

ENVIRONMENTAL COVENANT

This is an environmental covenant executed pursuant to the Uniform Environmental Covenants Act, West Virginia Code Chapter 22, Article 22B, to restrict the activities on, and uses of, the following described property:

The owner's property in Nitro, West Virginia and a map of the property is shown in Exhibit A. The legal descriptions of 11 designated tracts within the property are provided in Exhibit B. A map showing these eleven tracts is also presented as Figure 1 in Exhibit B.

Activities on and uses of the above-described property that may result in excessive human exposure or in the release of a contaminant that was contained as part of the remedial action related to this covenant are prohibited. Those activities and uses include, but are not limited to:

- A. Use of Tracts 1 through 11 shown on Figures 2 through 6 in Exhibit B for any purpose other than as nonresidential property as defined by the West Virginia Voluntary Remediation and Redevelopment Act (W. Va. Code §22-22-2(q)).
- B. Extraction of groundwater from the property for any purpose other than monitoring and/or remediation.
- C. Monitoring wells shall not be removed, disturbed, or damaged. If the use of any of these monitoring wells is discontinued, with the approval of WVDEP, the monitoring well shall be properly abandoned by the owner in accordance with Title 47 Series 60 of the West Virginia Code of State Rules or other applicable laws and regulations in effect at the time of the well abandonment.
- D. All new occupied structures on Tracts 1, 2, 3, 4, 5, 6, 7, 8, and 9, shown on Figures 2, 3 and 4, respectively, in Exhibit B, shall have a vapor control system installed by properly trained and appropriately licensed personnel in full compliance with all applicable federal, state, and local laws, rules, regulations, and ordinances. The design of the vapor control system must be approved by a West Virginia Registered Professional Engineer and a copy of the plan must be submitted to West Virginia Department of Environmental Protection (WVDEP).
- E. Tracts 3 and 5, shown on Figure 2 in Exhibit B, or any portion thereof, have the same restrictions described above in paragraph A. In addition, any use of the areas must be at or above the ground surface; basements or other structures below ground surface are prohibited. The legal descriptions are provided in Exhibit B as Tract 3 and Tract 5.
- F. Use of Tracts 4 and 7, shown on Figures 2 and 3, respectively, in Exhibit B, or any portion thereof, is prohibited unless the use is consistent with the corrective measures in place for these areas.
- G. All subsurface and/or earth moving activities, including excavation, drilling and construction, in Tracts 2, 3, 4,5, and Tract 7, as shown on Figures 2 and Figure 3, respectively, in Exhibit B, shall be prohibited unless such activities will not pose a threat to human health or the environment and all such activities are in compliance with all applicable federal, state, and local requirements. The activities must be conducted in accordance with a site-specific

RECORDED IN DEED BK 3139 PG 794; 08/10/2022 03:53:41 PM
Vernon J. McCormick, County Clerk, Kanawha County, WV Deed Tax 0.00; Recording Fee 40.00; TOTAL 40.00

Materials Management Plan approved by WVDEP. The legal descriptions are provided in Exhibit B as Tract 2, Tract 3, Tract 4, Tract 5, and Tract 7.

- H. The Solid Waste Management Unit (SWMU) 9 Resource Conservation and Recovery Act (RCRA) cap area shown as Tract 2, on Figure 2 in Exhibit B, or any portion thereof, has the same restrictions described above in paragraph G. In addition, subsurface and/or earth moving activities, including excavation, drilling, and construction activities within the SWMU 9 RCRA cap area must be approved by WVDEP in advance as required by Title 40 of the Code of Federal Regulations §264.117(c). The legal description for the SWMU 9 RCRA cap area is provided in Exhibit B as Tract 2.
- I. Corrective Action Maintenance: The owner shall not in any way interfere with the operation or performance of any corrective measures implemented on the property as specified in Module II, Section II-C, Remedy Implementation of the Correct Action Permit (U.S. Environmental Protection Agency [USEPA] identification [ID] Number WVD000739722). Corrective actions that have been completed on the property include, but are not limited to the RCRA cap, soil covers, and the groundwater recovery system shown on Figure 7 in Exhibit B.
- J. The coordinates tables for various restriction areas described in the section above are provided in Exhibit C.

The current owner of record of the property, and its contact information is:

Union Carbide Corporation
437 MacCorkle Avenue SW
South Charleston, WV 25303

The following entity is the holder of this covenant:

Union Carbide Corporation
437 MacCorkle Avenue SW
South Charleston, WV 25303

The facts regarding the remediation response project at this property are:

Union Carbide Corporation (UCC) is the owner of the Facility, comprising approximately 46 acres near the city of Nitro, West Virginia (Figure 1). WVDEP issued UCC a Hazardous Waste Management Permit on June 5, 2009, for closed RCRA surface impoundment SWMU 9 (USEPA ID Number WVD000739722). WVDEP initially issued UCC a modification to the permit on November 30, 2017, and later updated the permit on July 16, 2019, that incorporated corrective action.

Historical activities at the property primarily consisted of the disposal and storage of chemicals and wastes and the operation of a cleaning facility for tank trucks and rail cars. Subsurface waste exists on the property. In addition, subsurface soils and groundwater are impacted from historical activities at concentrations above USEPA regional screening levels protective of human health.

USEPA issued a Final Decision on September 7, 2016, identifying the approved corrective actions for the Facility. The corrective action for the Facility requires

recording an environmental covenant for the property to eliminate potentially complete exposure pathways and to protect corrective actions completed on the property.

The owner of the property shall provide written notice to the holders, the Secretary of the WVDEP, and the USEPA, Region III within ten (10) days following transfer of a specified interest in the property subject to this covenant, changes in use of the property, application for building permits regarding the property, or proposals for any site work affecting the contamination on the property.

The owner shall conduct inspections of the property to monitor compliance with this covenant at least one time per year and shall submit two (2) signed copies of the inspection monitoring report to the WVDEP, DWWM headquarters in Charleston, WV, and USEPA Region III within thirty (30) days of the inspection.

The communications with WVDEP regarding this environmental covenant may be sent to:

WVDEP, DWWM
601 57th Street SE
Charleston, WV 25034

C/O: RCRA CA Project Manager

A recorded copy of this environmental covenant may be sent to:

USEPA Region III (3LD10)
4 Penn Center Philadelphia, PA 19103
215-814-5000

USEPA Project Manager Contact information:

Phone: 215-814-3437

Email: Hopkins.John@epa.gov

Email requests may be sent to: R3_RCRAPOSTREM@epa.gov

Subsequent submissions required by this environmental covenant shall be sent to the Region III RCRA Corrective Action digital reporting documents repository mailbox at: R3_RCRAPOSTREM@epa.gov. EPA RCRA Facility ID number must be included in the email subject line.

This covenant shall not be amended, modified, or terminated except by written instrument executed in accordance with W.Va. Code §22-22B-9 or §22-22B-10, by and between the owner(s) at the time of the proposed amendment, modification, or termination; the Secretary of WVDEP; USEPA Region III; and the holders of this covenant. Additionally, the then current owner of the property shall provide the Secretary of WVDEP and USEPA Region III written notice of the pendency of any proceeding or any proceeding that could lead to a foreclosure, as referred to in W.Va. Code §22-22B-9(a)(4), within 7 days of the owner's receiving notice of the pendency of such proceedings. Within 5 days of executing an amendment, modification, or termination of this environmental covenant, the owner shall record such amendment, modification, or termination with the Clerk of the County Commission, and within 5 days

thereafter, the owner shall provide a true copy of the recorded amendment, modification, or termination to the Secretary of WVDEP.

The administrative record for the environmental response project reflected in this covenant is maintained in the USEPA, 4 Penn Center, Philadelphia, PA 19103-2029 and is entitled:

Union Carbide Corporation (former) Private Trucking Operations Facility, Nitro, West Virginia, EPA ID Number WVD000739722.

WVDEP and USEPA Region III are granted full right of access to the property for the purpose of implementation or enforcement of this covenant.

A civil action for injunctive or other equitable relief for violating any requirement of this environmental covenant may be maintained by WVDEP or by the Attorney General of the United States, on behalf of USEPA. In addition, WVDEP and USEPA reserve their regulatory authorities under any law to enforce the activity and use limitations described in this environmental covenant.

All restrictions and other requirements described in this covenant shall run with the land and shall be binding upon all holders and the current owner and their grantees, lessees, authorized agents, employees, or persons acting under their direction or control.

IN WITNESS WHEREOF, the following holders have executed this covenant on the dates indicated.

Union Carbide Corporation

Printed Name: Betsy Witt

Title: UCC Remediation Leader

Betsy Witt 7/14/2022
Signature Date

I, Kimberly A Kalahar, a Notary Public in and for the County of Midland, State of Michigan, do hereby certify that the holder(s) whose name is signed above, this day executed this document in my presence or this day acknowledged same to be true act and deed of said holder(s).

Given under my hand this the 14 day of July, 2022
My commission expires 06-06-2026
Kimberly A Kalahar
Notary Public

KIMBERLY A KALAHAR
Notary Public, State of Michigan
County of Midland
My Commission Expires 06-06-2026
Acting in the County of Midland

West Virginia Department of Environmental Protection

Printed Name: Katheryn D. Emery

Title: Acting Director, Division of Water & Waste Management

Katheryn Emery _____
Signature Date 7/26/22

I, Tonya K Ombler, a Notary Public in and for the County of Kanawha, State of West Virginia, do hereby certify that Katheryn Emery, whose name is signed above as the representative of the agency, this day executed this document in my presence or this day acknowledged same to be true act and deed of said holder(s).

Given under my hand this the 26th day of July, 2022.
My commission expires June 1, 2027.

Tonya K Ombler
Notary Public

The Clerk will return the recorded document to:

Ms. Kathy Emery, Acting Director
WVDEP, DWWM
601 57th Street SE
Charleston, WV 25034

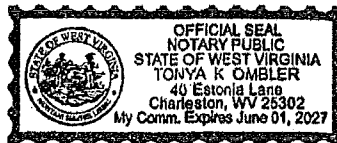


Exhibit A
Property Map

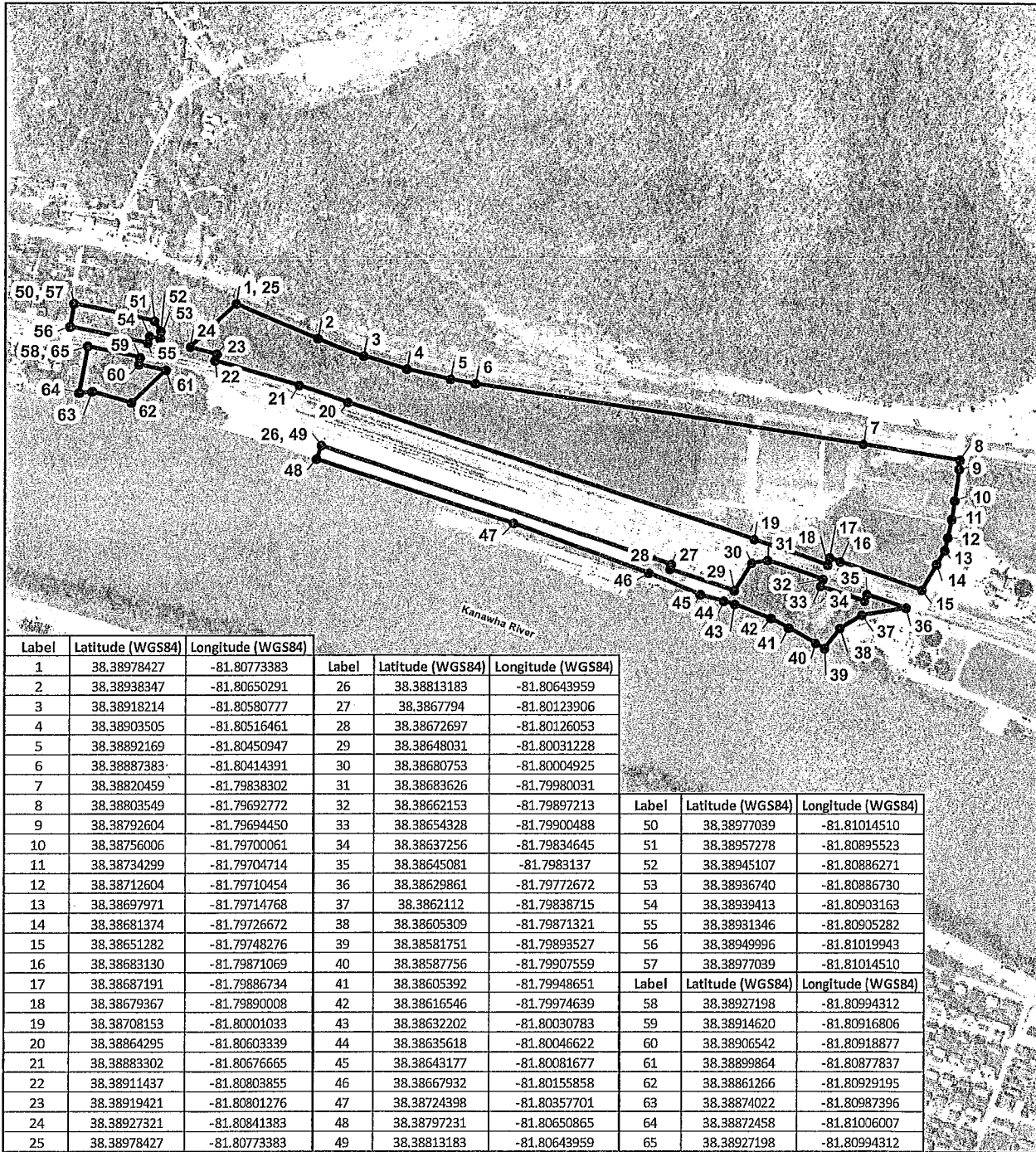
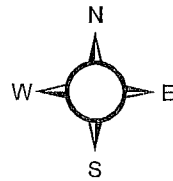


Image Source: 2017 Aerial Photography provided by Kanawha County

Exhibit A
Union Carbide Corporation
Private Trucking Operations
31350 1st Avenue South
Nitro, WV 25143
EPA ID# WVD000739722



Entire Facility

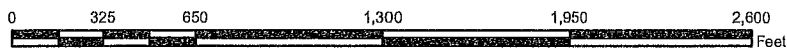
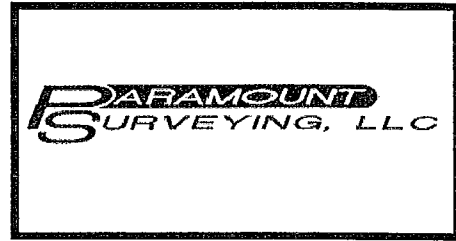


Exhibit B
Legal Descriptions and Figures

Job No. 19R-65
For: Jacobs Engineering
Date: July 11, 2019



Description of Tract 1 +/- 1.626 acres

Property hereby described as being situated in Union District, Kanawha County, West Virginia, bound and described as follows:

Beginning at a 5/8" rebar with plastic cap set, said rebar being a common corner to Tracts 2 and 7.

Thence with Tract 7 for the following four (4) bearings and distances:

- 1) N 53°15'50" W 117.67' to a 5/8" rebar with plastic cap set;
- 2) N 08°34'30" E 52.74' to a 5/8" rebar with plastic cap set;
- 3) N 81°19'00" W 320.49' to a 5/8" rebar with plastic cap set;
- 4) N 08°58'20" E, passing a 5/8" rebar with plastic cap set at 107.81', a total distance of 147.94' to a point on the southerly edge of State Route 25 and being a common corner to Tract 7.

Thence with said State Route 25 S 81°06'30" E 421.64' to a 5/8" rebar with plastic cap found, said rebar being a common corner to Union Carbide AG Products.

Thence with said Union Carbide AG Products S 07°22'20" W 174.39' to a 1/2" iron pipe found.

Thence S 10°04'10" W 80.16' to the place of beginning.

Containing 1.626 acres, more or less, and being shown upon that certain plat made as a result of survey by Paramount Surveying. A copy of said plat, dated June 19, 2019 is attached hereto and made a part of this description.

Job No. 19R-65
For: Jacobs Engineering
Date: July 11, 2019



Description of Tract 2
+/- 0.786 acres

Property hereby described as being situated in Union District, Kanawha County, West Virginia, bound and described as follows:

Beginning at a 5/8" rebar with plastic cap set, said rebar being a common corner to Tracts 1 and 7.

Thence with Tract 1 for the following two (2) bearings and distances:

- 1) S 81°19'00" E 320.49' to a 5/8" rebar with plastic cap set;
- 2) S 08°34'30" W, passing a 5/8" rebar with plastic cap set at 52.74', a total distance of 114.48' to a 5/8" rebar with plastic cap set, said rebar being a common corner to Tract 7.

Thence with Tract 7 for the following two (2) bearings and distances:

- 1) N 78°33'50" W 320.89' to a 5/8" rebar with plastic cap set;
- 2) N 08°34'30" E 99.07' to the place of beginning.

Containing **0.786** acres, more or less, and being shown upon that certain plat made as a result of survey by Paramount Surveying. A copy of said plat, dated June 19, 2019 is attached hereto and made a part of this description.

Job No. 19R-65
For: Jacobs Engineering
Date: July 11, 2019



Description of Tract 3
+/- 0.918 acres

Property hereby described as being situated in Union District, Kanawha County, West Virginia, bound and described as follows:

Beginning at a 5/8" rebar with plastic cap set on the northerly edge of the Norfolk Southern Railroad right of way.

Thence with said Railroad right of way N 71°16'20" W 370.57' to a 5/8" rebar with plastic cap set, said rebar being a common corner to Tracts 6 and 7.

Thence with Tract 7 for the following three (3) bearings and distances:

- 1) N 68°37'30" E 143.03' to a 5/8" rebar with plastic cap set;
- 2) N 81°22'40" E 109.15' to a 5/8" rebar with plastic cap set;
- 3) S 65°34'10" E 189.68' to a 5/8" rebar with plastic cap set, said rebar being a common corner to Tracts 2 and 7.

Thence S 29°57'40" W 125.87' to the place of beginning.

Containing **0.918** acres, more or less, and being shown upon that certain plat made as a result of survey by Paramount Surveying. A copy of said plat, dated June 19, 2019 is attached hereto and made a part of this description.

Job No. 19R-65
For: Jacobs Engineering
Date: July 11, 2019



Description of Tract 4
+/- 1.293 acres

Property hereby described as being situated in Union District, Kanawha County, West Virginia, bound and described as follows:

Beginning at a point, said point being a common corner to Union Carbide AG Products and being a on the southerly edge of the Norfolk Southern Railroad right of way.

Thence leaving said Railroad right of way and with said Union Carbide AG Products for the following three (3) bearings and distances:

- 1) S 80°56'50" W, passing a 5/8" rebar with plastic cap set at 34.63', a total distance of 191.96' to a 5/8" rebar with plastic cap set;
- 2) S 58°51'20" W 109.77' to a 5/8" rebar with plastic cap set;
- 3) S 37°04'00" W, passing a 5/8" rebar with plastic cap set at 51.02', a total distance of 106.82' to a point, said point being on the northerly bank of the Kanawha River.

Thence with said River for the following two (2) bearings and distances:

- 1) N 60°58'20" W 45.78' to a point;
- 2) N 60°54'10" W 134.16' to a point, said point being a common corner to Tract 5.

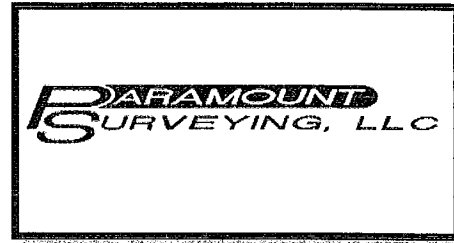
Thence with Tract 5 N 38°15'30" E, passing a 5/8" rebar with plastic cap set at 101.05', a total distance of 225.42' to a point on the southerly edge of said Railroad right of way.

Thence with said Railroad right of way for the following three (3) bearings and distances:

- 1) S 71°16'20" E 198.70' to a point;
- 2) N 18°43'40" E 30.00' to a point;
- 3) S 71°16'20" E 177.14' to the place of beginning.

Containing **1.293** acres, more or less, and being shown upon that certain plat made as a result of survey by Paramount Surveying. A copy of said plat, dated June 19, 2019 is attached hereto and made a part of this description.

Job No. 19R-65
For: Jacobs Engineering
Date: May 18, 2021



Description of Tract 5
+/- 1.596 acres

Property hereby described as being situated in Union District, Kanawha County, West Virginia, bound and described as follows:

Beginning at a point, said point being a common corner to Altivia Services LLC;

Thence with said Altivia for the following three (3) bearings and distances:

- 1) S 71°13'00" E 22.47' to a point;
- 2) N 32°49'00" E 141.01' to a 5/8" rebar found;
- 3) N 82°09'10" E 72.11' to a point, said point being on the southerly edge of the Norfolk Southern Railroad;

Thence with said railroad for the following two (2) bearings and distances:

- 1) S 71°16'20" E 249.92' to a point;
- 2) S 18°43'40" W 30.00' to a point;

Thence leaving said railroad and through the parent tract S 38°15'30" W, passing a 5/8" rebar w/plastic cap set at 124.37', a total distance of 225.42' to a point on the northerly bank of the Kanawha River;

Thence with said river for the following three (3) bearings and distances:

- 1) N 60°54'10" W 84.84' to a point;
- 2) N 69°59'50" W 170.72' to a point;
- 3) N 74°11'00" W 47.07' to a point;

Thence leaving said river and through the parent tract N 24°03'30" E, passing a 5/8" rebar w/plastic cap set at 12.80', a total distance of 57.00' to the place of beginning.

Containing **1.596 acres**, more or less, and being shown upon that certain plat made as a result of survey by Paramount Surveying. A copy of said plat, dated May 5, 2021 is attached hereto and made a part of this description.

Paramount Surveying
506A South Church Street
Ripley, WV 25271

304 372-5224 Office
304 532-6039 Cell

email:jwparamount@yahoo.com

Job No. 19R-65
For: Jacobs Engineering
Date: July 11, 2019



Description of Tract 6
+/- 1.702 acres

Property hereby described as being situated in Union District, Kanawha County, West Virginia, bound and described as follows:

Beginning at a 5/8" rebar with plastic cap set, said rebar being on the northerly edge of the Norfolk Southern Railroad right of way and a common corner to Tract 7.

Thence leaving said railroad right of way and with Tract 7 for the following four (4) bearings and distances:

- 1) N 19°12'50" E 76.34' to a 5/8" rebar with plastic cap set;
- 2) N 06°41'30" W 132.57' to a 5/8" rebar with plastic cap set;
- 3) S 81°21'00" E 280.61' to a 5/8" rebar with plastic cap set;
- 4) S 18°17'50" E 269.52' to a 5/8" rebar with plastic cap set on the northerly edge of said Railroad right of way, said rebar being a common corner to Tracts 3 and 7.

Thence with said Railroad right of way for the following three (3) bearings and distances:

- 1) N 71°16'20" W 47.27' to a point;
- 2) S 18°43'40" W 30.00' to a point;
- 3) N 71°16'20" W 335.04' to the place of beginning.

Containing **1.702** acres, more or less, and being shown upon that certain plat made as a result of survey by Paramount Surveying. A copy of said plat, dated June 19, 2019 is attached hereto and made a part of this description.

Job No. 19R-65
For: Jacobs Engineering
Date: July 11, 2019



Description of Tract 7
+/- 17.905 acres

Property hereby described as being situated in Union District, Kanawha County, West Virginia, bound and described as follows:

Beginning at a 5/8" rebar with plastic cap found on the southerly edge of State Route 25.

Thence with said State Route 25 for the next two bearings and distances:

- 1) A curve to the left having a radius of 2894.29' and an arc length of 490.51' passing a 5/8" rebar w/plastic cap found having a chord bearing and distance of S73°18'00"E 191.96', continuing from said rebar a chord bearing and distance of S 77°06'10" E 192.26' to a 5/8" rebar with plastic cap found, continuing from said rebar a chord bearing and distance of S 80°03'30" E 106.21' to a 5/8" rebar with plastic cap found;
- 2) S 81°06'30" E 1669.06' to a point, said point being a common corner to Tract 1.

Thence with Tract 1 S 08°58'20" W, passing a 5/8" rebar with plastic cap set at 40.13', a total distance of 147.94' to a 5/8" rebar with plastic cap set, said rebar being a common corner to Tract 2.

Thence with Tract 2 for the following three (3) bearings and distances:

- 1) S 08°34'30" W 99.07' to a 5/8" rebar with plastic cap set;
- 2) S 78°33'50" E 320.89' to a 5/8" rebar with plastic cap set;
- 3) N 08°34'30" E 61.74' to a 5/8" rebar with plastic cap set, said rebar being a common corner to Tracts 1.

Thence with Tract 1 S 53°15'50" E 117.67' to a 5/8" rebar with plastic cap set.

Thence with the new lines for the following three (3) bearings and distances:

- 1) S 12°15'30" W 80.70' to a 5/8" rebar with plastic cap set;
- 2) S 13°33'20" W 54.70' to a 5/8" rebar with plastic cap set;
- 3) S 29°56'20" W 69.41' to a 5/8" rebar with plastic cap set, said rebar being a common corner to Tract 3.

Thence with Tract 3 for the following three (3) bearings and distances:

Paramount Surveying
506A South Church Street
Ripley, WV 25271

304 372-5224 Office
304 532-6039 Cell

email:jwparamount@yahoo.com

- 1) N 65°34'10" W 189.68' to a 5/8" rebar with plastic cap set;
- 2) S 81°22'40" W 109.15' to a 5/8" rebar with plastic cap set;
- 3) S 68°37'30" W 143.03' to a 5/8" rebar with plastic cap set, said rebar being a common corner to Tract 6.

Thence with Tract 6 for the following four (4) bearings and distances:

- 1) N 18°17'50" W 269.52' to a 5/8" rebar with plastic cap set;
- 2) N 81°21'00" W 280.61' to a 5/8" rebar with plastic cap set;
- 3) S 06°41'30" E 132.57' to a 5/8" rebar with plastic cap set;
- 4) S 19°12'50" W 76.34' to a 5/8" rebar with plastic cap set, said rebar being on the northerly edge of the Norfolk Southern Railroad right of way.

Thence with said Railroad right of way N 71°16'20" W 1817.56' to a 5/8" rebar with plastic cap set.

Thence through the parent tract N 18°43'40" E 206.72' to the place of beginning.

Containing **17.905** acres, more or less, and being shown upon that certain plat made as a result of survey by Paramount Surveying. A copy of said plat, dated June 19, 2019 is attached hereto and made a part of this description.

Job No. 19R-65
For: Jacobs Engineering
Date: May 18, 2021



**Description of Tract 8
+/- 2.338 acres**

Property hereby described as being situated in Union District, Kanawha County, West Virginia, bound and described as follows:

Beginning at a point on the northerly bank of the Kanawha River, said point being a common corner to Altivia Services LLC;

Thence with said Altivia for the following four (4) bearings and distances:

- 1) N 18°40'20" E 57.37' to a 5/8" rebar w/plastic cap found;
- 2) S 71°12'30" E 1569.95' to a 5/8" rebar w/plastic cap found;
- 3) S 18°43'30" W 20.04' to a 5/8" rebar w/plastic cap found;
- 4) S 71°12'40" E 263.91' to a point;

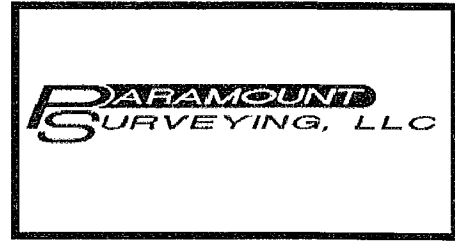
Thence leaving said Altivia and through the parent tract S 24°03'30" W, passing a 5/8" rebar w/plastic cap set at 44.20', a total distance of 57.00' to a point on the northerly edge of the Kanawha River;

Thence with said river for the following four (4) bearings and distances:

- 1) N 74°11'00" W 104.18' to a point;
- 2) N 66°31'40" W 230.94' to a point;
- 3) N 69°56'10" W 613.99' to a point;
- 4) N 71°42'30" W 880.52' to the place of beginning.

Containing **2.338 acres**, more or less, and being shown upon that certain plat made as a result of survey by Paramount Surveying. A copy of said plat, dated May 7, 2021 is attached hereto and made a part of this description.

Job No. 19R-65
For: Jacobs Engineering
Date: July 11, 2019



Description of Tract 9 +/- 3.414 acres

Property hereby described as being situated in Union District, Kanawha County, West Virginia, bound and described as follows:

Beginning at a 5/8" rebar with plastic cap found, said rebar being on the southerly edge of State Route 25.

Thence with said State Route 25 for the following two (2) bearings and distances:

- 1) S 67°01'30"E , passing a 5/8" rebar with plastic cap found at 202.11' , a total distance of 381.80' to a 5/8" rebar with plastic cap found;
- 2) A curve to the left with a radius of 2894.79' and an arc length of 212.14' to a 5/8" rebar with plastic cap found, said rebar being a common corner to Tract 7.

Thence with Tract 7 S 18°43'40" W 206.72' to a 5/8" rebar with plastic cap set on the northerly edge of the Norfolk Southern Railroad right of way.

Thence with said Norfolk Southern for the following four (4) bearings and distances:

- 1) N 71°16'20" W 221.27' to a point;
- 2) N 73°26'40" W 378.50' to a point;
- 3) N 14°23'10" E 30.00' to a point;
- 4) N 76°15'20" W 118.26' to a 5/8" rebar with plastic cap set, said rebar being a common corner to WV State Road Commission.

Thence with said WV State Road Commission N 46°49'40" E, passing a 1/2" rebar with plastic cap found on the southerly edge of State Route 25 at 163.49', a total distance of 269.41' to the place of beginning.

Containing 3.414 acres, more or less, and being shown upon that certain plat made as a result of survey by Paramount Surveying. A copy of said plat, dated June 19, 2019 is attached hereto and made a part of this description.

Job No. 19R-65
For: Jacobs Engineering
Date: July 11, 2019



Description of Tract 10

+/- 1.223 acres

Property hereby described as being situated in Nitro Corporation, Kanawha County, West Virginia, bound and described as follows:

Beginning at a 5/8" rebar with plastic cap found on the southerly edge of the Norfolk Southern Railroad, said rebar being a common corner to Union Carbide Corp.

Thence with said Union Carbide Corp S 46°49'40" W, passing a 5/8" rebar with plastic cap found at 146.65', a total distance of 203.66' to a point on the bank of the Kanawha River.

Thence with said Kanawha River for the following two (2) bearings and distances:

- 1) N 73°55'20" W 172.91' to a point;
- 2) S 84°24'10" W 53.65' to a point, said point being a common corner to Daymon Nelson.

Thence with said Nelson N 10°02'50" E, passing 1/2" iron pipes found at 32.39' and 176.40', a total distance of 202.14' to a 5/8" rebar with plastic cap found on the southerly edge of the Norfolk Southern Railroad right of way.

Thence with said Railroad right of way for the following three (3) bearings and distances:

- 1) S 77°50'50" E 226.82' to a 5/8" rebar with plastic cap found;
- 2) S 11°54'20" W 30.01' to a 5/8" rebar with plastic cap found;
- 3) S 77°52'10" E 119.95' to the place of beginning.

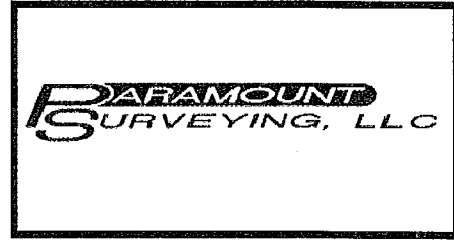
Containing 1.223 acres, more or less, and being shown upon that certain plat made as a result of survey by Paramount Surveying. A copy of said plat, dated June 19, 2019 is attached hereto and made a part of this description.

Paramount Surveying
506A South Church Street
Ripley, WV 25271

304 372-5224 Office
304 532-6039 Cell

email:jwparamount@yahoo.com

Job No. 19R-65-1
For: Jacobs Engineering
Date: May 18, 2021



Description of Tract 11
+/- 0.821 acres

Property hereby described as being situated in Nitro District, Kanawha County, West Virginia, bound and described as follows:

Beginning at a 1/2" rebar found on the northerly edge of the Norfolk Southern Railroad and on the easterly edge of Cleveland Avenue;

Thence with said Avenue N 09°29'10" E, passing a 1/2" rebar found at 69.80', a total distance of 99.70' to a drill hole in concrete, said drill hole being a common corner to Ronald Arbaugh;

Thence with said Arbaugh S 77°35'00" E, passing a drill hole in concrete at 173.11' and a 5/8" rebar w/plastic cap set at 280.08', a total distance of 348.54' to a point in Gabbert's Branch, said point being a common corner to WV State Road Commission;

Thence with said Branch and said Commission for the following two (2) bearings and distances:

- 1) S 30°23'40" E 51.65' to a point;
- 2) S 02°58'10" W 30.50' to a point, said point being on the northerly edge of the Norfolk Southern Railroad;

Thence with said Railroad for the following three (3) bearings and distances:

- 1) N 77°49'20" W 48.10' to a point;
- 2) S 12°10'40" W 30.00' to a point;
- 3) N 77°49'20" W 335.58' to the place of beginning.

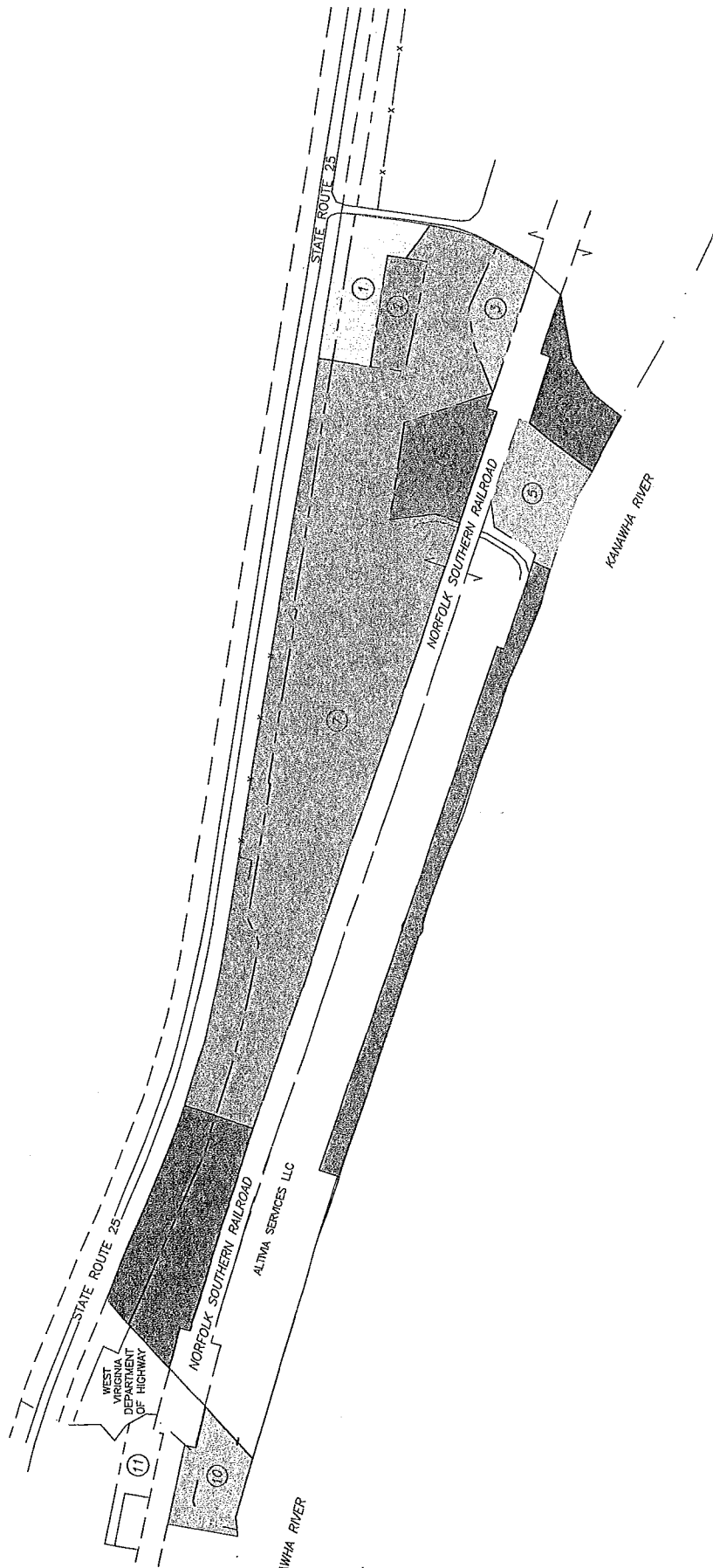
Containing **0.821**, more or less, and being shown upon that certain plat made as a result of survey by Paramount Surveying. A copy of said plat, dated May 7, 2021 is attached hereto and made a part of this description.

Paramount Surveying
506A South Church Street
Ripley, WV 25271

304 372-5224 Office
304 532-6039 Cell

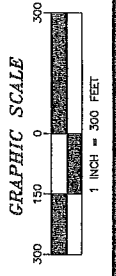
email:jwparamount@yahoo.com

NORTH MERIDIAN REFERENCE TO GRID NORTH WY SOUTH ZONE



NOTE: ALTIVA SERVICES LLC, NORFOLK SOUTHERN RAILROAD, AND WEST VIRGINIA DEPARTMENT OF HIGHWAY PROPERTIES ARE UNDER SEPARATE ENVIRONMENTAL COVENANTS

FIGURE 1
PLAT SHOWING DESIGNATED TRACTS OWNED BY: UNION CARBIDE CORP. SITUATE ON THE WATERS OF THE KANAWHA RIVER, UNION DISTRICT & NITRO CORP.; KANAWHA COUNTY, WEST VIRGINIA

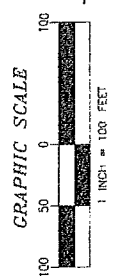


DISTRICT: UNION DISTRICT	COUNTY: KANAWHA	STATE: WV
FIELD WORK BY: J.B. DF	DRAWN BY: JR	
DATE: 9/3/15		FILE NAME: 19R-65
DRAWING NO: 19R-65		SCALE: 1"=300'

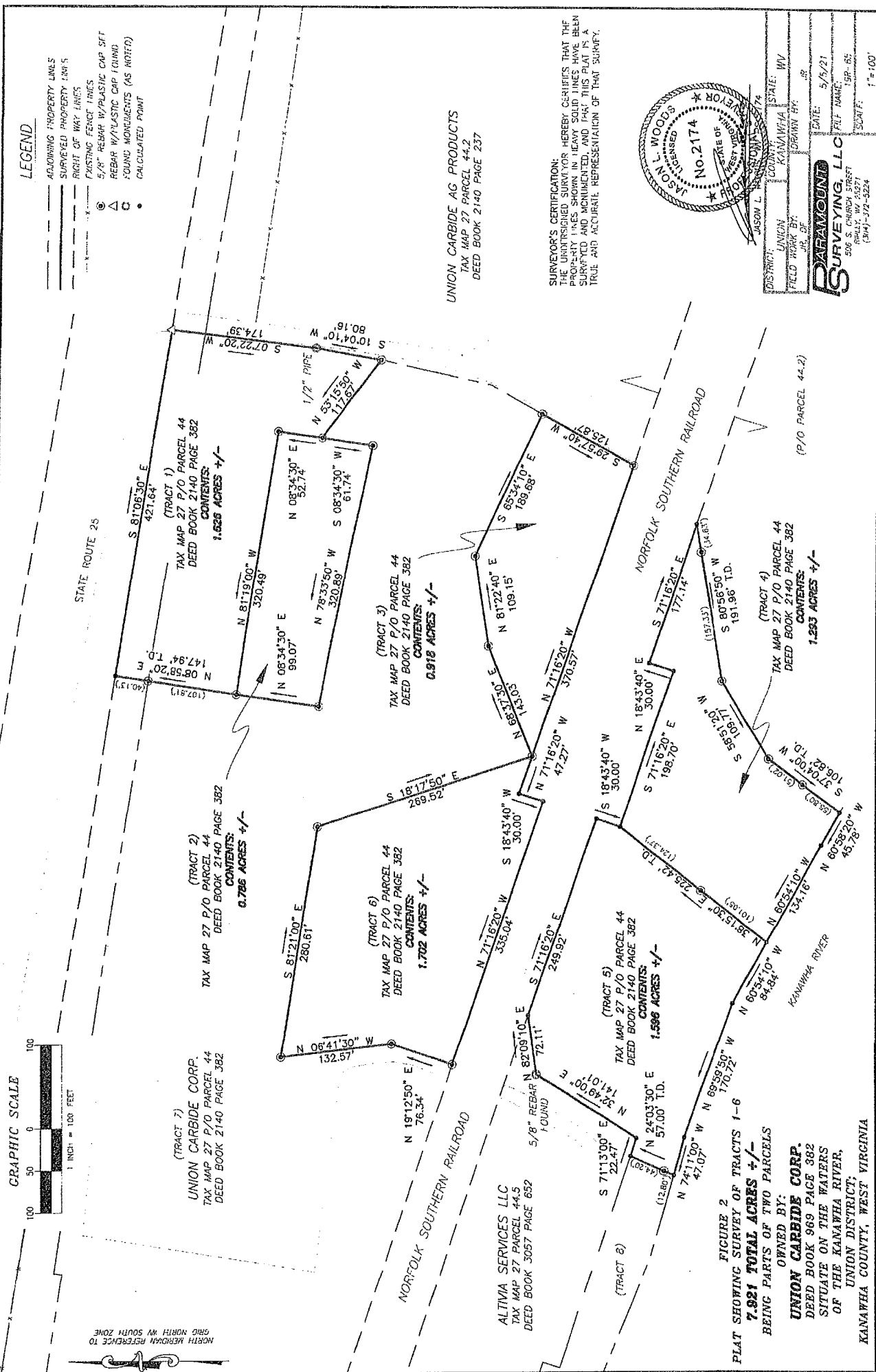
PARAMOUNT
SURVEYING LLC
 508 S. CHURCH STREET
 FAYETTE, WV 25727
 (304)-372-8224

LEGEND

- ADJOINING PROPERTY LINES
- SURVEYED PROPERTY LINES
- RIGHT OF WAY LINES
- EXISTING FENCE LINES
- 5/8" REBAR W/PLASTIC CAP SET FOUND
- △ FOUND MONUMENTS (AS NOTED)
- CALCULATED POINT

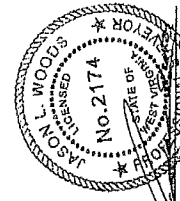


GRID NORTH REFERENCE TO
NORTH MERIDIAN WY SOUTH ZONE



UNION CARBIDE AG PRODUCTS
TAX MAP 27 PARCEL 44.2
DEED BOOK 2140 PAGE 237

SURVEYOR'S CERTIFICATION:
THE UNATTACHED SURVEYOR HEREBY CERTIFIES THAT THE
PROPERTY LINES SHOWN IN HEAVY SOLID LINES HAVE BEEN
SURVEYED AND MONUMENTED, AND THAT THIS PLAT IS A
TRUE AND ACCURATE REPRESENTATION OF THAT SURVEY.



DISTRICT: UNION COUNTY, WEST VIRGINIA
FIELD WORK BY: JERRIN GRUBER, JR.
DATE: 5/5/21
PLAT NAME: UNIFORM
SCALE: 1"=100'

PARAMOUNT SURVEYING LLC
506 S. CHURCH STREET
MARTINSBURG, WV 25401
(304)-272-5224

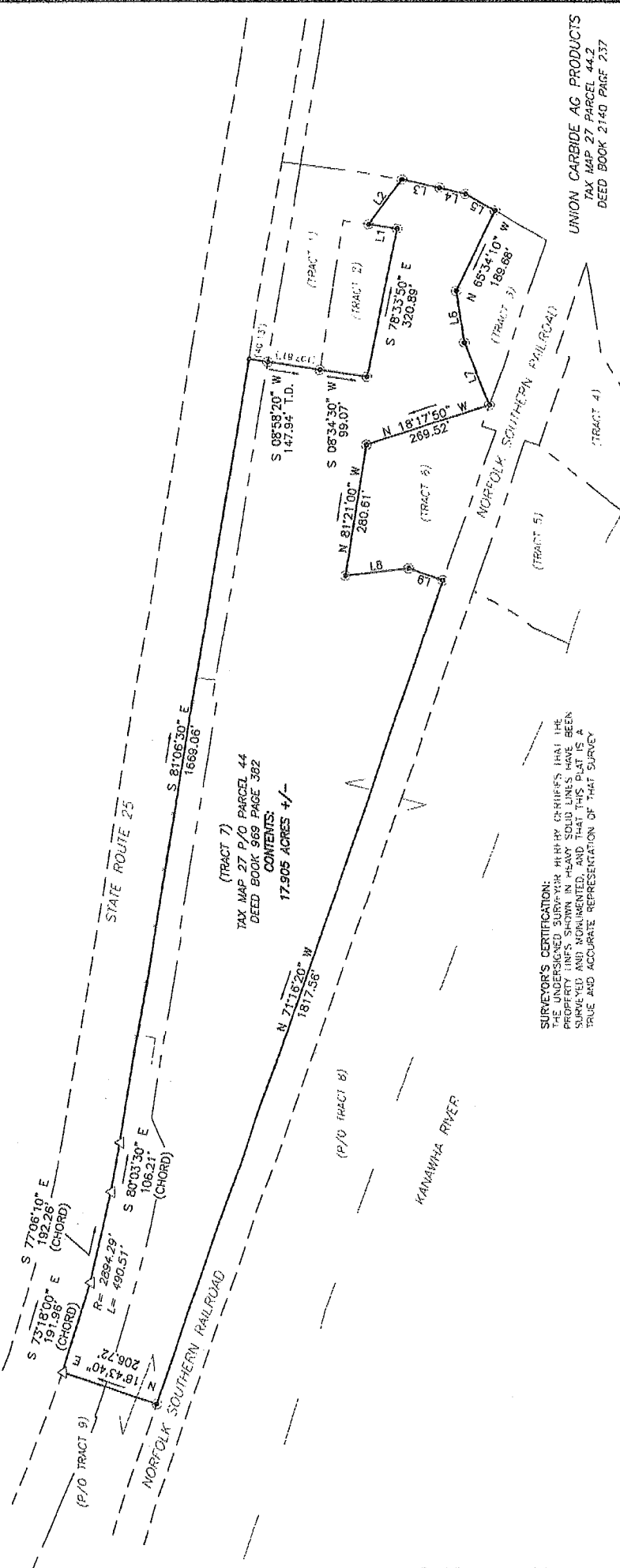
FIGURE 2
PLAT SHOWING SURVEY OF TRACTS 1-6
BEING PARTS OF TWO PARCELS
OWNED BY:
UNION CARBIDE CORP.
DEED BOOK 969 PAGE 382
SITUATE ON THE WATERS
OF THE KANAWHA RIVER,
UNION DISTRICT,
KANAWHA COUNTY, WEST VIRGINIA

NORTH-MERIDIAN REFERENCE TO GRID NORTH IN SOUTH ZONE

LEGEND

- ADJOINING PROPERTY LINES
- SURVEYED PROPERTY LINES
- RIGHT OF WAY LINES
- EXISTING FENCE LINES
- 1/2" REBAR W/PLASTIC CAP SET
- △ REBAR W/PLASTIC CAP FOUND
- FOUND MONUMENTS (AS NOTED)
- CALCULATED POINT

LINE	BEARING	DISTANCE
L1	N 08°34'30" E	61.74'
L2	S 53°18'50" E	117.67'
L3	S 12°15'30" W	80.70'
L4	S 13°33'20" W	54.70'
L5	S 28°58'20" W	69.41'
L6	S 81°22'40" W	109.15'
L7	S 68°37'30" W	143.03'
L8	S 06°41'30" E	132.57'
L9	S 19°12'50" W	76.34'



(TRACT 7)
TAX MAP 27 P/O PARCEL 44
DEED BOOK 969 PAGE 382
CONTENTS:
17.905 ACRES +/-

SURVEYOR'S CERTIFICATION:
THE UNDERSIGNED SURVEYOR HENRY CHRIFFS III HAS THE PROPERTY LINES SHOWN IN HEAVY SOLID LINES HAVE BEEN SURVEYED AND MONUMENTED, AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THAT SURVEY.

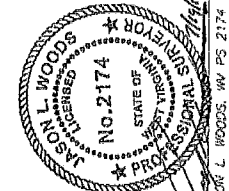


FIGURE 3
PLAT SHOWING SURVEY OF
TRACT 7
17.905 ACRES +/-
BEING PART OF A LARGER PARCEL
OWNED BY: UNION CARBIDE CORP.
DEED BOOK 969 PAGE 382
SITUATE ON THE WATERS OF THE KANAWHA RIVER,
ON THE UNION DISTRICT, VIRGINIA
KANAWHA COUNTY, WEST VIRGINIA

DISTRICT: UNION COUNTY: KANAWHA STATE: WV
FIELD WORK BY: JASON L. WOODS DATE: 5/13/19
SCALE: 1" = 200'
FILE NAME: 109-65
PROJECT: 998 S. CHURCH STREET
SCALE: 1" = 200'

UNION CARBIDE AG PRODUCTS
TAX MAP 27 PARCEL 44.2
DEED BOOK 2140 PAGE 237

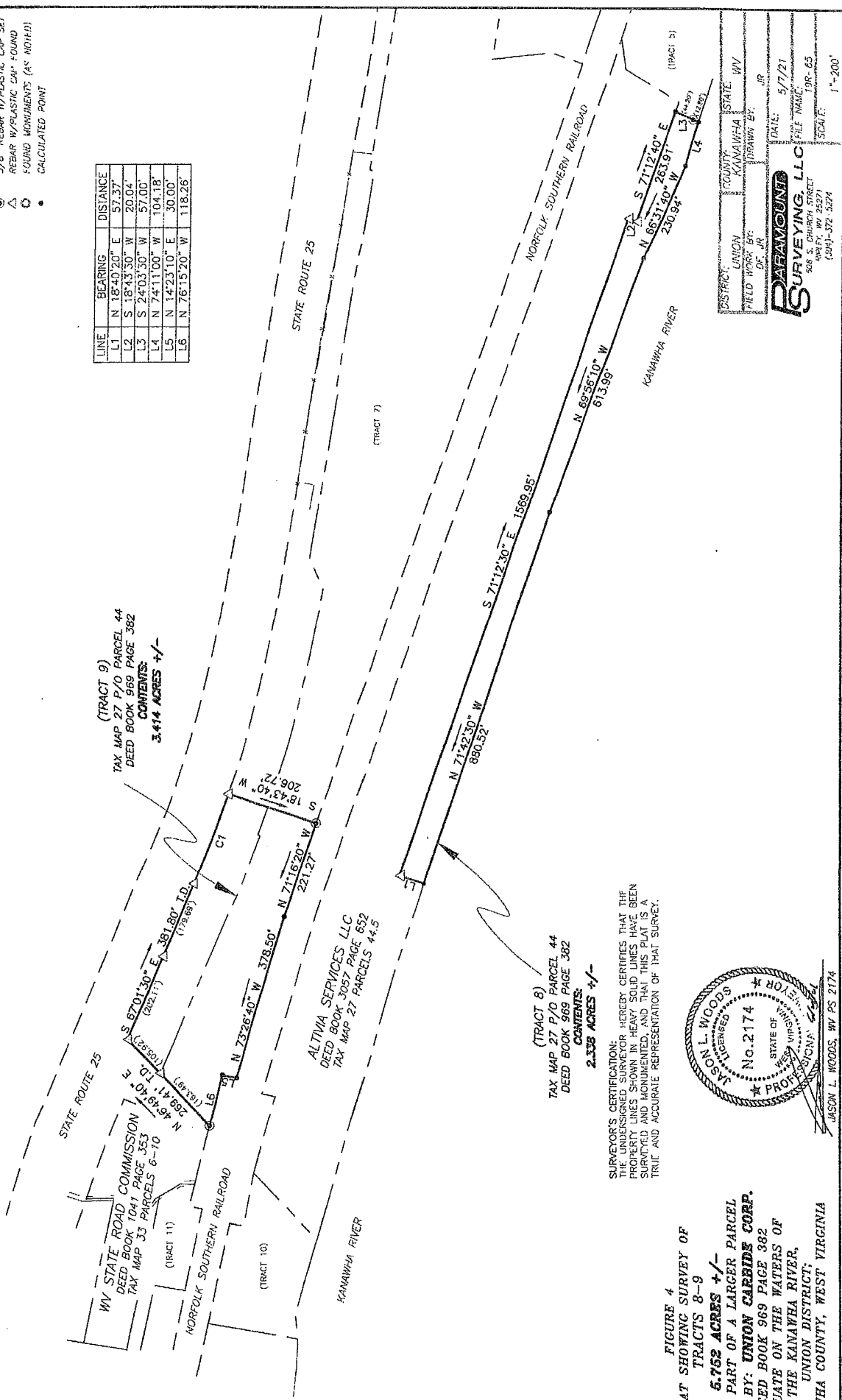
NORTH MERIDIAN REFERENCE TO GRID NORTH WV SOUTH ZONE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2894.79	212.14'	212.09'	S 69°07'30" E	4°11'56"

LEGEND

- ADJOINING PROPERTY LINES
- SURVEYED PROPERTY LINES
- RIGHT OF WAY LINES
- EXISTING FENCE LINES
- ⊙ 5/8" REBAR W/PLASTIC CAP SET
- △ REBAR W/PLASTIC CAP - FOUND
- FOUND MONUMENTS (AS NOTED)
- CALCULATED POINT

LINE	BEARING	DISTANCE
L1	N 18°40'20" E	57.37'
L2	S 18°43'30" W	20.04'
L3	S 24°03'30" W	57.00'
L4	N 74°11'00" W	104.18'
L5	N 14°23'10" E	30.00'
L6	N 76°15'20" W	118.26'



DISTRICT: UNION COUNTY: KANAWHA STATE: WV
 FIELD WORK BY: DATE: 5/7/21
 DRAWN BY: FILE NAME: 199-65
 SCALE: 1"=200'

BARAMOUNT SURVEYING, LLC
 908 S. CHURCH STREET
 CHARLESTON, WV 25371
 (304)-321-3274

SURVEYOR'S CERTIFICATION:
 THE UNDERSIGNED SURVEYOR HEREBY CERTIFIES THAT THE PROPERTY LINES SHOWN IN HEAVY SOLID LINES HAVE BEEN SURVEYED AND MONUMENTED, AND THAT THIS PLAT IS A TRUIT AND ACCURATE REPRESENTATION OF THAT SURVEY.

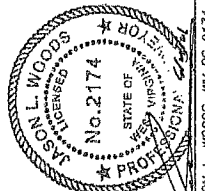
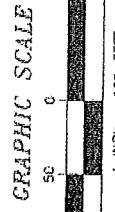


FIGURE 4
 PLAT SHOWING SURVEY OF
 TRACTS 8-9
 5.752 ACRES +/-
 BEING PART OF A LARGER PARCEL
 OWNED BY: UNION CARBIDE CORP.
 DEED BOOK 969 PAGE 382
 SITUATE ON THE WATERS OF
 THE KANAWHA RIVER,
 UNION DISTRICT,
 KANAWHA COUNTY, WEST VIRGINIA

JASON L. WOODS, WV PS 2174

NORTH MERIDIAN REFERENCE TO
GRD NORTH W/ SOUTH ZONE



LEGEND

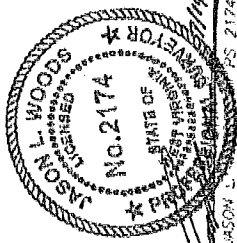
- ALIENING PROPERTY LINES
- SURVEYED PROPERTY LINES
- RIGHT OF WAY LINES
- EXISTING FENCE LINES
- EXISTING FENCE LINES
- ⊙ 5/8" REBAR W/PLASTIC CAP SET
- △ 5/8" REBAR W/PLASTIC CAP FOUND
- FOUND MONUMENTS (AS NOTED)
- CALCULATED POINT

STATE ROUTE 25

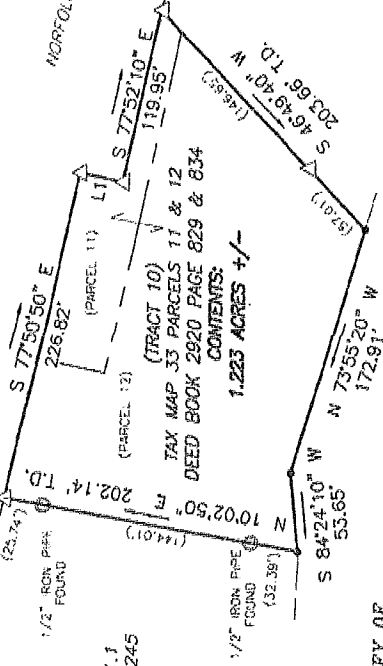
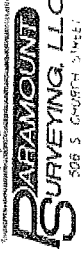
(TRACT 9)

SURVEYOR'S CERTIFICATION:

I, THE UNDERSIGNED SURVEYOR HEREBY CERTIFY THAT THE PROPERLY JINED SHOWING HEAVY GOLD LINES HAVE BEEN SURVEYED AND MONUMENTED, AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THAT SURVEY.



DISTRICT: NITRO CORP COUNTY: KANAWHA STATE: WV
 FIELD WORK BY: DRAWN BY: JASON L. WOODS, P.S. 2174
 DATE: 6/19/19 FILE NAME: 19F-65
 SCALE: 1" = 100'



DAYMON NELSON
 TAX MAP 29 PARCEL 91.1
 DEED BOOK 2280 PAGE 245

(TRACT 8)
UNION CARBIDE CORP.
 TAX MAP 27 PARCEL 44
 DEED BOOK 969 PAGE 382

FIGURE 5
 PLAT SHOWING SURVEY OF
 TRACT 10

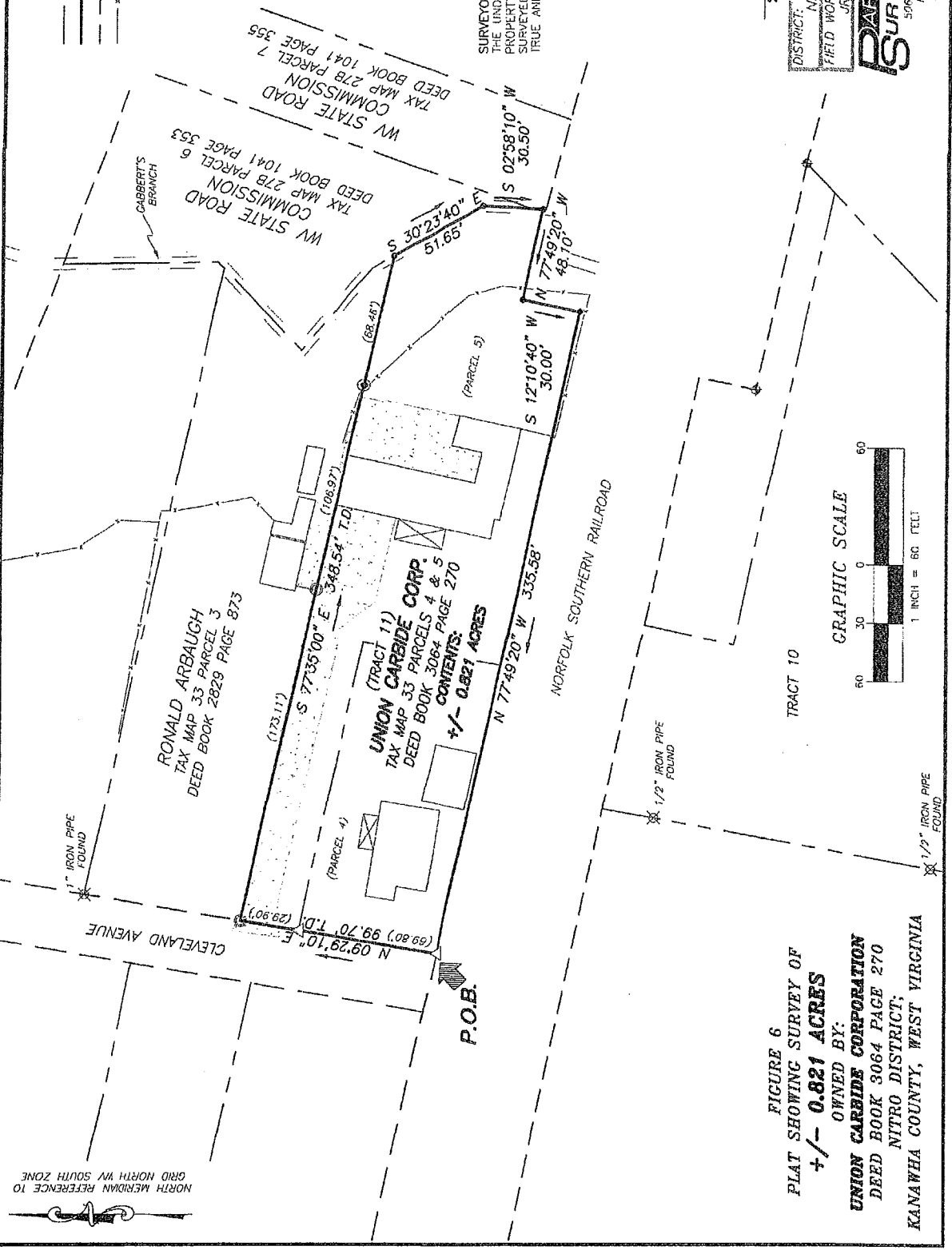
1.223 ACRES +/-
 OWNED BY: **UNION CARBIDE CORP.**
 DEED BOOK 2920 PAGE 829 & 834
 SITUATE ON THE WATERS OF
 THE KANAWHA RIVER;
 NITRO CORPORATION;
 KANAWHA COUNTY, WEST VIRGINIA

KANAWHA RIVER

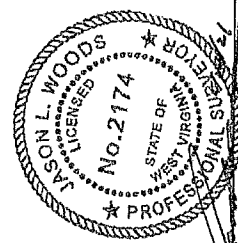
NORTH MERIDIAN REFERENCE TO GRID NORTH W/ SOUTH ZONE

LEGEND

- ADJOINING PROPERTY LINES
- SURVEYED PROPERTY LINES
- RIGHT OF WAY LINES
- - - EXISTING FENCE LINES
- ⊙ 5/8" REBAR W/PLASTIC CAP SET
- ⊙ 1/2" REBAR FOUND
- ⊙ DRILL HOLE IN CONCRETE
- ⊙ 5/8" REBAR FOUND
- ⊙ FOUND MONUMENTS (AS NOTED)
- ⊙ CALCULATED POINT



SURVEYOR'S CERTIFICATION:
 THE UNDERSIGNED SURVEYOR HEREBY CERTIFIES THAT THE PROPERTY LINES SHOWN IN HEAVY SOLID LINES HAVE BEEN SURVEYED AND MONUMENTED, AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THAT SURVEY.



DISTRICT: NITRO COUNTY: KANAWHA STATE: WV
 FIELD WORK BY: J.L.W. DRAWN BY: J.L.W.
 DATE: 5/7/21
 OFFICE NAME: 19R-65-1
 SCALE: 1" = 60'
PARAMOUNT SURVEYING, LLC
 506 S. CHURCH STREET
 NITRO, WV 25271
 (304)-372-5224

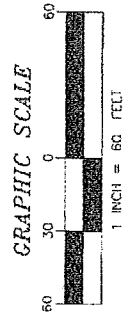


FIGURE 6
PLAT SHOWING SURVEY OF
+/- 0.821 ACRES
 OWNED BY:
UNION CARBIDE CORPORATION
 DEED BOOK 3064 PAGE 270
 NITRO DISTRICT,
 KANAWHA COUNTY, WEST VIRGINIA

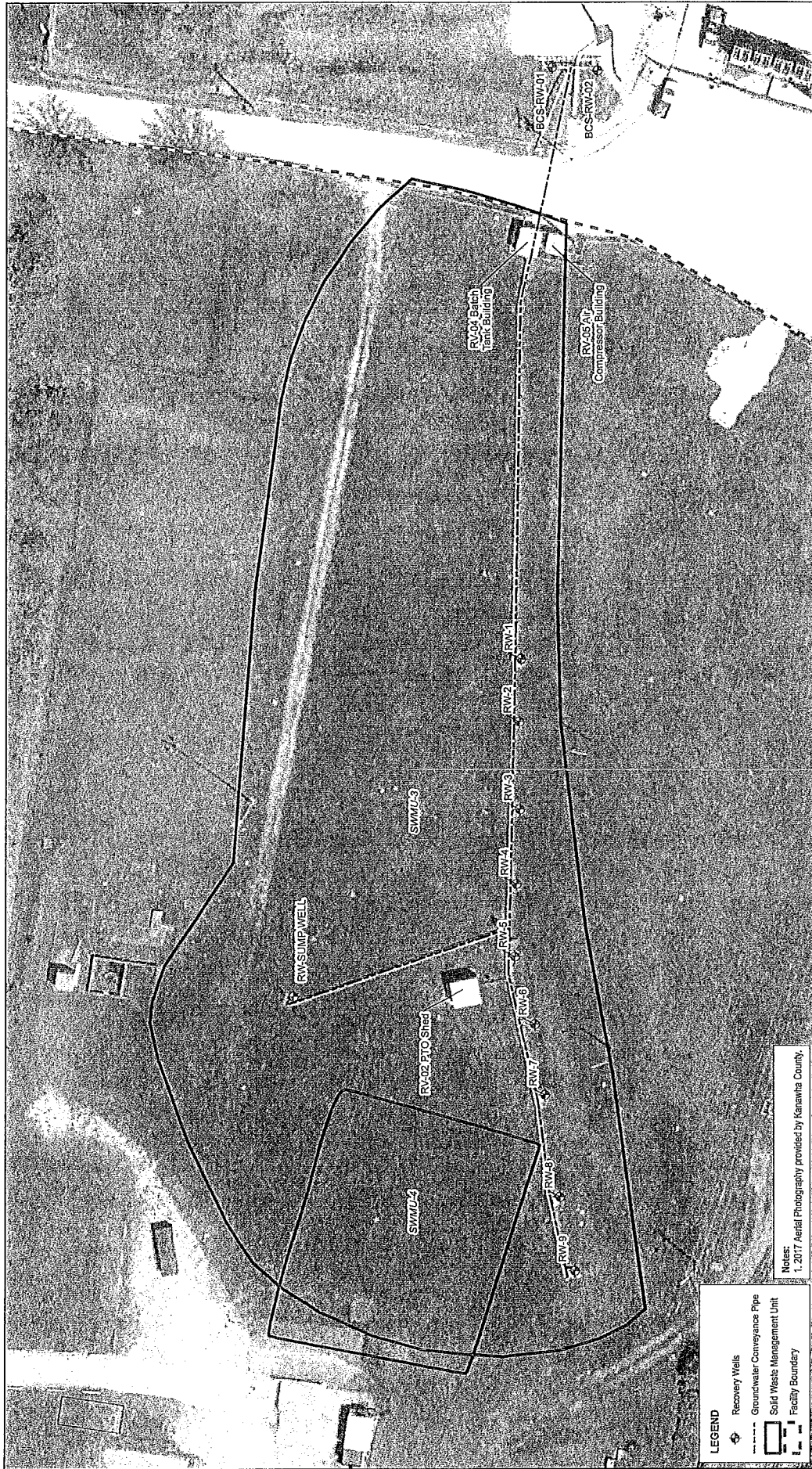


Figure 7. Groundwater Recovery System
UCC Former Private Trucking Operations Facility
Nitro, West Virginia



Exhibit C
Coordinates Tables

Basement Restriction Area - Tract 5 Coordinate Table (WGS 84)		
Label	Latitude	Longitude
1	38.38680753	-81.80004925
2	38.38683626	-81.79980031
3	38.38662153	-81.79897213
4	38.38654328	-81.79900488
5	38.38605392	-81.79948651
6	38.38616546	-81.79974639
7	38.38632202	-81.80030783
8	38.38635618	-81.80046622
9	38.38649967	-81.80038671
10	38.38648031	-81.80031228
11	38.38680753	-81.80004925

Basement Restriction Area - Tract 3 Coordinate Table (WGS 84)		
Label	Latitude	Longitude
12	38.38681374	-81.79726672
13	38.38702507	-81.79787156
14	38.38697759	-81.79824757
15	38.38683130	-81.79871069
16	38.38651282	-81.79748276
17	38.38681374	-81.79726672

General Use Restriction Area - Tract 4 Coordinate Table (WGS 84)		
Label	Latitude	Longitude
1	38.38654328	-81.79900488
2	38.38637256	-81.79834645
3	38.38645081	-81.79831370
4	38.38629861	-81.79772672
5	38.38621120	-81.79838715
6	38.38605309	-81.79871321
7	38.38581751	-81.79893527
8	38.38587756	-81.79907559
9	38.38605392	-81.79948651
10	38.38654328	-81.79900488
1	38.38654328	-81.79900488
2	38.38637256	-81.79834645
3	38.38645081	-81.79831370
4	38.38629861	-81.79772672
5	38.38621120	-81.79838715
6	38.38605309	-81.79871321
7	38.38581751	-81.79893527
8	38.38587756	-81.79907559
9	38.38605392	-81.79948651
10	38.38654328	-81.79900488

General Use Restriction Area - Tract 7 Coordinate Table (WGS 84)		
Label	Latitude	Longitude
11	38.38918214	-81.80580777
12	38.38903505	-81.80516461
13	38.38892169	-81.80450947
14	38.38887383	-81.80414391
15	38.38820459	-81.79838302
16	38.38780277	-81.79845913
17	38.38753341	-81.79850772
18	38.38736616	-81.79740852
19	38.38753402	-81.79737824
20	38.38734299	-81.79704714
21	38.38712604	-81.79710454
22	38.38697971	-81.79714768
23	38.38681374	-81.79726672
24	38.38702507	-81.79787156
25	38.38697759	-81.79824757
26	38.38683130	-81.79871069
27	38.38753196	-81.79901358
28	38.38764127	-81.79998272
29	38.38728008	-81.79992485
30	38.38708153	-81.80001033
31	38.38864295	-81.80603339
32	38.38918214	-81.80580777

Materials Management Area - Tracts 4 & 5 Coordinate Table (WGS 84)		
Label	Latitude	Longitude
1	38.38654328	-81.79900488
2	38.38637256	-81.79834645
3	38.38645081	-81.79831370
4	38.38629861	-81.79772672
5	38.38621120	-81.79838715
6	38.38605309	-81.79871321
7	38.38581751	-81.79893527
8	38.38587756	-81.79907559
9	38.38605392	-81.79948651
10	38.38616546	-81.79974639
11	38.38632202	-81.80030783
12	38.38635618	-81.80046622
13	38.38649967	-81.80038671
14	38.38648031	-81.80031228
15	38.38680753	-81.80004925
16	38.38683626	-81.79980031
17	38.38662153	-81.79897213
18	38.38654328	-81.79900488

Materials Management Area - Tracts 2, 3 & 7 Coordinate Table (WGS 84)		
Label	Latitude	Longitude
19	38.38918214	-81.80580777
20	38.38903505	-81.80516461
21	38.38892169	-81.80450947
22	38.38887383	-81.80414391
23	38.38820459	-81.79838302
24	38.38780277	-81.79845913
25	38.38767741	-81.79735237
26	38.38753402	-81.79737824
27	38.38734299	-81.79704714
28	38.38712604	-81.79710454
29	38.38697971	-81.79714768
30	38.38681374	-81.79726672
31	38.38651282	-81.79748276
32	38.38683130	-81.79871069
33	38.38753196	-81.79901358
34	38.38764127	-81.79998272
35	38.38728008	-81.79992485
36	38.38708153	-81.80001033
37	38.38864295	-81.80603339
38	38.38918214	-81.80580777

SWMU 9 RCRA Cap - Tract 2 Coordinate Table (WGS 84)		
Label	Latitude	Longitude
1	38.38767741	-81.79735237
2	38.38736616	-81.79740852
3	38.38753341	-81.79850772
4	38.38780277	-81.79845913
5	38.38767741	-81.79735237

Vapor Intrusion Restriction Area - Tracts 4, 5 & 8 Coordinate Table (WGS 84)		
Label	Latitude	Longitude
1	38.38813183	-81.80643959
2	38.38677940	-81.80123906
3	38.38672697	-81.80126053
4	38.38648031	-81.80031228
5	38.38680753	-81.80004925
6	38.38683626	-81.79980031
7	38.38662153	-81.79897213
8	38.38654328	-81.79900488
9	38.38637256	-81.79834645
10	38.38645081	-81.79831370
11	38.38629861	-81.79772672
12	38.38621120	-81.79838715
13	38.38605309	-81.79871321
14	38.38581751	-81.79893527
15	38.38587756	-81.79907559
16	38.38605392	-81.79948651
17	38.38616546	-81.79974639
18	38.38632202	-81.80030783
19	38.38635618	-81.80046622
20	38.38643177	-81.80081677
21	38.38667932	-81.80155858
22	38.38724398	-81.80357701
23	38.38797231	-81.80650865
24	38.38813183	-81.80643959

Vapor Intrusion Restriction Area - Tracts 1-3, 6, 7 & 9 Coordinate Table (WGS 84)		
Label	Latitude	Longitude
25	38.38978427	-81.80773383
26	38.38938347	-81.80650291
27	38.38918214	-81.80580777
28	38.38903505	-81.80516461
29	38.38892169	-81.80450947
30	38.38887383	-81.80414391
31	38.38820459	-81.79838302
32	38.38803549	-81.79692772
33	38.38756006	-81.79700061
34	38.38734299	-81.79704714
35	38.38712604	-81.79710454
36	38.38697971	-81.79714768
37	38.38681374	-81.79726672
38	38.38651282	-81.79748276
39	38.38683130	-81.79871069
40	38.38687191	-81.79886734
41	38.38679367	-81.79890008
43	38.38864295	-81.80603339
44	38.38883302	-81.80676665
45	38.38911437	-81.80803855
46	38.38919421	-81.80801276
47	38.38927321	-81.80841383
48	38.38978427	-81.80773383