK OF FLAT CREEK, THE TUCKAHOE RIVER, AN UNNAMED TRIBUTARY OF THE TUCKAHOE RIVER AND GREAT EGG HARBOR BAY THE VARIOUS COURSES AND DISTANCES WITH A CONNECTING COURSE OF NORTH 28° 09' 02" EAST, 4,137.64 FEET (19) NORTHWARDLY, 34,426 FEET MORE OR LESS TO A POINT IN THE APPROXIMATE MEAN HIGH WATER LINE OF THE GREAT EGG HARBOR BAY; THENCE, EXTENDING INTO THE BAY (20) NORTH 50° 45' 29" EAST, 827 FEET MORE OR LESS (827.44 FEET FROM THE CONNECTING COURSE) TO A POINT IN THE MODIFIED PIER HEAD LINE ESTABLISHED FOR THE GREAT EGG HARBOR BAY; THENCE, CONTINUING THROUGH THE GREAT EGG HARBOR BAY ALONG SAID MODIFIED PIER HEAD LINE (21) SOUTH 39° 14' 31" EAST, 1,600.00 FEET TO A POINT IN THE SAME; THENCE, CONTINUING THROUGH THE GREAT EGG HARBOR BAY (22) SOUTH 50° 45' 29" WEST, 300.00 FEET TO A POINT IN THE EXTERIOR LINE FOR SOLID FILL FOR THE GREAT EGG HARBOR BAY; THENCE, ALONG THE SAME (23) SOUTH 39° 14' 31" EAST, 675.45 FEET TO A POINT WHERE THE SAME IS INTERSECTED BY THE NORTH EASTWARDLY PROLONGATION OF THE NORTHWESTERLY LINE OF BLOCK 479, LOT 107; THENCE, ALONG SAID NORTH EASTWARDLY PROLONGATION OF THE NORTHWESTERLY LINE OF BLOCK 479, LOT 107 AND CONTINUING ALONG THE NORTHWESTERLY LINE OF LOT 107 (24) SOUTH 20° 39' 45" WEST, 861.08 FEET TO A CONCRETE MONUMENT IN THE NORTHEASTERLY LINE OF CLAY AVENUE (50.00 FEET WIDE); THENCE, ALONG THE SAME (25) NORTH 69° 28' 34" WEST, 501.08 FEET TO A CONCRETE MONUMENT IN THE SAME; THENCE, CROSSING THE NORTHWESTERLY TERMINUS OF CLAY AVENUE AND EXTENDING ALONG BLOCK 479, LOTS 106.02, 106.01, 105 AND 101 (26) SOUTH 20° 39' 45" WEST, 650.48 FEET, PASSING OVER A CONCRETE MONUMENT 0.94 FEET FROM THE CORNER, TO A POINT IN THE NORTHEASTERLY LINE OF HARDING AVENUE (50.00 FEET WIDE); THENCE, ALONG THE SAME (27) NORTH 69° 28' 34" WEST, 501.08 FEET TO A CONCRETE MONUMENT FOR A CORNER WHERE THE SAME IS INTERSECTED BY THE SOUTHWESTERLY LINE OF SPENCER AVENUE (50.00 FEET WIDE); THENCE, ALONG THE SOUTHWESTERLY LINE OF SPENCER AVENUE (28) SOUTH 21° 18' 34" EAST, 1,127.00 FEET TO AN ANGLE POINT IN THE SAME MARKED BY A CONCRETE MONUMENT FOR A CORNER; THENCE, STILL ALONG THE SAME (29) SOUTH 57° 21' 32" EAST, 168.09 FEET TO A CONCRETE MONUMENT IN THE AFOREMENTIONED NORTHWESTERLY LINE OF SHORE ROAD; THENCE, ALONG THE SAME (30) SOUTH 20° 31' 26" WEST, 414.67 FEET TO A CONCRETE MONUMENT IN THE SAME CORNER TO BLOCK 479, LOT 96; THENCE, ALONG LOT 96 (31) NORTH 69° 28' 34" WEST, 150.53 FEET TO A POINT CORNER TO THE SAME BEARING SOUTH 32° 23' 06" WEST, DISTANT 1.50 FEET FROM A REBAR; THENCE, STILL ALONG THE SAME (32) SOUTH 70° 24' 02" WEST, 38.08 FEET TO A REBAR IN THE NORTHEASTERLY LINE OF BLOCK 479, LOT 95; THENCE, ALONG LOT 95 PASSING OVER A MONUMENT 0.33 FEET FROM THE AFOREMENTIONED CORNER (33) NORTH 20° 40' 22" WEST, 54.82 FEET TO A CONCRETE MONUMENT, CORNER TO THE SAME; THENCE, STILL ALONG THE SAME AND ALSO ALONG BLOCK 479, LOT 94.02 (34) SOUTH 65° 51' 10" WEST, 303.03 FEET TO A CONCRETE MONUMENT, CORNER TO LOT 94.02; THENCE, ALONG LOT 94.02 (35) SOUTH 26° 25' 53" EAST, 101.55 FEET TO A POINT CORNER TO BLOCK 479, LOT 93 BEARING SOUTH 63° 51' 01" WEST, DISTANT 0.21 FEET FROM A CONCRETE MONUMENT; THENCE, ALONG LOT 93 AND ALSO ALONG BLOCK 479, LOT 92 (36) SOUTH 63° 51' 01" WEST, 217.32 FEET TO A CONCRETE MONUMENT, CORNER TO LOT 92; THENCE, ALONG LOT 92 AND ALSO ALONG BLOCK 479, LOT 91 (37) SOUTH 26° 08' 59" EAST, 350.00 FEET TO A STONE WITH A DRILL HOLE CORNER TO LOT 91; THENCE, ALONG THE SAME (38) SOUTH 46° 06' 34" EAST, 149.72 FEET TO A CONCRETE MONUMENT IN THE AFOREMENTIONED NORTHWESTERLY LINE OF SHORE ROAD; THENCE, ALONG SAID LINE OF SHORE ROAD (39) SOUTH 43° 53' 26" WEST, 160.87 FEET TO THE POINT AND PLACE OF BEGINNING.

SAID ABOVE DESCRIBED PARCEL OF LAND CONTAINING WITHIN SAID BOUNDS 425.7 ACRES MORE OR LESS.

SOURCE: ALTA/ACSM Land Title Survey for the Lands of Atlantic City Electric Company Known as the BL England Generating Station; Block 479, Lots 74, 76, 76.01, 94.01, 97, 98 & 99; Block 661, Lot 81; Upper Township, Cape May County, New Jersey. Prepared by Taylor, Wiseman & Taylor; October 1999.

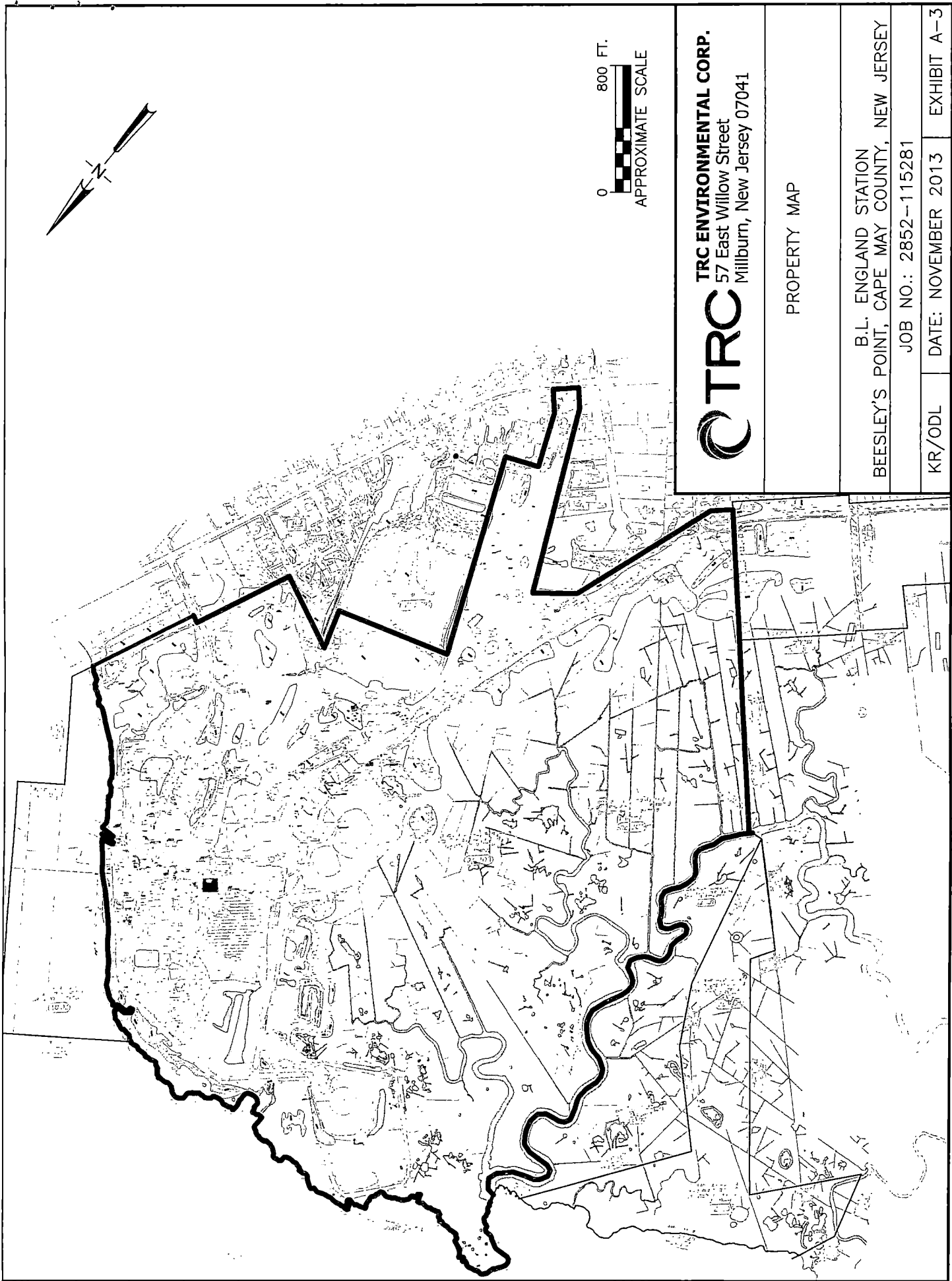
EXHIBIT A-2
Metes and Bounds Description

PARCEL TWO

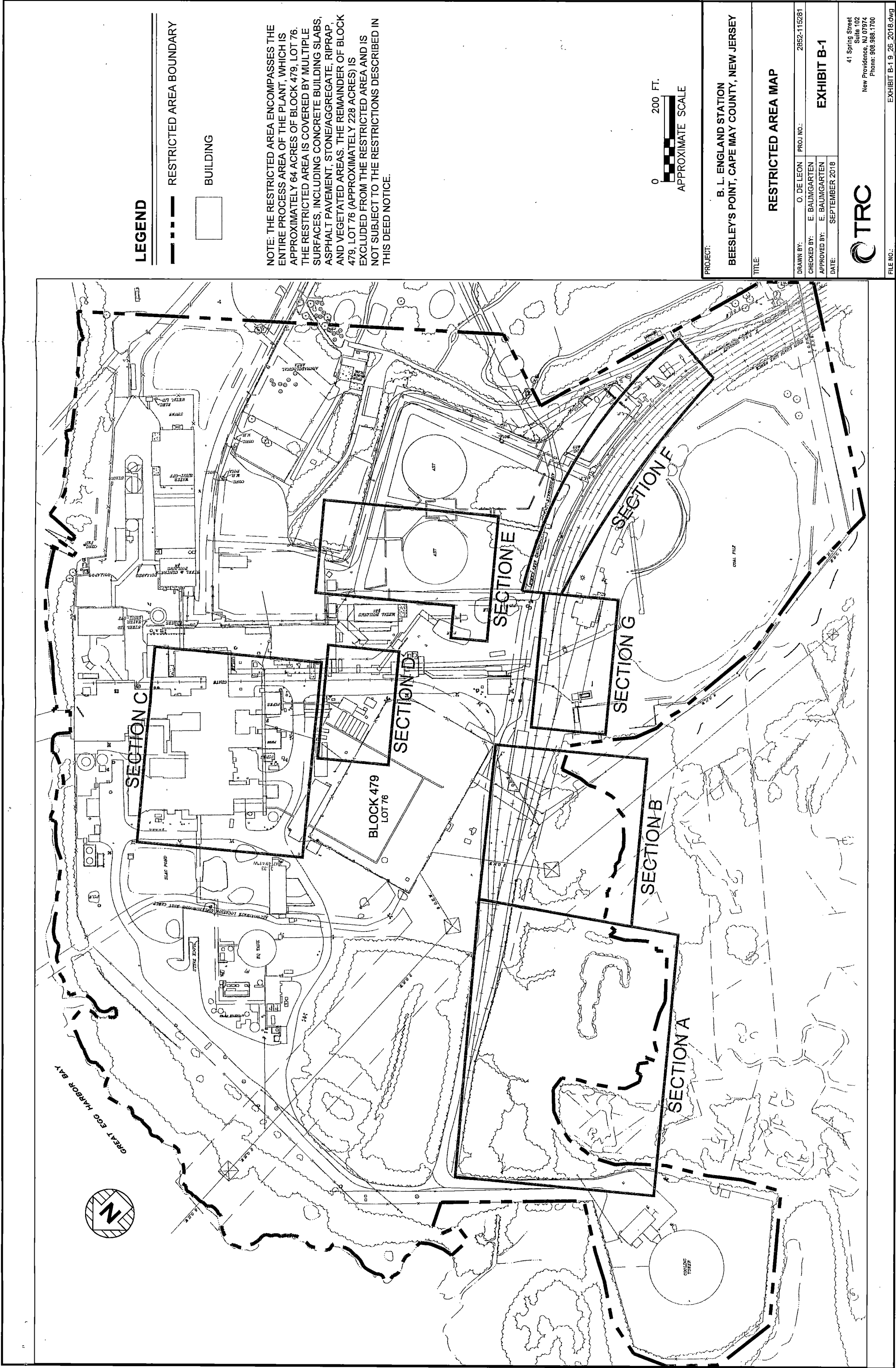
BEGINNING AT A POINT IN THE APPROXIMATE MEAN HIGH WATER LINE ON THE WESTERLY BANK OF THE SOUTH FORK OF FLAT CREEK WHERE THE SAME IS INTERSECTED BY THE NORTHEASTERLY LINE OF BLOCK 479, LOT 73, SAID POINT BEING THE FOLLOWING TWO COURSES FROM WHERE THE NORTHEASTERLY LINE OF BLOCK 479, LOT 73 INTERSECTS THE NORTHWESTERLY LINE OF BLOCK 661, LOT 81 WHERE AN IRON PIPE WAS FOUND BEARING NORTH 31° 35' 41" EAST, DISTANT 6.45 FEET FROM SAID CORNER; THENCE, ALONG THE NORTHEASTERLY LINE OF LOT 73 (A) NORTH 46° 06' 34" WEST, 1,193.65 FEET TO A POINT IN THE APPROXIMATE MEAN HIGH WATER LINE ON THE EASTERLY BANK OF THE SOUTH FORK OF FLAT CREEK; THENCE, CROSSING THE SOUTH FORK OF FLAT CREEK (B) SOUTH 80° 24' 56" WEST, 93.47 FEET TO THE POINT AND PLACE OF BEGINNING AND FROM SAID BEGINNING POINT RUNS; THENCE, ALONG LOT 73 THE FOLLOWING FOUR COURSES: (1) NORTH 50° 06' 04" WEST, 715.67 FEET TO A POINT; THENCE, (2) NORTH 27° 35' 43" EAST, 165.00 FEET TO A POINT; THENCE, (3) NORTH 43° 07' 25" WEST, 1,468.55 FEET TO A POINT; THENCE, (4) SOUTH 36° 37' 41" WEST, 722 FEET MORE OR LESS (721.98 FEET TO A CONNECTING COURSE) TO A POINT IN THE EASTERLY APPROXIMATE MEAN HIGH WATER LINE OF SCHOONER CREEK; THENCE, ALONG SAID APPROXIMATE MEAN HIGH WATER LINE OF SCHOONER CREEK THE VARIOUS COURSES AND DISTANCES WITH A CONNECTING COURSE OF NORTH 19° 26' 59" WEST, 424.10 FEET (5) NORTHWESTWARDLY, 556 FEET MORE OR LESS TO A POINT IN THE SAME WHERE IT IS INTERSECTED BY THE EASTERLY LINE OF BLOCK 479, LOT 71; THENCE, ALONG THE EASTERLY LINE OF LOT 71 (6) NORTH 19° 11' 41" EAST, 299 FEET MORE OR LESS (229.25 FEET TO A CONNECTING COURSE) TO A POINT IN THE APPROXIMATE MEAN HIGH WATER LINE OF THE TUCKAHOE RIVER; THENCE, ALONG THE SOUTHERLY APPROXIMATE MEAN HIGH WATER LINE OF THE TUCKAHOE RIVER THE VARIOUS COURSES AND DISTANCES WITH A CONNECTING COURSE OF NORTH 59° 03' 27" EAST, 1,781.00 FEET (7) EASTWARDLY, 5,404 FEET MORE OR LESS TO A POINT WHERE THE SAME IS INTERSECTED BY THE NORTHWESTERLY LINE OF BLOCK 479 LOT 75; THENCE, ALONG LOT 75 THE FOLLOWING THREE COURSES: (8) SOUTH 31° 52' 41" WEST, 1,134 FEET MORE OR LESS (1,133.76 FROM THE CONNECTING COURSE) TO A POINT; THENCE, (9) SOUTH 49° 54' 14" EAST, 651.75 FEET TO A POINT; THENCE, (10) SOUTH 32° 06' 26" EAST, 408 FEET MORE OR LESS (408.07 FEET TO A CONNECTING COURSE) TO A POINT IN THE AFOREMENTIONED WESTERLY APPROXIMATE MEAN HIGH WATER LINE OF THE SOUTH FORK OF FLAT CREEK; THENCE, ALONG THE SAME THE VARIOUS COURSES AND DISTANCES WITH A CONNECTING COURSE OF SOUTH 17° 32' 08" EAST, 1,014.98 FEET (11) SOUTHWARDLY, 1,772 FEET MORE OR LESS TO THE POINT AND PLACE OF BEGINNING.

SAID ABOVE DESCRIBED PARCEL OF LAND CONTAINING WITHIN SAID BOUNDS 35.9 ACRES MORE OR LESS.

SOURCE: ALTA/ACSM Land Title Survey for the Lands of Atlantic City Electric Company Known as the BL England Generating Station; Block 479, Lots 74, 76, 76.01, 94.01, 97, 98 & 99; Block 661, Lot 81; Upper Township, Cape May County, New Jersey. Prepared by Taylor, Wiseman & Taylor; October 1999.



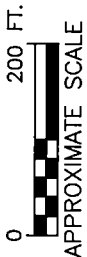
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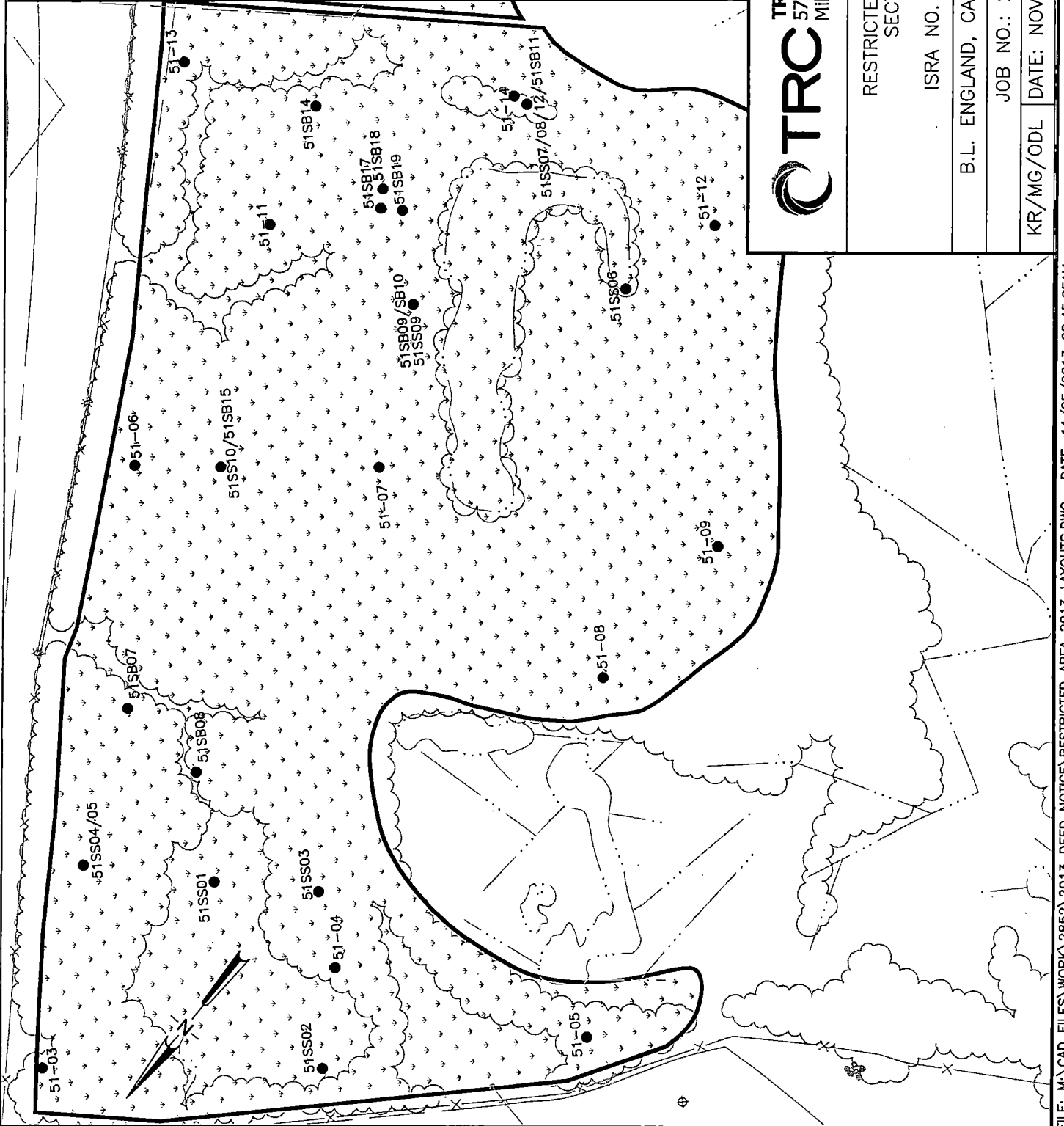
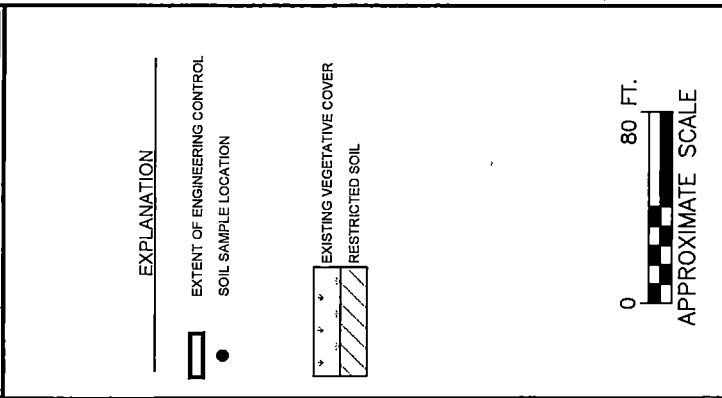
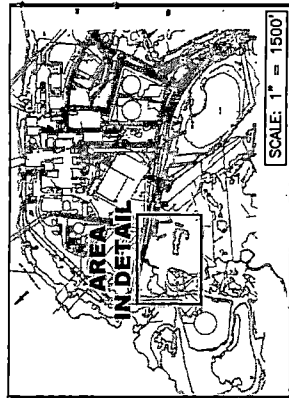
LEGEND

- RESTRICTED AREA BOUNDARY
- BUILDING

NOTE: THE RESTRICTED AREA ENCOMPASSES THE ENTIRE PROCESS AREA OF THE PLANT, WHICH IS APPROXIMATELY 64 ACRES OF BLOCK 479, LOT 76. THE RESTRICTED AREA IS COVERED BY MULTIPLE SURFACES, INCLUDING CONCRETE BUILDING SLABS, ASPHALT PAVEMENT, STONE/AGGREGATE, RIPRAP, AND VEGETATED AREAS. THE REMAINDER OF BLOCK 479, LOT 76 (APPROXIMATELY 228 ACRES) IS EXCLUDED FROM THE RESTRICTED AREA AND IS NOT SUBJECT TO THE RESTRICTIONS DESCRIBED IN THIS DEED NOTICE.



PROJECT:	B. L. ENGLAND STATION BEESLEY'S POINT, CAPE MAY COUNTY, NEW JERSEY		
TITLE:	RESTRICTED AREA MAP		
DRAWN BY:	O. DE LEON	PROJ. NO.:	2852-115281
CHECKED BY:	E. BAUMGARTEN	EXHIBIT B-1	
APPROVED BY:	E. BAUMGARTEN		
DATE:	SEPTEMBER 2018	 41 Spring Street Suite 102 New Providence, NJ 07974 Phone: 908.988.1700	
FILE NO.:	EXHIBIT B-1 9_26_2018.dwg		



TRC ENVIRONMENTAL CORP.
 57 East Willow Street
 Millburn, New Jersey 07041

RESTRICTED AREA MAP
 SECTION A

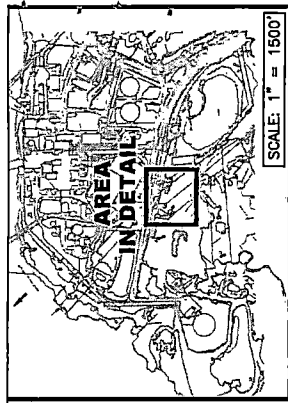
ISRA NO. E20000028

B.L. ENGLAND, CAPE MAY COUNTY, NJ

JOB NO.: 2852-115281

KR/MG/ODL DATE: NOVEMBER 2013 EXHIBIT B-1A

FILE: M:\CAD FILES\WORK\2852\2013 DEED NOTICE\RESTRICTED AREA 2013 LAYOUTS.DWG, DATE: 11/25/2013 08:45:25AM

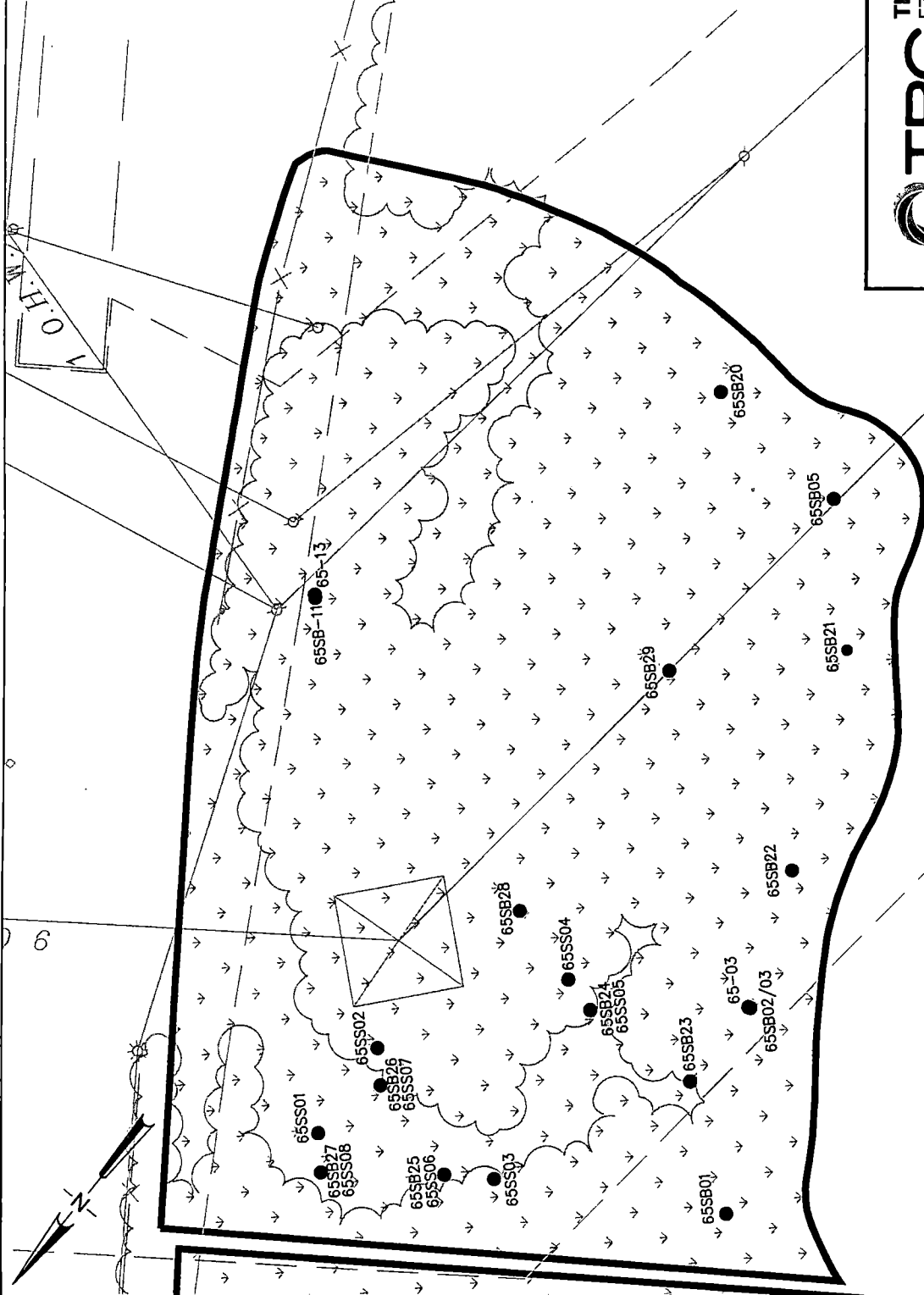


EXPLANATION

EXTENT OF ENGINEERING CONTROL
SOIL SAMPLE LOCATION

EXISTING VEGETATIVE COVER
RESTRICTED SOIL

0 50 FT.
APPROXIMATE SCALE



TRC ENVIRONMENTAL CORP.
57 East Willow Street
Millburn, New Jersey 07041

RESTRICTED AREA MAP
SECTION B

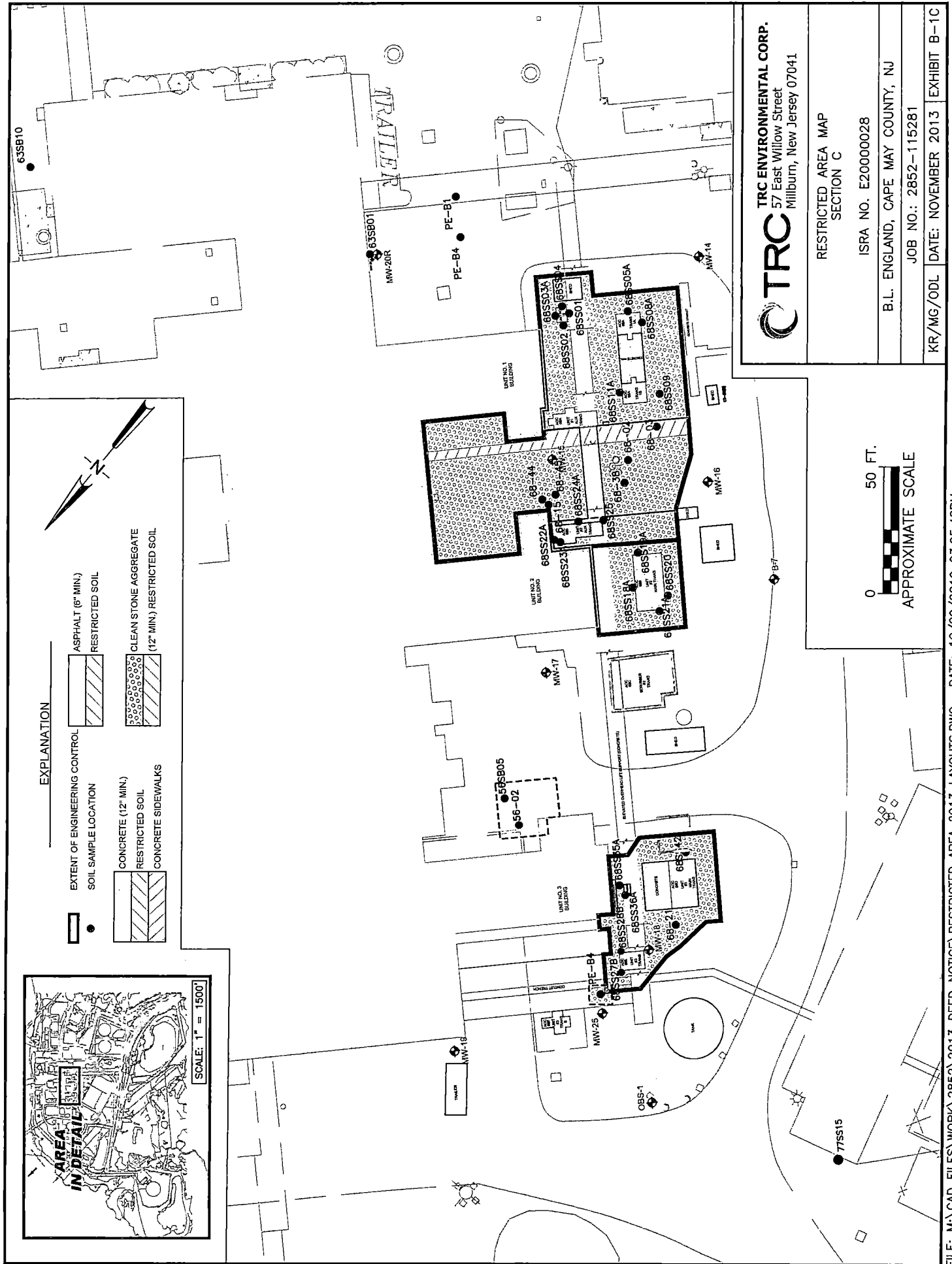
ISRA NO. E20000028

B.L. ENGLAND, CAPE MAY COUNTY, NJ

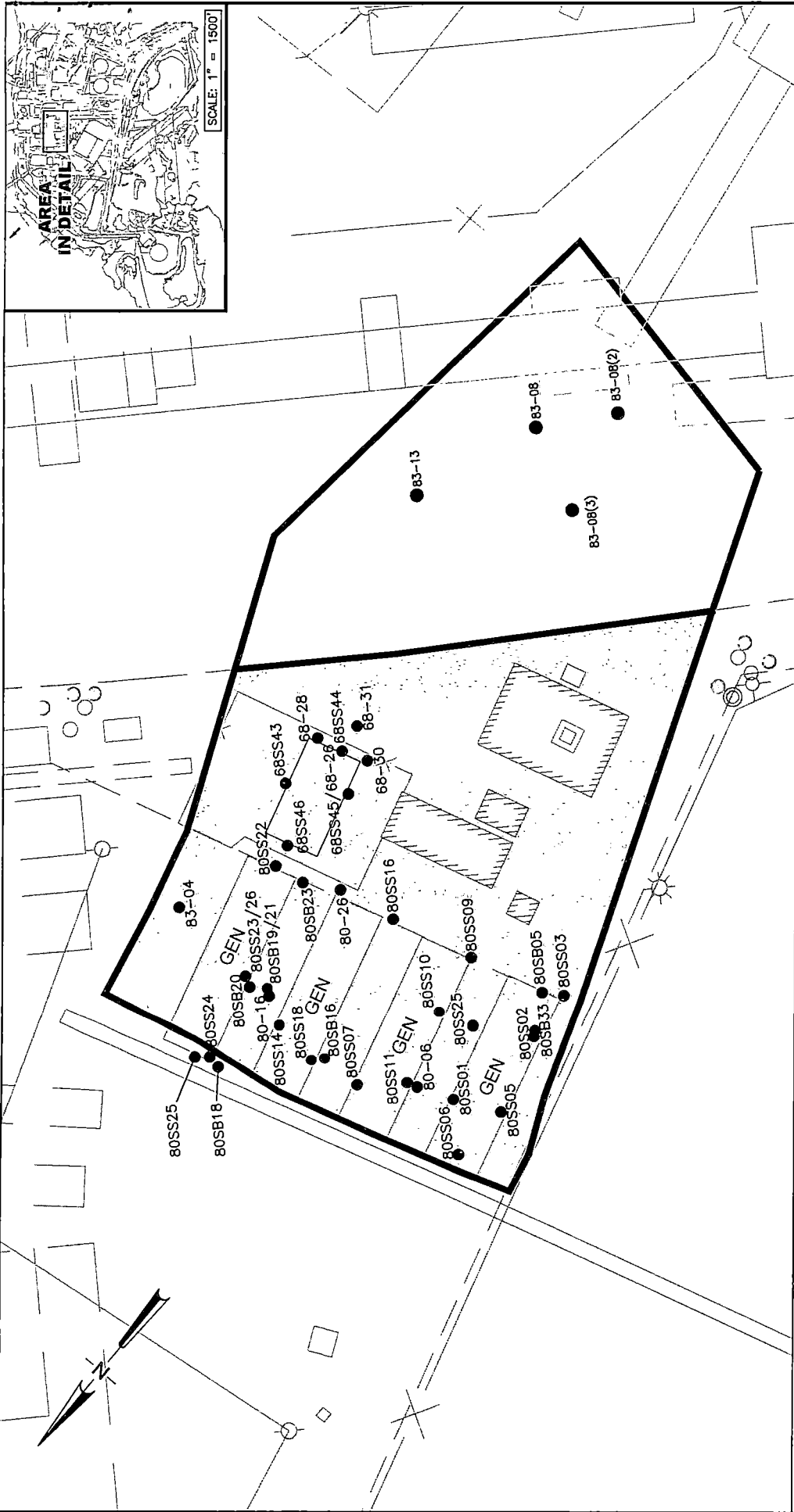
JOB NO.: 2852-115281

KR/MG/ODL DATE: NOVEMBER 2013 EXHIBIT B-1B

FILE: M:\CAD FILES\WORK\2852\2013 DEED NOTICE\RESTRICTED AREA 2013 LAYOUTS.DWG, DATE: 11/26/2013 08:27:27AM



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TRC **TRC ENVIRONMENTAL CORP.**
 57 East Willow Street
 Millburn, New Jersey 07041

RESTRICTED AREA MAP
 SECTION D

ISRA NO. E20000028

B.L. ENGLAND, CAPE MAY COUNTY, NJ

JOB NO.: 2852-115281

KR/MG/ODL DATE: NOVEMBER 2013 EXHIBIT B-1D

EXPLANATION

EXTENT OF ENGINEERING CONTROL

SOIL SAMPLE LOCATION

CONCRETE (12" MIN.)

RESTRICTED SOIL

ASPHALT (6" MIN.)

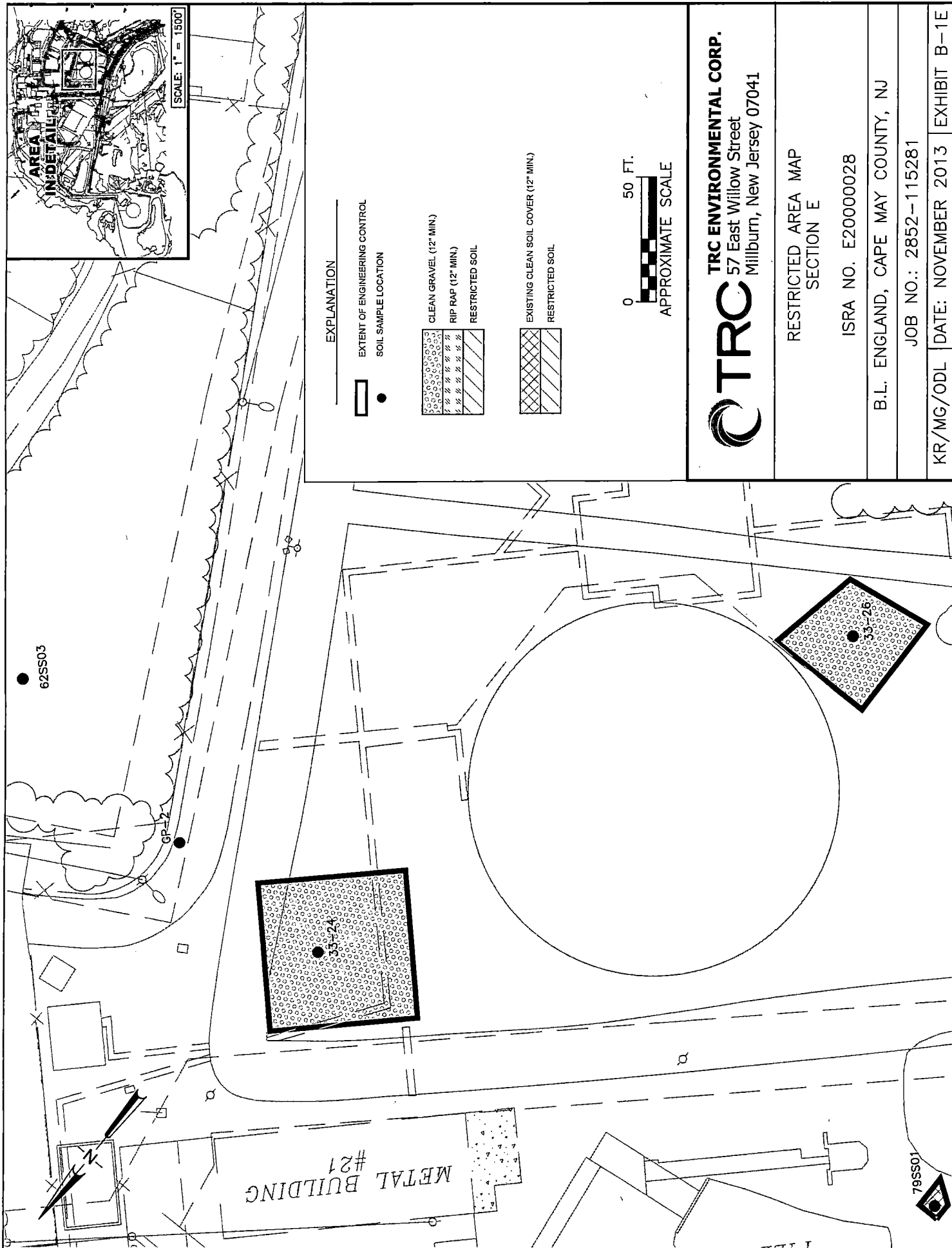
RESTRICTED SOIL

CLEANSTONE AGGREGATE (12" MIN.)

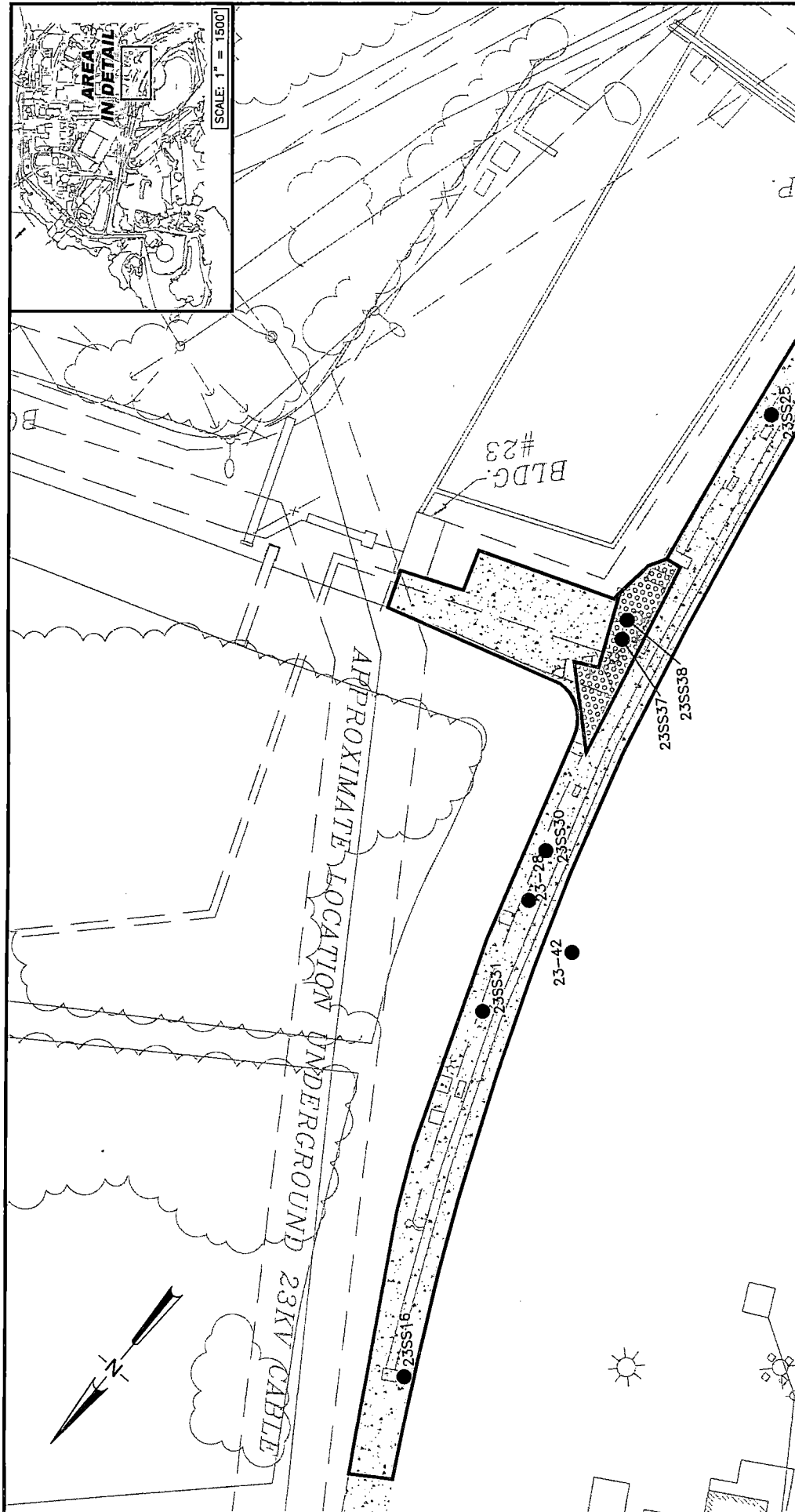
RESTRICTED SOIL

0 30 FT.

APPROXIMATE SCALE



FILE: M:\CAD FILES\WORK\2852\2013 DEED NOTICE\RESTRICTED AREA 2013 LAYOUTS.DWG, DATE: 11/26/2013 08:30:10AM



TRC ENVIRONMENTAL CORP.
57 East Willow Street
Millburn, New Jersey 07041

RESTRICTED AREA MAP
SECTION F

ISRA NO. E20000028

B.L. ENGLAND, CAPE MAY COUNTY, NJ

JOB NO.: 115281

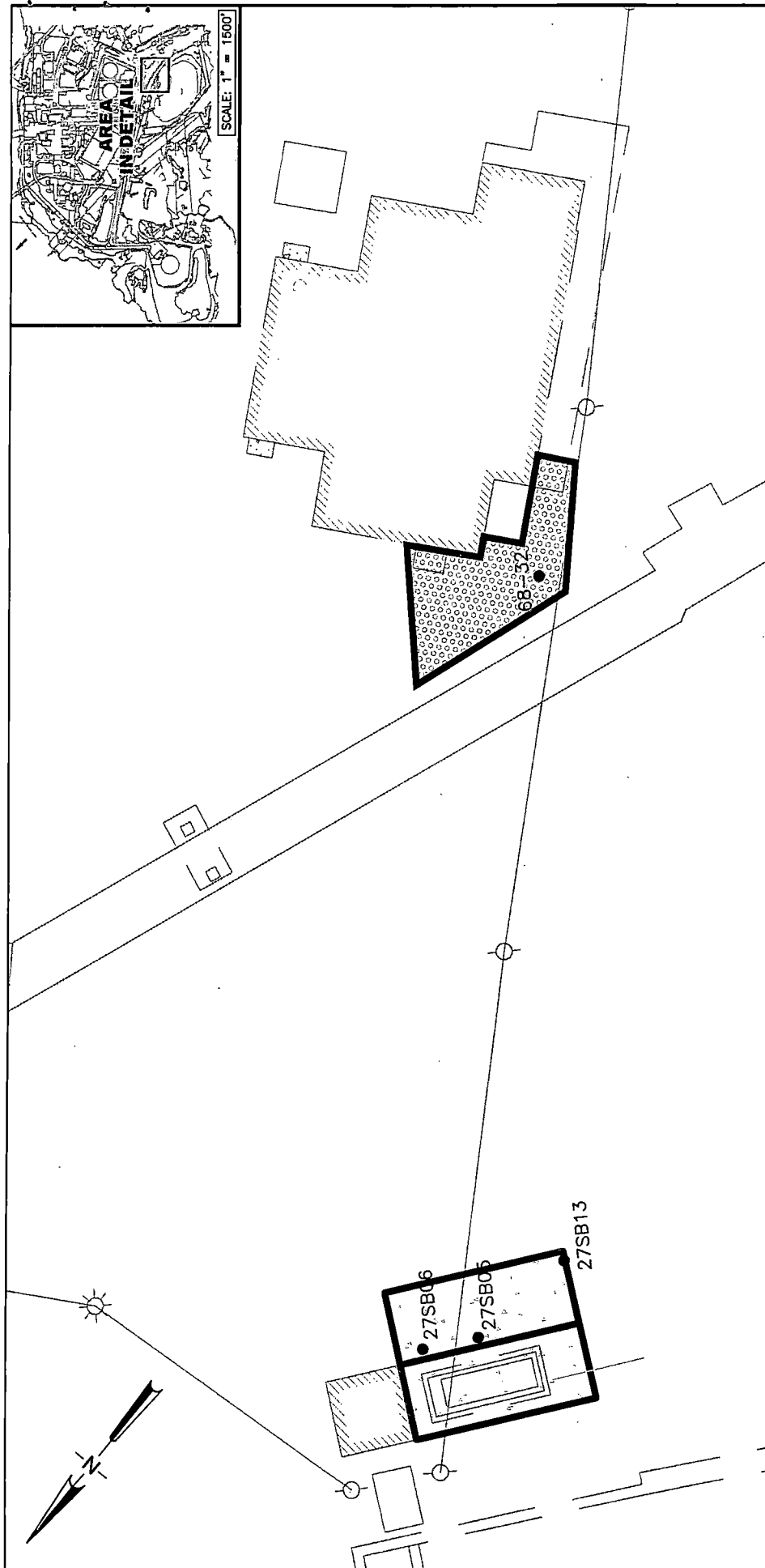
KR/MG/ODL DATE: NOVEMBER 2013 EXHIBIT B-1F

0 50 FT.
APPROXIMATE SCALE

EXPLANATION

● SOIL SAMPLE LOCATION

CONCRETE (6" MIN.)
RESTRICTED SOIL
CLEAN STONE AGGREGATE



TRC **TRC ENVIRONMENTAL CORP.**
 57 East Willow Street
 Millburn, New Jersey 07041

RESTRICTED AREA MAP
 SECTION G

ISRA NO. E20000028

B.L. ENGLAND, CAPE MAY COUNTY, NJ

JOB NO.: 2852-115281

KR/MG/ODL DATE: NOVEMBER 2013 EXHIBIT B-1G

EXPLANATION	
	EXTENT OF ENGINEERING CONTROL
	SOIL SAMPLE LOCATION
	CONCRETE (12" MIN.)
	RESTRICTED SOIL
	CLEAN STONE AGGREGATE (12" MIN.)
	RESTRICTED SOIL

0 40 FT.
 APPROXIMATE SCALE

FILE: M:\CAD FILES\WORK\2852\2013 DEED NOTICE\RESTRICTED AREA 2013 LAYOUTS.DWG, DATE: 11/26/2013 08:31:52AM

Table I for Exhibit B-2
Restricted Area Data Table - Total Petroleum Hydrocarbons (TPH)
BL England Generating Station - Beesley's Point, New Jersey
Page 1 of 3

Sample Name: Sample Date:		27SB05	27SB06	27SB13	56-02 07/02/08	56SB05 08/23/04	63SB01 08/24/01	PE-B1 12/16/09	PE-B4 12/16/09
Sample depth (feet below surface):		2.0-2.5	2.0-2.5	5.5-6.0	4.5-5.0	3.58-4.0	5.5-6	9.0-9.5	9.0-9.5
Sample Elevation (ft. msl):					NA		(-0.5)-(-1.0)	NA	NA
Parameter	CAS Number								
TPH	--	25600	30100	5150	90400	44000	23700	5780	5830
Sample Name: Sample Date:		68-21 06/24/08	68-21 11/03/09	68SS05A 05/03/01	68SS08A 05/03/01	68SS09 03/15/01	68SS11A 05/03/01	68SS18A 06/06/01	68SS19A 06/06/01
Sample depth (feet below surface):		3.5-4.0	4.5-5.0	3.7-4.2	3.2-3.7	3.0-3.8	0.0-0.5	2.7-3.2	2.9-3.4
Sample Elevation (ft. msl):		1.0-1.5	0-0.5	0.8-1.3	1.3-1.8	1.2-2.0	4.5-5.0	1.8-2.3	1.6-2.5
Parameter	CAS Number								
TPH	--	28600	20100	21400	37600	42100	37500	298000	151000
Sample Name: Sample Date:		68SS21A 06/06/01	68SS22A 06/06/01	68SS23A 06/06/01	68SS27B 05/03/01	68SS28B 05/03/01	68SS35A 04/12/01	68SS36A 04/12/01	68SS42 04/12/01
Sample depth (feet below surface):		3.0-3.5	1.7-2.2	2.3-2.8	4.0-4.5	3.7-4.2	2.5-3.0	2.5-3.0	4.0-4.5
Sample Elevation (ft. msl):		1.5-2.0	2.8-3.3	2.2-2.7	0.5-1.0	0.8-1.3	2.0-2.5	2.0-2.5	0.5-1.0
Parameter	CAS Number								
TPH	--	140000	32600	36500	17400	15600	31600	18000	27300

TPH Soil Remediation Standard Summary:

For discharges of No. 2 fuel oil and/or diesel fuel (defined as Category 1 in the NJDEP's August 2010 EPH Protocol), TPH concentrations in soil were compared to the RDCSRs of 5,100 ppm or the residual free product limit of 8,000 ppm. As approved by the NJDEP, TPH concentrations in AOCs 77 and 80 were compared to a criterion of 10,000 ppm.

For all other petroleum discharges (defined as Category 2 in the NJDEP's August 2010 EPH Protocol), TPH concentrations in soil were compared to the residual free product limit of 17,000 ppm.

Table I for Exhibit B-2
Restricted Area Data Table - Total Petroleum Hydrocarbons (TPH)
BL England Generating Station - Beesley's Point, New Jersey
Page 2 of 3

Sample Name:		77SS15	80-06	80-16	80-16	80SB05	80SB16	80SB18	80SB19
Sample Date:		10/10/03	06/18/08	06/20/08	06/20/08	10/21/03	10/22/03	10/22/03	10/22/03
Sample depth (feet below surface):		0.0-0.5	1.5-2.0	0.0-0.5	2.0-2.5	2.0-2.5	1.5-2.0	3.5-4.0	1.0-1.5
Sample Elevation (ft. msl):		NA	3.0-3.5	4.5-5.0	2.5-3.0	2.5-3.0	3.0-3.5	1.0-1.5	3.5-4.0
Parameter	CAS Number								
TPH	--	24000	7310	23500	19300	22400	16100	28100	32400

Sample Name:		80SB20	80SB21	80SB23	80SB33	80SS01	80SS02	80SS03	80SS05
Sample Date:		10/22/03	10/22/03	10/22/03	12/14/04	06/06/01	06/06/01	06/06/01	06/06/01
Sample depth (feet below surface):		2.5-3.0	1.0-1.5	1.8-2.3	2.0-2.5	1.58-2.08	2.17-2.67	1.82-2.33	1.42-1.92
Sample Elevation (ft. msl):		2.0-2.5	3.5-4.0	2.7-3.2	2.5-3.0	2.92-3.42	2.33-2.83	2.67-3.18	3.08-3.58
Parameter	CAS Number								
TPH	--	21400	32500	31500	13600	50500	25500	412000	35100

Sample Name:		80SS06	80SS07	80SS09	80SS10	80SS11	80SS14	80SS16	80SS18
Sample Date:		06/07/01	06/07/01	06/07/01	06/07/01	06/07/01	06/14/01	06/14/01	06/14/01
Sample depth (feet below surface):		1.17-1.67	1.25-1.75	1.67-2.17	0.0-0.5	0.5-1.0	0.0-0.5	1.33-1.83	0.83-1.33
Sample Elevation (ft. msl):		2.33-3.83	3.25-3.75	2.83-3.33	4.5-5.0	4.0-4.5	4.0-5.0	3.17-3.67	3.67-4.17
Parameter	CAS Number								
TPH	--	38600	411000	1460000	490000	57500	13200	7270	185000

TPH Soil Remediation Standard Summary:

For discharges of No. 2 fuel oil and/or diesel fuel (defined as Category 1 in the NJDEP's August 2010 EPH Protocol), TPH concentrations in soil were compared to the RDCSRs of 5,100 ppm or the residual free product limit of 8,000 ppm. As approved by the NJDEP, TPH concentrations in AOCs 77 and 80 were compared to a criterion of 10,000 ppm.

For all other petroleum discharges (defined as Category 2 in the NJDEP's August 2010 EPH Protocol), TPH concentrations in soil were compared to the residual free product limit of 17,000 ppm.

Table I for Exhibit B-2
Restricted Area Data Table - Total Petroleum Hydrocarbons (TPH)
BL England Generating Station - Beesley's Point, New Jersey
Page 3 of 3

Sample Name:		80SS22	80SS23	80SS24	80SS25	80SS25	80SS26 (dup)	83-04	83-08
Sample Date:		06/14/01	06/14/01	06/14/01	6/14/2001	06/14/01	06/14/01	11/05/09	11/05/09
Sample depth (feet below surface):		1.33-1.83	1.33-1.83	2.0-2.5	1.67-2.17	1.67-2.17	1.67-2.17	2.5-3.0	5.5-6.0
Sample Elevation (ft. msl):		3.17-3.67	3.17-3.67	2.5-3.0	2.5-3.0	2.83-3.33	2.83-3.33	1.0-1.5	NA
Parameter	CAS Number								
TPH	--	40000	107000	45300	35800	35800	53200	17700	17200

Sample Name:		83-08(2)	83-08(3)	83-08(3)	83-13	83-13	83-13		
Sample Date:		04/22/10	04/22/10	04/22/10	4/22/2010	4/22/2010	4/22/2010		
Sample depth (feet below surface):		7-7.5	7-7.5	13.5-14	7-7.5	7-7.5	13-13.5		
Sample Elevation (ft. msl):		NA	NA	NA	NA	NA	NA		
Parameter	CAS Number								
TPH	--	17100	24600	13700	12300	12300	12000		

TPH Soil Remediation Standard Summary:

For discharges of No. 2 fuel oil and/or diesel fuel (defined as Category 1 in the NJDEP's August 2010 EPH Protocol), TPH concentrations in soil were compared to the RDCSRS of 5,100 ppm or the residual free product limit of 8,000 ppm. As approved by the NJDEP, TPH concentrations in AOCs 77 and 80 were compared to a criterion of 10,000 ppm.

For all other petroleum discharges (defined as Category 2 in the NJDEP's August 2010 EPH Protocol), TPH concentrations in soil were compared to the residual free product limit of 17,000 ppm.

Table II for Exhibit B-2
 Restricted Area Data Table - Volatile Organic Compounds (VOCs)
 BL England Generating Station - Beesley's Point, New Jersey
 Page 1 of 1

Parameter	Sample Name:		65SS07		65SS08		68SS20		80SS14		
	Sample Date:		09/17/04		09/17/04		03/15/01		06/14/01		
	Sample depth (feet below surface):		0-1		0-1		1.1-1.6		0.0-0.5		
	Sample Elevation (ft. msl):		3.0-4.0		3.0-4.0		3.4-3.9		4.0-5.0		
	RDCSRS (ppm)	NRDCSRS (ppm)									
Benzene	2	5	273	6.6	5.5	7.6					

RDCSRS = NJDEP's Residential Direct Contact Soil Remediation Standards
 NRDCSRS = NJDEP's Non Residential Direct Contact Soil Remediation Standards

Table III for Exhibit B-2
Restricted Area Data Table - Polynuclear Aromatic Hydrocarbons (PAHs)
BL England Generating Station - Beesley's Point, New Jersey
Page 1 of 1

Parameters	RDCSRS (ppm)	NRDCSRS (ppm)	Sample Name:	33-26	62SS03	65SS07	65SS08	83-08(3)	83-08(3)	83-13
Benzo(a)anthracene	0.6	2	Sample Date:	07/07/08	01/20/04	09/17/04	09/17/04	07/30/12	07/30/12	04/22/10
Benzo(a)pyrene	0.2	0.2	Sample depth (feet below surface):	0.5-1.0	0-0.5	0-1	0-1	7-7.5	10.5-11.0	7-7.5
Benzo(b)fluoranthene	0.6	2	Sample Elevation (ft. msl):	3.0-3.5	7.5-8.0	3.0-4.0	3.0-4.0	NA	NA	NA
Bis(2-Ethylhexyl)Phthalate	35	140								
Naphthalene	6	17								

Parameters	RDCSRS (ppm)	NRDCSRS (ppm)	Sample Name:	83-13	83-13
Benzo(a)anthracene	0.6	2	Sample Date:	04/23/10	04/24/10
Benzo(a)pyrene	0.2	0.2	Sample depth (feet below surface):	8.5-9	10.5-11
Benzo(b)fluoranthene	0.6	2	Sample Elevation (ft. msl):	NA	NA
Bis(2-Ethylhexyl)Phthalate	35	140			
Naphthalene	6	17			

RDCSRS = NJDEP's Residential Direct Contact Soil Remediation Standards
NRDCSRS = NJDEP's Non Residential Direct Contact Soil Remediation Standards

Table IV for Exhibit B-2
Restricted Area Data Table - Metals
BL England Generating Station - Beesley's Point, New Jersey
Page 1 of 5

Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)	Sample Name:	23SS31	23SS37	23SS38	33-16(A)	33-16(B)	33-16(C)	33-16(D)	33-16(E)	33-16(F)
Arsenic	7440-38-2	19	19	Sample Date:	07/19/01	07/19/01	07/19/01	02/05/18	02/05/18	02/05/18	02/05/18	02/06/18	02/06/18
Beryllium	7440-41-7	6	140	Sample Date:	1.5-2	0.08-0.58	0.08-0.58	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5
Thallium	7440-28-0	5	79	Sample Date:	2.0-2.5	3.42-3.92	3.42-3.92	3.5-4.0	3.5-4.0	3.5-4.0	3.5-4.0	3.5-4.0	3.5-4.0
				Sample depth (feet below surface):									
				Sample Elevation (ft. msl):									
					24	31	30	525	207	620	614	590	1060
					<SRS	<SRS	<SRS	NA	NA	NA	NA	NA	NA
					<SRS	<SRS	<SRS	NA	NA	NA	NA	NA	NA

Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)	Sample Name:	33-16(G)	33-16(H)	33-24	49SS18	49SS19	49SS20	49SS21	49SS23	51-03
Arsenic	7440-38-2	19	19	Sample Date:	02/06/18	02/06/18	07/07/08	02/21/08	02/21/08	02/21/08	02/21/08	02/21/08	11/10/09
Beryllium	7440-41-7	6	140	Sample Date:	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5
Thallium	7440-28-0	5	79	Sample Date:	3.5-4.0	3.5-4.0	3.5-4.0	3.5-4.0	3.5-4.0	3.5-4.0	3.5-4.0	3.5-4.0	3.5-4.0
				Sample depth (feet below surface):									
				Sample Elevation (ft. msl):									
					552	638	31	21.4	91.8	22	50.6	128	33
					NA	NA	<SRS	NA	NA	NA	NA	NA	<SRS
					NA	NA	<SRS	NA	NA	NA	NA	NA	ND

Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)	Sample Name:	51-04	51-05	51-05	51-06	51-06	51-06	51-07	51-07	51-08(A)
Arsenic	7440-38-2	19	19	Sample Date:	11/10/09	11/10/09	11/10/09	11/09/09	11/09/09	11/09/09	11/09/09	11/09/09	11/10/09
Beryllium	7440-41-7	6	140	Sample Date:	0.5-1.0	1.5-2.0	5.0-5.5	2.5-3.0	4.0-4.5	9.0-9.5	9.0-9.5	13.5-14.0	1.0-1.5
Thallium	7440-28-0	5	79	Sample Date:	6.0-6.5	2.0-2.5	2.0-2.5	2.0-2.5	0.5-1.0	(4.0)-(4.5)	(4.0)-(4.5)	(-7.5)-(-8.0)	6.5-7.0
				Sample depth (feet below surface):									
				Sample Elevation (ft. msl):									
					119	<SRS	<SRS	32	25	37	39	48	603
					<SRS	3.9	2.9	NA	ND	NA	ND	NA	<SRS
					ND	<5.0	<1.2	NA	ND	NA	ND	NA	ND

Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)	Sample Name:	51-08(B)	51-09	51-11	51-12	51-12	51-12	51-13	51-14	51-15
Arsenic	7440-38-2	19	19	Sample Date:	11/10/09	11/10/09	11/10/09	11/09/09	11/09/09	11/09/09	11/10/09	11/10/09	11/10/09
Beryllium	7440-41-7	6	140	Sample Date:	1.0-1.5	3.0-3.5	7.0-7.5	2.5-3.0	4.0-4.5	7.0-7.5	5.5-6.0	1.0-1.5	1.0-1.5
Thallium	7440-28-0	5	79	Sample Date:	6.5-7.0	4.5-5.0	(-3.0)-(-3.5)	6.0-6.5	4.5-5.0	1.5-2.0	(-1.5)-(-2.0)	4.5-5.0	4.5-5.0
				Sample depth (feet below surface):									
				Sample Elevation (ft. msl):									
					204	19	24	1100	1850	109	1510	55	55
					<SRS	<SRS	<SRS	NA	<SRS	NA	<SRS	<SRS	<SRS
					ND	ND	ND	NA	14	NA	ND	NA	<SRS

RDCSRS = NJDEP's Residential Direct Contact Soil Remediation Standards
NRDCSRS = NJDEP's Non Residential Direct Contact Soil Remediation Standards
SRS = applicable Soil Remediation Standard
NA = Not Analyzed

Table IV for Exhibit B-2
Restricted Area Data Table - Metals
BL England Generating Station - Beesley's Point, New Jersey
Page 2 of 5

Parameters	CAS Number	RDCSRS (ppm)	RDCSRS (ppm)	Sample Name:	51SB07	51SB08	51SB09	51SB09	51SB09	51SB10	51SB11	51SB14	51SB15	51SB17
	7440-38-2	19	19	Sample Date:	05/22/01	09/15/99	11/19/12	11/19/12	11/19/12	10/11/01	10/11/01	10/11/01	10/11/01	10/13/04
	7440-41-7	6	140	Sample depth (feet below surface):	6.5-7	0-0.5	6.0-6.5	6.0-6.5	8.0-8.5	4.0-4.5	0.5-1	3.5-4.0	2.5-3	8.0-8.5
	7440-28-0	5	79	Sample Elevation (ft. msl):	(-0.5)-(-1.0)	5.5-6.0	NA	NA	NA	NA	5.0-5.5	5.0-5.5	2.0-2.5	2.0-2.5
NRDCSRS (ppm)														
Arsenic														
Beryllium														
Thallium														
Parameters	CAS Number	RDCSRS (ppm)	RDCSRS (ppm)	Sample Name:	51SB18	51SB19	51SS01	51SS01	51SS01	51SS02	51SS02	51SS03	51SS03	51SS04
	7440-38-2	19	19	Sample Date:	10/13/04	10/13/04	09/17/01	09/17/01	11/13/07	09/17/01	11/13/07	09/17/01	11/13/07	09/17/01
	7440-41-7	6	140	Sample depth (feet below surface):	8.0-8.5	6.5-7.0	0-0.5	0-0.5	0-0.5	0-0.5	0-0.5	0-0.5	0-0.5	0-0.5
	7440-28-0	5	79	Sample Elevation (ft. msl):	2.0-2.5	2.0-2.5	4.5-5.0	4.5-5.0	4.5-5.0	5.5-6.0	5.5-6.0	6.5-7.0	6.5-7.0	8.5-9.0
NRDCSRS (ppm)														
Arsenic														
Beryllium														
Thallium														
Parameters	CAS Number	RDCSRS (ppm)	RDCSRS (ppm)	Sample Name:	51SS04	51SS04	51SS04	51SS05	51SS05	51SS05	51SS05	51SS05	51SS05	51SS05
	7440-38-2	19	19	Sample Date:	11/13/07	09/01/10	09/01/10	09/17/01	09/17/01	11/13/07	09/01/10	09/01/10	09/01/10	09/01/10
	7440-41-7	6	140	Sample depth (feet below surface):	0-0.5	0-0.5	0-0.5	0-0.5	0-0.5	0-0.5	0-0.5	1-1.5	2-2.5	3-3.5
	7440-28-0	5	79	Sample Elevation (ft. msl):	8.5-9.0	8.5-9.0	8.5-9.0	7.5-8.0	7.5-8.0	7.5-8.0	7.5-8.0	6.5-7.0	5.5-6.0	4.5-5.0
NRDCSRS (ppm)														
Arsenic														
Beryllium														
Thallium														
Parameters	CAS Number	RDCSRS (ppm)	RDCSRS (ppm)	Sample Name:	51SS06	51SS06	51SS06	51SS07	51SS08	51SS09	51SS09	51SS10	51SS10	51SS10
	7440-38-2	19	19	Sample Date:	10/11/01	11/13/07	09/27/12	11/13/07	11/13/07	10/11/01	10/11/01	11/13/07	10/11/01	11/13/07
	7440-41-7	6	140	Sample depth (feet below surface):	0-0.5	0-0.5	0.0-0.5	0-0.5	0-0.5	0.0-0.5	0.0-0.5	0-0.5	0-0.5	0-0.5
	7440-28-0	5	79	Sample Elevation (ft. msl):	8.5-9.0	8.5-9.0	NA	5.5-6.0	5.5-6.0	5.5-6.0	5.5-6.0	5.5-6.0	5.5-6.0	5.5-6.0
NRDCSRS (ppm)														
Arsenic														
Beryllium														
Thallium														

RDCSRS = NJDEP's Residential Direct Contact Soil Remediation Standards
NRDCSRS = NJDEP's Non Residential Direct Contact Soil Remediation Standards
SRS = applicable Soil Remediation Standard
NA = Not Analyzed

Table IV for Exhibit B-2
Restricted Area Data Table - Metals
BL England Generating Station - Beesley's Point, New Jersey
Page 3 of 5

		Sample Name:		51SS10	51SS10	51SS10	51SS10	51SS12	GP-2	63SBB10	65-03	65-13
		Sample Date:		11/19/12	11/19/12	11/19/12	11/19/12	10/11/01	9/17/1999	8/24/2001	11/9/2009	11/09/09
		Sample depth (feet below surface):		3.0-3.5	5.0-5.5	7.0-7.5	8.0-8.5	0.5-1	6.0-6.5	5.5-6.0	5.0-5.5	11.5-12.0
		Sample Elevation (ft. msl):		NA	NA	NA	NA	5.0-5.5	NA	NA	NA	NA
Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)									
Arsenic	7440-38-2	19	19	32.9	159	83.4	35.4	117	<SRS	47.8	920	84.6
Beryllium	7440-41-7	6	140	<SRS	<SRS	<SRS	<SRS	7.2	<SRS	<SRS	<SRS	<SRS
Thallium	7440-28-0	5	79	<SRS	<SRS	<SRS	<SRS	<SRS	9.5	<SRS	<SRS	<SRS
		Sample Name:		65SB01	65SB02	65SB03	65SB05	65SB11	65SB20	65SB21	65SB22	65SB23
		Sample Date:		11/19/12	09/15/04	09/15/04	9/15/2004	9/16/2004	9/17/2004	9/17/2004	9/17/2004	9/17/2004
		Sample depth (feet below surface):		8.0-8.5	4.5-5.0	7.5-8.0	4.0-4.5	4.0-4.5	11.0-12.0	8.0-9.0	7.0-8.0	11.0-12.0
		Sample Elevation (ft. msl):		NA	NA	NA	NA	NA	NA	NA	NA	NA
Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)									
Arsenic	7440-38-2	19	19	2160	312	966	38	145	548	229	165	1180
Beryllium	7440-41-7	6	140	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS
Thallium	7440-28-0	5	79	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS
		Sample Name:		65SB24	65SB25	65SB26	65SB27	65SB28	65SB29	65SS01	65SS01	65SS01
		Sample Date:		11/19/12	9/17/2004	9/17/2004	9.17.04	9/17/2004	9/17/2004	09/17/01	11/13/07	11/19/12
		Sample depth (feet below surface):		7.5-8.0	7.5-8.0	7.0-8.0	7.5-8.0	9.5-10.5	9.0-10.0	0-0.5	0-0.5	7.5-8.0
		Sample Elevation (ft. msl):		NA	NA	NA	NA	NA	NA	3.5-4.0	3.5-4.0	NA
Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)									
Arsenic	7440-38-2	19	19	42.1	1040	47	954	31	921	81	1970	1360
Beryllium	7440-41-7	6	140	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS
Thallium	7440-28-0	5	79	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS
		Sample Name:		65SS02	65SS02	65SS03	65SS03	65SS03	65SS03	65SS03	65SS04	65SS04
		Sample Date:		09/17/01	11/13/07	09/17/01	11/13/07	11/19/12	11/19/12	11/19/12	09/17/01	11/13/07
		Sample depth (feet below surface):		0-0.5	0-0.5	0-0.5	0-0.5	2.0-2.5	4.0-4.5	6.0-6.5	0-0.5	0-0.5
		Sample Elevation (ft. msl):		3.5-4.0	3.5-4.0	3.5-4.0	3.5-4.0	NA	NA	NA	3.5-4.0	3.5-4.0
Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)									
Arsenic	7440-38-2	19	19	25	1010	1100	1310	713	703	23.4	758	149
Beryllium	7440-41-7	6	140	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS
Thallium	7440-28-0	5	79	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS	<SRS

RDCSRS = NJDEP's Residential Direct Contact Soil Remediation Standards
NRDCSRS = NJDEP's Non Residential Direct Contact Soil Remediation Standards
SRS = applicable Soil Remediation Standard
NA = Not Analyzed

Table IV for Exhibit B-2
Restricted Area Data Table - Metals
BL England Generating Station - Beesley's Point, New Jersey
Page 4 of 5

Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)	Sample Name:	Sample Date:	Sample depth (feet below surface):	Sample Elevation (ft. msl):	65SS05	65SS06	65SS07	65SS08	76-03(B)	76-03(F)	76-06(A)	76-06(B)
Arsenic	7440-38-2	19	19	65SS05	11/13/07	0.0-0.5	3.5-4.0	195	273	109	24	32.6	24.8	146	175
Beryllium	7440-41-7	6	140	<SRS	09/17/04	0-1	0-1	<SRS	<SRS	<SRS	<SRS	NA	NA	NA	NA
Thallium	7440-28-0	5	79	<SRS	09/17/04	0-1	0-1	<SRS	<SRS	<SRS	<SRS	NA	NA	NA	NA

Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)	Sample Name:	Sample Date:	Sample depth (feet below surface):	Sample Elevation (ft. msl):	76-06(C)	76-06(D)	76-06(E)	76-06(F)	76-06(G)	76-06(H)	76-12(A)	76-12(B)	76-12(C)
Arsenic	7440-38-2	19	19	76-06(C)	02/05/18	0.0-0.5	0.0-0.5	142	271	248	68.7	77.6	322	1070	1720	721
Beryllium	7440-41-7	6	140	02/05/18	02/05/18	0.0-0.5	0.0-0.5	NA	NA	NA	NA	NA	NA	NA	NA	NA
Thallium	7440-28-0	5	79	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	NA	NA	NA	NA	NA	NA	NA	NA	NA

Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)	Sample Name:	Sample Date:	Sample depth (feet below surface):	Sample Elevation (ft. msl):	76-12(D)	76-12(E)	76-12(F)	76-12(G)	76-12(H)	76-13(B)	76-13(C)	76-13(D)	76-13(F)
Arsenic	7440-38-2	19	19	76-12(D)	02/05/18	0.0-0.5	0.0-0.5	544	71.9	976	360	119	30.9	39	43.2	23.1
Beryllium	7440-41-7	6	140	02/05/18	02/05/18	0.0-0.5	0.0-0.5	NA	NA	NA	NA	NA	NA	NA	NA	NA
Thallium	7440-28-0	5	79	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	NA	NA	NA	NA	NA	NA	NA	NA	NA

Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)	Sample Name:	Sample Date:	Sample depth (feet below surface):	Sample Elevation (ft. msl):	76-13(G)	76-14(A)	76-14(B)	76-14(C)	76-14(D)	76-14(E)	76-14(F)	76-14(G)	76-14(H)
Arsenic	7440-38-2	19	19	76-13(G)	02/05/18	0.0-0.5	0.0-0.5	21.2	267	388	230	358	117	434	186	143
Beryllium	7440-41-7	6	140	02/05/18	02/05/18	0.0-0.5	0.0-0.5	NA	NA	NA	NA	NA	NA	NA	NA	NA
Thallium	7440-28-0	5	79	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	NA	NA	NA	NA	NA	NA	NA	NA	NA

RDCSRS = NJDEP's Residential Direct Contact Soil Remediation Standards
NRDCSRS = NJDEP's Non Residential Direct Contact Soil Remediation Standards
SRS = applicable Soil Remediation Standard
NA = Not Analyzed

Table IV for Exhibit B-2
Restricted Area Data Table - Metals
BL England Generating Station - Beesley's Point, New Jersey
Page 5 of 5

Sample Name:		76-25	76-26	76-27	76-47	76-48	76-49	76-50	76-51	76-52
Sample Date:		02/06/18	02/06/18	02/06/18	02/07/18	02/07/18	02/07/18	02/07/18	02/07/18	02/07/18
Sample depth (feet below surface):		0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5
Sample Elevation (ft. msl):		79	79	79	79	79	79	79	79	79
Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)							
Arsenic	7440-38-2	19	487	883	185	137	259	44.7	393	21.6
Beryllium	7440-41-7	6	NA	NA	NA	NA	NA	NA	NA	NA
Thallium	7440-28-0	5	NA	NA	NA	NA	NA	NA	NA	NA

Sample Name:		76-53	76-54	76-55	76-56	76-57	76-58	76-59	76-60	76-62
Sample Date:		02/07/18	02/07/18	02/07/18	02/07/18	02/07/18	02/07/18	02/07/18	02/07/18	02/07/18
Sample depth (feet below surface):		0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5
Sample Elevation (ft. msl):		79	79	79	79	79	79	79	79	79
Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)							
Arsenic	7440-38-2	19	438	67.7	236	109	443	185	582	551
Beryllium	7440-41-7	6	NA	NA	NA	NA	NA	NA	NA	NA
Thallium	7440-28-0	5	NA	NA	NA	NA	NA	NA	NA	NA

Sample Name:		76-63	76-64	76-65	76-66	76-67	76-68	76-69	76-70	76-71
Sample Date:		02/07/18	02/07/18	02/07/18	02/07/18	02/07/18	02/07/18	02/07/18	02/07/18	02/07/18
Sample depth (feet below surface):		0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5
Sample Elevation (ft. msl):		79	79	79	79	79	79	79	79	79
Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)							
Arsenic	7440-38-2	19	44	21.9	45.4	36.2	79.3	30	334	77.5
Beryllium	7440-41-7	6	NA	NA	NA	NA	NA	NA	NA	NA
Thallium	7440-28-0	5	NA	NA	NA	NA	NA	NA	NA	NA

Sample Name:		76-72	76-73	76-74	79SS01
Sample Date:		02/07/18	02/07/18	02/07/18	05/23/01
Sample depth (feet below surface):		0.0-0.5	0.0-0.5	0.0-0.5	1.5-2.0
Sample Elevation (ft. msl):		79	79	79	NA
Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)		
Arsenic	7440-38-2	19	167	29.4	27.1
Beryllium	7440-41-7	6	NA	NA	<SRS
Thallium	7440-28-0	5	NA	NA	<SRS

RDCSRS = NJDEP's Residential Direct Contact Soil Remediation Standards
NRDCSRS = NJDEP's Non Residential Direct Contact Soil Remediation Standards
SRS = applicable Soil Remediation Standard
NA = Not Analyzed

Table V for Exhibit B-2
Restricted Area Data Table - Polychlorinated Biphenyls (PCBs)
BL England Generating Station - Beesley's Point, New Jersey
Page 1 of 2

Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)	Sample Name:	23-28	23-42	23SS16	23SS25	23SS30	65SS04	65SS06
CBs (total)	--	0.2	1	Sample Date:	11/06/09	04/23/10	07/18/01	07/19/01	07/19/01	11/13/07	09/17/04
				Sample depth (feet below surface):	0.0-0.5	0.0-0.5	0.83-1.33	1.5-2	0.0-0.5	0-0.5	0-1
				Sample Elevation (ft. msl):	3.5-4.0	2.67-3.17	2.67-3.17	2.0-2.5	3.5-4.0	3.5-4.0	3.0-4.0
Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)	Sample Name:	23-28	23-42	23SS16	23SS25	23SS30	65SS04	65SS06
CBs (total)	--	0.2	1	Sample Date:	11/06/09	04/23/10	07/18/01	07/19/01	07/19/01	11/13/07	09/17/04
				Sample depth (feet below surface):	0.0-0.5	0.0-0.5	0.83-1.33	1.5-2	0.0-0.5	0-0.5	0-1
				Sample Elevation (ft. msl):	3.5-4.0	2.67-3.17	2.67-3.17	2.0-2.5	3.5-4.0	3.5-4.0	3.0-4.0

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	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)	Sample Name:	68-15	68-15	68-15	68-26	68-28	68-30	68-31	68-32
	--	0.2	1	Sample Date:	06/23/08	11/03/09	11/03/09	06/26/08	06/26/08	06/26/08	06/26/08	11/05/09
				Sample depth (feet below surface):	3.5-4.0	4.5-5.0	4.5-5.0	0.5-1.0	0.0-0.5	0.0-0.5	0.0-0.5	1.0-1.5
				Sample Elevation (ft. msl):	1.0-1.5	0-0.5	4.5-5.0	4.5-5.0	4.5-5.0	4.5-5.0	4.5-5.0	3.5-4.0
Parameters												
PCBs (total)	--	0.2	1		0.72	1.6	0.23	0.43	0.21	0.32	0.32	63

Parameters	CAS Number	RDCSRS (ppm)	NRDCSRS (ppm)	68-32	68-38	68-44	68-45	68SS01	68SS02	68SS03
PCBs (total)		0.2	1	0.4	0.93	3.9	0.49	0.46	0.3	0.25
Sample Name:				68-32	68-38	68-44	68-45	68SS01	68SS02	68SS03
Sample Date:				11/05/09	11/03/09	11/03/09	11/03/09	03/15/01	03/15/01	03/15/01
Sample depth (feet below surface):				2.0-2.5	0.0-0.5	1.5-2.0	1.5-2.0	0.6-1.2	0.6-1.1	1.0-1.7
Sample Elevation (ft. msl):				2.5-3.0	4.5-5.0	3.0-3.5	3.0-3.5	3.8-4.3	3.9-4.5	3.3-4.0

RDCRS = NJDEP's Residential Direct Contact Soil Remediation Standards
NRDCRS = NJDEP's Non Residential Direct Contact Soil Remediation Standards

Table V for Exhibit B-2
Restricted Area Data Table - Polychlorinated Biphenyls (PCBs)
BL England Generating Station - Beesley's Point, New Jersey
Page 2 of 2

Parameters	CAS Number	RDCSRS (ppm)	RDCSRS (ppm)	Sample Name:	68SS04	68SS09	68SS18A	68SS20	68SS21A	68SS22A	68SS23A
PCBs (total)	--	0.2	1	Sample Date:	03/15/01	03/15/01	06/06/01	03/15/01	06/06/01	06/06/01	06/06/01
				Sample depth (feet below surface):	0.8-1.3	3.0-3.8	2.7-3.2	1.1-1.6	3.0-3.5	1.7-2.2	2.3-2.8
				Sample Elevation (ft. msl):	3.7-4.2	1.2-2.0	1.8-2.3	3.4-3.9	1.5-2.0	2.8-3.3	2.2-2.7
				NRDCSRS (ppm)							
				1	0.22	2	0.5	0.5	0.7	1.3	0.8

Parameters	CAS Number	RDCSRS (ppm)	RDCSRS (ppm)	Sample Name:	68SS24A	68SS25	68SS43	68SS44	68SS45	68SS46	80-26
PCBs (total)	--	0.2	1	Sample Date:	06/06/01	03/15/01	06/06/01	06/06/01	06/06/01	06/06/01	11/04/09
				Sample depth (feet below surface):	2.0-2.5	1.2-1.7	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5	0.0-0.5
				Sample Elevation (ft. msl):	2.5-3.0	3.3-3.8	4.5-5.0	4.5-5.0	4.5-5.0	4.5-5.0	4.5-5.0
				NRDCSRS (ppm)							
				1	0.8	0.4	0.29	0.57	0.51	0.31	0.65

RDCSRS = NJDEP's Residential Direct Contact Soil Remediation Standards
NRDCSRS = NJDEP's Non Residential Direct Contact Soil Remediation Standards

EXHIBIT C-1

NARRATIVE DESCRIPTION OF INSTITUTIONAL CONTROL

GENERAL DESCRIPTION OF THIS DEED NOTICE

Description and Estimated Size of the Restricted Area

The Restricted Area encompasses the entire process area of the plant, which is approximately 64 acres. The Restricted Area is covered by multiple surfaces, including concrete building slabs, asphalt pavement, stone/aggregate, riprap, and vegetated areas. The remainder of Block 479, Lot 76 (approximately 228 acres) is excluded from the Restricted Area and is not subject to the restrictions described in this Deed Notice.

Description of the Restrictions on the Property by this Deed Notice

(a) The Restricted Area is restricted to non-residential uses only. The restrictions on the designated portion of the property are designed to prevent any disturbances of the soil in the Restricted Area that could potentially result in the unacceptable exposure to the soil contamination.

(b) As provided in Paragraphs 7A and 7B of the Deed Notice, no person shall make, or allow to be made, any alteration, improvement, or disturbance in, to or about the Property which disturbs any engineering control at the Property without first obtaining the express written consent of the Department of Environmental Protection, except for the conditions outlined in Paragraph 7A.iii of the Deed Notice.

Objective of the Restrictions

The objective of the restrictions is to protect human health and the environment by restricting the Restricted Area to non-residential uses; and by restricting the disturbance of the engineering controls as described above.

EXHIBIT C-2

NARRATIVE DESCRIPTION OF ENGINEERING CONTROL EXISTING ASPHALT PAVEMENT

GENERAL DESCRIPTION OF THE ENGINEERING CONTROL

Description of the Engineering Control

One of the engineering controls in use for this site is the existing impermeable asphalt pavement as shown on Figures B-1C, B-1D, and B-1H in Exhibit B of this Deed Notice.

A minimum of 6-inches of asphalt covers the impacted area to prevent the potential for the migration of contaminants and the unacceptable risk of human exposure to the contamination. The cap prevents the potential for the migration of the contaminants and the unacceptable risk of exposure to the contamination. The cap was adequately designed to withstand vehicular traffic.

The Objective of the Engineering Control

The objective of the engineering control is to eliminate direct contact with the impacted soil and prevent the off-site migration of contaminants via storm water runoff.

How the Engineering Control is Intended to Function

The engineering control will eliminate direct contact with the areas of impacted soils shown on Figures B-1C, B-1D, and B-1H in Exhibit B of this Deed Notice. The asphalt cap will also prevent off-site contaminant migration via storm water runoff.

EXHIBIT C-3

NARRATIVE DESCRIPTION OF ENGINEERING CONTROL EXISTING AND NEW STONE/AGGREGATE COVER

GENERAL DESCRIPTION OF THE ENGINEERING CONTROL

Description of the Engineering Control

One of the engineering controls for this site is a permeable stone/aggregate cap as shown on Figures B-1C, B-1D, B-1G, and B-1H in Exhibit B of this Deed Notice.

In the areas shown in Figures B-1C, B-1D, and B-1G, a minimum of 12-inches of clean stone/aggregate covers the impacted areas. In the areas shown in Figure B-1H, the engineering controls include 12-inches of clean stone/aggregate underlain by a demarcation layer and impacted soils, or a minimum of 6-inches of clean stone/aggregate underlain by existing stone and/or existing soils. These controls prevent the potential for the migration of contaminants and the unacceptable risk of human exposure to the contamination.

The Objective of the Engineering Control

The objective of the engineering control is to eliminate direct contact with the impacted soils.

How the Engineering Control is Intended to Function

The engineering control will eliminate direct contact with the areas of impacted soils shown on Figures B-1C, B-1D, B-1G, and B-1H in Exhibit B of this Deed Notice.

EXHIBIT C-4

NARRATIVE DESCRIPTION OF ENGINEERING CONTROL CLEAN GRAVEL AND EXISTING RIPRAP COVER

GENERAL DESCRIPTION OF THE ENGINEERING CONTROL

Description of the Engineering Control

One of the engineering controls for this site is a gravel and rip-rap cap as shown on Figure B-1E in Exhibit B of this Deed Notice.

The gravel cap is 12-inches thick and underlain by 6 to 12-inches of rip-rap. The gravel and rip-rap cap covers the impacted soils and prevents direct contact with the contaminants.

The Objective of the Engineering Control

The objective of the engineering control is to eliminate direct contact with impacted soil.

How the Engineering Control is Intended to Function

The engineering control will eliminate direct contact with the areas of impacted soils as shown on Figure B-1E in Exhibit B of this Deed Notice.

EXHIBIT C-5

NARRATIVE DESCRIPTION OF ENGINEERING CONTROL EXISTING SOIL COVER

GENERAL DESCRIPTION OF THE ENGINEERING CONTROL

Description of the Engineering Control

One of the engineering controls for this site is a soil cap as shown on Figure B-1E in Exhibit B of this Deed Notice.

A minimum of 12-inches of clean soil cover the impacted area to prevent the potential of human exposure to the contamination.

The Objective of the Engineering Control

The objective of the engineering control is to eliminate direct contact with impacted soil.

How the Engineering Control is Intended to Function

The engineering control will eliminate direct contact with the areas of impacted soils as shown on Figure B-1E in Exhibit B of this Deed Notice.

EXHIBIT C-6

NARRATIVE DESCRIPTION OF ENGINEERING CONTROL EXISTING VEGETATED SOIL COVER

GENERAL DESCRIPTION OF THE ENGINEERING CONTROL

Description of the Engineering Control

One of the engineering controls for this site is a vegetated soil cap as shown on Figures B-1A and B-1B in Exhibit B of this Deed Notice.

Existing soils and vegetative cover prevent direct contact with impacted soils and prevent migration of contaminants through erosion and overland flow.

The Objective of the Engineering Control

The objective of the engineering control is to eliminate direct contact with, and erosion of, impacted soil.

How the Engineering Control is Intended to Function

The vegetated soil cover will eliminate direct contact with the areas of impacted soils and prevent migration of contaminants through erosion and overland flow as shown on Figures B-1A and B-1B in Exhibit B of this Deed Notice.

EXHIBIT C-7

NARRATIVE DESCRIPTION OF ENGINEERING CONTROL EXISTING CONCRETE PAVEMENT

GENERAL DESCRIPTION OF THE ENGINEERING CONTROL

Description of the Engineering Control

One of the engineering controls in use for this site is the existing impermeable concrete pavement as shown on Figures B-1C, B-1D, B-1F, B1-G, and B-1H in Exhibit B of this Deed Notice.

A minimum of 6-inches of concrete covers the impacted area to prevent the potential for the migration of contaminants and the unacceptable risk of human exposure to the contamination. The cap was adequately designed to withstand vehicular traffic.

The Objective of the Engineering Control

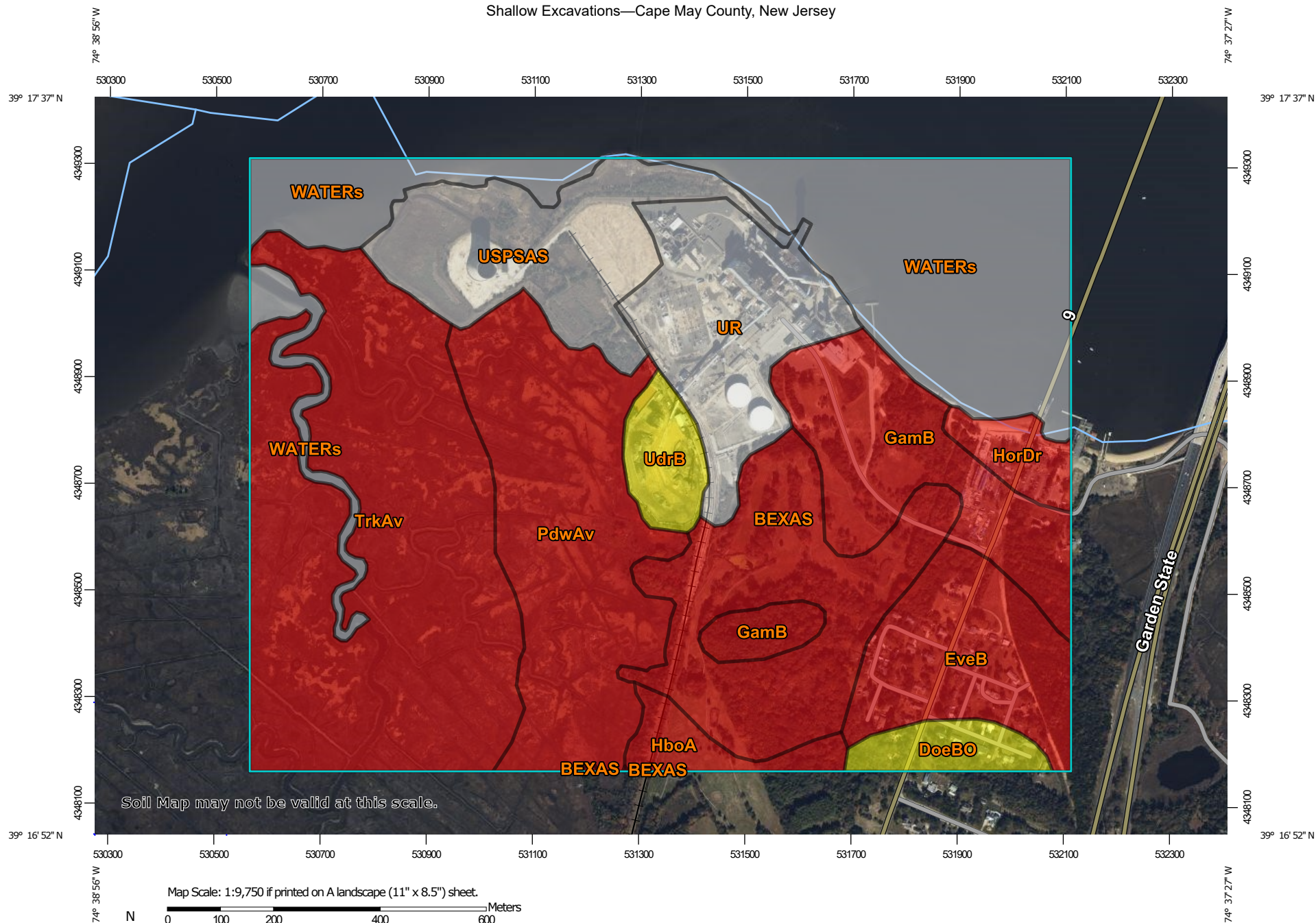
The objective of the engineering control is to eliminate direct contact with the impacted soil.

How the Engineering Control is Intended to Function

The engineering control will eliminate direct contact with the areas of impacted soils shown on Figures B-1C, B-1D, B-1F, B1-G, B-1H in Exhibit B of this Deed Notice.

APPENDIX X – USDA Soil Survey Shallow Excavations

Shallow Excavations—Cape May County, New Jersey




Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey


9/28/2020
Page 1 of 9

MAP LEGEND

Area of Interest (AOI)





 Area of Interest (AOI)

Background





 Aerial Photography

Soils





Soil Rating Polygons

-  Very limited
-  Somewhat limited
-  Not limited
-  Not rated or not available


Soil Rating Lines

-  Very limited
-  Somewhat limited
-  Not limited
-  Not rated or not available






Soil Rating Points

-  Very limited
-  Somewhat limited
-  Not limited
-  Not rated or not available

Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cape May County, New Jersey
Survey Area Data: Version 16, Jun 1, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Data not available.

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Shallow Excavations

Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
BEXAS	Berryland and Mullica soils, 0 to 2 percent slopes, occasionally flooded	Very limited	Berryland, occasionally flooded (50%)	Ponding (1.00)	44.0	10.0%
				Depth to saturated zone (1.00)		
				Unstable excavation walls (1.00)		
				Flooding (0.60)		
			Mullica, occasionally flooded (40%)	Ponding (1.00)		
				Depth to saturated zone (1.00)		
				Flooding (0.60)		
				Unstable excavation walls (0.03)		
				Dusty (0.01)		
			Manahawkin, frequently flooded (5%)	Ponding (1.00)		
				Depth to saturated zone (1.00)		
				Organic matter content (1.00)		
				Flooding (0.80)		
				Dusty (0.05)		
			Atsion (5%)	Ponding (1.00)		
				Depth to saturated zone (1.00)		
				Unstable excavation walls (1.00)		
				Flooding (0.60)		
DoeBO	Downer sandy loam, 2 to 5 percent slopes, Northern Tidewater Area	Somewhat limited	Downer (80%)	Unstable excavation walls (0.01)	7.5	1.7%
			Galestown (10%)	Unstable excavation walls (0.43)		

Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
			Ingleside (5%)	Depth to saturated zone (0.73)		
				Unstable excavation walls (0.01)		
EveB	Evesboro sand, 0 to 5 percent slopes	Very limited	Evesboro (80%)	Unstable excavation walls (1.00)	27.6	6.2%
			Lakehurst (5%)	Depth to saturated zone (1.00)		
				Unstable excavation walls (1.00)		
			Atsion (5%)	Depth to saturated zone (1.00)		
				Unstable excavation walls (1.00)		
			Mullica, rarely flooded (5%)	Ponding (1.00)		
				Depth to saturated zone (1.00)		
				Unstable excavation walls (0.03)		
				Dusty (0.01)		
GamB	Galloway loamy sand, 0 to 5 percent slopes	Very limited	Galloway (85%)	Depth to saturated zone (1.00)	37.0	8.4%
				Unstable excavation walls (0.90)		
			Mullica, rarely flooded (5%)	Ponding (1.00)		
				Depth to saturated zone (1.00)		
				Unstable excavation walls (0.03)		
				Dusty (0.01)		
			Atsion (5%)	Depth to saturated zone (1.00)		
				Unstable excavation walls (1.00)		

Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
HboA	Hammonton sandy loam, 0 to 2 percent slopes	Very limited	Hammonton (85%)	Depth to saturated zone (1.00)	7.2	1.6%
				Unstable excavation walls (0.01)		
				Dusty (0.00)		
			Mullica, rarely flooded (5%)	Ponding (1.00)		
				Depth to saturated zone (1.00)		
				Unstable excavation walls (0.03)		
				Dusty (0.01)		
			Atsion, rarely flooded (5%)	Depth to saturated zone (1.00)		
				Unstable excavation walls (1.00)		
			Fallsington (5%)	Depth to saturated zone (1.00)		
				Unstable excavation walls (0.02)		
				Dusty (0.01)		
HorDr	Hooksan sand, 2 to 15 percent slopes, rarely flooded	Very limited	Hooksan, rarely flooded (90%)	Unstable excavation walls (1.00)	6.6	1.5%
				Slope (0.04)		
			Beaches, frequently flooded (5%)	Depth to saturated zone (1.00)		
				Unstable excavation walls (1.00)		
				Flooding (0.80)		
				Slope (0.04)		
			Pawcatuck, very frequently flooded (5%)	Flooding (1.00)		
				Depth to saturated zone (1.00)		
				Organic matter content (1.00)		
				Dusty (0.05)		

Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
				Slope (0.04)		
PdwAv	Pawcatuck-Transquaking complex, 0 to 1 percent slopes, very frequently flooded	Very limited	Pawcatuck, very frequently flooded (60%)	Ponding (1.00)	56.8	12.9%
				Flooding (1.00)		
				Depth to saturated zone (1.00)		
				Organic matter content (1.00)		
				Dusty (0.05)		
			Transquaking, very frequently flooded (25%)	Ponding (1.00)		
				Flooding (1.00)		
				Depth to saturated zone (1.00)		
				Organic matter content (1.00)		
				Dusty (0.05)		
			Mullica, rarely flooded (5%)	Depth to saturated zone (1.00)		
				Unstable excavation walls (0.29)		
				Dusty (0.00)		
			Berryland, frequently flooded (5%)	Ponding (1.00)		
				Depth to saturated zone (1.00)		
				Unstable excavation walls (0.99)		
			Appoquinimink, very frequently flooded (5%)	Flooding (0.80)		
				Ponding (1.00)		
				Flooding (1.00)		
				Depth to saturated zone (1.00)		
				Organic matter content (1.00)		
				Dusty (0.05)		
TrkAv	Transquaking mucky peat, 0 to 1 percent slopes, very frequently flooded	Very limited	Transquaking, very frequently flooded (90%)	Ponding (1.00)	100.2	22.7%
				Flooding (1.00)		
				Depth to saturated zone (1.00)		

Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
				Organic matter content (1.00)		
				Too clayey (0.13)		
			Appoquinimink, very frequently flooded (5%)	Ponding (1.00)		
				Flooding (1.00)		
				Depth to saturated zone (1.00)		
				Organic matter content (1.00)		
				Dusty (0.02)		
			Broadkill, very frequently flooded (5%)	Ponding (1.00)		
				Flooding (1.00)		
				Depth to saturated zone (1.00)		
				Organic matter content (1.00)		
				Dusty (0.02)		
UdrB	Udorthents, refuse substratum, 0 to 8 percent slopes	Somewhat limited	Udorthents, refuse substratum (100%)	Unstable excavation walls (0.01)	8.7	2.0%
				Dusty (0.01)		
UR	Urban land	Not rated	Urban land (95%)		33.3	7.5%
USPSAS	Urban land-Psamments, sulfidic substratum complex, 0 to 2 percent slopes, occasionally flooded	Not rated	Urban land, sulfidic substratum, occas. flooded (60%)		35.5	8.0%
WATERs	Water, saline	Not rated	Water, saline (95%)		77.3	17.5%
Totals for Area of Interest					441.7	100.0%

Rating	Acres in AOI	Percent of AOI
Very limited	279.3	63.2%
Somewhat limited	16.2	3.7%
Null or Not Rated	146.2	33.1%
Totals for Area of Interest	441.7	100.0%

Description

Shallow excavations are trenches or holes dug to a maximum depth of 5 or 6 feet for graves, utility lines, open ditches, or other purposes. The ratings are based on the soil properties that influence the ease of digging and the resistance to sloughing. Depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, the amount of large stones, and dense layers influence the ease of digging, filling, and compacting. Depth to the seasonal high water table, flooding, and ponding may restrict the period when excavations can be made. Slope influences the ease of using machinery. Soil texture, depth to the water table, and linear extensibility (shrink-swell potential) influence the resistance to sloughing.

The ratings are both verbal and numerical. Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect the specified use. "Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. "Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

Numerical ratings indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).

The map unit components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as listed for the map unit. The percent composition of each component in a particular map unit is presented to help the user better understand the percentage of each map unit that has the rating presented.

Other components with different ratings may be present in each map unit. The ratings for all components, regardless of the map unit aggregated rating, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from the Soil Data Mart site. Onsite investigation may be needed to validate these interpretations and to confirm the identity of the soil on a given site.

Rating Options

Aggregation Method: Dominant Condition

Aggregation is the process by which a set of component attribute values is reduced to a single value that represents the map unit as a whole.

A map unit is typically composed of one or more "components". A component is either some type of soil or some nonsoil entity, e.g., rock outcrop. For the attribute being aggregated, the first step of the aggregation process is to derive one attribute value for each of a map unit's components. From this set of component attributes, the next step of the aggregation process derives a single value that represents the map unit as a whole. Once a single value for each map unit is derived, a thematic map for soil map units can be rendered. Aggregation must be done because, on any soil map, map units are delineated but components are not.

For each of a map unit's components, a corresponding percent composition is recorded. A percent composition of 60 indicates that the corresponding component typically makes up approximately 60% of the map unit. Percent composition is a critical factor in some, but not all, aggregation methods.

The aggregation method "Dominant Condition" first groups like attribute values for the components in a map unit. For each group, percent composition is set to the sum of the percent composition of all components participating in that group. These groups now represent "conditions" rather than components. The attribute value associated with the group with the highest cumulative percent composition is returned. If more than one group shares the highest cumulative percent composition, the corresponding "tie-break" rule determines which value should be returned. The "tie-break" rule indicates whether the lower or higher group value should be returned in the case of a percent composition tie. The result returned by this aggregation method represents the dominant condition throughout the map unit only when no tie has occurred.

Component Percent Cutoff: None Specified

Components whose percent composition is below the cutoff value will not be considered. If no cutoff value is specified, all components in the database will be considered. The data for some contrasting soils of minor extent may not be in the database, and therefore are not considered.

Tie-break Rule: Higher

The tie-break rule indicates which value should be selected from a set of multiple candidate values, or which value should be selected in the event of a percent composition tie.

**APPENDIX XI – USDA Soil Survey
Corrosion of Concrete**

Corrosion of Concrete—Cape May County, New Jersey



Soil Map may not be valid at this scale.

Map Scale: 1:9,750 if printed on A landscape (11" x 8.5") sheet.

0 100 200 400 600 Meters

0 450 900 1800 2700 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84




Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey


9/28/2020
Page 1 of 5

MAP LEGEND

Area of Interest (AOI)





 Area of Interest (AOI)

Background





 Aerial Photography

Soils





Soil Rating Polygons

-  High
-  Moderate
-  Low
-  Not rated or not available


Soil Rating Lines

-  High
-  Moderate
-  Low
-  Not rated or not available




Soil Rating Points

-  High
-  Moderate
-  Low
-  Not rated or not available

Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cape May County, New Jersey
Survey Area Data: Version 16, Jun 1, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Data not available.

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Corrosion of Concrete

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
BEXAS	Berryland and Mullica soils, 0 to 2 percent slopes, occasionally flooded	High	44.0	10.0%
DoeBO	Downer sandy loam, 2 to 5 percent slopes, Northern Tidewater Area	High	7.5	1.7%
EveB	Evesboro sand, 0 to 5 percent slopes	High	27.6	6.2%
GamB	Galloway loamy sand, 0 to 5 percent slopes	High	37.0	8.4%
HboA	Hammonton sandy loam, 0 to 2 percent slopes	High	7.2	1.6%
HorDr	Hooksan sand, 2 to 15 percent slopes, rarely flooded	Moderate	6.6	1.5%
PdwAv	Pawcatuck-Transquaking complex, 0 to 1 percent slopes, very frequently flooded	High	56.8	12.9%
TrkAv	Transquaking mucky peat, 0 to 1 percent slopes, very frequently flooded	High	100.2	22.7%
UdrB	Udorthents, refuse substratum, 0 to 8 percent slopes	Low	8.7	2.0%
UR	Urban land		33.3	7.5%
USPSAS	Urban land-Psamments, sulfidic substratum complex, 0 to 2 percent slopes, occasionally flooded		35.5	8.0%
WATERs	Water, saline		77.3	17.5%
Totals for Area of Interest			441.7	100.0%

Description

"Risk of corrosion" pertains to potential soil-induced electrochemical or chemical action that corrodes or weakens concrete. The rate of corrosion of concrete is based mainly on the sulfate and sodium content, texture, moisture content, and acidity of the soil. Special site examination and design may be needed if the combination of factors results in a severe hazard of corrosion. The concrete in installations that intersect soil boundaries or soil layers is more susceptible to corrosion than the concrete in installations that are entirely within one kind of soil or within one soil layer.

The risk of corrosion is expressed as "low," "moderate," or "high."

Rating Options

Aggregation Method: Dominant Condition

Aggregation is the process by which a set of component attribute values is reduced to a single value that represents the map unit as a whole.

A map unit is typically composed of one or more "components". A component is either some type of soil or some nonsoil entity, e.g., rock outcrop. For the attribute being aggregated, the first step of the aggregation process is to derive one attribute value for each of a map unit's components. From this set of component attributes, the next step of the aggregation process derives a single value that represents the map unit as a whole. Once a single value for each map unit is derived, a thematic map for soil map units can be rendered. Aggregation must be done because, on any soil map, map units are delineated but components are not.

For each of a map unit's components, a corresponding percent composition is recorded. A percent composition of 60 indicates that the corresponding component typically makes up approximately 60% of the map unit. Percent composition is a critical factor in some, but not all, aggregation methods.

The aggregation method "Dominant Condition" first groups like attribute values for the components in a map unit. For each group, percent composition is set to the sum of the percent composition of all components participating in that group. These groups now represent "conditions" rather than components. The attribute value associated with the group with the highest cumulative percent composition is returned. If more than one group shares the highest cumulative percent composition, the corresponding "tie-break" rule determines which value should be returned. The "tie-break" rule indicates whether the lower or higher group value should be returned in the case of a percent composition tie. The result returned by this aggregation method represents the dominant condition throughout the map unit only when no tie has occurred.

Component Percent Cutoff: None Specified

Components whose percent composition is below the cutoff value will not be considered. If no cutoff value is specified, all components in the database will be considered. The data for some contrasting soils of minor extent may not be in the database, and therefore are not considered.

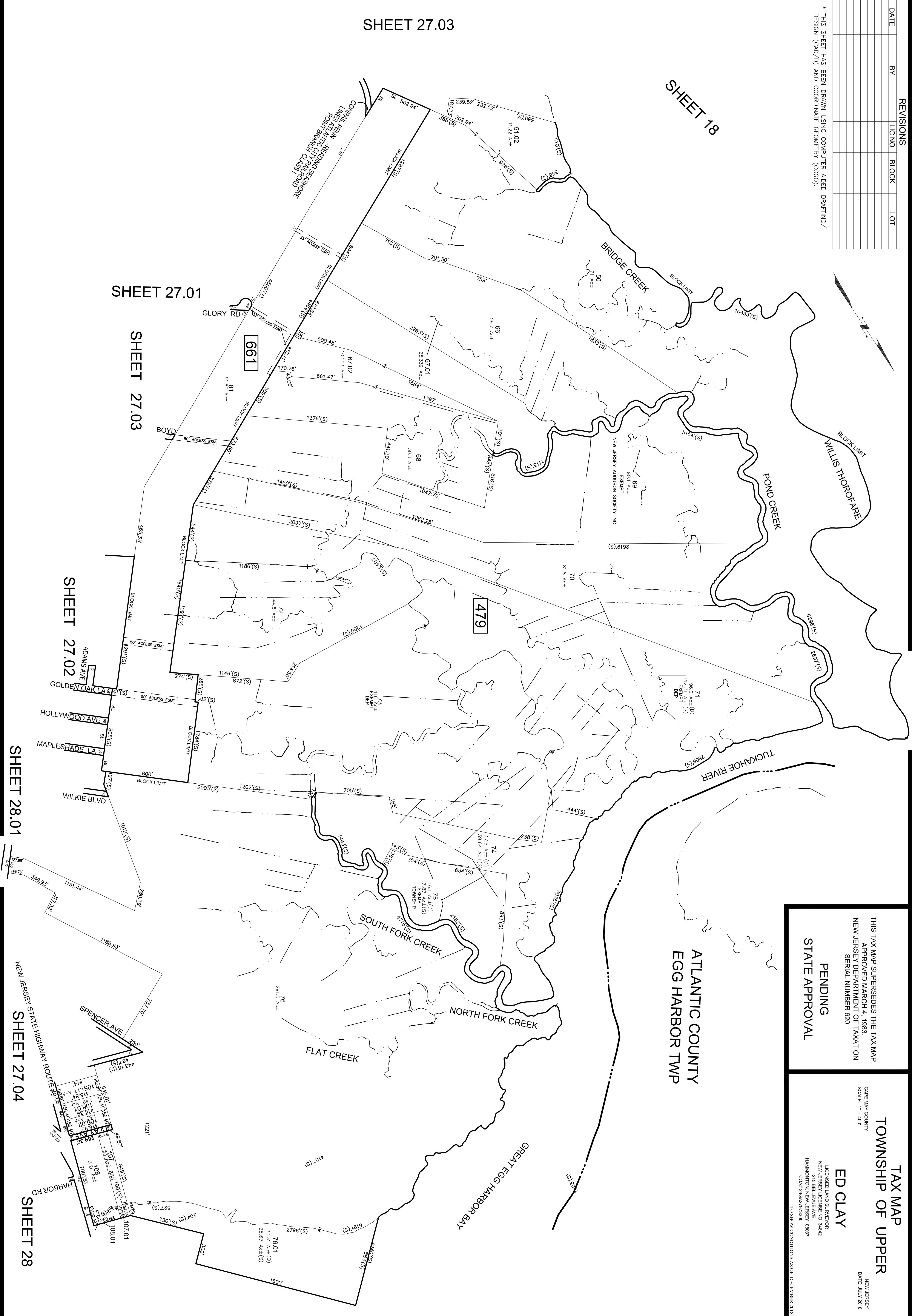
Tie-break Rule: Higher

The tie-break rule indicates which value should be selected from a set of multiple candidate values, or which value should be selected in the event of a percent composition tie.

APPENDIX XII – Tax Maps

REVISIONS			
DATE	BY	LIC/NO	BLOCK LOT

* THIS SHEET HAS BEEN DRAWN USING COMPUTER AIDED DRAFTING/
DESIGN (CAD/D) AND COORDINATE GEOMETRY (COGO).



THIS TAX MAP SUPERSEDES THE TAX MAP
APPROVED MARCH 4, 1983.
NEW JERSEY DEPARTMENT OF TAXATION
SERIAL NUMBER 620

PENDING
STATE APPROVAL

TAX MAP
TOWNSHIP OF UPPER

ATLANTIC COUNTY
SCALE 1" = 400'

ED CLAY

LICENSED LAND SURVEYOR
NEW JERSEY No. 34842
215 BELLEVUE AVE
HAMMONTON, NEW JERSEY 08037
CO#2462373300

TO SHOW CONDITIONS AS OF DECEMBER 2018

REVISIONS			
DATE	BY	LIC NO	BLOCK LOT

* THIS SHEET HAS BEEN DRAWN USING COMPUTER AIDED DRAFTING/
DESIGN (CAD/D) AND COORDINATE GEOMETRY (COGO).

SHEET 27

THIS TAX MAP SUPERSEDES THE TAX MAP
APPROVED MARCH 4, 1983.
NEW JERSEY DEPARTMENT OF TAXATION
SERIAL NUMBER 620

PENDING
STATE APPROVAL

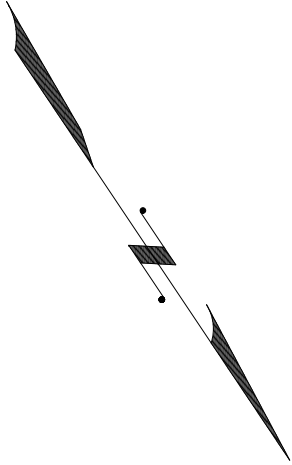
TAX MAP
TOWNSHIP OF UPPER

CORELAW COUNTY
SCALE 1" = 100'

ED CLAY

LICENSED LAND SURVEYOR
NEW JERSEY 34842
215 BELLEVUE AVE
HAMMONTON, NEW JERSEY 08037
CO.# 246A27973300

TO SHOW CONDITIONS AS OF: DECEMBER 2013



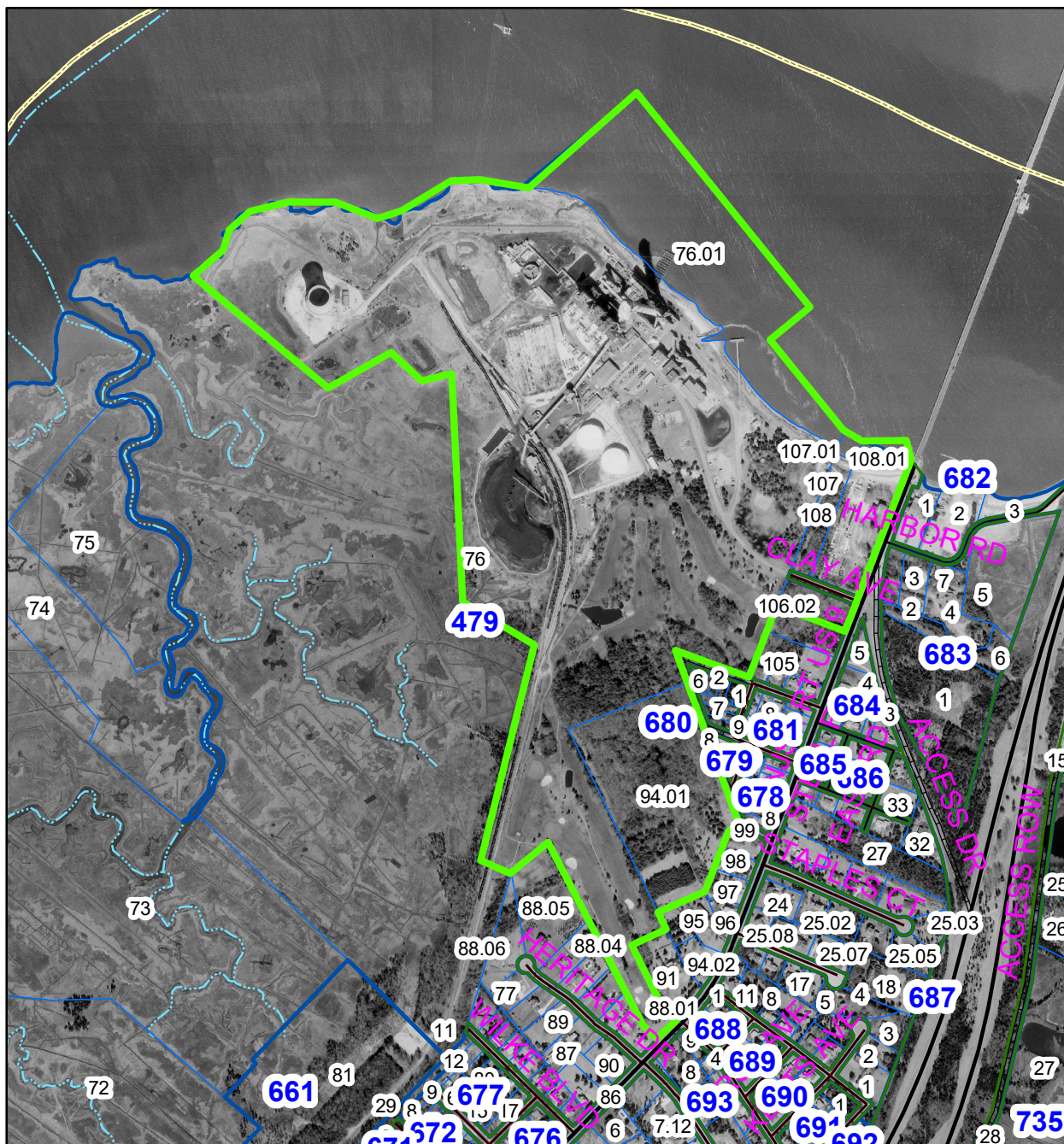
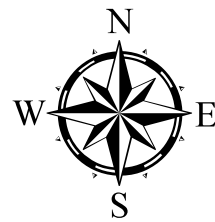
SHEET 27.02

SHEET 28.01

SHEET 28.04

SHEET 27

APPENDIX XIII – Map of Study Area



Redevelopment Area

Block 479 Lots 76, 76.01, 94.01, 106.02, 107, 107.01, 108, 108.01

Beesley's Point Section
Township of Upper
Cape May County, NJ

0 250 500 1,000 1,500 2,000
Feet

Prepared by:
Paul E. Dietrich, Sr., P.E.
Upper Township Engineer
2100 Tuckahoe Road, PO Box 205
Tuckahoe, NJ 08250-0205

September 2, 2020

