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Marjorie A. Hennis
Vermillion County Recorder IN
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DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT
OFFICE OF LAND QUALITY

Environmental Restrictive Covenant

THIS ENVIRONMENTAL RESTRICTIVE COVENANT ("Covenant") is made this 13 day of NOVEMBER, 2018, by the **Newport Chemical Depot Reuse Authority**.

WHEREAS: Owner is the fee owner of certain real estate in the County of Vermillion, Indiana, which is located at 3000 South State Road 63 Hillsdale, Indiana and more particularly described in the attached Exhibit "A" ("Real Estate"), which is hereby incorporated and made a part hereof. This Real Estate is described by instrument numbers 2012001039 and 2012002031, recorded May 31, 2012 and October 12, 2012 in the Office of the Recorder of Vermillion County, Indiana. The Real Estate consists of approximately 7,035.37 acres and has also been identified by the county as parcel identification number 83-09-09-900-001.000-011. The twenty-five (25) sites to which the restrictions in this Covenant apply are more particularly described in Exhibit B. A site map depicting the Real Estate and the restricted Sites is attached as Exhibit C. Said sites subject to the restrictions imposed by this covenant are hereafter sometimes referred to as the "Sites".

WHEREAS: Corrective action was implemented in accordance with IC 13-23 and other applicable Indiana law as a result of a release and hazardous substances relating to the Department of the Army installation known as the Newport Chemical Depot, Facility #IN 1 210 022 272.

WHEREAS: Certain contaminants of concern ("COCs") remain in the groundwater and soil of the Sites following completion of corrective action. The Department has determined that the COCs will not pose an unacceptable risk to human health at the remaining concentrations, provided that the land use restrictions contained herein are implemented and engineering controls maintained to protect human health and the environment. These COCs for each of the Sites are listed in Exhibit B.

WHEREAS: Environmental investigation reports and other related documents are hereby incorporated by reference and may be examined at the offices of the Indiana Department of Environmental Management (the "Department"), which is located in the Indiana Government Center North building at 100 N. Senate Avenue, Indianapolis, Indiana. The documents may also be viewed electronically in the Department's Virtual File Cabinet by accessing the Department's Web Site (currently).

NOW THEREFORE, Newport Chemical Depot Reuse Authority subjects the twenty-five (25) Sites identified in Exhibit B to the following restrictions and provisions, which shall be binding on the current Owner and all future Owners:

I. RESTRICTIONS

1. Restrictions. Specific Coordinates describing each of the twenty-five (25) Sites subject to restrictions and the restrictions applicable to each Site are shown in Exhibit B. Each of the Sites subject to restrictions identified in Exhibit B is identified as being subject to one or more of the following six (6) restrictions:

No Intrusive Activity – Soil Cover

No Intrusive Activity
No Ground Water Use
No Residential Use
No Agricultural Use
Engineered Cover Restrictions

For purposes of Exhibit B, those terms shall have the following meanings:

No Intrusive Activity – Soil Cover shall mean: The Owner:

1. Will maintain the engineered soil cover within the Site so as to protect public health, safety, or welfare and the environment in order to protect its functional integrity. Maintenance of the soil cover should include: (i) periodic maintenance activities to prevent tree growth, such as, but not limited to, mowing, cutting, burning or herbicidal applications; (ii) maintaining a vegetative cover that is adequate to inhibit soil erosion; and (iii) repairing any soil erosion that occurs. Disturbance of the soil cover for purposes of replacement of vegetative cover and/or habitat plantings, as needed, or similar activities shall be limited to the top one (1.0) foot of soil.

Any removal, excavation, or disturbance of soil from beneath the top one foot of soil within the Site is prohibited unless consistent with a work plan that has been submitted to IDEM for approval at least thirty (30) days prior to the desired start date for the work unless necessary to restore or repair utility service interruption or other emergency in which case Owner will give the Department notice of such activity within forty-eight (48) hours and shall promptly restore the engineered cover and ensure that the functional integrity of the engineered cover is restored upon completion of any construction or excavation.

To the extent that removal, excavation or disturbance is necessary for the continuation and maintenance of the soil cover, the management and disposition of any soil that is removed or excavated from the Soil Disturbance Restriction Area must be conducted in accordance with all applicable federal and state laws and regulations.

Should annual inspections identify the exposure of waste materials or a breach of integrity of the soil cover, necessary repairs shall be made to the soil cover.

2. Shall restore soil disturbed as a result of excavation and construction activities in such a manner that the remaining contaminant concentrations do not present a threat to human health or the environment. This determination shall be made using the Department's Risk Closure Guide. Upon the Department's request, the Owner shall provide the Department written evidence (including sampling data) showing the excavated and restored area, and any other area affected by the excavation, does not represent such a threat. Contaminated soils that are excavated must be managed in accordance with all applicable federal and state laws; and disposal of such soils must also be done in accordance with all applicable federal and state laws.

3. Shall restore soil disturbed as a result of excavation and construction activities in such a manner that the remaining contaminant concentrations do not present a threat to human health or the environment. This determination shall be made using the Department's Risk Closure Guide. Upon the Department's request, the Owner shall provide the Department written evidence (including sampling data) showing the excavated and restored area, and any other area affected by the excavation, does not represent such a threat. Contaminated soils that are excavated must be managed in accordance with all applicable federal and state laws; and disposal of such soils must also be done in accordance with all applicable federal and state laws.

No Intrusive Activity shall mean: The Owner:

1. Shall restore soil disturbed as a result of excavation and construction activities in such a manner that the remaining contaminant concentrations do not present a threat to human health or the environment. This determination shall be made using the Department's Risk Closure Guide. Upon the Department's request, the Owner shall provide the Department written evidence (including sampling data) showing the excavated and restored area, and any other area affected by the excavation, does not represent such a threat. Contaminated soils that are excavated must be managed in accordance with all applicable federal and state laws; and disposal of such soils must also be done in accordance with all applicable federal and state laws.
2. Shall neither engage in nor allow excavation of soil at depths greater than six (6) inches in the area of that Site unless soil disturbance obligations listed in the preceding paragraph are followed. In addition, the Owner shall provide written notice to the Department in accordance with paragraph 13 below at least ten (10) days after the start of soil disturbance activities. The owner, upon the Department's request, shall provide the Department evidence showing the excavated and restored area does not represent a threat to human health or the environment given the restrictions applicable to that Site.

No Ground Water Use shall mean: The Owner shall not use or allow the use or extraction of groundwater at the Site for any purpose, including, but not limited to: human or animal consumption, gardening, industrial processes, or agriculture, except that groundwater may be extracted in conjunction with environmental investigation and/or remediation activities.

No Residential Use shall mean: The Owner shall not use or allow the use of the Site for residential purposes, including, but not limited to, daily child care facilities or educational facilities for children (e.g., daycare centers or K-12 schools).

No Agricultural Use shall mean: The Owner shall not use the Site for any agricultural use.

II. GENERAL PROVISIONS

1. Restrictions to Run with the Land. The restrictions and other requirements described in this Covenant shall run with the land and be binding upon, and inure to the benefit of the Owner of the Sites and the Owner's successors, assignees, heirs and lessees and their authorized agents, employees, contractors, representatives, agents, lessees, licensees, invitees, guests, or persons acting under their direction or control (hereinafter "Related Parties") and shall continue as a servitude running in perpetuity with the Sites identified in Exhibit B. No transfer, mortgage, lease, license, easement, or other conveyance of any interest in or right to occupancy in all or any part of the Sites identified in Exhibit B by any person shall affect the restrictions set forth herein.
2. Binding upon Future Owners. By taking title to an interest in or occupancy of any of the Sites identified in Exhibit B, any subsequent Owner or Related Party agrees to comply with all of the restrictions set forth in Exhibit B applicable to that Site and with all other terms of this Covenant.
3. Access for Department. The Owner shall grant to the Department and its designated representatives the right to enter upon the Sites at reasonable times for the purpose of monitoring compliance with this Covenant and ensuring its protectiveness; this right includes the right to take samples and inspect records
4. Written Notice of the Presence of Contamination. Owner agrees to include in any instrument conveying any interest in any portion of the Sites, including but not limited to deeds, leases and subleases (excluding mortgages, liens, similar financing interests, and other non-possessory encumbrances), the following notice provision (with blanks to be filled in):

NOTICE: THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL RESTRICTIVE COVENANT, DATED _____ 20__, RECORDED IN THE OFFICE OF THE RECORDER OF _____ COUNTY ON _____, 20__, INSTRUMENT NUMBER (or other identifying reference) _____ IN FAVOR OF AND ENFORCEABLE BY THE INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT.

5. Notice to Department of the Conveyance of Property. Owner agrees to provide notice to the Department of any conveyance (voluntary or involuntary) of any ownership interest in the Sites or any part thereof (excluding mortgages, liens, similar financing interests, and other non-possessory encumbrances). Owner must provide the Department with the notice within thirty (30) days of the conveyance and: (a) include a certified copy of the instrument conveying any interest in any portion of the Sites, and (b) if it has been recorded, its recording reference, and (c) the name and business address of the transferee.
6. Subdivision. Prior to any subdivision of the Real Estate, in order to ensure each Site within a subdivided parcel remains subject to appropriate restrictions, Owner agrees to provide IDEM with draft versions of this Covenant applicable to each resulting parcel which will include one or more of the Sites identified in Exhibit B. IDEM will review the draft Covenants to ensure proper restrictions are placed on each

subdivided parcel. Owner agrees to record such Covenants within thirty (30) days of IDEM approval or with the initial recording of any instrument related to the newly created parcels, whichever is later.

7. Indiana Law. This Covenant shall be governed by, and shall be construed and enforced according to, the laws of the State of Indiana.
8. This Environmental Restrictive Covenant are in addition to and do not replace any prior applicable Environmental Covenant or Restriction recorded for the Real Estate in the Office of the Vermillion County Recorder.

III. ENFORCEMENT

1. Enforcement. Pursuant to IC 13-14-2-6 and other applicable law, the Department may proceed in court by appropriate action to enforce this Covenant. Damages alone are insufficient to compensate IDEM if any owner of the Real Estate or its Related Parties breach this Covenant or otherwise default hereunder. As a result, if any owner of the Real Estate, or any owner's Related Parties, breach this Covenant or otherwise default hereunder, IDEM shall have the right to request specific performance and/or immediate injunctive relief to enforce this Covenant in addition to any other remedies it may have at law or at equity. Owner agrees that the provisions of this Covenant are enforceable and agrees not to challenge the provisions or the appropriate court's jurisdiction.

IV. TERM, MODIFICATION AND TERMINATION

1. Term. The restrictions shall apply until the Department determines that the contaminants of concern no longer present an unacceptable risk to the public health, safety, or welfare, or to the environment.
2. Modification and Termination. This Covenant shall not be amended, modified, or terminated without the Department's prior written approval. Within thirty (30) days of executing an amendment, modification, or termination of the Covenant, Owner shall record such amendment, modification, or termination with the Office of the Recorder of Vermillion County and within thirty (30) days after recording, provide a true copy of the recorded amendment, modification, or termination to the Department.

V. MISCELLANEOUS

1. Waiver. No failure on the part of the Department at any time to require performance by any person of any term of this Covenant shall be taken or held to be a waiver of such term or in any way affect the Department's right to enforce such term, and no waiver on the part of the Department of any term hereof shall be taken or held to be a waiver of any other term hereof or the breach thereof.
2. Conflict of and Compliance with Laws. If any provision of this Covenant is also the subject of any law or regulation established by any federal, state, or local government, the strictest standard or requirement shall apply. Compliance with this Covenant does not relieve the Owner of its obligation to comply with any other applicable laws.
3. Change in Law, Policy or Regulation. In no event shall this Covenant be rendered unenforceable if Indiana's laws, regulations, RISC guidelines, or remediation policies (including those concerning environmental restrictive covenants, or institutional or engineering controls) change as to form or content. All statutory references include any successor provisions.
4. Notices. Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other pursuant to this Covenant shall be in writing and shall either be served personally or sent by first class mail, postage prepaid, addressed as follows:

To Owner:
Newport Chemical Depot Reuse Authority
1051 West Indiana Avenue
Hillsdale, IN 47854

To Department:
IDEM, Office of Land Quality
100 N. Senate Avenue
IGCN 1101
Indianapolis, IN 46204-2251
Attn: Section Chief, Hazardous Materials

An Owner may change its address or the individual to whose attention a notice is to be sent by giving written notice via certified mail.

5. Severability. If any portion of this Covenant or other term set forth herein is determined by a court of competent jurisdiction to be invalid for any reason, the surviving portions or terms of this Covenant shall remain in full force and effect as if such portion found invalid had not been included herein.
6. Authority to Execute and Record. The undersigned person executing this Covenant represents that he or


she is the current fee Owner of the Real Estate or is the authorized representative of the Owner, and further represents and certifies that he or she is duly authorized and fully empowered to execute and record, or have recorded, this Covenant.

Owner hereby attests to the accuracy of the statements in this document and all attachments.

IN WITNESS WHEREOF, Newport Chemical Depot Reuse Authority, the said Owner of the Real Estate described above has caused this Environmental Restrictive Covenant to be executed on this 17 day of NOVEMBER, 2018.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, as required by law.

NEWPORT CHEMICAL DEPOT REUSE AUTHORITY

By: 
(Signature)

Robert Grewe, Executive Director
(Printed Name and Title)

APPROVED:

Indiana Department of Environmental Management


By: 
(Signature)

PEGGY DORSEY, Assistant Commissioner AC
(Printed Name and Title)

STATE OF INDIANA)
) SS:
COUNTY OF VERMILION

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared ROBERT GREWE, the EX. DIRECTOR of the Owner, Newport Chemical Depot Reuse Authority, who acknowledged the execution of the foregoing instrument for and on behalf of said entity.

Witness my hand and Notarial Seal this 13 day of NOV., 2018.



HENRY L. ANTONENE, Notary Public

Residing in VERMILION County, INDIANA

My Commission Expires:
5-1-2025

STATE OF _____)
) SS:
COUNTY OF _____)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared 1. [Signature], the AC of the Indiana Department of Environmental Management, who acknowledged the execution of the foregoing instrument for and on behalf of said entity.

Witness my hand and Notarial Seal this 20th day of November, 2018.
Notary Public - State of Indiana



Janet Therese' Smith
Marion County
Commission Number: 711648
Expires on March 20, 2026

[Signature]

Janet T Smith, Notary Public
Residing in Marion County, IN

My Commission Expires:
3/20/2026

This instrument prepared by:
Louis F. Britton
Cox, Zwerner, Gambill & Sullivan, LLP
511 Wabash Avenue
Terre Haute, IN 47807
812-232-6003

With modifications by: Julie E. Lang, IDEM Office of Legal Counsel

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law:

Louis F. Britton
Cox, Zwerner, Gambill & Sullivan, LLP
511 Wabash Avenue
Terre Haute, IN 47807
812-232-6003

EXHIBIT A

LEGAL DESCRIPTION OF REAL ESTATE



HENNESSY SURVEYING INC.

6085 SOUTH 50 WEST
FORT BRANCH, IN 47648
PHONE: (812) 753-5941
FAX: (812) 753-4559
www.hennessysurveying.com

Survey Description

Part of Sections 4, 5, 6, 7, 8, 9, 16, 17, and 18, in Township 16 North, Range 9 West, part of Sections 9, 10, 15, 16, and 22 in Township 16 North, Range 10 West, North of the Harrison Boundary Line, and part of Sections 31, 32, 33, and 34 in Township 17 North Range 9 West, situated in Vermillion Township, Vermillion County, Indiana, and more particularly described as follows:

Beginning at a 5/8 inch iron pin found at the northeast corner of the Northeast Quarter of Section 4, Township 16 North, Range 9 West; thence South 00 degrees 23 minutes 05 seconds East 2678.91 feet to a mag nail with washer stamped "HENNESSY LS20200026" set at the southeast corner of the Northeast Quarter of Section 4; thence South 00 degrees 23 minutes 05 seconds East 2685.27 feet to a 5/8 inch iron pin in concrete found at the southeast corner of Section 4; thence South 00 degrees 25 minutes 16 seconds East 2697.94 feet to a 1/2 inch iron pin found at the southeast corner of the Northeast Quarter of Section 9; thence South 00 degrees 12 minutes 08 seconds West 2712.18 feet to a 1/2 inch iron pin found at the southeast corner of Section 9; thence South 01 degrees 10 minutes 05 seconds East 1346.23 feet to a 5/8 inch iron pin with cap stamped "K. J. HENNESSY LS 20200026", herein called monument, set at the southeast corner of the North Half of the Northeast Quarter of Section 16; thence North 89 degrees 09 minutes 36 seconds West 2705.89 feet to a set monument at the southwest corner of the North Half of the Northeast Quarter of Section 16; thence South 00 degrees 48 minutes 21 seconds East 1347.55 feet to a 12 inch diameter concrete post found at the center of Section 16; thence North 88 degrees 28 minutes 16 seconds West 2692.30 feet to an irregular shaped stone found at the southeast corner of the East Half of the Northeast Quarter of Section 17; thence South 89 degrees 32 minutes 34 seconds West 1329.34 feet to a 12 inch wide concrete cross found at the southeast corner of the West Half of the Northeast Quarter of Section 17; thence South 89 degrees 31 minutes 44 seconds West 1331.98 feet to a 14 inch diameter concrete post found at the center of Section 17; thence South 89 degrees 31 minutes 15 seconds West 1353.95 feet to wooden post found at the southwest corner of the East Half of the Northwest Quarter of Section 17; thence South 89 degrees 31 minutes 15 seconds West 1353.95 feet to a monument set at the southwest corner of the Northwest Quarter of Section 17; thence North 89 degrees 59 minutes 21 seconds West 1789.99 feet to a 1 inch iron pipe found in an old road bed; thence South 00 degrees 18

minutes 25 seconds East along said road bed 2634.47 feet to a 4 inch x 12 inch stone found along the south line of Section 18; thence North 88 degrees 29 minutes 02 seconds West 3489.38 feet to a 12 inch x 12 inch stone found at the southwest corner of Section 18, Township 16 North, Range 9 West; thence North 00 degrees 27 minutes 59 seconds West 1415.02 feet to a 12 inch stone found on the west line of Section 18, Township 16 North, Range 9 West; thence South 88 degrees 47 minutes 12 seconds West 2605.54 feet to a 1 inch iron pipe found in the centerline of County Road 50 West; thence North 02 degrees 18 minutes 23 seconds East along said centerline 722.09 feet to a monument set at the intersection of said centerline with an existing chain link fence; thence North 89 degrees 23 minutes 05 seconds West 33.13 feet to monument set 20 feet west of said chain link fence; thence running parallel to and at a 20 foot offset from said chain link fence the following bearings and distances: North 00 degrees 06 minutes 21 seconds West 3264.14 feet to a set monument; North 01 degrees 16 minutes 45 seconds West 690.85 feet to a set monument on the south line of Section 15, Township 16 North, Range 10 West; thence South 88 degrees 24 minutes 06 seconds West 1277.71 feet to a 5/8 iron pin found at the southwest corner of Section 15, Township 16 North, Range 10 West; thence South 88 degrees 35 minutes 41 seconds West along the south line of Section 16 a distance of 1106.47 feet to a set monument; thence North 01 degrees 26 minutes 03 seconds West 1122.21 feet to a 12 inch wood corner post; thence North 89 degrees 22 minutes 27 seconds West 213.53 feet to a set monument; thence North 01 degrees 35 minutes 44 seconds West 198.00 feet to a 1.5 inch iron pipe found at the southeast corner of the Northwest Quarter of the Southeast Quarter of Section 16; thence South 88 degrees 27 minutes 39 seconds West 1336.58 feet to a 12 inch wood corner post found at the southwest corner of the Northwest Quarter of the Southeast Quarter of Section 16; thence North 01 degrees 29 minutes 09 seconds West 1332.32 feet to a set monument at the center of Section 16; thence North 01 degrees 21 minutes 40 seconds West 666.31 feet to a US Coast Guard marker in concrete found on the west line of the Northeast Quarter of Section 16; thence North 88 degrees 51 minutes 20 seconds East 2200.00 feet to a set monument; thence North 01 degrees 21 minutes 40 seconds West 2000.00 feet to a mag nail with washer stamped "HENNESSY LS20200026" set on the north line of Section 16; thence South 88 degrees 52 minutes 40 seconds West 2200.00 feet to a railroad spike found at the northwest corner of the Northeast Quarter of Section 16; thence North 01 degrees 19 minutes 42 seconds West 2637.77 feet to a 36 inch maple tree at a fence line intersection at the center of Section 9; thence North 88 degrees 15 minutes 40 seconds East 1362.13 feet to a 1 inch iron pipe found at the southwest corner of the East Half of the Northeast Quarter of Section 9; thence North 01 degrees 08 minutes 48 seconds West along the west line of the East Half of the Northeast Quarter of Section 9 a distance of 1301.02 feet to a set monument in the centerline of County Road 100 South; thence along said road centerline the following bearings and distances: South 67 degrees 17 minutes 59 seconds East 127.55 feet; with a curve turning to the left with an arc length of 436.56 feet, with a radius of 196.79 feet, with a chord bearing of North 49 degrees 08 minutes 46 seconds East, with a chord length of 352.39 feet; North 14 degrees 24 minutes 28

seconds West 172.76 feet; with a curve turning to the right with an arc length of 412.02 feet, with a radius of 228.36 feet, with a chord bearing of North 37 degrees 16 minutes 50 seconds East, with a chord length of 358.37 feet; North 88 degrees 58 minutes 09 seconds East 754.74 feet to a set monument at the northeast corner of Section 9, Township 16 North, Range 10 West; thence North 89 degrees 46 minutes 40 seconds East 797.72 feet to a set monument at the southeast corner of the Southwest Quarter of Section 31, Township 17 North, Range 9 West; thence North 89 degrees 46 minutes 40 seconds East along the south line of the Southwest Quarter of the Southeast Quarter of said Section 31 a distance of 454.58 feet to a monument set 20 feet west of an existing chain link fence; thence parallel to and at a 20 foot offset west and north of said chain link fence the following bearings and distances: North 00 degrees 40 minutes 51 seconds West 28.24 feet to a set monument; North 45 degrees 48 minutes 37 seconds East 26.52 feet to a set monument; North 89 degrees 47 minutes 03 seconds East 879.20 feet to a monument set on the west line of the Southeast Quarter of the Southeast Quarter of Section 31; thence North 00 degrees 42 minutes 46 seconds West along said west line 1299.07 feet to a set monument at the northwest corner of the Southeast Quarter of the Southeast Quarter of Section 31; thence North 89 degrees 46 minutes 41 seconds East 1354.49 feet to a 6 inch wood fence post found at the northwest corner of the Southwest Quarter of the Southwest Quarter of Section 32; thence North 89 degrees 58 minutes 16 seconds East 1333.86 feet to a monument set at the northwest corner of the Southeast Quarter of the Southwest Quarter of Section 32; thence North 00 degrees 14 minutes 24 seconds West 1025.03 feet along the west line of the Northeast Quarter of the Southwest Quarter of Section 32 to a set monument; thence South 89 degrees 52 minutes 35 seconds East 1350.40 feet to a set monument; thence North 00 degrees 13 minutes 41 seconds West 317.00 feet to a monument set on the north line of the Northwest Quarter of the Southeast Quarter of Section 32; thence North 89 degrees 27 minutes 07 seconds East 2586.47 feet to a 1 inch iron pipe found at the northeast corner of the East Half of the Southeast Quarter of Section 32; thence South 00 degrees 17 minutes 16 seconds East 1325.84 feet to a 1 inch iron pipe found at the northwest corner of the South Half of the Southwest Quarter of Section 33; thence South 89 degrees 49 minutes 13 seconds East along the north line of the South Half of the Southwest Quarter and the north line of the South Half of the Southeast Quarter of said Section 33 a distance of 3112.22 feet to a monument set in an old road bed; thence South 00 degrees 12 minutes 12 seconds West along the old road bed 1083.25 feet to set monument; thence South 87 degrees 52 minutes 39 seconds East 186.00 feet to a wood corner post; thence South 01 degrees 24 minutes 43 seconds East 189.75 feet to a 5/8 inch iron pin with cap stamped IPS S0094 found 20 feet north of an existing chain link fence; thence parallel to and at a 20 foot offset north of said chain link fence the following bearings and distances: North 89 degrees 53 minutes 00 seconds East 2684.06 feet to a set monument; South 43 degrees 37 minutes 09 seconds East 78.55 feet to a monument set on the south line of Section 34; thence South 89 degrees 58 minutes 46 seconds East along said south line 1948.35 feet to a 1.5 inch hex head iron pin found at the southwest corner of the Southeast Quarter of Section

34; thence North 89 degrees 40 minutes 36 seconds East 1327.08 feet to a 1.5 inch hex head iron pin found at the southwest corner of the East Half of the Southeast Quarter of Section 34; thence South 89 degrees 38 minutes 59 seconds East 1337.97 feet to a 5/8 inch iron pin found at the southeast corner of Section 34; thence North 89 degrees 50 minutes 04 seconds East 645.89 feet to the Point of Beginning, containing 7035.37 acres more or less.

Subject to any and all easements, agreements, and restrictions of record.

Respectfully prepared by,



Kevin J. Hennessy,

P.L.S. 20200026

June 26th, 2010



EXHIBIT B

25 SITES TO WHICH THE RESTRICTIONS IN THIS COVENANT APPLY

Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

- 1 Nite Soil Pits (NSP)
- 2 Present Sanitary Landfill (PSL)
- 3 Gypsum Sludge Basins - Agricultural Lime (GSB-AGLIM)
- 4 TNT Burning Ground (TNT-BG)
- 5 RDX Manufacturing Area - (RDX-MA)
- 6 Gypsum Sludge Basins - Pollution Control Center Retention Pond (GSB-PCCRP)
- 7 Chemical Plant Retention Basins (CPRB)
- 8 Asbestos Burial Area West of the Sewage Treatment Plant (STP-ABS)
- 9 Demilitarization Incinerator - Scrap Yard (DI-SY)
- 10 Memorial Chapel RDX Dump (MCD)
- 11 Red Water Spill at the TNT Manufacturing Area (Red Water)
- 12 Asbestos Burial Area North of Building 401A (401A NABS)
- 13 Chemical Plant Coal Ash Basin (CPAB)
- 14 Decontaminated Waste Burial Ground (DWBG)
- 15 Asbestos Burial Area East of the Pine Trees (EPT-ABS)
- 16 Closed Sanitary Landfill (CSL)
- 17 Construction Debris Dump (CDD)
- 18 Asbestos Burial Area East of the Memorial Chapel Dump (MCD-ABS)
- 19 TNT Manufacturing Area (TNT-MA)
- 20 Former Production Facility - Newport Chemical Demil Facility (FPF-NCDF)
- 21 Building 716A Vehicle Maintenance Shop (B716A)
- 22 Building 726C Pesticide Storage Shed (B726C)

- 23 Underground Piping at Fuel Oil Tank (UP-FOT)
- 24 Little Raccoon Creek Bank (LRCB)
- 25 Small Arms Range

Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

<i>Area Designation:</i>	NSP
<i>Area Designation (Former list):</i>	NSP
<i>Land Area (approx.):</i>	4.4 Ac.
<i>Restrictions:</i>	No Intrusive Activity No Agricultural Activity

Description of Area Subject to Environmental Restrictive Covenant:

See attached drawing.

Activity Summary and COC's:

The NSPs are designed as SWMUs NAAP-1. They are in the northwest corner of NECD and consist of a 250- by 250-foot fenced burial area containing two pits. The site is fairly level with elevations ranging from approximately 629 to 635 feet above msl. The site slopes to the west/southwest toward creeks south and west of the site. Prior to closure of the pits, they were the dominant topographic feature at the site. Currently, there are no visible topographic features to identify the pit locations. The site was used in the 1940s to bury "night soils" from privies. In 1968, these pits were used for disposing of decontaminated solid waste from the VX manufacturing process. The decontaminated waste included decontaminated sludge from Chemical Plant settling basin 30025. In 1977, rubble and other burned materials resulting from the razing of the RDX manufacturing facility also were disposed of in the NSPs. There is no record of when or how much "night soils" were placed in these pits.

(continued on next page)

Vermillion County Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: NSP

Area Designation (Former list): NSP

Activity Summary and COC's (continued):

Facility-wide RCRA Facility Investigation (RFI) groundwater sampling results from one up gradient and two down gradient wells indicate that site-related metals concentrations that were an order of magnitude higher than their background mean were detected only in down gradient well NSP-03. No VX-related compounds were detected in the groundwater during the Facility-wide RFI or during earlier Site Investigation (SI) activities. The reported disposal of decontaminated solid waste from the VX manufacturing process at the NSPs has not impacted the groundwater at this SWMU. A deed notice, recorded October 24, 1997, indicates the presence of the NSPs in this area. Based on these findings, the Army recommended no further action (NFA), other than implementation of land use controls (LUCs) for the NSPs. This recommendation was reviewed and accepted by Indiana Department of Environmental Management (IDEM).

The NSP Area was not remediated to levels suitable for unrestricted use. The deed will include the following land use restrictions: excavation of soil or buried waste in the pit areas is prohibited and agricultural use of the areas is prohibited.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Night Soils Pits (NSP)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch,
Engineering & GIS Services, November 17, 2015

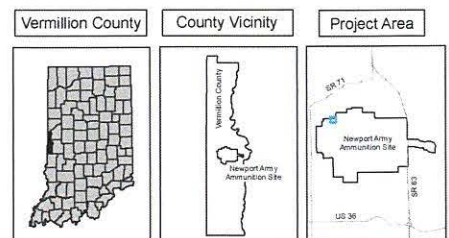
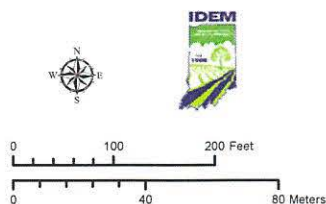
ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 10 (North of the Ten O'clock Line), T16N, R10W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.

 Environmental Restrictive Covenant



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: Present Sanitary Landfill

Area Designation (Former list): PSL

Land Area (approx.): 0.7 Ac.

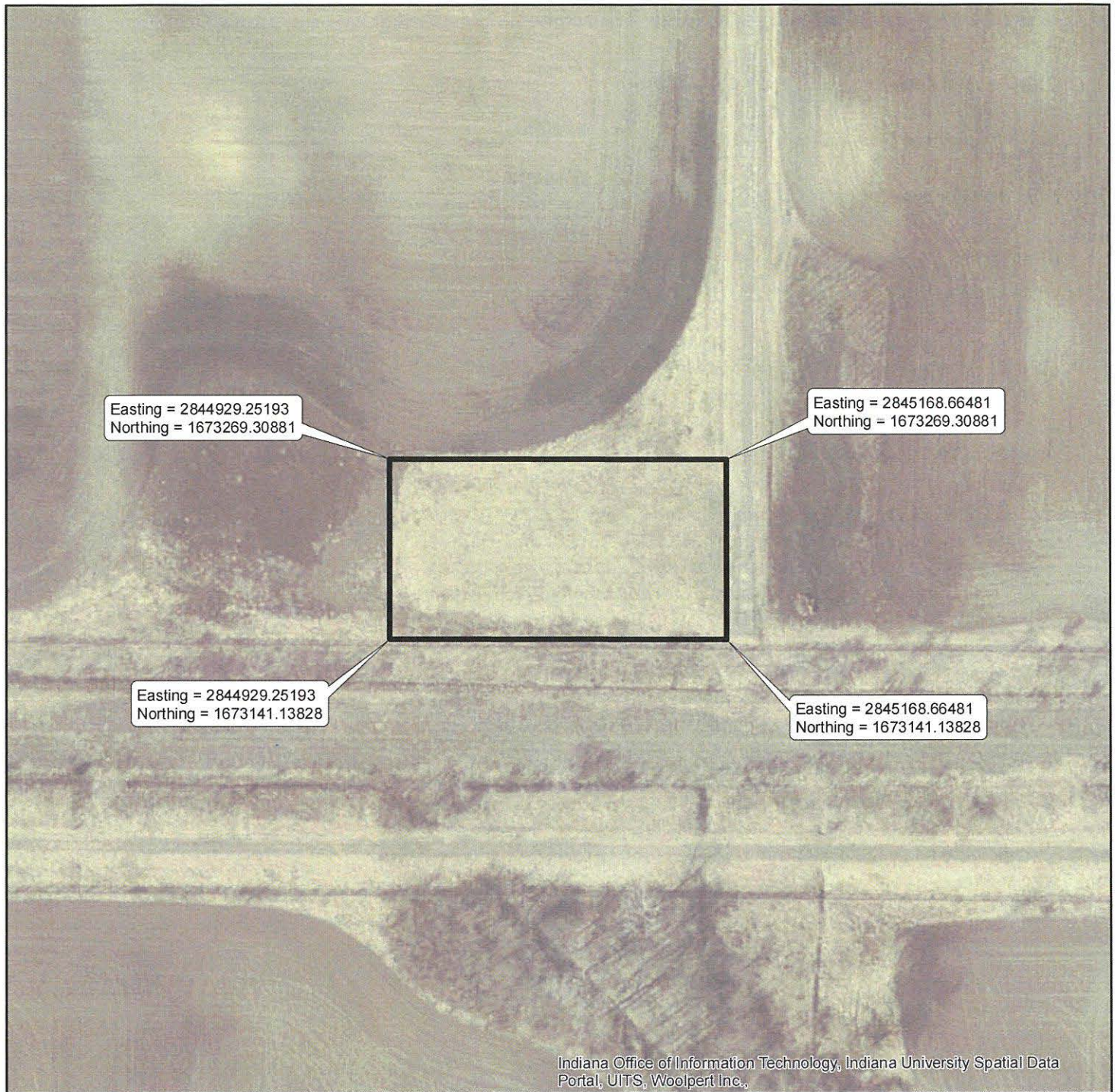
Restrictions:
No Intrusive Activity
No Ground Water Use
No Residential Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

There are no contaminants of concern. The Present Sanitary Landfill (PSL) encompasses approximately 30 acres, but only a small portion, 0.67 acres, was used. Landfill materials included wastewater sludge, transite siding, and demolition & construction debris. This unit was regulated under a State of Indiana solid waste permit. The PSL was closed in 1997 in accordance with Closure and Post-Closure Plans. A deed notation was recorded on April 11, 1997, which requires that no construction, installation of wells, pipes, conduits, or septic systems, or any other excavation shall be done without approval by the Commissioner. An IDEM letter dated July 3, 2001, stated the NECD may discontinue ground water monitoring of the Sanitary Landfill effective upon receipt of this letter. The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Residential and Groundwater Use and Intrusive Activity that will be submitted with the ERC.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Present Sanitary Landfill (PSL)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, November 30, 2015

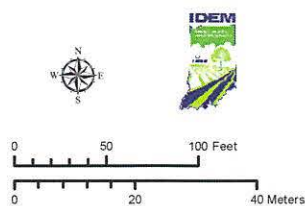
ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 15 (North of the Ten O'clock Line), T16N, R10W
Section 7, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.

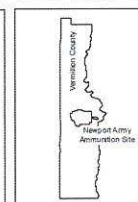
 Environmental Restrictive Covenant



Vermillion County

County Vicinity

Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

<i>Area Designation:</i>	GSB-AGLIM
<i>Area Designation (Former list):</i>	GSB-AGLIM
<i>Land Area (approx.):</i>	14.4 Ac.
<i>Restrictions:</i>	No Ground Water Use No Residential Use No Agricultural Use

Description of Area Subject to Environmental Restrictive Covenant:

See attached drawing.

Activity Summary and COC's:

The GSBs (SWMUs NAAP-34 through NAAP-36) and PCCRP (SWMU NAAP-49) are in the south-central area of NECD. Because of their close proximity to each other and similar functional relationships, these two SWMUs have been addressed as one SWMU group during the RI and Facility-wide RFI. The GSBs include three above-grade basins, each 10 feet deep and covering an area of 400 by 400 feet (3.67 acres). The basins are constructed with compacted native clay earthen berms with no membrane liner. They were intended to be used to contain settled gypsum sludge produced by the neutralization of acidic wastewaters associated with TNT production in 1973/74. Drainage occurs through a central overflow standpipe in each basin that flows by gravity through underground pipes to the PCCRP. The EPIC study identified standing liquid in all three basins in 1975. Visual inspection of the basins in 1986 identified only the northernmost basin of the GSBs as containing gypsum sludge.

(continued on next page)

Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: GSB-AGLIM

Area Designation (Former list): GSB-AGLIM

Activity Summary and COC's (continued):

The PCCRP is an in-ground basin constructed of clay, sand, and gravel, and is lined with fiber-reinforced asphaltic panels. The panels are separating and allowing the basin sides to erode. The PCCRP is 5 feet deep and covers an area of 275 by 275 feet (1.74 acres). During active operations in 1973/74, the PCCRP received wastewater from the PCC clarifiers, as well as the GSBs' effluent. The PCCRP also received water from the Red Water Ash Basins (RWABs) during the 1974 TNT plant shutdown. In 1984, the water that had been collected in the RWABs since 1974 (when the TNT plant shut down) was pumped to the PCCRP. The pond currently (1984 to present) accepts storm water drainage from the RWABs, as well as the GSBs, providing a final settling point before the clarified effluent is pumped to Little Raccoon Creek.

Soil and groundwater sampling activities were conducted at the GSBs and PCCRP during three investigations at NECD: the 1991 RI, 1997/98 RFI, and 2000 Follow-on RFI. Sampling locations and analytical parameters were selected based on the history of the SWMUs and identified data gaps. Groundwater, surface/subsurface soil, sediment, and surface water samples were analyzed for the parameters most likely to be present at the SWMUs: VOCs, base/neutral and acid extractables (BNAs)/SVOCs, metals, and explosives. VOCs, BNAs/SVOCs, and explosives were not detected in the soil at either SWMU during the 1987 U.S. Army Environmental Hygiene Agency (USAEHA) study, the 1991 RI, or the 1997/98 RFI. The concentrations of metals detected in the GSBs and PCCRP during the 1991 RI are consistent with background concentrations. Metals concentrations detected in soil in the northernmost GSB during the 2000 Follow-on RFI were all below their associated IDEM migration to groundwater criteria. Hexavalent chromium was not detected in the GSBs groundwater, GSBs soil, or PCCRP sediment samples during the 2000 Follow-on RFI, and all metals concentrations were below IDEM default closure levels.

(continued on next page)

Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: GSB-AGLIM

Area Designation (Former list): GSB-AGLIM

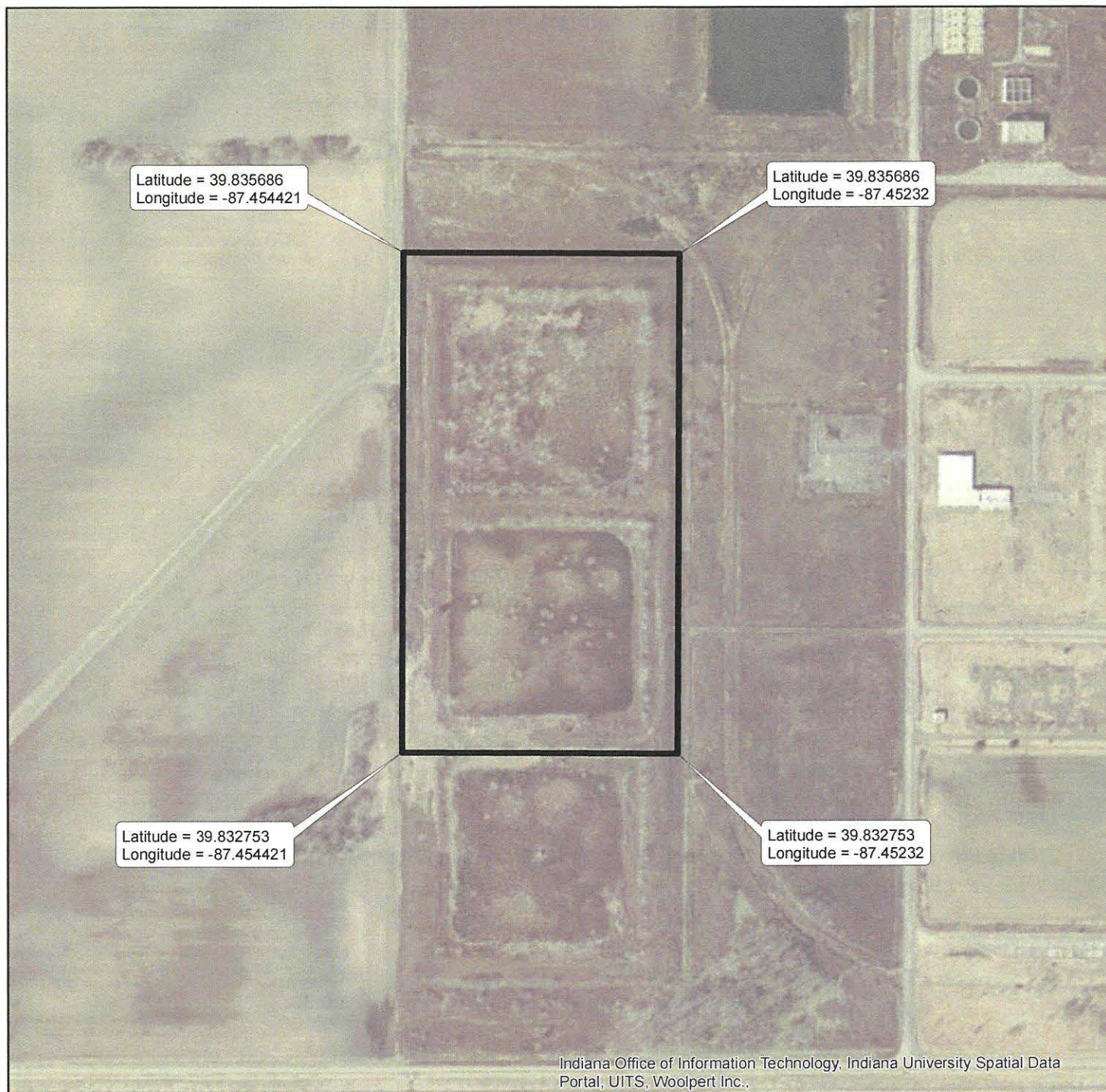
Activity Summary and COC's (continued):

Elevated metals concentrations were detected in the groundwater during the 1997/98 RFI at concentrations that pose a potential future risk to human health. Human health risk assessment for the GSBs indicates cancer risks and non-cancer HIs exceeding targets for the exposure of residents to groundwater in the shallow unsaturated zone. However, there is neither current nor future feasible use of the sampled shallow groundwater due to poor yield and low transmissivity. Groundwater modeling results indicate that iron and manganese would not be present in the nearest creek at concentrations above background for up to 500 years. In addition, the combined non-cancer HI for the produce consumer is above the target. No risks were calculated for soil at the PCCRP and the risks due to groundwater exposure at the PCCRP are the same as for the GSBs because the groundwater underlying these two areas was treated as a single exposure unit. Based on the rationale presented above, NFA, other than implementation of LUCs to restrict residential and agricultural land use at the GSBs and residential land use at the PCCRP, is recommended.

SWMUs NAAP-34 through NAAP-36 and NAAP-49 are included in the NECD NFA Memorandum. IDEM concurred with NFA for these SWMUs on January 9, 2004. SWMUs NAAP-34 through NAAP-36 are included in the NECD LUCIP. LUCs are in place at the GSBs and the PCCRP.

The GSBs and PCCRP areas were not remediated to levels suitable for unrestricted use. The deed will include the following land use restrictions: The GSBs area cannot be used for residential or agricultural purposes and the PCCRP cannot be used for residential purposes.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Gypsum Sludge Beds - Agricultural Lime (GSB-AGLIM)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, December 2, 2015

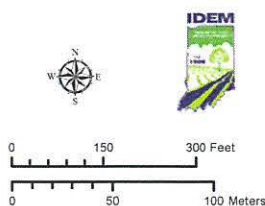
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Latitude / Longitude - Degrees, Minutes, Seconds (DMS).
DMS converted to Decimal Degrees thru the following web site:
http://andrew.hedges.name/experiments/convert_lat_long/

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 18, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.

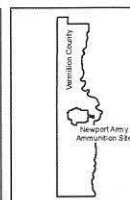
 Environmental Restrictive Covenant



Vermillion County



County Vicinity



Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

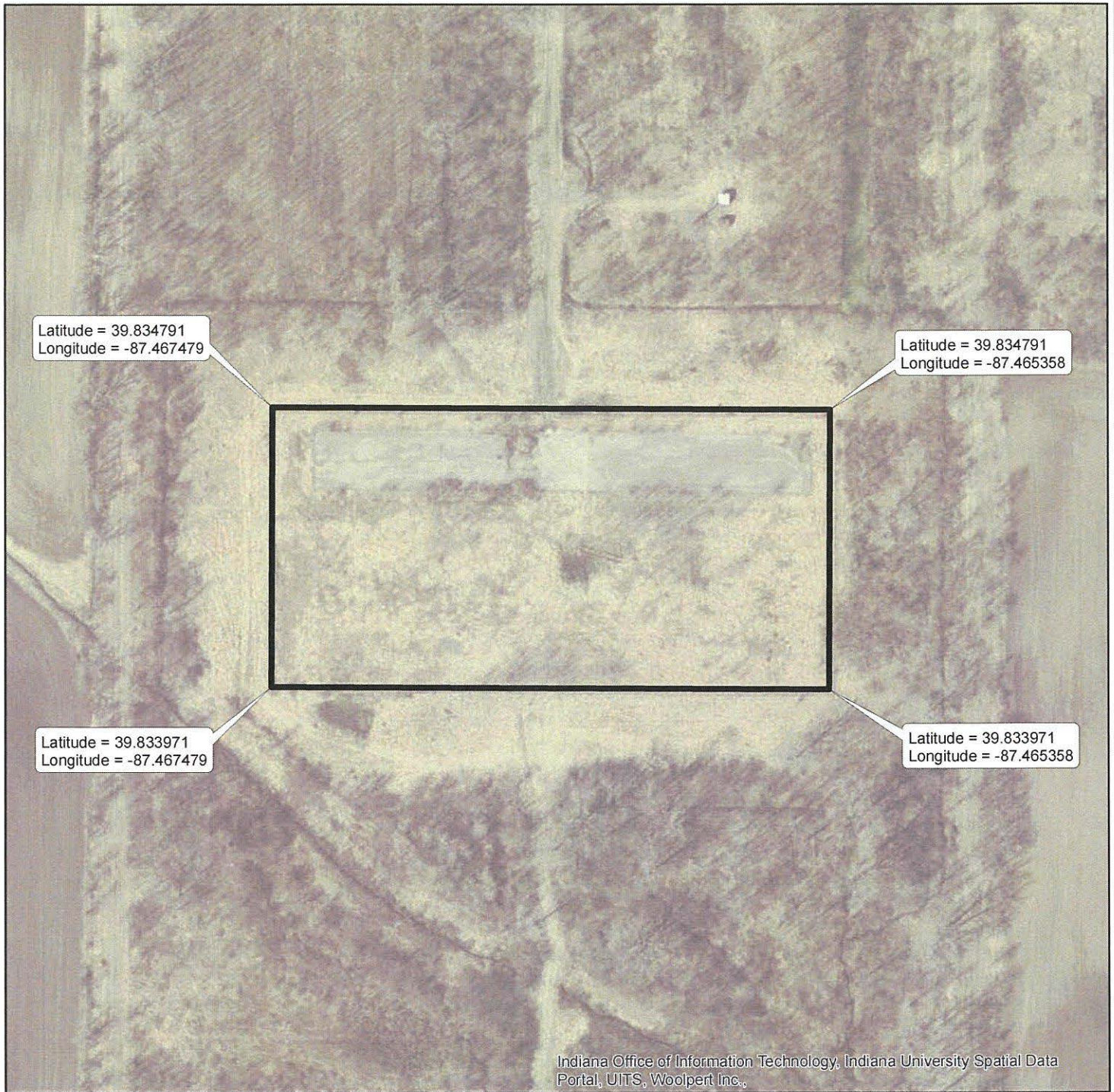
Area Designation:	TNT-BG
Area Designation (Former list):	TNT-BG
Land Area (approx.):	3.9 Ac.
Restrictions:	No Ground Water Use No Residential Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

Contaminants of concern include explosive ordnance compounds and petroleum fuel-related hydrocarbons in subsurface soils and groundwater at the site, which include 1,3,5-trinitrobenzene (1,3,5-TNB); 1,3-dinitrobenzene (1,3-DNB); 2,4-dinitrotoluene (2,4-DNT); 2,6-DNT; 2-amino-4,6-DNT; 4-amino-2,6-DNT; cyclo-1,3,5,7-tetramethylene-2,4,6,8-tetranitramine (HMX); nitrobenzene; RDX; tetryl; m-nitrotoluene; o-nitrotoluene; p-nitrotoluene; and trinitrotoluene (TNT). A Long-Term Monitoring Work Plan, including groundwater sampling, was completed on January 2005. Groundwater samples were analyzed for explosives. The NECD TNT-BG Area Corrective Measure Implementation (CMI) Completion Report was final January 2004. Solid Waste Management Unit (SWMU) NAAP-50 was listed in the NECD (LUCIP) – final October 2005. Land Use Restrictions (LUCs) at the TNT- BG include *No Residential Use* and *No Groundwater Use*. LUCs are being implemented. The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Residential and Groundwater Use that will be submitted with the ERC.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Trinitrotoluene - Burning Ground (TNT-BG)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, December 2, 2015

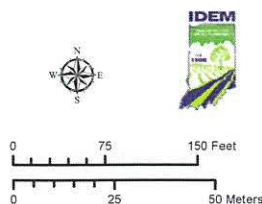
GPS Point Info: GPS points submitted in the following format:
Latitude / Longitude - Degrees, Minutes, Seconds (DMS).
DMS converted to Decimal Degrees thru the following web site:
http://andrew.hedges.name/experiments/convert_lat_long/

Aerial Info: 2013 Statewide Orthophotography Program

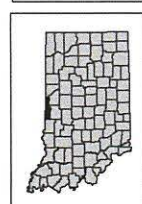
PLSS Info: Section 22 (North of the Ten O'clock Line), T16N, R10W
Section 18, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.

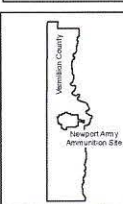
 Environmental Restrictive Covenant



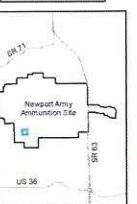
Vermillion County



County Vicinity



Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation:	RDX-MA
Area Designation (Former list):	RDX-MA
Land Area (approx.):	271.0 Ac.
Restrictions:	No Ground Water Use No Residential Use No Agricultural Use

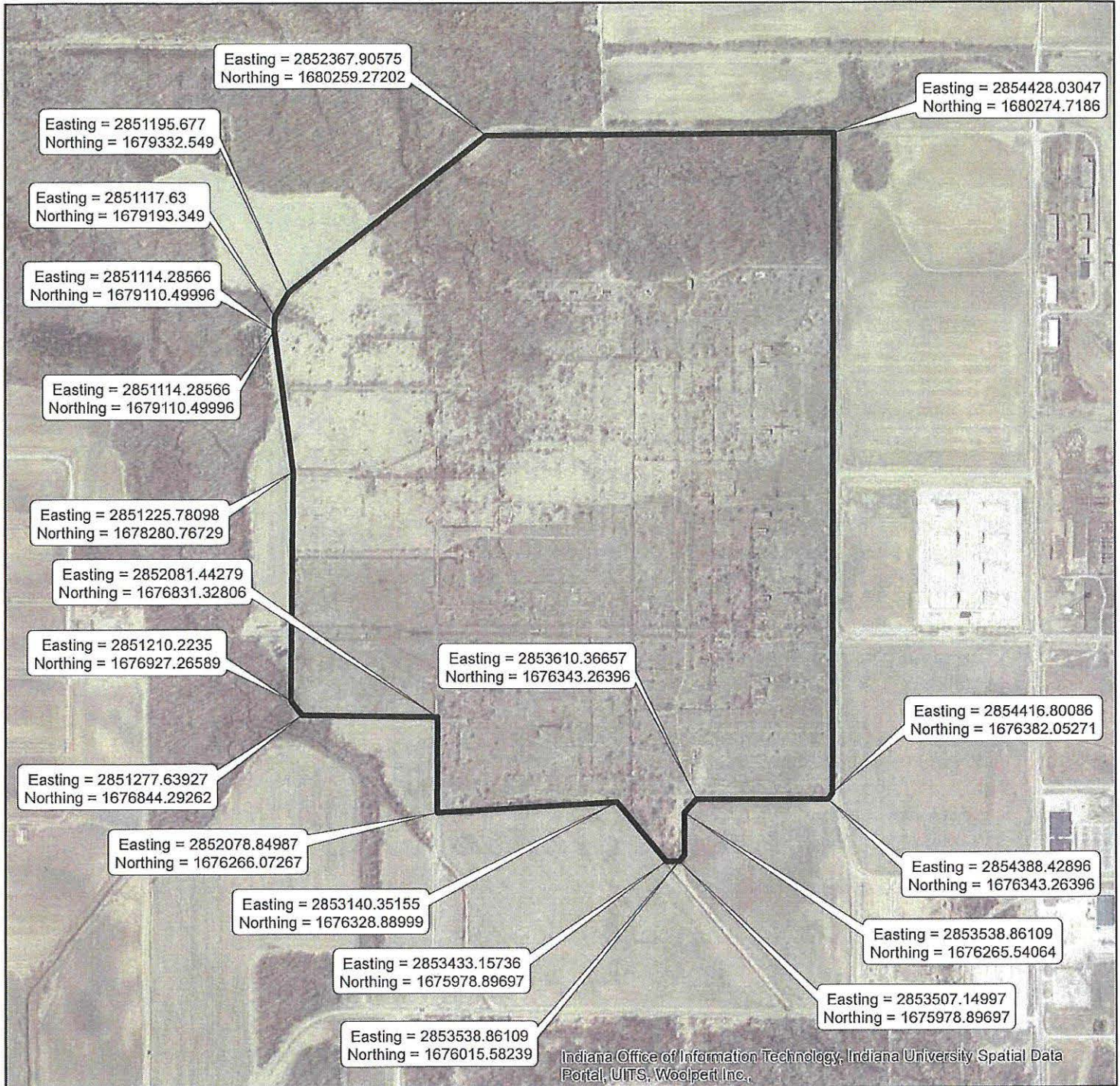
Description of Area Subject to Environmental Restrictive Covenant:

See attached drawing.

Activity Summary and COC's:

Contaminants of concern include explosives, i.e., RDX, HMX, 2,4-DNT and 2,4,6-TNT, in the soil, and arsenic; iron; manganese; carbon tetrachloride; chloroform; and RDX in the groundwater. In March 1998, Versar completed a Phase III RCRA Facility Investigation (RFI) – Surficial Soils report. A CMI for soils was completed successfully in April 2004. A total of 6669 cubic yards of explosive, RDX, contaminated soils were composted onsite. The NECD RDX Manufacturing Area Corrective Measure Implementation Completion Report was final March 2005. In July 1997, Science Applications International Corporation (SAIC) submitted a Facility-Wide RCRA Facility Investigation (RFI) Work Plan which included a Phase III Release Characterization for Groundwater. Groundwater monitoring began in 1998 and still continues. A Long-Term Monitoring work plan was completed on January 2005. This includes groundwater and surface water sampling. Groundwater samples are being analyzed for RDX and field measurements. Surface water samples are being analyzed for RDX. SWMU NAAP-3 is listed in the NECD LUCIP – final October 2005. Land Use Restrictions (LUCs) at the RDX-MA include *No Residential Use, No Groundwater Use and No Agricultural Use*. LUCs are being implemented. The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Residential and Groundwater Use that will be submitted with the ERC. [VCAA does not include restrictions for Agricultural Use].

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant RDX Manufacturing Area (RDX-MA)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, May 5, 2016

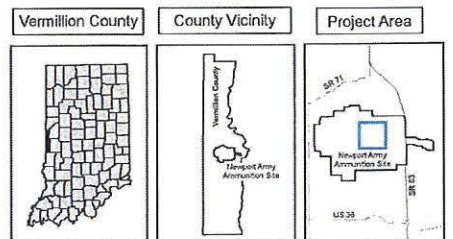
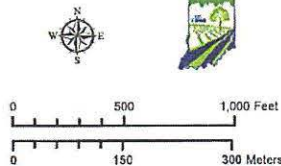
GPS Point Info: GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Sections 5 & 8, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

 Environmental Restrictive Covenant



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

<i>Area Designation:</i>	GSB-PCCRP
<i>Area Designation (Former list):</i>	GSB-PCCRP
<i>Land Area (approx.):</i>	2.0 Ac.
<i>Restrictions:</i>	No Ground Water Use No Residential Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

The GSBs (SWMUs NAAP-34 through NAAP-36) and PCCRP (SWMU NAAP-49) are in the south-central area of NECD. Because of their close proximity to each other and similar functional relationships, these two SWMUs have been addressed as one SWMU group during the RI and Facility-wide RFI. The GSBs include three above-grade basins, each 10 feet deep and covering an area of 400 by 400 feet (3.67 acres). The basins are constructed with compacted native clay earthen berms with no membrane liner. They were intended to be used to contain settled gypsum sludge produced by the neutralization of acidic wastewaters associated with TNT production in 1973/74. Drainage occurs through a central overflow standpipe in each basin that flows by gravity through underground pipes to the PCCRP. The EPIC study identified standing liquid in all three basins in 1975. Visual inspection of the basins in 1986 identified only the northernmost basin of the GSBs as containing gypsum sludge.

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Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: GSB-PCCRP

Area Designation (Former list): GSB-PCCRP

Activity Summary and COC's:

The PCCRP is an in-ground basin constructed of clay, sand, and gravel, and is lined with fiber-reinforced asphaltic panels. The panels are separating and allowing the basin sides to erode. The PCCRP is 5 feet deep and covers an area of 275 by 275 feet (1.74 acres). During active operations in 1973/74, the PCCRP received wastewater from the PCC clarifiers, as well as the GSBs' effluent. The PCCRP also received water from the Red Water Ash Basins (RWABs) during the 1974 TNT plant shutdown. In 1984, the water that had been collected in the RWABs since 1974 (when the TNT plant shut down) was pumped to the PCCRP. The pond currently (1984 to present) accepts storm water drainage from the RWABs, as well as the GSBs, providing a final settling point before the clarified effluent is pumped to Little Raccoon Creek.

Soil and groundwater sampling activities were conducted at the GSBs and PCCRP during three investigations at NECD: the 1991 RI, 1997/98 RFI, and 2000 Follow-on RFI. Sampling locations and analytical parameters were selected based on the history of the SWMUs and identified data gaps. Groundwater, surface/subsurface soil, sediment, and surface water samples were analyzed for the parameters most likely to be present at the SWMUs: VOCs, base/neutral and acid extractables (BNAs)/SVOCs, metals, and explosives. VOCs, BNAs/SVOCs, and explosives were not detected in the soil at either SWMU during the 1987 U.S. Army Environmental Hygiene Agency (USAEHA) study, the 1991 RI, or the 1997/98 RFI. The concentrations of metals detected in the GSBs and PCCRP during the 1991 RI are consistent with background concentrations. Metals concentrations detected in soil in the northernmost GSB during the 2000 Follow-on RFI were all below their associated IDEM migration to groundwater criteria. Hexavalent chromium was not detected in the GSBs groundwater, GSBs soil, or PCCRP sediment samples during the 2000 Follow-on RFI, and all metals concentrations were below IDEM default closure levels.

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Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: GSB-PCCRP

Area Designation (Former list): GSB-PCCRP

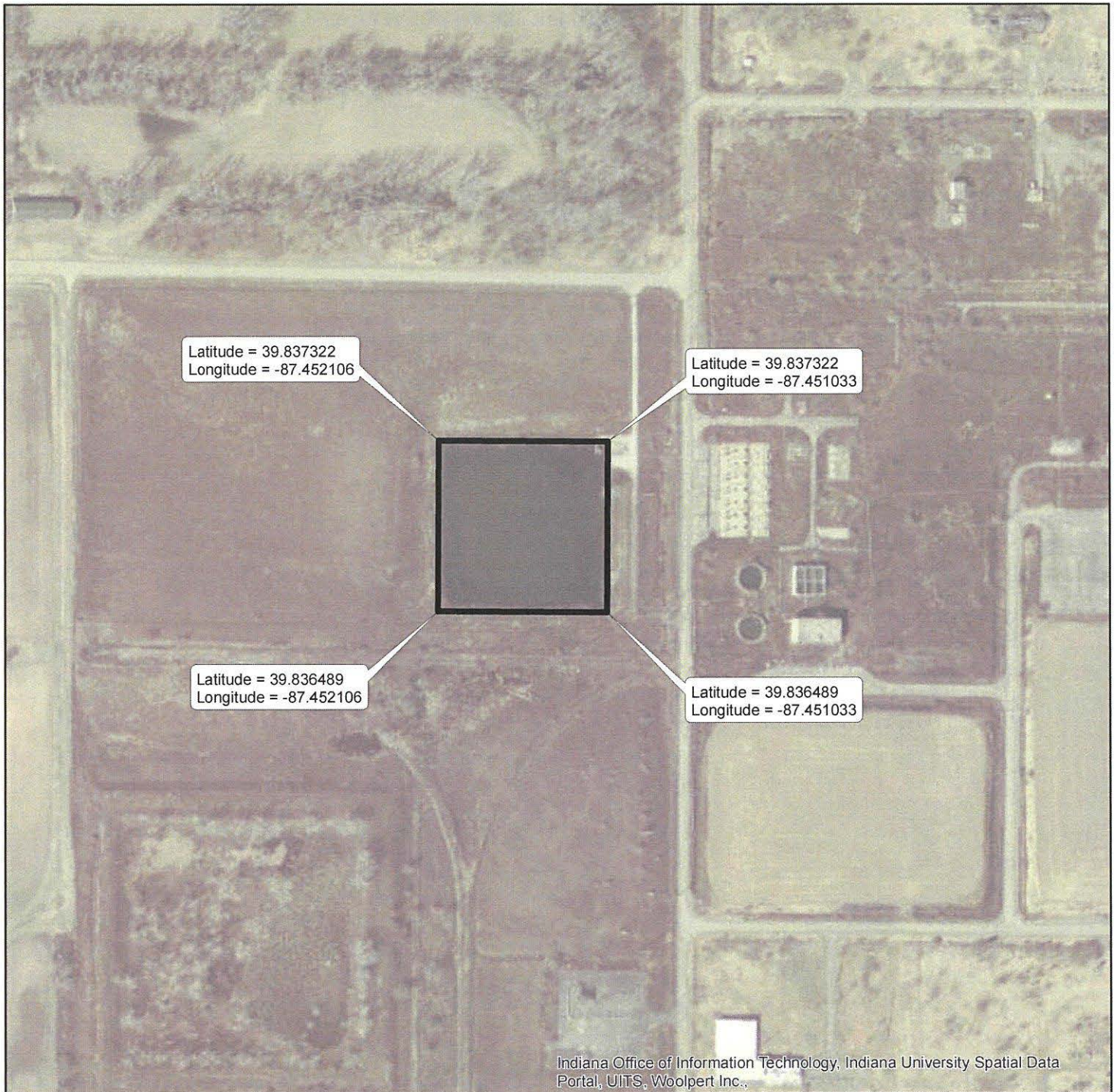
Activity Summary and COC's:

Elevated metals concentrations were detected in the groundwater during the 1997/98 RFI at concentrations that pose a potential future risk to human health. Human health risk assessment for the GSBs indicates cancer risks and non-cancer HI's exceeding targets for the exposure of residents to groundwater in the shallow unsaturated zone. However, there is neither current nor future feasible use of the sampled shallow groundwater due to poor yield and low transmissivity. Groundwater modeling results indicate that iron and manganese would not be present in the nearest creek at concentrations above background for up to 500 years. In addition, the combined non-cancer HI for the produce consumer is above the target. No risks were calculated for soil at the PCCRP and the risks due to groundwater exposure at the PCCRP are the same as for the GSBs because the groundwater underlying these two areas was treated as a single exposure unit. Based on the rationale presented above, NFA, other than implementation of LUCs to restrict residential and agricultural land use at the GSBs and residential land use at the PCCRP, is recommended.

SWMUs NAAP-34 through NAAP-36 and NAAP-49 are included in the NECD NFA Memorandum. IDEM concurred with NFA for these SWMUs on January 9, 2004. SWMUs NAAP-34 through NAAP-36 are included in the NECD LUCIP. LUCs are in place at the GSBs and the PCCRP.

The GSBs and PCCRP areas were not remediated to levels suitable for unrestricted use. The deed will include the following land use restrictions: The GSBs area cannot be used for residential or agricultural purposes and the PCCRP cannot be used for residential purposes.

**IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant
Gypsum Sludge Beds - Pollution Control Center Retention Pond (GSB-PCCRP)**




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, December 2, 2015

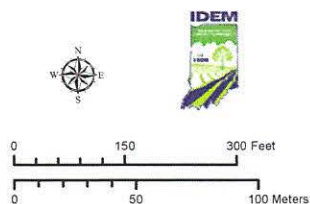
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Latitude / Longitude - Degrees, Minutes, Seconds (DMS).
DMS converted to Decimal Degrees thru the following web site:
http://andrew.hedges.name/experiments/convert_lat_long/

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 18, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.

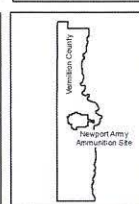
 Environmental Restrictive Covenant



Vermillion County

County Vicinity

Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: CPRB

Area Designation (Former list):

Land Area (approx.): 7.1 Ac.

Restrictions: No Ground Water Use
No Residential Use
No Agricultural Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

The Chemical Plant Retention Basins (CPRB) is Surface Impoundment, which includes Basins 30007, 30008 and 30009. There are no specific data concerning possible contamination at this site; however, there is no record or current evidence of any uncontrolled release of contamination from this area, and therefore, no perceived immediate threat. Media of concern are the soil and groundwater. SWMUs NAAP-10, 11 and 12 are listed in the NECD No Further Action (NFA) Memorandum – Final June 2004. SWMUs NAAP-10, 11 and 12 are listed in the NECD LUCIP – final October 2005. Land Use Restrictions (LUCs) at the CPRB include *No Residential or Agricultural Use* and *No Groundwater Use*. LUCs are being implemented.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Chemical Plant Retention Basins (CPRB)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, February 23, 2016

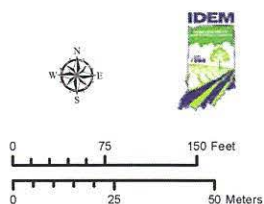
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Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

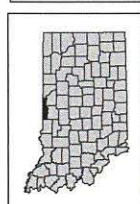
PLSS Info: Section 9, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

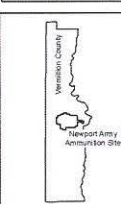
 Environmental Restrictive Covenant



Vermillion County



County Vicinity



Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: Asbestos Burial Area West of the Sewage Treatment Plant

Area Designation (Former list): STP-ABS

Land Area (approx.): 1.2 Ac.

Restrictions:
No Intrusive Activity - Soil Cover
No Residential Use
Engineered Cover Maintenance

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

The Asbestos Burial Area West of the Sewage Treatment Plant is a burial site for construction debris. A Site Inspection (SI) conducted in 2009 included borings and subsurface soil samples. The contaminant of concern is asbestos in the soil. The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Agricultural Use and Intrusive Activity that will be submitted with the ERC.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Asbestos Burial Area West of the Sewage Treatment Plant (STP-ABS)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, December 8, 2015

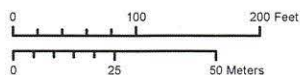
ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 9, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.

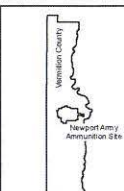
 Environmental Restrictive Covenant



Vermillion County



County Vicinity



Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

<i>Area Designation:</i>	DI/SY
<i>Area Designation (Former list):</i>	DI/SY
<i>Land Area (approx.):</i>	7.1 Ac.
<i>Restrictions:</i>	No Intrusive Activity No Ground Water Use No Residential Use No Agricultural Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

The DI/SY (SWMU NAAP-65) borders the western boundary of the CSL and covers approximately 5 acres. The topography at the DI/SY ranges from 600 to 630 feet above mean sea level (msl). The DI/SY maintains the same northern and southern borders as the CSL, but is bordered directly to the west by Little Raccoon Creek. Seeps and springs in the northwestern and southwestern portions of the SMWU produce water that is introduced into Little Raccoon Creek through surface runoff.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Demilitarization Incinerator/Scrap Yard (DI-SY)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, December 14, 2015

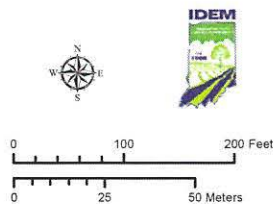
ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 9, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.

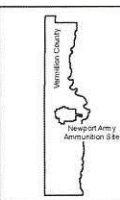
 Environmental Restrictive Covenant



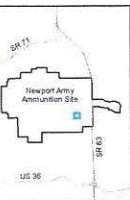
Vermillion County



County Vicinity



Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

<i>Area Designation:</i>	MCD
<i>Area Designation (Former list):</i>	MCD
<i>Land Area (approx.):</i>	2.9 Ac.
<i>Restrictions:</i>	No Intrusive Activity No Agricultural Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

The Memorial Chapel RDX Dump (MCD) is a Surface Impoundment for SWMU NAAP-28A. The contaminant of concern is copper. A Long-Term Monitoring Work Plan was completed on January 2005. NAAP-28A is listed in the NECD No Further Action (NFA) Memorandum – Final June 2004. NAAP-28A is listed in the NECD LUCIP – final October 2005. Land Use Restrictions (LUCs) at the MCD include *No Agricultural Use* and *No Intrusive Activities*. LUCs are being implemented. The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Agricultural Use and Intrusive Activity that will be submitted with the ERC.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Memorial Chapel RDX Dump (MCD)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch,
Engineering & GIS Services, December 16, 2015

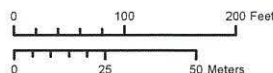
ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 9, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.

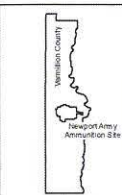
 Environmental Restrictive Covenant



Vermillion County



County Vicinity



Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: Red Water Spill at the TNT Manufacturing Area

Area Designation (Former list): TNT-MA

Land Area (approx.): 0.16 Ac.

Restrictions: No Residential Use

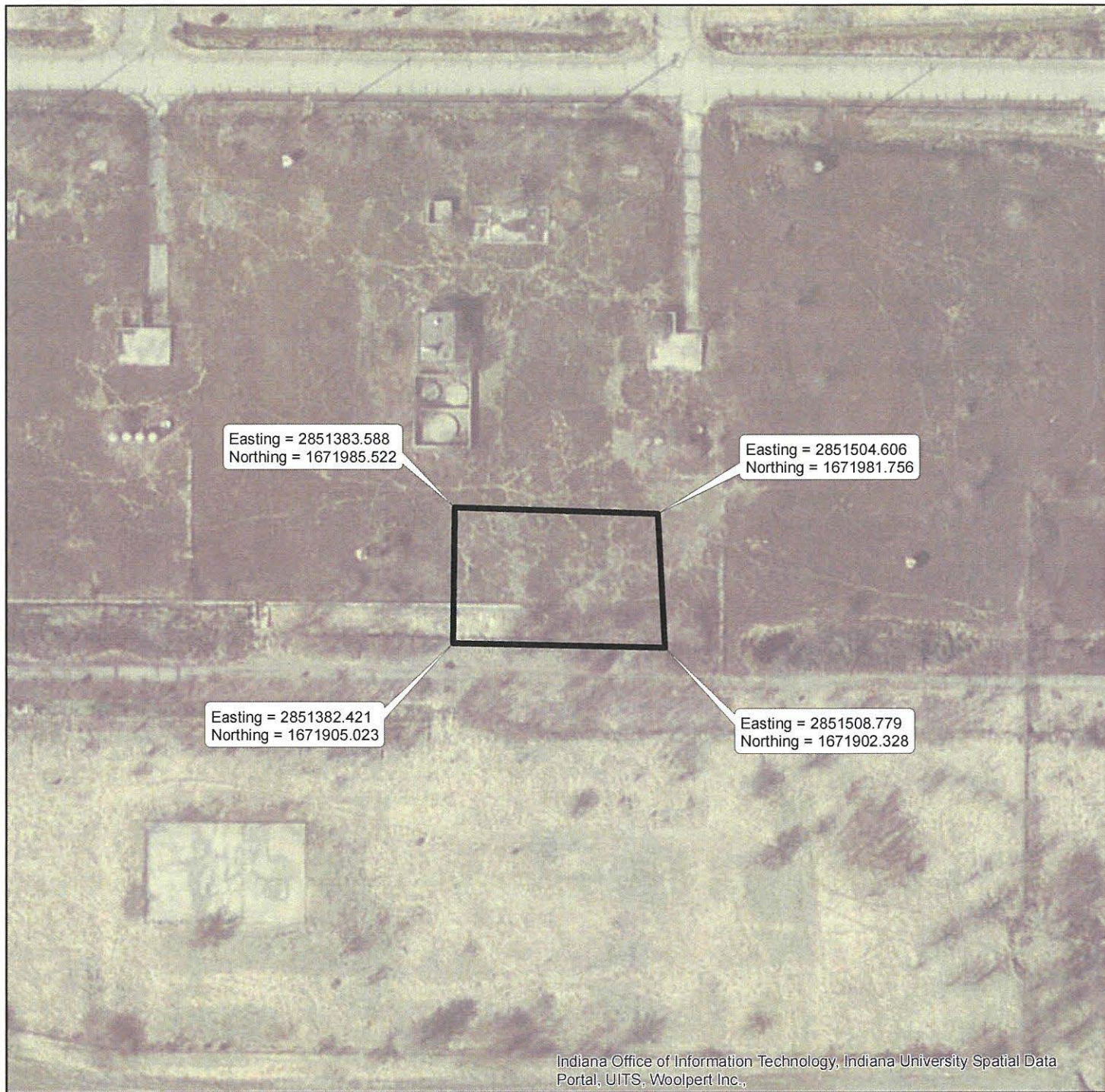
Description of Area Subject to Environmental Restrictive Covenant:

See attached drawing.

Activity Summary and COC's:

The Red Water Spill at the TNT Manufacturing Area is an uncontrolled release area. A Site Inspection (SI) conducted in 2009 included borings, surface, and subsurface soil samples, which were analyzed for explosives. Contaminants of concern are 2-amino-4,6-dinitrotoluene [2-A-4,6-DNT], 4-amino-2,6-DNT], TNT, and nitrobenzene. A Land Use Restriction (LUC) is being implemented to restrict residential use. [Not in the VCAA].

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant **Red Water Spill at the TNT Manufacturing Area (Red Water)**




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, December 16, 2015

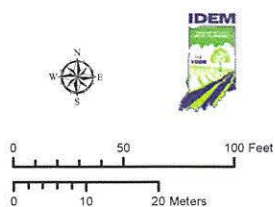
ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Sections 8 & 17, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.

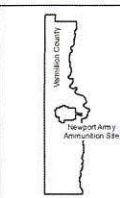
 Environmental Restrictive Covenant



Vermillion County



County Vicinity



Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

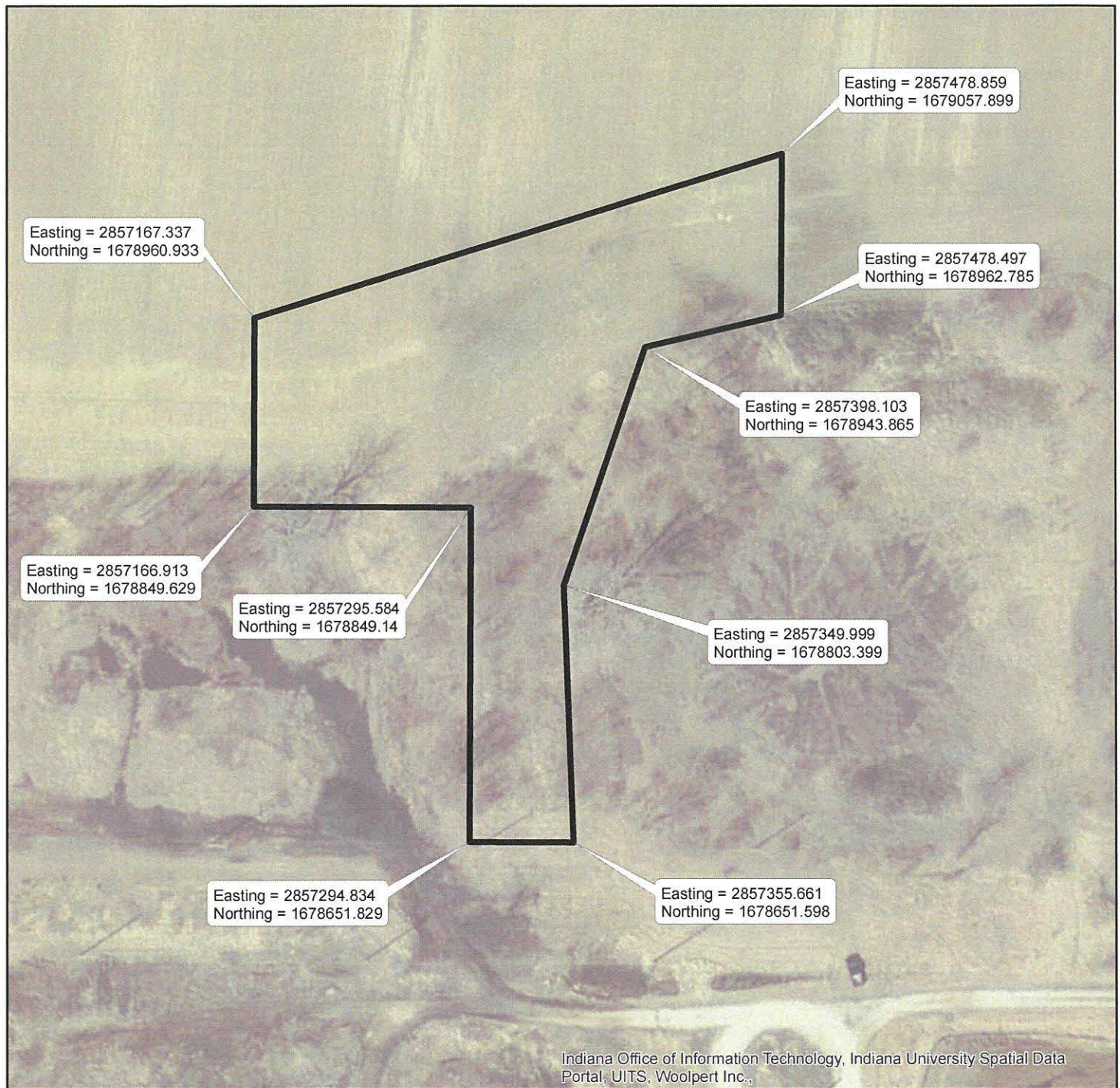
<i>Area Designation:</i>	Asbestos Burial Area North of Building 401A
<i>Area Designation (Former list):</i>	401A NABS
<i>Land Area (approx.):</i>	2.5 Ac.
<i>Restrictions:</i>	No Intrusive Activity - Soil Cover No Agricultural Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

The Asbestos Burial Area North of Building 401A (401A NABS) is a burial site for construction debris. A Site Inspection (SI) conducted in 2009 included borings and subsurface soil samples. The contaminant of concern is asbestos in the soil. A Land Use Restriction (LUC) is being implemented to restrict produce and intrusion activity. The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Agricultural Use and Intrusive Activity that will be submitted with the ERC.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Asbestos Burial Area North of Building 401A (401A-NABS)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, February 23, 2016

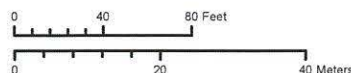
GPS Point Info: GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 4, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

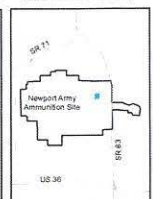
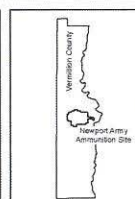
 Environmental Restrictive Covenant



Vermillion County

County Vicinity

Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: CPAB

Area Designation (Former list): CPCAB

Land Area (approx.): 1.4 Ac.

Restrictions: No Ground Water Use
No Residential Use
No Agricultural Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

The Chemical Plant Coal Ash Basin (CPAB) (SWMU NAAP-67) was constructed in 1941 to accept coal ash from Building 401A Power House operations. The basin is approximately 100 feet east of SWMU NAAP-12 and measures approximately 250 by 300 by 6 feet deep. The basin accepted sluiced coal ash, a mixture of coal ash and water from Power House operations, and water that was pumped from Building 401A south to the basin. These discharged residual materials formed a sediment layer at the bottom of the basin. The Power House operated continuously between February 1942 and September 1946 and intermittently between August 1951 and March 1957.

(continued on next page)

Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: CPAB

Area Designation (Former list): CPCAB

Activity Summary and COC's (continued):

During the 2001 RFI, 2 VOCs, 3 semi-volatile organic compounds (SVOCs), and 15 site-related metals were detected in the soil/sediment samples. Ecological risk to terrestrial receptors from soil exposure to metal ecological chemicals of potential concern (ecoCOPCs) was determined to be low. In the human health risk assessment, cancer risks were below regulatory targets for all receptors evaluated. The non-cancer risks were below regulatory targets for all receptors except the resident child exposed to subsurface soil in the future. Although resident exposure to iron in the subsurface soil is responsible for human health risks exceeding regulatory targets, the ingestion of HQ for the residential child only slightly exceeds the target of 1, and the iron risk is uncertain and likely conservative because the reference dose (RfD) is provisional and based on nutritional requirements. SWMU NAAP-67 is included in the NECD NFA Memorandum. IDEM concurred with NFA for this SWMU on January 9, 2004. SWMU NAAP-67 is included in the NECD LUCIP. LUCs are being implemented including no agricultural, residential, or groundwater use.

The property was not remediated to levels suitable for unrestricted use. The deed will include the following land use restrictions, no agricultural, residential or groundwater use shall take place at the site.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Chemical Plant Coal Ash Basin (CPAB)



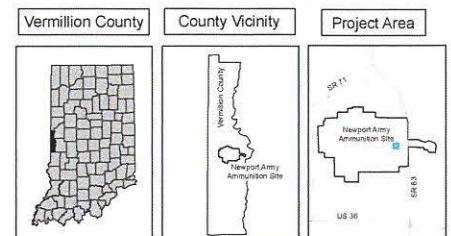
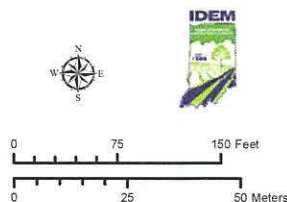
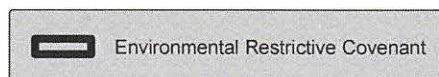
Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, December 17, 2015

ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 9, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: DWBG

Area Designation (Former list):

Land Area (approx.): 16.9 Ac.

Restrictions:
No Intrusive Activity - Soil Cover
No Ground Water Use
No Residential Use
No Agricultural Use

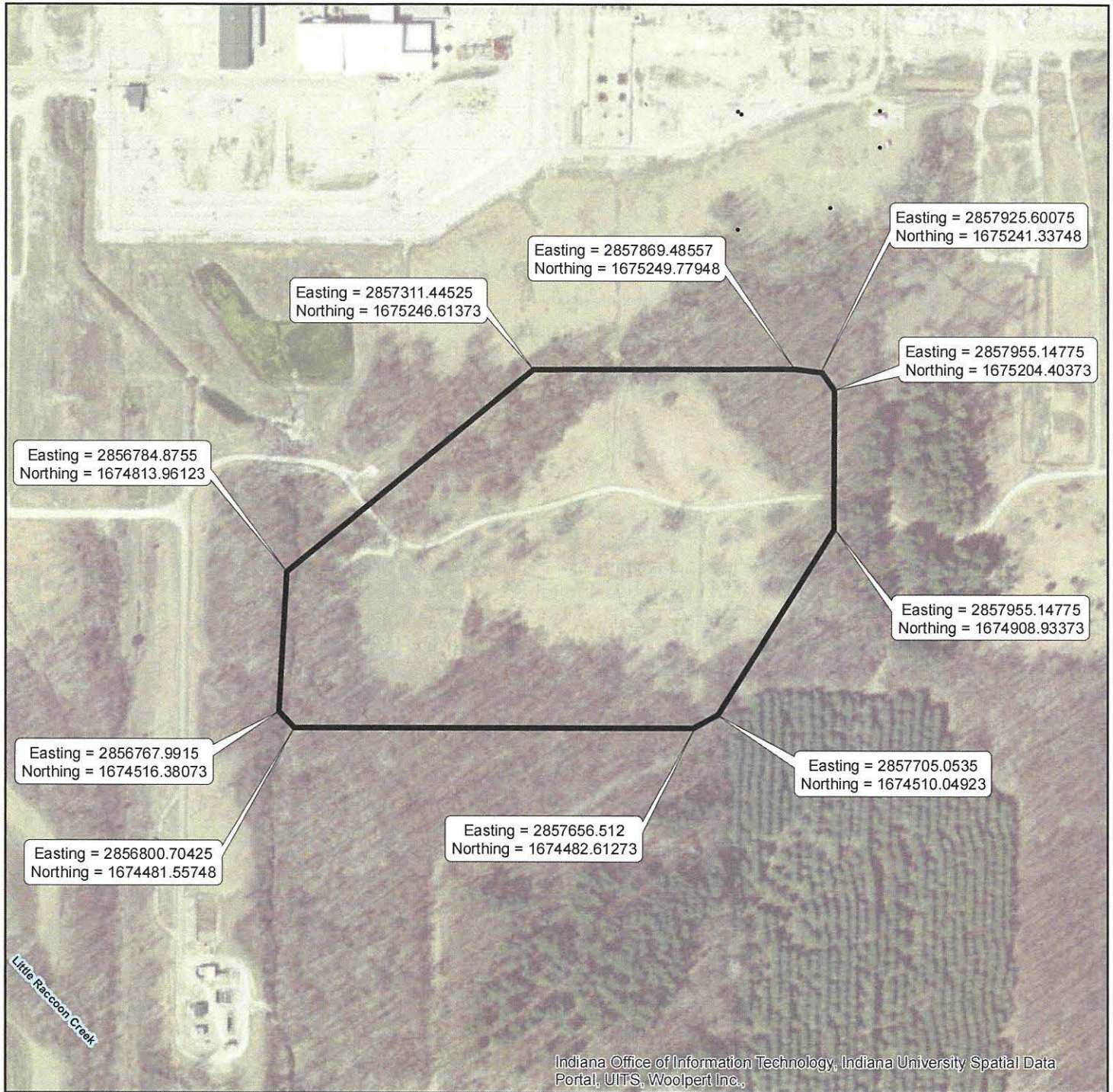
Description of Area Subject to Environmental Restrictive Covenant:

See attached drawing.

Activity Summary and COC's:

The Facility-wide RCRA Facility Investigation (RFI) report in October 2002 identified surface soil contaminants of concern to include iron and mercury, and groundwater contaminants of concern to include arsenic; manganese; 1,1-dichloroethene (1,1-DCE); carbon tetrachloride; chloroform; tetrachloroethene (PCE); trichloroethene (TCE); vinyl chloride; cis-1,2-dichloroethene (cis-1,2-DCE); trans-1,2-dichloroethene (trans-1,2-DCE); 1,2-dichlorobenzene (1,2-DCB); 1,3-dichlorobenzene (1,3-DCB); chlorobenzene; iron; mercury; copper; nitroglycerin; and manganese. At the asbestos-contaminated burial site exposed along the west bank on the headwaters of Little Raccoon Creek, surface asbestos has been removed. Any future actions at this site will be complicated by the fact that the particular burial trench area suspected to be the source of contamination received decontaminated-agent wastes from the Chemical Plant VX production operations, as well as "rockets, mines, and projectile components." A CMI was completed for part of the area. The contaminant of concern was mercury; a soil cover was placed on the 0.5-acre area. A Long-Term Monitoring Work Plan was completed on January 2005. This includes groundwater and surface water sampling; both analyzed for VOCs and field measurements. The DWBG CMI Completion report was final in March 2005. SWMUs NAAP-23, 24, 25, 26, 26A and 54 are listed in the NECD (LUCIP) – final October 2005. Land Use Restrictions (LUCs) at the DWBG include *No Intrusive Activities, No Residential or Agricultural Use, and No Groundwater Use*. LUCs are being implemented. The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Agricultural, Residential and Groundwater Use and Intrusive Activity that will be submitted with the ERC.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Decontaminated Waste Burial Ground (DWBG)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, December 17, 2015

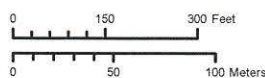
ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 9, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
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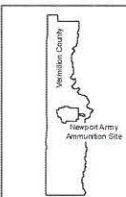
 Environmental Restrictive Covenant



Vermillion County



County Vicinity



Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: Asbestos Burial Area East of the Pine Trees
and West of 1st Street

Area Designation (Former list): EPT-ABS

Land Area (approx.): 12.5 Ac.

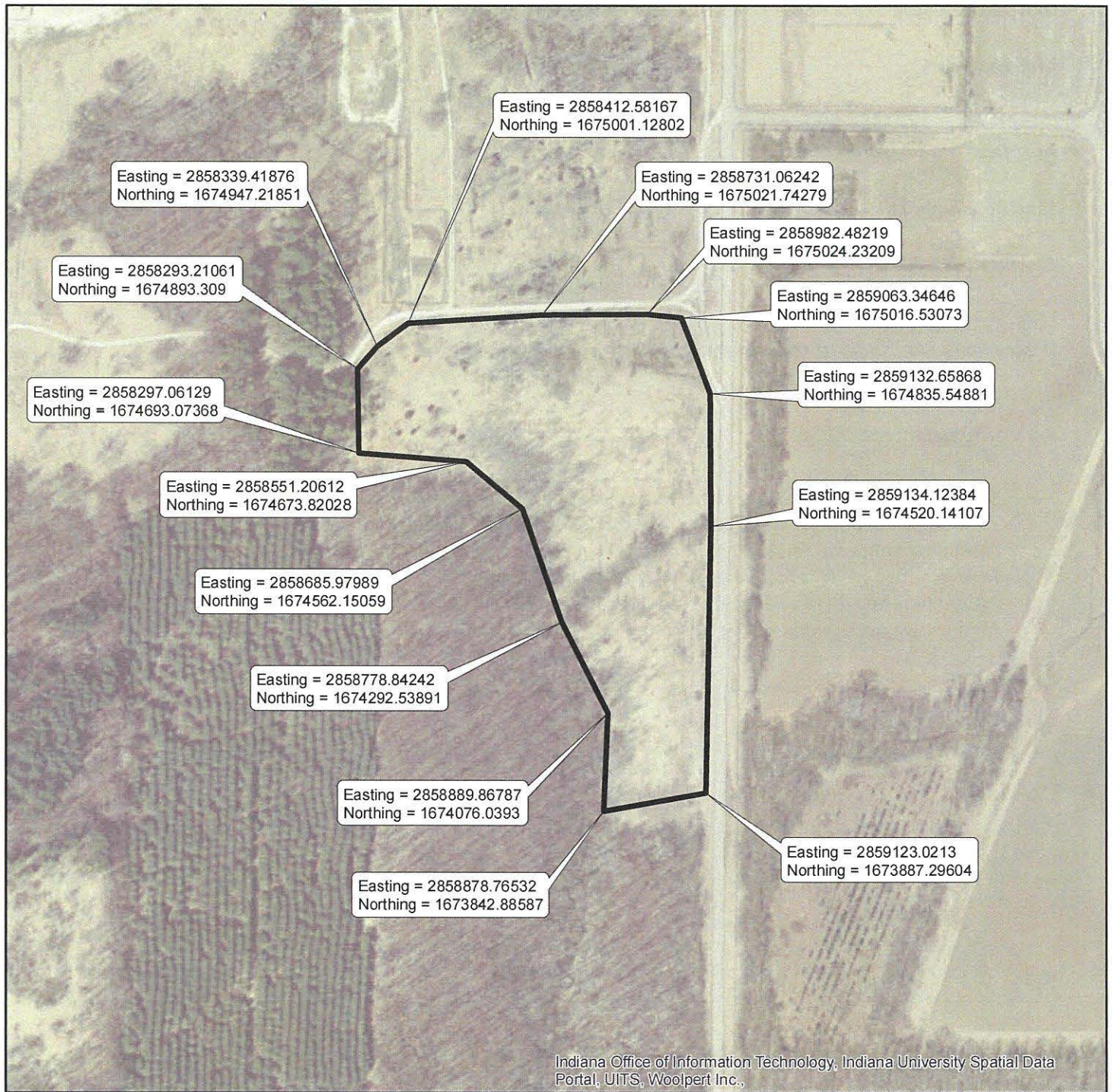
Restrictions: No Intrusive Activity - Soil Cover
No Residential Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

The Asbestos Burial Area East of the Pine Trees (EPT-ABS) is a burial site for construction debris. A Site Inspection (SI) conducted in 2009 included borings and subsurface soil samples. The contaminant of concern is asbestos in the soil. No Further Action (NFA) is recommended. The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Intrusive Activity that will be submitted with the ERC.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Asbestos Burial Area East of the Pine Trees (EPT-ABS)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, December 17, 2015

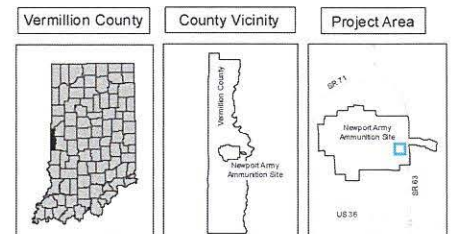
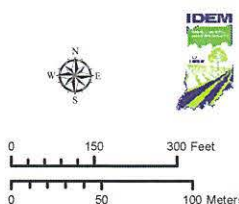
ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 9, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.

 Environmental Restrictive Covenant



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

<i>Area Designation:</i>	CSL
<i>Area Designation (Former list):</i>	CSL
<i>Land Area (approx.):</i>	5.7 Ac.
<i>Restrictions:</i>	No Intrusive Activity No Ground Water Use No Residential Use No Agricultural Use

Description of Area Subject to Environmental Restrictive Covenant:

See attached drawing.

Activity Summary and COC's:

The CSL is designated as SWMU NAAP-27 and occupies approximately 4 acres on the southeastern boundary of the installation. The topography at the CSL ranges from 600 to 630 feet above mean sea level (msl). The CSL is bordered to the east by federally leased agricultural land, to the north by a wooded area that separates the site from the former VX production plant, to the south by South Boulevard, and to the west by the Demilitarization Incinerator/Scrap Yard (DI/SY).

Facility operation records indicate that between 1970 and 1977, the CSL was used to dispose of nonhazardous construction debris from the TNT plant, office and shop waste with no salvage value. No records of the materials that were disposed of in this area prior to 1970 are available. Aerial photographs taken of this area from 1940 through 1981 show disposal trenches excavated in a northwest-southeast direction. The waste disposal trenches within the landfill area were each approximately 8 to 10 feet along and 5 feet wide. The landfill was closed in 1977 and topped with cover material consisting of 3 feet of graded soil. The activities related to the CSL were confirmed during interviews with installation personnel.

(continued on next page)

Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: CSL

Area Designation (Former list): CSL

Activity Summary and COC's:

Soil and groundwater investigations were conducted at the CSL to determine if past operations at the landfill had introduced chemical constituents in the soil and groundwater. Results from the groundwater investigation indicate that explosives SVOCs, site-related metals, PAHs, and VOCs were detected in multiple wells during more than one sampling event. The organic compounds in groundwater were detected at low concentrations (near the reporting limits [RLs]), and no clear patterns or trends were evident. Metals were detected at concentrations exceeding background during all sampling events. Metals concentrations exceeding background were randomly distributed across the site. RDX was detected in the down gradient wells; however, no trend or source area was identified. Groundwater modeling results indicated that the predicted concentration of RDX after mixing with the creek surface water was less than all applicable comparison criteria. No identifiable relationship exists between chemicals detected in the groundwater and those detected in the surface water/sediment sampling locations along Little Raccoon Creek, immediately down gradient from the CSL. Explosives, SVOCs, and a majority of the VOCs (31 or 34 samples) were detected at concentrations below the RL. Metals in soil generally were detected at varying concentrations across the site and identified inconsistently with depth. There is no trend evident to support identification of a contaminant source.

Although risks to future residential receptors and produce consumers were identified in the risk assessment, no further investigation or remediation is required to address human health risks based on the assumption that future land use would remain nonresidential.

The CSL was not remediated to levels suitable for unrestricted use. The deed will include the following land use restrictions: LUCs will be implemented to prevent contact with groundwater, prohibit excavation of/contact with waste materials, and residential and agricultural land use. SWMU NAAP-27 is included in the NECD LUCIP and LUCs are being implemented.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Closed Sanitary Landfill (CSL)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, January 11, 2016

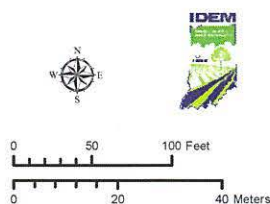
ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 9, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
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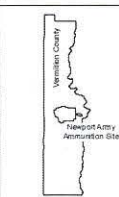
 Environmental Restrictive Covenant



Vermillion County



County Vicinity



Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

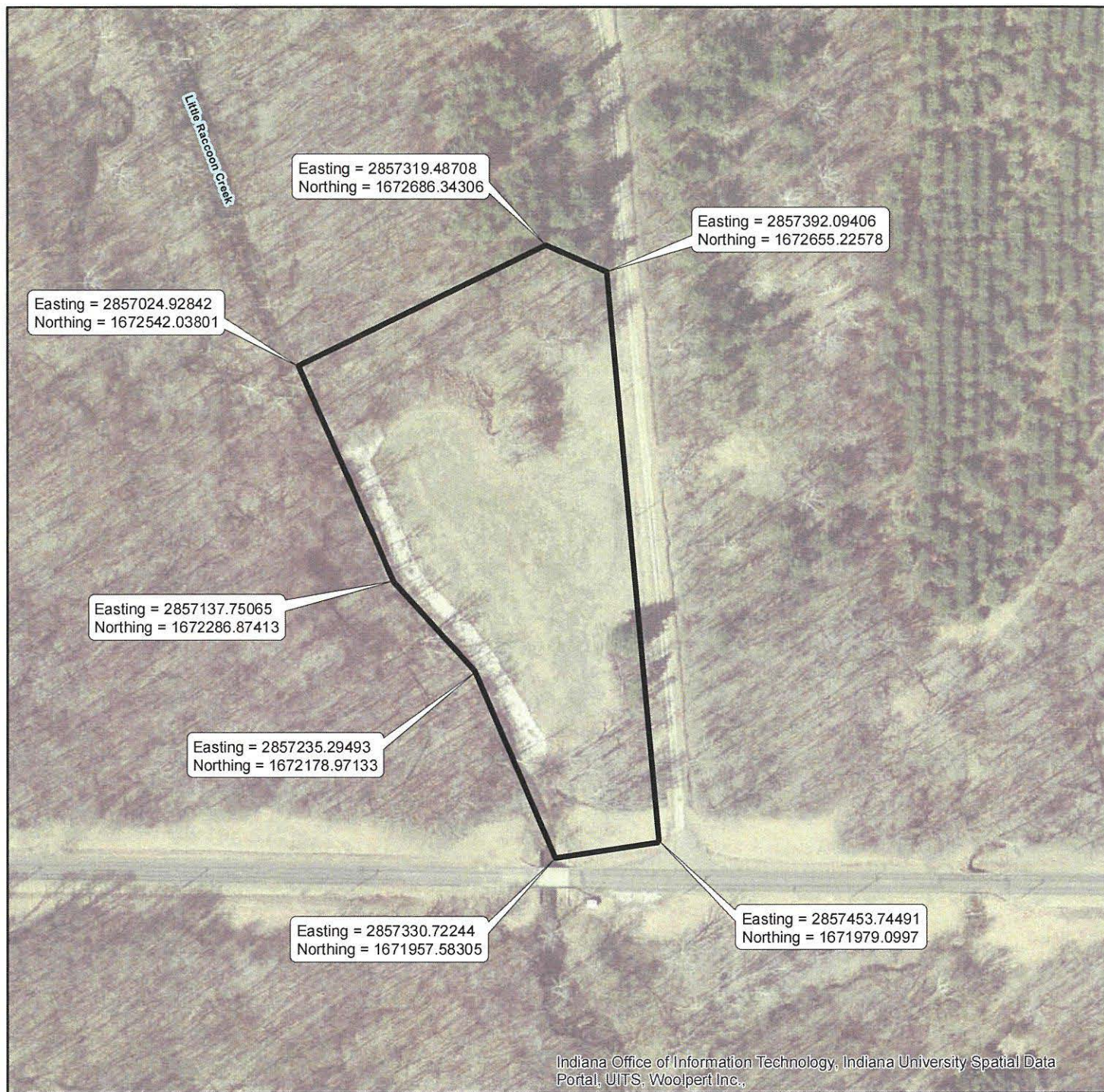
<i>Area Designation:</i>	CDD
<i>Area Designation (Former list):</i>	CDD
<i>Land Area (approx.):</i>	4.2 Ac.
<i>Restrictions:</i>	No Intrusive Activity No Residential Use No Agricultural Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

The Construction Debris Dump (CDD) is a Surface Impoundment for SWMU NAAP-28A. The Facility-Wide RCRA Facility Investigation (RFI) Work Plan, which included a Phase II Release Assessment for Groundwater and Soil, was completed in October 2002. Contaminants of concern in soil include antimony; arsenic; cadmium; copper; lead; manganese; mercury; zinc; benzo(a)anthracene; benzo(a)pyrene; benzo(b)fluoranthene; dibenzo(a,h)anthracene; and indeno(1,2,3-cd)pyrene. A CMI was completed for part of the area. The contaminant of concern was lead; a soil cover was placed on the 1.2-acre area. A Long-Term Monitoring Work Plan was completed on January 2005. The CDD CMI Completion report was final in March 2005. SWMU NAAP-28A is listed in the NECD No Further Action (NFA) Memorandum – Final June 2004. SWMU NAAP-28A is listed in the NECD LUCIP – final October 2005. Land Use Restrictions (LUCs) at the CDD include *No Intrusive Activities* and *No Residential or Agricultural Use*. LUCs are being implemented. The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Agricultural and Residential Use and Intrusive Activity that will be submitted with the ERC.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Construction Debris Dump (CDD)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch,
Engineering & GIS Services, December 17, 2015

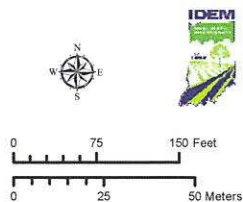
ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 9, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
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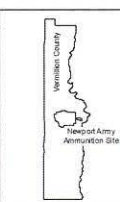
 Environmental Restrictive Covenant



Vermillion County



County Vicinity



Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: Asbestos Burial East of the Memorial Chapel Dump

Area Designation (Former list): MCD-ABS

Land Area (approx.): 7.1 Ac.

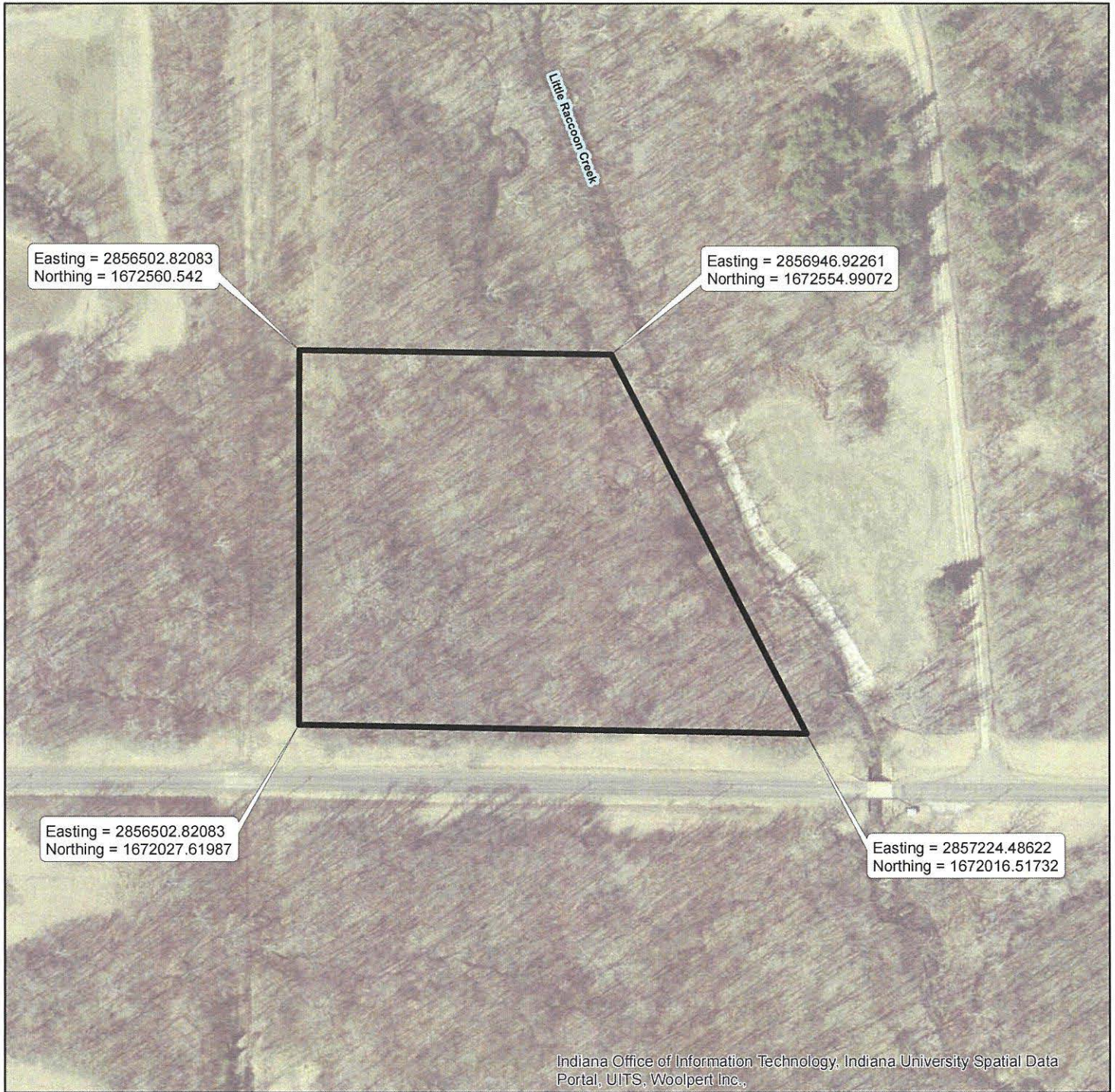
Restrictions: No Intrusive Activity - Soil Cover

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

The Asbestos Burial Area East of the Memorial Chapel Dump (MCD-ABS) is a burial site for construction debris and asbestos burial. A Site Inspection (SI) conducted in 2009 included borings and subsurface soil samples. The contaminant of concern is asbestos in the soil. The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Intrusive Activity that will be submitted with the ERC.

**IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant
Asbestos Burial Area East of the Memorial Chapel Dump (MCD-ABS)**



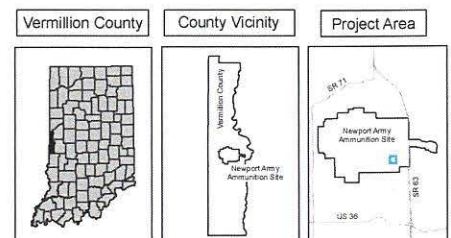
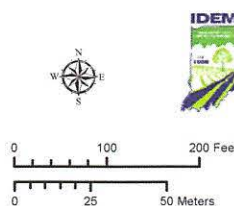
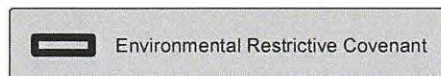
Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, December 17, 2015

ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 9, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: TNT Manufacturing Area

Area Designation (Former list): TNT-MA

Land Area (approx.): 19.3 Ac.

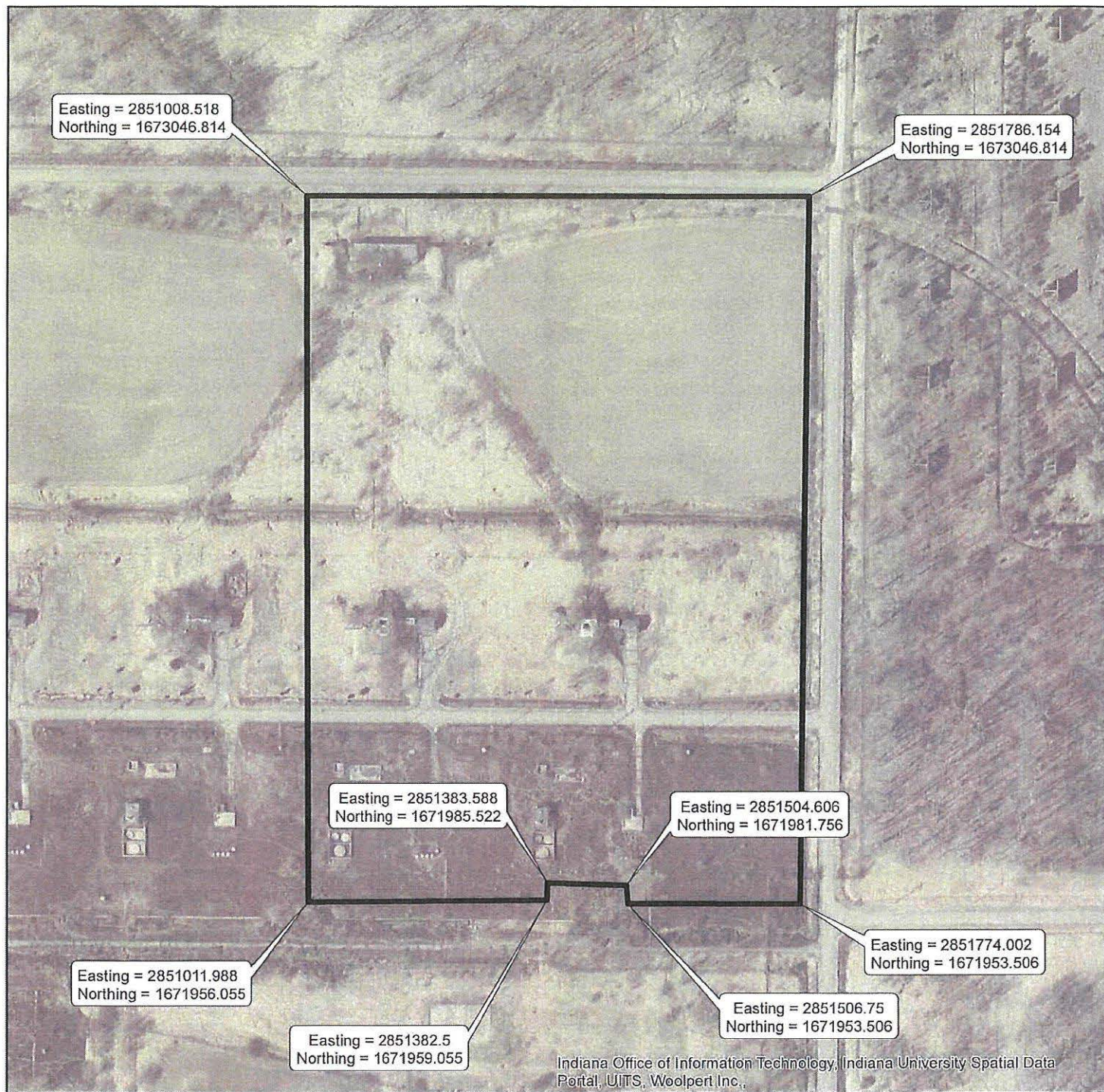
Restrictions: No Residential Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

The TNT Manufacturing Area (TNT-MA) is a Surface-contaminated Production Area for SWMUs NAAP-37, NAAP-38, NAAP-39, NAAP-40, NAAP-41, which are TNT Production Lines #1, #2, #3, #4, and #5; and Waste Treatment and Detoxification for SWMUs NAAP-42, NAAP-43, NAAP-44, NAAP-45, NAAP-46, TNT Wastewater & Handling Areas #1 through #5; and NAAP-47, TNT Wastewater Treatment Facility. Media of concern include the Investigation (SI) report. None of the analytes were selected as contaminants of concern. The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Residential Use that will be submitted with the ERC.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant TNT Manufacturing Area (TNT-MA)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch,
Engineering & GIS Services, May 5, 2016

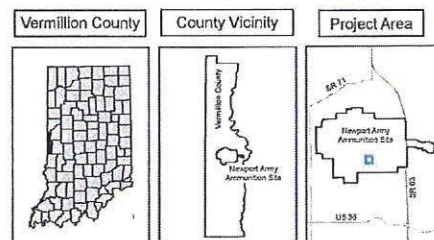
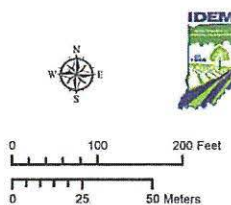
ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 8, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.

 Environmental Restrictive Covenant



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: Former Production Facility - Newport Chemical Demil Facility

Area Designation (Former list): FPF-NCDF

Land Area (approx.): 48.6 Ac.

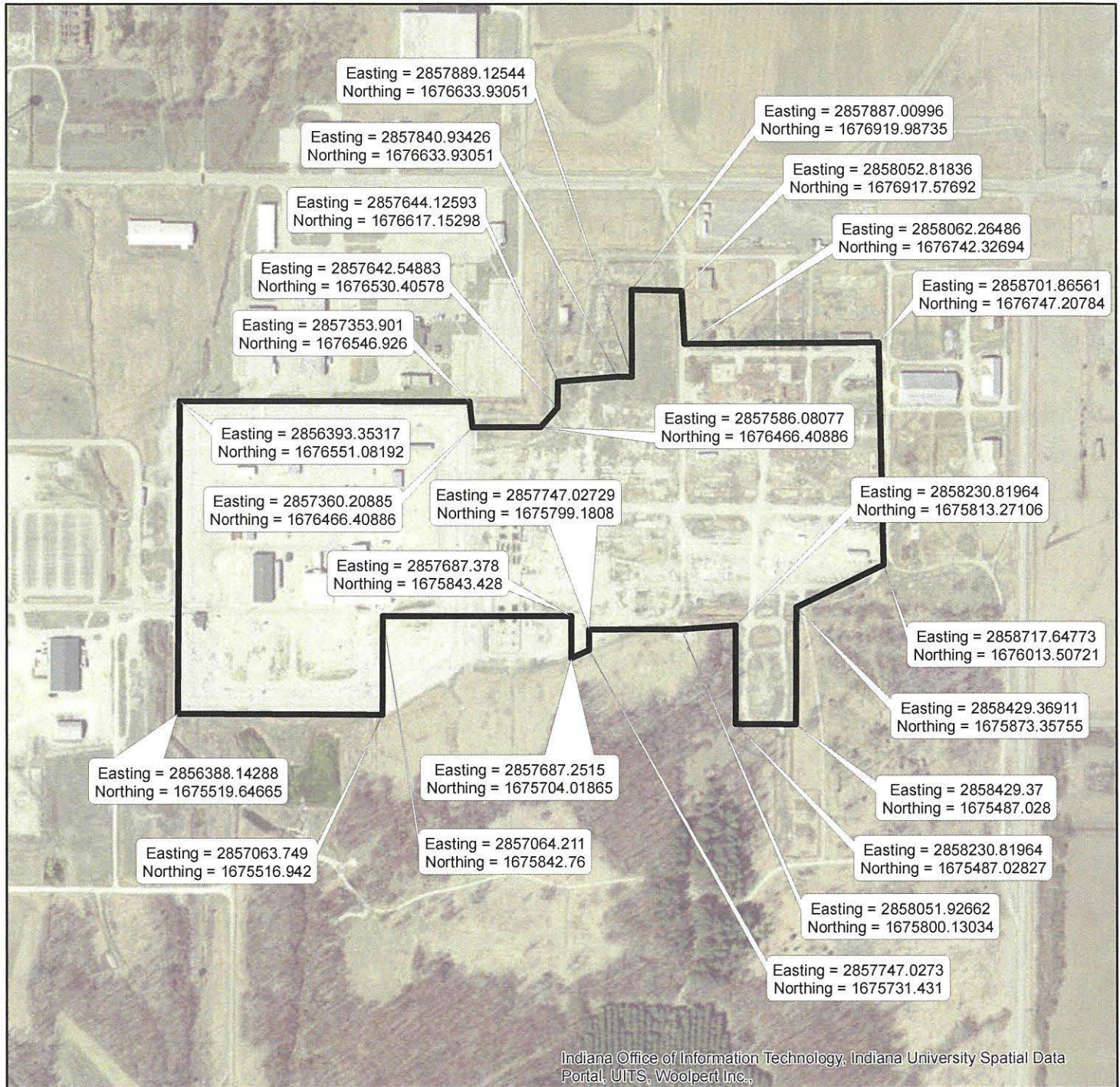
Restrictions:
No Ground Water Use
No Residential Use
No Agricultural Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

The Former Production Facility (FPF) and Newport Chemical Demil Facility (NECDF) have potential release of VX-related contamination and solvents. There are known releases of dichlorobenzenes (DCBs). A Land Use Control (LUC) restricting residential use of the property is being implemented. The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Agricultural, Residential and Groundwater Use that will be submitted with the ERC.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Former Production Facility and Newport Chemical Demil Facility (FPF-NCDF)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, February 23, 2016

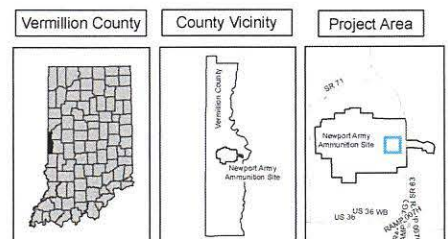
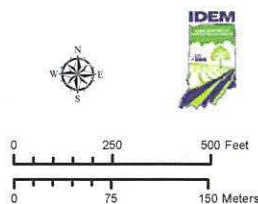
GPS Point Info: GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 9, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

 Environmental Restrictive Covenant



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: Building 716A Vehicle Maintenance Shop

Area Designation (Former list): B716A

Land Area (approx.): 0.13 Ac.

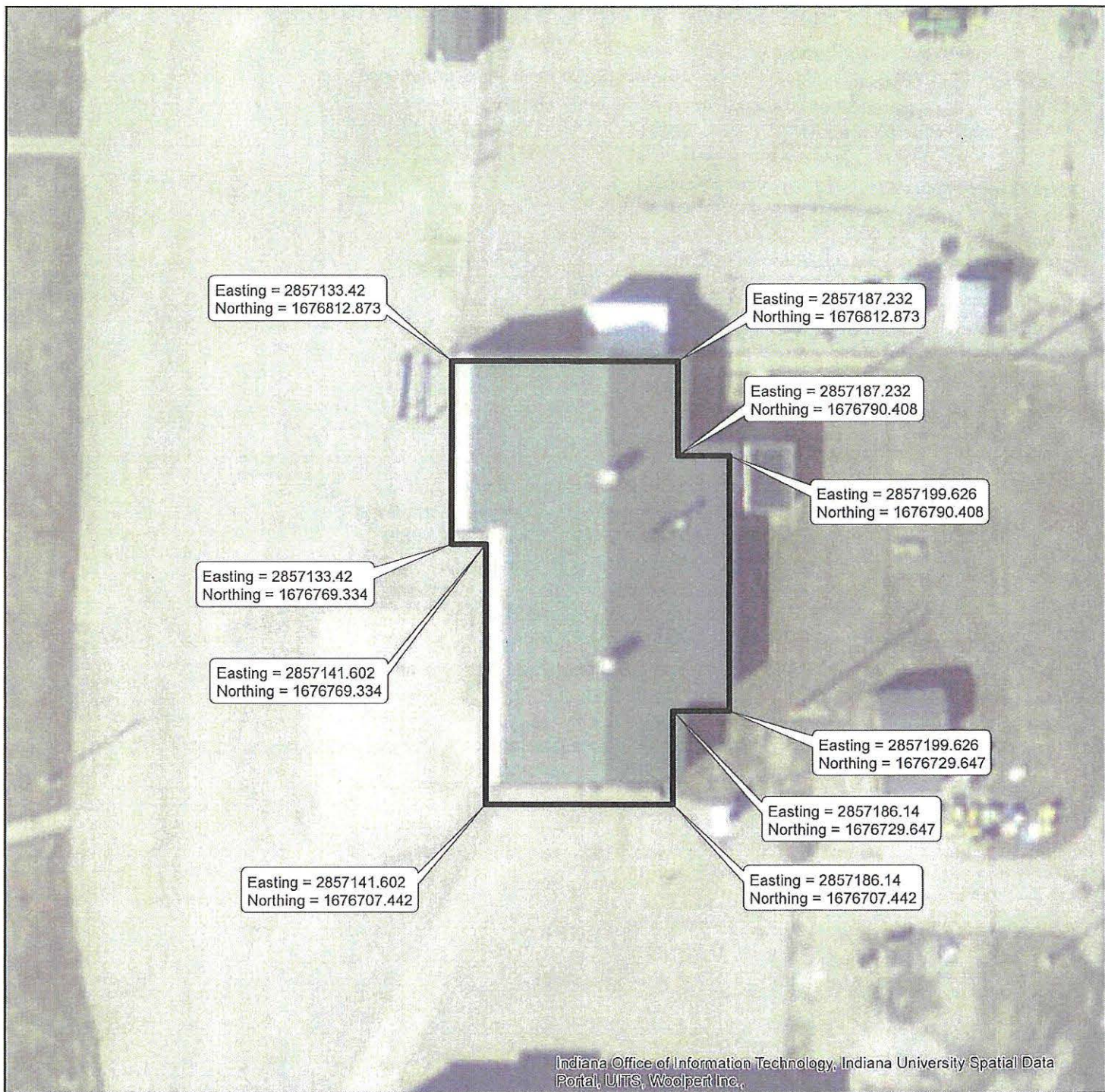
Restrictions: No Residential Use
No Agricultural Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

An SAIC 2012 Supplemental Field Activities Investigation Results and Completion Report documented that a removal action has been completed at the Building 716A Vehicle Maintenance Shop (B716A). Contaminants of concern are antimony, arsenic, lead, manganese and benzo(a)pyrene. A Land Use Control (LUC) restricting residential use of the property is being implemented. The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Agricultural and Residential Use that will be submitted with the ERC.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Building 716A Vehicle Maintenance Shop (B716A)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, May 5, 2016

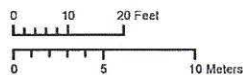
ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 9, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.

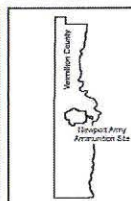
 Environmental Restrictive Covenant



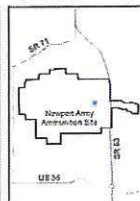
Vermillion County



County Vicinity



Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: Building 726C Pesticide Storage Shed

Area Designation (Former list): B726C

Land Area (approx.): 165 sq.ft

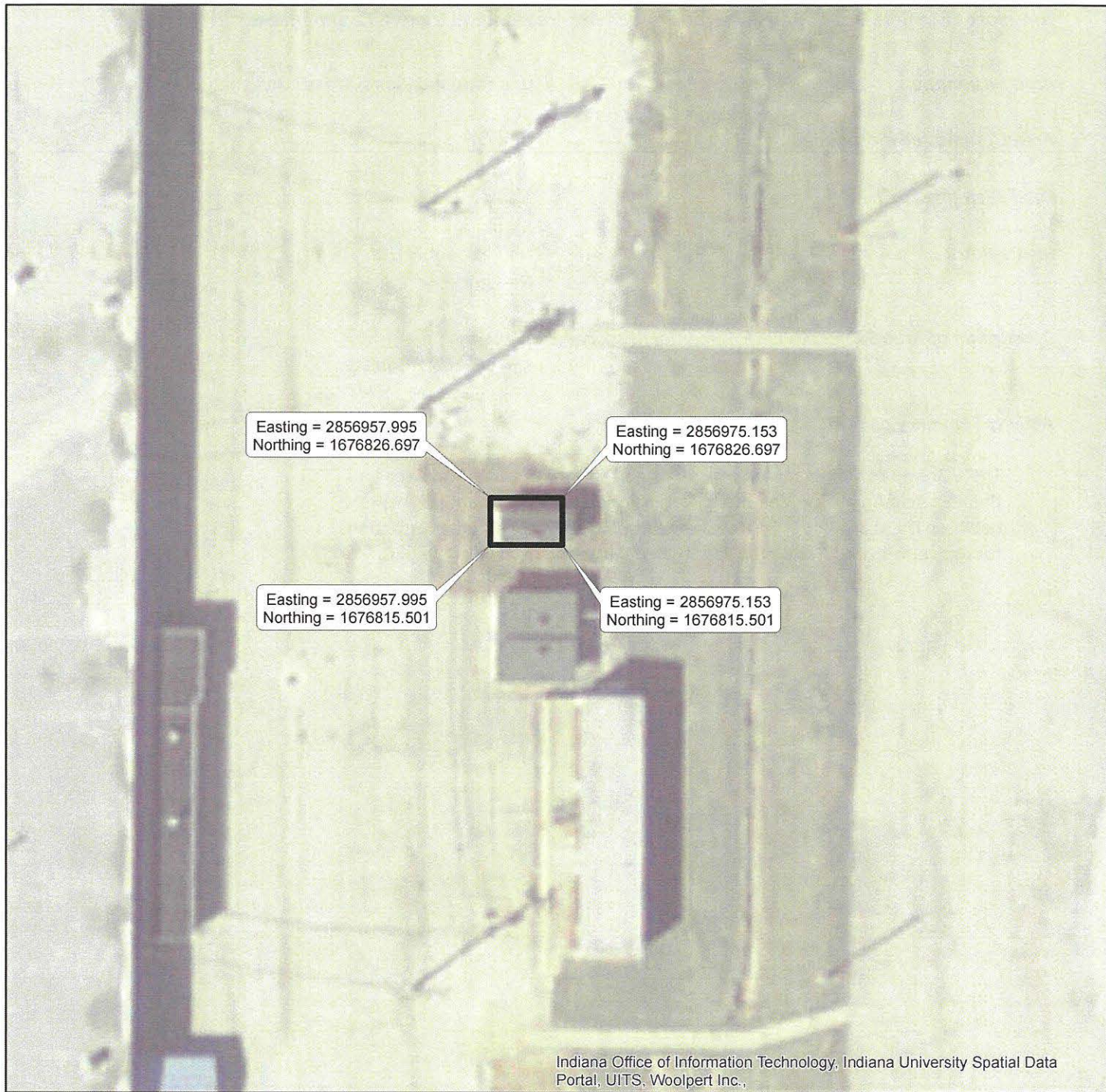
Restrictions:
No Residential Use
No Agricultural Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

The SAIC 2012 Supplemental Field Activities Investigation Results and Completion Report documented that a removal action has been completed at the Building 726C Pesticide Storage Shed (B726C). There is a possible release of pesticides / herbicides. The contaminant of concern is chlordane. A Land Use Control (LUC) restricting residential use of the property is being implemented. The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Agricultural and Residential Use that will be submitted with the ERC.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Building 726C Pesticide Storage Shed (B726C)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, June 13, 2016

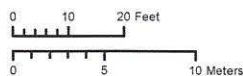
ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 9, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.

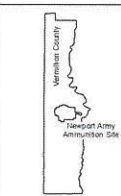
 Environmental Restrictive Covenant



Vermillion County



County Vicinity



Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: Underground Piping at Fuel Oil Tank

Area Designation (Former list): UP-FOT

Land Area (approx.): 1.4 Ac.

Restrictions:
No Residential Use
No Agricultural Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

There are no contaminants of concern in soil at both the TNT Acid Area and the RDX Acid Area. The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Agricultural and Residential Use that will be submitted with the ERC.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Underground Piping at Fuel Oil Tank (UP-FOT)




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, December 17, 2015

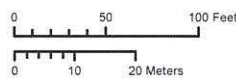
ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 9, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only.
This information is not warranted for accuracy or other purposes.

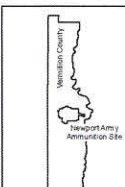
 Environmental Restrictive Covenant



Vermillion County



County Vicinity



Project Area



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: Little Raccoon Creek Bank

Area Designation (Former list): LRCB

Land Area (approx.): 1.0 Ac.

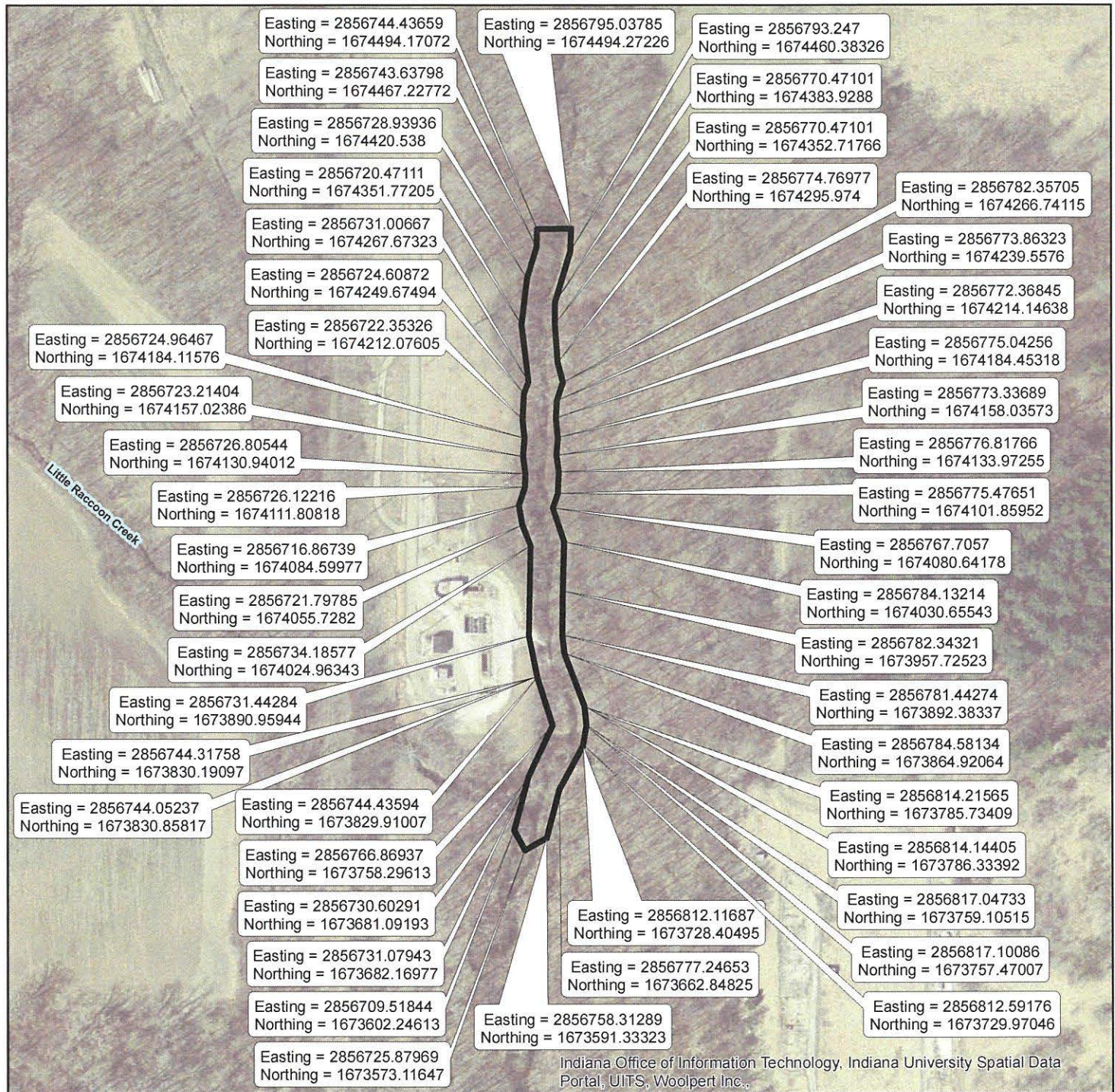
Restrictions:
No Intrusive Activity
No Residential Use
No Agricultural Use

Description of Area Subject to Environmental Restrictive Covenant:
See attached drawing.

Activity Summary and COC's:

The SAIC 2012 Supplemental Field Activities Investigation Results and Completion Report documented that SAIC investigated impact to the soil from buried debris. Contaminants of concern are arsenic, chromium, iron, lead, mercury and pentachlorophenol. A Land Use Control (LUC) is in place at the Decontaminated Waste Burial Ground (DWBG). The Voluntary Corrective Action Agreement (VCAA) between IDEM and the U.S. Army dated May 7, 2012 documents restrictions for Agricultural and Residential Use and Intrusive Activity that will be submitted with the ERC.

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant **Little Raccoon Creek Bank (LRCB)**




Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, December 18, 2015

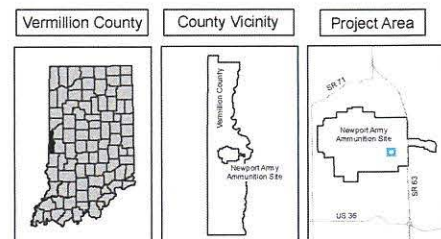
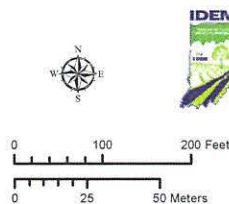
ERC Info: ERC polygon based on submitted GPS points. GPS points submitted in the following format: Projection: State Plane Coordinate System Datum: NAD83 Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 9, T16N, R9W Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

 Environmental Restrictive Covenant



Newport Chemical Depot Reuse Authority: Environmental Restrictive Covenant Sites:

Area Designation: Small Arms Range

Area Designation (Former list):

Land Area (approx.): 0.8 Ac.

Restrictions:

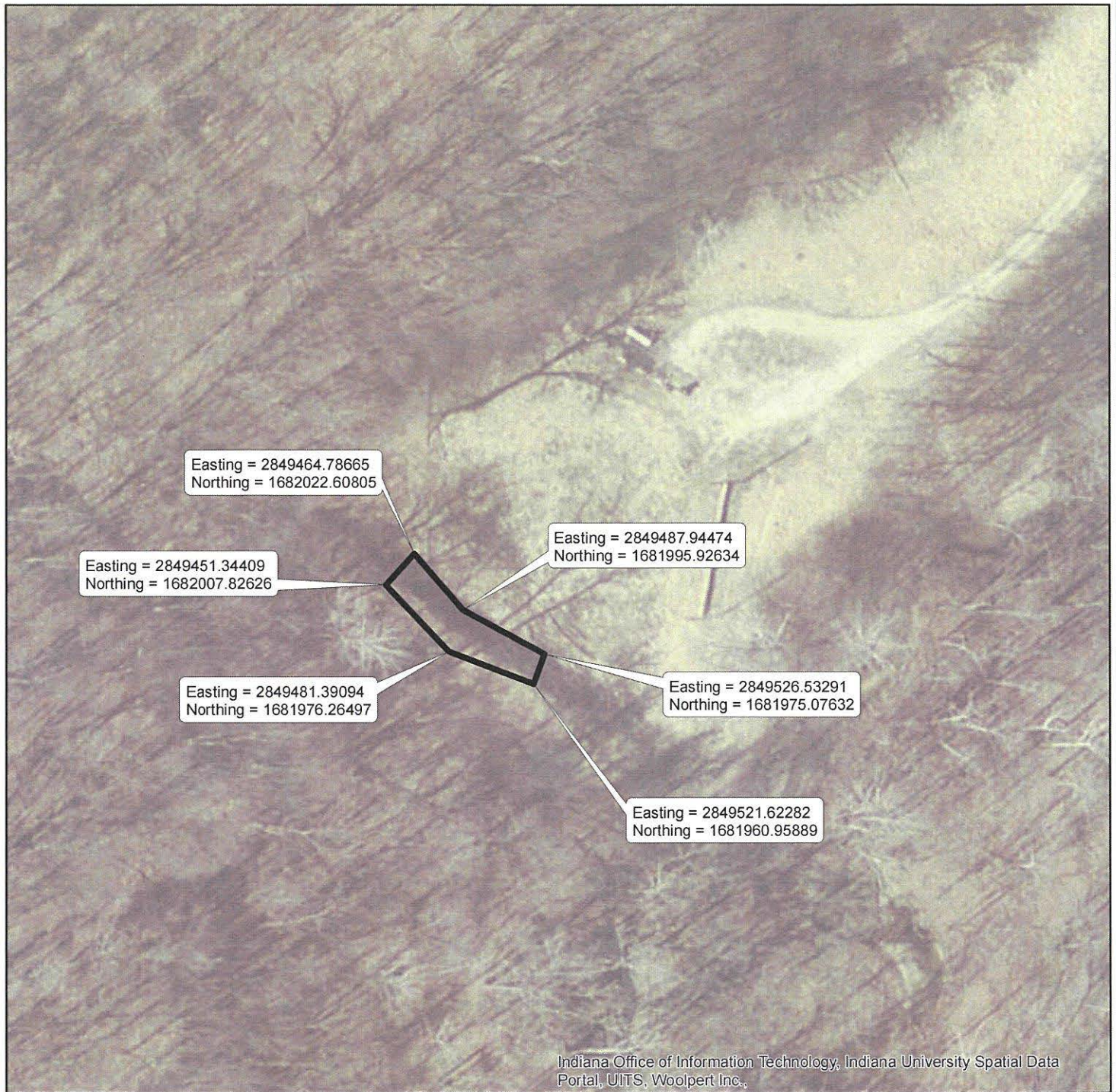
Description of Area Subject to Environmental Restrictive Covenant:

See attached drawing.

Activity Summary and COC's:

The SAIC 2011 Small Arms Range Remedial Action Completion Report documents that the Small Arms Range was contaminated by Munitions Constituent (MC). A removal action was completed. The contaminant of concern is lead. A Land Use Control (LUC) restricting residential use of the property is being implemented. [Not in the VCAA].

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenant Small Arms Range



Indiana Office of Information Technology, Indiana University Spatial Data Portal, UITS, Woolpert Inc.,

Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, December 18, 2015

ERC Info: ERC polygon based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Aerial Info: 2013 Statewide Orthophotography Program

PLSS Info: Section 9, T16N, R9W
Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

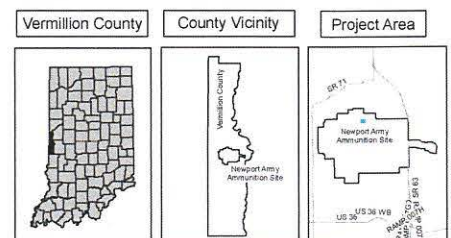
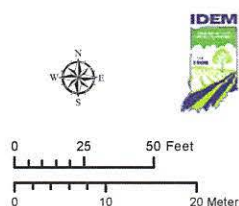
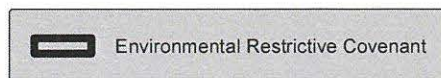
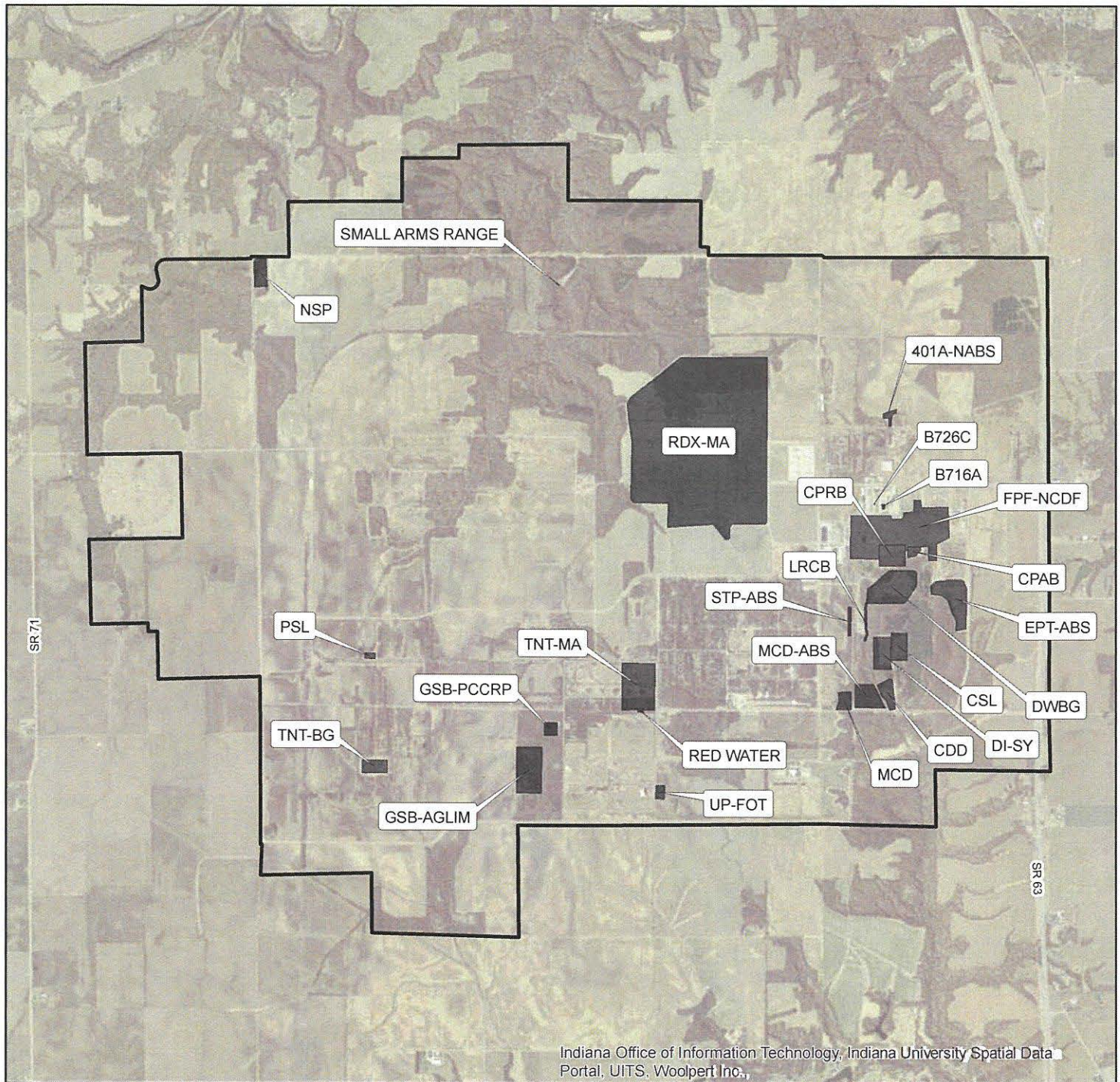


EXHIBIT C

SITE MAP DEPICTING REAL ESTATE (SURVEY DESCRIPTION) AND RESTRICTED SITES (ENVIRONMENTAL RESTRICTIVE COVENANTS)

IDEM RCRA Facility IN1210022272 - Environmental Restrictive Covenants & Survey Description (7035.37 acres)



Mapped By: Mike Hill, IDEM, Office of Land Quality, Science Services Branch, Engineering & GIS Services, June 7, 2018

ERC Info: ERC polygons based on submitted GPS points.
GPS points submitted in the following format:
Projection: State Plane Coordinate System
Datum: NAD83
Units: U.S. Feet

Survey Info: Survey Description based on provided Survey Description by Hennessy Surveying, Inc., prepared June 26th, 2010. Surveyed tract contains 7035.37 acres. Survey Description is Exhibit B-2 from Instrument # 2012001039 AFF, Recorded 05/31/2012, Affidavit

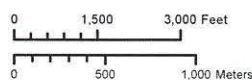
Parcel ID: 83-09-09-900-001.000-011

Aerial Info: 2013 Statewide Orthophotography Program

Location Info: Vermillion Township, Vermillion County, IN

Disclaimer: This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

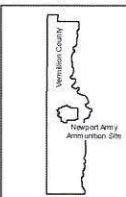
Environmental Restrictive Covenant
Survey Description



Vermillion County



County Vicinity



Project Area



