

Appendix I

Environmental Covenants and Plat Map



February 15, 2011

Mr. John Fonk
Corrective Action Program
Georgia Department of Natural Resources
2 Martin Luther King Jr. Drive, SE
Suite 1154 East Tower
Atlanta, GA 30334-0900

Union Carbide Corporation
A Subsidiary of The Dow Chemical Company
PO Box 8361
3200/3300 Kanawha Turnpike
South Charleston, WV 25303
U.S.A

Re: Affidavit Disclosure Certificate

Union Carbide, Woodbine, Camden County, GA,
EPA ID No. GA981235294

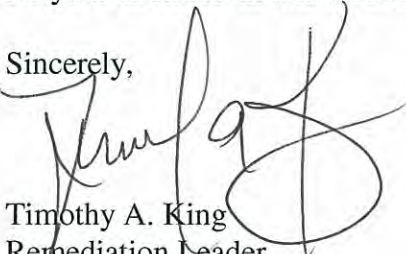
Dear Mr. Fonk:

In accordance with 40 CFR 264.119(2), Union Carbide Corporation (UCC) certifies that the attached Affidavit Disclosure Certificate and survey plat have been recorded with the Camden County, Georgia Clerk's Office in Deed Book 1556, Page 00093 on February 2, 2011. As required in 40 CFR 264.119(1), the Affidavit Disclosure Certificate notifies any potential purchaser of the property that:

1. The land has been used to manage hazardous wastes;
2. Its use is restricted under 40 CFR part 264, subpart G regulations; and
3. The survey plat and record of the type, location, and quantity of hazardous wastes disposed of within each cell required by 40 CFR Sections 264.116 and 264.119(a) has been filed with the local zoning authority or the authority with jurisdiction over local land use.

If you have any questions or concerns regarding the information above, please feel free to call me at 304-389-2371 or Keith Ogden (CH2M HILL) at 919-760-1766. Thank you in advance for your attention in this matter.

Sincerely,



Timothy A. King
Remediation Leader

cc: Keith Ogden/CH2M HILL
Mark Sherrill/CH2M HILL

Attachments: Affidavit Disclosure Certificate and Survey Plat of Permitted Hazardous Waste Landfill

5-18.00
+2.00

BOOK PAGE
1556 00092

00724

After recording return to:

Bill Waldron
3201 Beechleaf Ct.
Tower 11 - Suite 300
Raleigh NC
27604

Do Not write, type, stamp below - This space is for Filing Officer only

2011 FEB -2 PM 12:58

CAMDEN CO. CLERK'S OFFICE

1110

Tax Paid - Transfer/Intangible/Timber

Space above is for Filing Officer only

RECORDING COVER PAGE

This Recording Cover Page is attached to and made a part of the following instrument for the purpose of satisfying requirements for: (1) the name and mailing address of the person to whom the instrument is to be returned, (2) the filing and recording notation margin, and (3) entry on the instrument of the tax paid - Transfer/Intangible/Timber.

CLERK'S NOTE: CONTINUE NEXT PAGE

Bill Waldron
CH2m Hill
3201 Beechleaf Ct.
Tower 11 - Suite 300
Raleigh, NC 27604

BOOK PAGE
1556 00093

In REF. ; Deed Recorded in
Book 262, page 227.
JJS - 9/6/88 9857m

STATE OF GEORGIA)

) ss.:

COUNTY OF CAMDEN)

AFFIDAVIT

DISCLOSURE CERTIFICATE

UNION CARBIDE CORPORATION, a New York corporation having offices at 1254 Enclave Parkway, Houston, Texas, 77077, does hereby certify with respect to certain land situated at Camden County, Georgia, as more particularly described in Exhibit A attached hereto (hereinafter called the "Premises"), pursuant to the Federal Solid Waste Disposal Act and the Federal Resource Conservation and Recovery Act of 1976 and the regulations of the Federal Environmental Protection Agency issued thereunder, as follows:

1. The Premises have been used to manage hazardous wastes (as defined by the aforesaid statutes and regulations).

2. The use of the Premises restricted under the regulations set forth in 40 CFR 264 Subpart G. Groundwater access shall be restricted from public and private use and development in the landfill area for residential or commercial re-use will be prohibited. The landfill can only be accessed through a secured gate and the 58.16 acres comprising the permitted hazardous waste landfill shall be contained within a secured fence.

3. A survey plat identifying the Premises and a record of the type, location and quantity of hazardous wastes disposed of within each cell or other hazardous waste disposal unit has been filed with the Camden County Planning and Building Department and with the Regional Administrator of the Environmental Protection Agency, pursuant to 40 CFR Sections 264.116 and 264.119(a).

This Certificate is executed and recoded pursuant to the requirements of the Federal Environmental Protection Agency as set forth in 40 CFR Section 265.119(b).

IN WITNESS WHEREOF, Union Carbide Corporation has executed this Certificate by its duly authorized representative as of this 26th day of January, 2011.

UNION CARBIDE CORPORATION

By: _____

Title: _____

[Signature]
Remediation Leader

CLERK'S NOTE: CONTINUE NEXT PAGE

STATE OF CONNECTICUT

COUNTY OF FAIRFIELD

)

) ss.:

)

BOOK PAGE

1556 00095

Before me, Notary Public in and for said County and State, personally appeared

Timothy A. King
(Name)

Remediation Leader
(Title)

of UNION CARBIDE CORPORATION, who acknowledged to me that he executed the foregoing instrument on behalf of such corporation, that the same is the free act and deed of said corporation and that he was duly authorized to execute the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed by name and affixed in official seal this 26th day of January, 2011

Iris Jeanne Songer
Notary Public



CLERK'S NOTE: CONTINUE NEXT PAGE

EXHIBIT A

BOOK PAGE
1556 00096

Legal Description for the Hazardous Waste Landfill

UCC-Woodbine (Camden County) Georgia

A parcel of land lying in Georgia Militia District 31, Camden County, Georgia containing 58.17 acres more or less, and being more particularly described as follows:

For a POINT OF REFERENCE commence at a point lying on the westerly line of said lands described in Reference Deed Book 262, Page 227, said point being described as the POINT OF BEGINNING of just mentioned lands; Thence South 16°50'37" West, along said westerly line, 171.97 feet; thence South 73°09'23" East, departing said westerly line, 635.80 feet to a 3 inch diameter, 6 foot high, metal fence post and the POINT OF BEGINNING of the herein described lands: Said POINT OF BEGINNING having a Northing of 346438.73 and an Easting of 851886.63, said coordinates expressed in U.S. Survey Feet and being referenced to the Georgia State Plane Coordinate System, East Zone, (1001), North American Datum of 1983, 2007 adjustment. Thence, from said POINT OF BEGINNING,

1. South 88°13'28" East, 804.79 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 346413.79 and Easting of 852691.04;
2. thence South 06°25'21" East, 893.63 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 345525.76 and an Easting of 852791.00;
3. thence North 86°24'59" East, 433.86 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 345552.88 and an Easting of 853224.01;
4. thence South 20°37'29" West, 431.76 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 345148.80 and an Easting of 853071.92;
5. thence South 53°25'54" East, 289.38 feet, to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 344976.39 and an Easting of 853304.34;
6. thence North 68°51'14" East, 542.03 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 345171.93 and an Easting of 853809.87;
7. thence North 01°34'43" West, 780.53 feet to a 2 inch diameter, 6 foot high, metal fence post, having a Northing of 345952.16 and an Easting of 853788.37;
8. thence North 09°24'51" West, 460.73 feet to a 2 inch diameter, 6 foot high, metal fence post, having a Northing of 346406.68 and an Easting of 853713.01;
9. thence North 14°37'48" West, 345.87 feet to a 2 inch diameter, 6 foot high, metal fence post, having a Northing of 346741.34 and an Easting of 853625.65;
10. thence North 04°05'48" West, 381.17 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 347121.54 and an Easting of 853598.42;
11. thence North 86°26'46" West, 1707.03 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 347227.35 and an Easting of 851894.67;
12. thence South 00°35'04" West, 788.67 feet to the point of beginning.

Recorded
FEB 2 2011
Amanda Waldron
Clerk Superior Court

A MAP SHOWING A BOUNDARY SURVEY
OF
THE HAZARDOUS WASTE LANDFILL LOCATED ON
THE UCC-WOODBINE PROPERTY
CAMDEN COUNTY, GEORGIA

Description:

A parcel of land lying in Georgia Militia District 31, Camden County, Georgia containing 58.17 acres more or less, and being more particularly described as follows:

For a POINT OF REFERENCE commence at a point lying on the westerly line of said lands described in Reference Deed Book 262, Page 227, said point being described as the POINT OF BEGINNING of just mentioned lands; Thence South 16°50'37" West, along said westerly line, 171.97 feet; thence South 73°09'23" East, departing said westerly line, 635.80 feet to a 3 inch diameter, 6 foot high, metal fence post and the POINT OF BEGINNING of the herein described lands: Said POINT OF BEGINNING having a Northing of 346438.73 and an Easting of 851886.63, said coordinates expressed in U.S. Survey Feet and being referenced to the Georgia State Plane Coordinate System, East Zone, (1001), North American Datum of 1983, 2007 adjustment. Thence, from said POINT OF BEGINNING, South 88°13'28" East, 804.79 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 346413.79 and Easting of 852691.04; thence South 08°25'21" East, 893.63 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 345525.76 and an Easting of 852791.00; thence North 86°24'59" East, 433.86 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 345171.93 and an Easting of 853304.34; thence North 68°51'14" East, 542.03 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 345171.93 and an Easting of 853809.87; thence North 01°34'43" West, 780.53 feet to a 2 inch diameter, 6 foot high, metal fence post, having a Northing of 345952.16 and an Easting of 853788.37; thence North 09°24'51" West, 460.73 feet to a 2 inch diameter, 6 foot high, metal fence post, having a Northing of 346406.68 and an Easting of 853713.01; thence North 14°37'48" West, 345.87 feet to a 2 inch diameter, 6 foot high, metal fence post, having a Northing of 346741.34 and an Easting of 853625.65; thence North 04°05'48" West, 381.17 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 347121.54 and an Easting of 853598.42; thence North 86°26'46" West, 1707.03 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 347227.35 and an Easting of 851894.67; thence South 00°35'04" West, 788.67 feet to the point of beginning.

NOTES:

- 1.) BEARINGS AND COORDINATES SHOWN HEREON REFER TO THE GEORGIA STATE PLANE COORDINATE SYSTEM, EAST ZONE (1001), NORTH AMERICAN DATUM OF 1983, 2007 ADJUSTMENT (NAD83/2007) AND ARE EXPRESSED IN U.S. SURVEY FEET.
- 2.) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE ABSTRACT.
- 3.) THE LOCATION OF THE INTERIOR CELL BOUNDARIES AS SHOWN HEREON WERE NOT LOCATED AS PART OF THIS SURVEY BUT WERE TAKEN FROM PREVIOUS SURVEYS DONE BY THIS FIRM.
- 4.) NO INTERIOR IMPROVEMENTS WERE LOCATED BY THIS SURVEY.
- 5.) NO ATTEMPT WAS MADE BY THIS SURVEYOR TO LOCATE ANY JURISDICTIONAL WETLANDS OR ENVIRONMENTALLY SENSITIVE AREAS, IF ANY.
- 6.) THIS IS A SURFACE SURVEY ONLY. UNDERGROUND IMPROVEMENTS, SUCH AS FOOTERS OR UTILITIES, WERE NOT LOCATED.
- 7.) INTERIOR AND EXTERIOR PERIMETER TRAIL ROADS ALONG THE FENCE/BOUNDARY ARE NOT SHOWN.
- 8.) THE FENCE SHOWN HEREON IS 6 FEET ABOVE THE GROUND AND APPROXIMATELY 2 FEET BELOW THE GROUND. ACCORDING TO PERSONNEL ON SITE, THE FENCE WAS ERRECTED AFTER THE SURVEY BY HENRY AND ASSOCIATES WAS PERFORMED AND THEREFORE IT IS THIS SURVEYOR'S OPINION THAT THE CORNERS SET FOR THE HENRY SURVEY WERE DESTROYED DUE TO THE TRENCHING FOR THE FENCE INSTALLATION.
- 9.) THE HORIZONTAL CONTROL POINTS UTILIZED IN THE CALIBRATION FOR THIS SURVEY WERE AS FOLLOWS:
N.G.S. P.I.D. DH4658, N 419349.730, E 842908.420, (NAD83/2007)
N.G.S. P.I.D. AA2804, N 421827.750, E 899222.640, (NAD83/2007)
N.G.S. P.I.D. BC2488, N 247539.430, E 879666.760, (NAD83/2007)
N.G.S. P.I.D. AB4019, N 247772.130, E 819007.760, (NAD83/2007)
- 10.) THE ERROR OF CLOSURE FOR THE TRAVERSE FROM WHICH THIS SURVEY WAS PERFORMED IS 1:40,000', AND WAS ADJUSTED USING THE COMPASS RULE.
- 11.) THE ERROR OF CLOSURE FOR THE THE SUBJECT PARCEL SHOWN HEREON IS 1:785,945'.
- 12.) THE STATE PLANE COORDINATES SHOWN HEREON WERE DERIVED USING GLOBAL POSITION SYSTEMS, REAL TIME KINEMATIC METHOD, UTILIZING A REAL TIME NETWORK BY EGPS SOLUTIONS, INC. THE EQUIPMENT USED WAS TRIMBLE RB RECEIVERS.

CERTIFICATION TO THE CLERK OF SUPERIOR COURT, CAMDEN COUNTY, GEORGIA:

THIS IS TO CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE PROVISIONS, RELATIVE TO THE ACT CREATED BY GEORGIA CODE SECTION 15-6-67 AMENDED (No. 1366-SENATE BILL No. 7.35), HAVE BEEN MET AND APPROVAL OF THIS PLAT BY THE APPROPRIATE LOCAL GOVERNING AUTHORITY IS NOT NECESSARY FOR RECORDING PURPOSES.

GEOMATICS CORP.

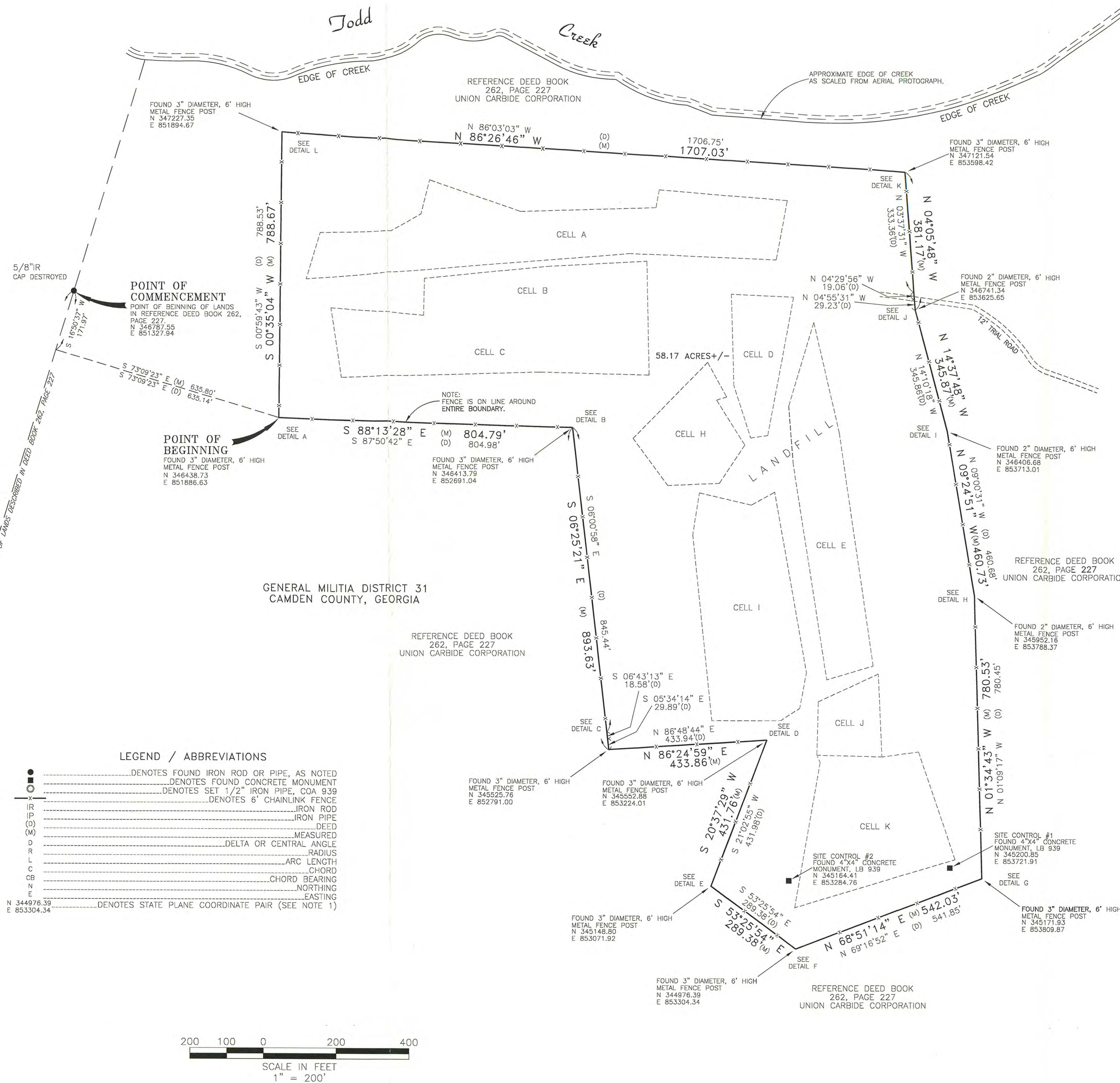
SURVEYING-MAPPING-GPS
2804 N. FIFTH STREET, UNIT 101
ST. AUGUSTINE, FL 32084
PHONE (904) 824-3006 FAX (904) 824-5753
840 SOUTH EDGEWOOD AVENUE, SUITE 221
JACKSONVILLE, FL 32205
PHONE (904) 384-0071
LICENSED BUSINESS
FLORIDA #0079 GEORGIA #939
SOUTH CAROLINA #3387 ALABAMA #794

PROJECT No: D-10-1560 UCC-Woodbine
HAZ-WASTE LANDFILL BOUNDARY MAP
SURVEY DATE: 12/22/2010
CAD FILE: 10-1560 UCC-Woodbine Boundary.dwg
CHECKED BY: P. Ferrari
DRAWN BY: A. Wollen
FIELD WORK: Durden / Ferrari
FB: 10-01, PGs: 47-55

CERTIFIED TO:
*UNION CARBIDE CORPORATION

I HEREBY CERTIFY THAT THE ABOVE WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THAT THE IMPROVEMENTS AND CORNERS ARE LOCATED UPON SAME AS SHOWN AND THAT THERE ARE NO ENCRoACHMENTS UPON SAID LAND, EXCEPT AS SHOWN.

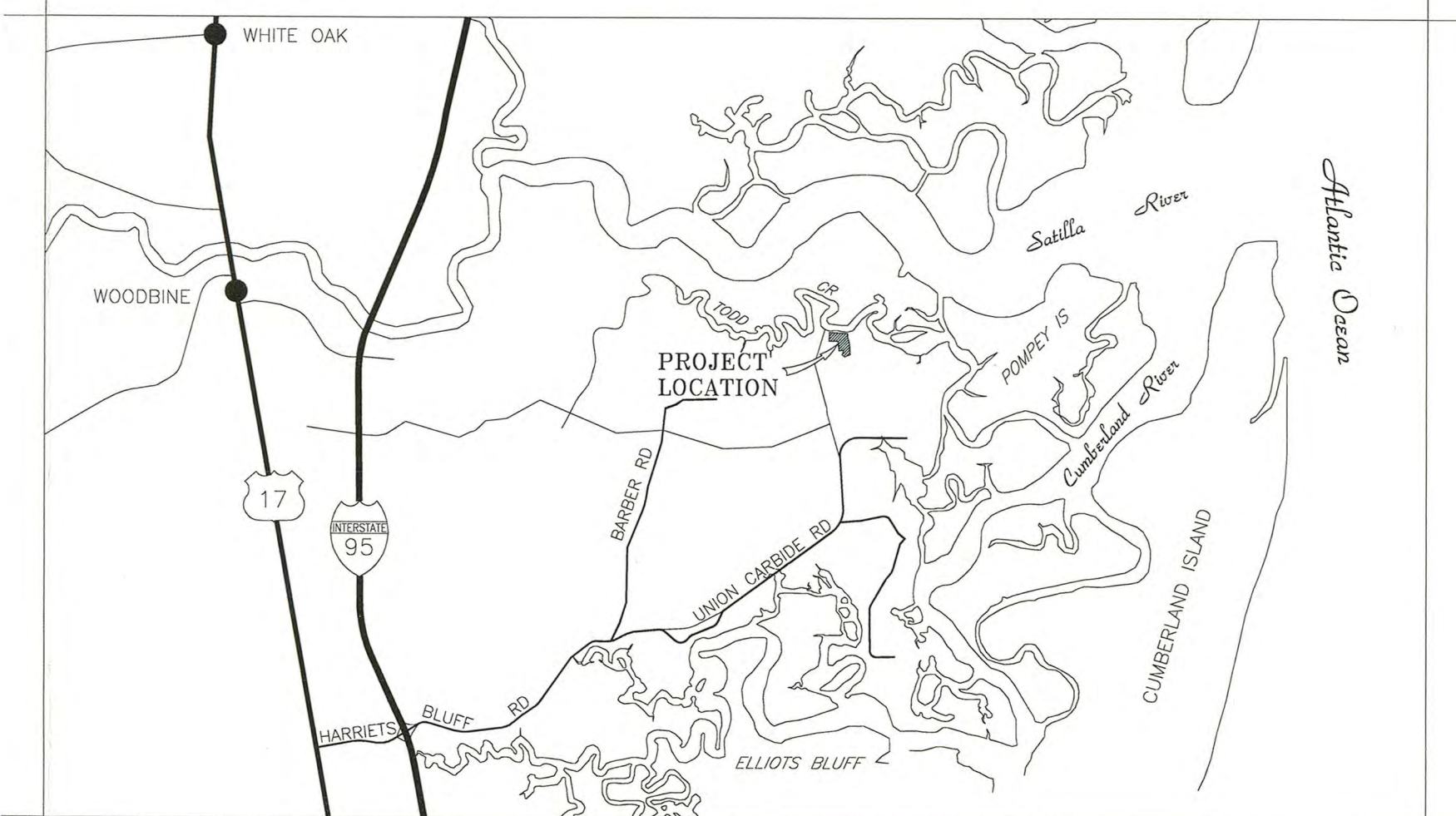
Pablo Ferrari, Georgia RLS #2820
Not Valid Without The Signature And Original Raised Seal Of A Georgia Registered Land Surveyor



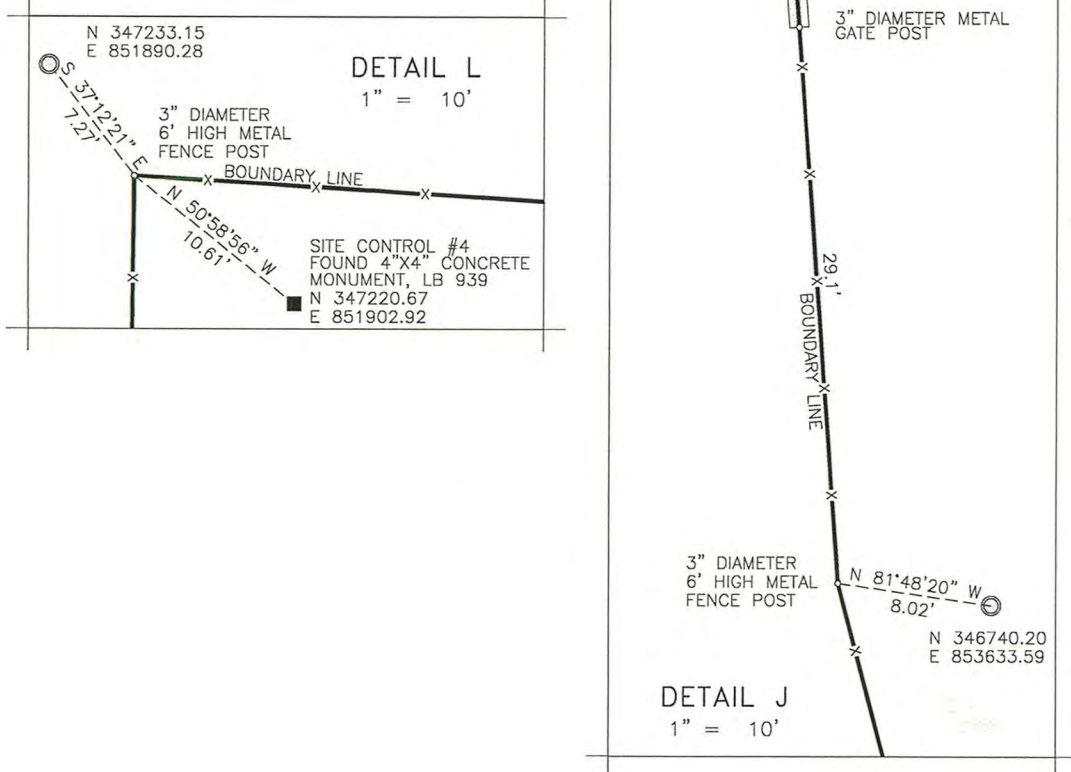
CAUTIONARY NOTICE

- 1.) THE OWNER OR OPERATOR IS OBLIGATED TO RESTRICT DISTURBANCE OF THE SITE AS SPECIFIED IN 40 CFR, 264 SUBPART G.
- 2.) THE APPROXIMATE TWENTY ACRES OF LANDFILL CELLS CONTAIN THE FOLLOWING TYPE AND QUANTITY OF WASTE BURIED LESS THAN TWENTY FEET DEEP:
(a) CELLS A, B, C, F, & G: 2.8-2.9 MILLION POUNDS ALDICARB IN FINE FORM.
(b) CELLS A, B, C, F, & G: 37500 POUNDS ACETONE & METHYLENE CHLORIDE.
(c) CELLS E & I: ALDICARB RESIDUE IN EMPTY BOXES & BAGS.
(d) CELLS D, H, J, & K: NON-HAZARDOUS MATERIAL.

THE ABOVE CAUTIONARY NOTICE WAS TAKEN DIRECTLY FROM A PREVIOUS SURVEY CONDUCTED BY HENRY AND ASSOCIATES, DRAWING No. 0810-0031-01.



LOCATION MAP
-NOT TO SCALE-



10-28.00
+2.00

BOOK PAGE
1562 00627

FILED
CAMDEN CO. CLERK'S OFFICE

After Recording Return to:

001922

2011 MAR 29 PM 1:32

CAMDEN COUNTY SUPERIOR COURT
WOODBINE, GEORGIA

Georgia Environmental Protection Division
Land Protection Branch
Hazardous Waste Corrective Action Program
2 Martin Luther King Jr. Drive, SE
Suite 1154 East
Atlanta, Georgia 30334

I CERTIFY THAT THIS IS A TRUE & CORRECT COPY OF ORIGINAL
10 PAGES FILED IN THIS OFFICE.

THIS 1ST DAY OF April 2011

DEPUTY CLERK

Environmental Covenant

This instrument is an Environmental Covenant executed pursuant to the Georgia Uniform Environmental Covenants Act, OCGA § 44-16-1, *et seq.* This Environmental Covenant subjects the Property identified below to the activity and/or use limitations specified in this document. The effective date of the Environmental Covenant shall be the date upon which the fully executed Environmental Covenant has been recorded in accordance with OCGA § 44-16-8(a)

Fee Owner of Property/Grantor:

Union Carbide Corporation
A wholly owned subsidiary of the Dow Chemical
Company
P.O. Box 4393
Houston, TX 77210

Grantee/Holder:

Union Carbide Corporation
A wholly owned subsidiary of the Dow Chemical
Company
P.O. Box 4393
Houston, TX 77210

**Grantee/Entity with
Express power to enforce:**

State of Georgia
Department of Natural Resources
Environmental Protection Division
2 Martin Luther King, Jr. Drive, SE
Suite 1154 East
Atlanta, Georgia 30334

Parties with interest in the Property:

N/A

Property:

The area subject to this Environmental Covenant is 4,011.54 acres entirely within the Union Carbide Corporation (hereinafter "UCC") Woodbine Facility, located at 5954 Union Carbide Road in Woodbine, Camden County, Georgia. The tract of land containing this area (4,011.54 acres) was conveyed on November 1976 from Thiokol Corporation to Union Carbide Corporation recorded in Deed Book 262, Page 227, Camden County Records. The area is located in the 31st G.M.D. District of Camden County, Georgia. The area includes a closed

BOOK 11-11
1562 00628

landfill that is approximately 22-acres in size. The buffer zone around the landfill includes another 36 acres, therefore the combined landfill and buffer total 58.16-acres (hereinafter "RCRA landfill"). A complete legal description of the RCRA landfill is attached as Exhibit A and a map of the area is attached as Exhibit B.

Tax Parcel Number(s):

155 001 of Camden County, Georgia

Name and Location of Administrative Records:

The post-closure care and corrective action at the RCRA landfill that is the subject of this Environmental Covenant is described in the following document:

- Revised Hazardous Waste Facility Permit Renewal Application – Permit No. HW-063(D), dated August 20, 2010, as amended or renewed.

This document is available at the following locations:

Georgia Environmental Protection Division
Land Protection Branch
Hazardous Waste Corrective Action Program
2 Martin Luther King, Jr. Drive, SE
Suite 1154 East
Atlanta, Georgia 30334

Union Carbide Corporation
5954 Union Carbide Road
Woodbine, Georgia 31569

Description of Contamination, Post-Closure Care and Corrective Action:

This property is subject to a Resource Conservation Recovery Act (RCRA) hazardous waste facility permit [HW-063(D)] and has been designated as needing corrective action due to the presence of hazardous waste, hazardous waste constituents, or hazardous constituents regulated under the Georgia Hazardous Waste Management Act, § 12-8-60 et seq. (Act) and the Georgia Hazardous Waste Management Rules, 391-3-11 (Rules). Contact the property owner or the Georgia Environmental Protection Division for further information concerning this property.

This Declaration of Covenant is made pursuant to the Georgia Uniform Environmental Covenants Act, O.C.G.A. § 44-16-1, *et seq* by UCC, its successors and assigns, Camden County Planning and Building Department, and the State of Georgia, Department of Natural Resources, Environmental Protection Division (hereinafter "EPD"), its successors and assigns. This Environmental Covenant is required because the property was used for the disposal of both hazardous and non-hazardous waste. The hazardous waste, hazardous waste constituents, or hazardous constituents disposed of in the landfill are listed in Section II and Table A of Hazardous Waste Facility Permit HW-063(D) (hereinafter "constituents of concern"). Post-closure care and corrective action, as required by Hazardous Waste Facility Permit HW-063(D) Sections II and III, consists of, but is not limited to, the installation and maintenance of engineering controls (clay cap, fencing, maintenance of vegetative cover, and groundwater

monitoring and corrective action system) and institutional controls (limit use to non-residential activities, prohibit groundwater use) to protect human health and the environment.

Grantor, UCC, hereby binds Grantor, its successors and assigns to the activity and use restriction(s) for the area (4,011.54 acres), including the RCRA landfill identified herein and grants such other rights under this Environmental Covenant in favor of Camden County Planning and Building Department and EPD. EPD shall have full right of enforcement and the rights conveyed under this Environmental Covenant pursuant to the Act and Rules. Failure to timely enforce compliance with Environmental Covenant or the use or activity limitation contained herein by any person shall not bar subsequent enforcement by such person and shall not be deemed a waiver of the person's right to take action to enforce any non-compliance. Nothing in this Environmental Covenant shall restrict EPD from exercising any authority under applicable law.

UCC makes the following declaration as to limitations, restrictions, and uses to which the area (4,011.54 acres), including the RCRA landfill may be put and specified that such declarations shall constitute covenants to run with the land, pursuant to O.C.G.A. § 44-16-5 (a); is perpetual, unless modified or terminated pursuant to the terms of this Covenant pursuant to O.C.G.A. § 44-16-9; and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the RCRA landfill (hereinafter "Owner"). Should a transfer or sale of the area (4,011.54 acres), including the RCRA landfill occur before such time as this Environmental Covenant has been amended or revoked then said Environmental Covenant shall be binding on the transferee(s) or purchaser(s).

The Environmental Covenant shall inure to the benefit of EPD, Camden County Planning and Building Department, UCC and their respective successors and assigns and shall be enforceable by the Director of EPD (hereinafter "Director") or his agents or assigns, UCC or its successors and assigns, Camden County Planning and Building Department or its successors and assigns, and other party(ies) as provided for in O.C.G.A. V § 44-16-11 in a court of competent jurisdiction.

Activities and/or Use Limitation(s)

1. Registry. Pursuant to O.C.G.A. § 44-16-12, this Environmental Covenant and any amendment or termination thereof, may be contained in EPD's registry for environmental covenants.
2. Notice. The Owner of the area (4,011.54 acres), including the RCRA landfill must give thirty (30) day advance written notice to EPD of the Owner's intent to convey any interest in the area (4,011.54 acres), including the RCRA landfill. No conveyance of title, easement, lease, or other interest in the area (4,011.54 acres), including the RCRA landfill shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the post-closure care and corrective action program. The Owner of the area (4,011.54 acres), including the RCRA landfill must also give thirty (30) day advance written notice to EPD of the Owner's intent to change the use of the RCRA landfill, apply for building permit(s), or propose any site work that would affect the RCRA landfill.
3. Notice of Limitation in Future Conveyances. Each instrument hereafter conveying an interest in the area (4,011.54 acres), including the RCRA landfill subject to this

Environmental Covenant shall contain a notice of the activity and use limitations set forth in the Environmental Covenant and shall provide the recorded location of the Environmental Covenant.

4. Monitoring. The post-closure care and corrective action program detailed in the *Revised Hazardous Waste Facility Permit Renewal Application – Permit No. HW-063(D)* dated August 20, 2010, as amended, must be implemented to ensure compliance with Law and Rules.
5. Periodic Reporting. Semi-annually, the Owner shall submit to EPD a report as specified in Conditions III.H.3. of Hazardous Waste Facility Permit HW-063(D) and the EPD approved post-closure care and corrective action plan, which includes, but is not limited to: groundwater monitoring report results, maintenance and inspection activities, certification of non-residential use of the RCRA landfill, and documentation stating whether or not the activity and use limitation in this Environmental Covenant are being abided by.
6. Activity and Use Limitation(s). The area (4,011.54 acres), including the RCRA landfill shall be used only for non-residential uses, as defined as any real property or portion of a property not currently being used for human habitation or for other purposes with a similar potential for human exposure, at which activities have been or are being conducted that can be categorized in one of the 1987 Standard Industrial Classification (SIC) major groups 01-97 inclusive (except the four-digit codes 4941, 8051, 8059, 8062-3, 8069, 8211, 8221-2, 8351, 8661 and 9223). Non-residential property includes all of the contiguous block(s) and lot(s) controlled by the same owner or operator that are vacant land, or that are used in conjunction with such business; and defined in and allowed under the Camden County's zoning regulations as of the date of this Environmental Covenant. Any residential use on the area (4,011.54 acres), including the RCRA landfill shall be prohibited. Any activity on the area (4,011.54 acres), including the RCRA landfill that may result in the release or exposure to hazardous wastes, hazardous constituents, hazardous waste constituents or the constituents of concern that were contained as part of the post-closure care and corrective action program, or create a new exposure pathway, is prohibited. With exception of work necessary for the maintenance, repair, or replacement of engineering controls, activities that are prohibited in the capped areas include, but are not limited to the following: drilling, digging, placement of any objects or use of any equipment which deforms or stresses the surface beyond its load bearing capability, piercing the surface with a rod, spike or similar item, bulldozing or earthwork.
7. Groundwater Limitation. The use or extraction of groundwater beneath the area (4,011.54 acres), including the RCRA landfill for drinking water or for any other non-remedial purposes shall be prohibited.
8. Permanent Markers. Permanent markers on each side of the RCRA landfill shall be installed and maintained that delineate the restricted area as specified in 40 CFR 261.14(c) and 40 CFR 264.310(b)(6). Disturbance or removal of such markets is prohibited.
9. Right of Access. In addition to any rights already possessed by EPD and/or the Camden County Planning and Building Department, the Owner shall allow authorized representatives of EPD and/or Camden County Planning and Building Department the right to enter the area (4,011.54 acres), including the RCRA landfill at reasonable times for the purpose of evaluating the post-closure care and corrective action program to take samples,

to inspect the RCRA landfill, to inspect records that are related to the post-closure care and corrective action program, and to determine compliance with this Environmental Covenant.

10. Recording of Environmental Covenant and Proof of Notification. Within thirty (30) days after the date of the Director's signature, the Owner shall file this Environmental Covenant with the Records of Deeds for each County in the area (4,011.54 acres), including the RCRA landfill is located, and send file stamped copy of this Environmental Covenant to EPD within thirty (30) days of recording. Within that time period, the Owner shall also send a file-stamped copy to each of the following: (1) Camden County Planning and Building Department, (2) each person holding a record of interest in the area (4,011.54 acres), including the RCRA landfill subject to the covenant, (3) each person in possession of the real property subject to the covenant, (4) each municipality, county, consolidated government, or other unit of local government in which real property subject to the covenant is located, and (5) each owner in fee simple whose property abuts the property subject to the Environmental Covenant.
11. Termination or Modification. The Environmental Covenant shall remain in full force and effect in accordance with O.C.G.A. § 44-16-5, unless and until the Director determines that the area (4,011.54 acres), including the RCRA landfill is no longer subject to the post-closure care and corrective action program requirements under Hazardous Waste Facility Permit HW-063(D), whereupon the Environmental Covenant may be amended or revoked in accordance O.C.G.A § 44-16-1 *et seq.*
12. Severability. If any provision of this Environmental Covenant is found to be unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired.
13. No Property Interest Created in EPD. This Environmental Covenant does not in any way create any interest by EPD in the area (4,011.54 acres), including the RCRA landfill that is subject to the Environmental Covenant. Furthermore, the act of approving this Environmental Covenant does not in any way create any interest by EPD in the RCRA landfill in accordance with O.C.G.A § 44-16-3(b).

Representations and Warranties.

Grantor hereby represents and warrants to the other signatories hereto:

- a) That the Grantor has the power and authority to enter into this Environmental Covenant, to grant the rights and interests herein provided and to carry out all obligations hereunder;
- b) That the Grantor is the sole owner of the Property and holds fee simple title which is free, clear and unencumbered;
- c) That the Grantor has identified all other parties that hold any interest (e.g. encumbrance) in the Property and notified such parties of the Grantor's intention to enter into this Environmental Covenant;
- d) That this Environmental Covenant will not materially violate, contravene, or constitute a material default under any other agreement, document or instrument to which Grantor is a party, by which Grantor may be bound or affected;

- e) That the Grantor has served each of the people or entities referenced in Activity 10 above with an identical copy of this Environmental Covenant in accordance with O.C.G.A. § 44-16-4(d).
- f) That this Environmental Covenant will not materially violate or contravene any zoning law or other law regulating use of the Property; and
- g) That this Environmental Covenant does not authorize a use of the Property that is otherwise prohibited by a recorded instrument that has priority over the Environmental Covenant.

Notices.

Any document or communication required to be sent pursuant to the terms of this Environmental Covenant shall be sent to the following persons:

Georgia Environmental Protection Division
Branch Chief
Land Protection Branch
2 Martin Luther King Jr. Drive SE
Suite 1154 East Tower
Atlanta, GA 30334

Union Carbide Corporation
P.O. Box 4393
Houston, TX 77210

Camden County Planning and Building Department
107 Gross Road
Suite 2
Kingsland, GA 31548

Grantor has caused this Environmental Covenant to be executed pursuant to The Georgia Uniform Environmental Covenants Act, on the 27 day of January, 2011.

UNION CARBIDE CORPORATION

[Signature]
 Timothy A. King
 Authorized Representative for Union Carbide Corporation
 Union Carbide Corporation
 1254 Enclave Parkway
 Houston, TX 77077

Dated: 1/27/11

Peggy A. Given
 WITNESS: Peggy A. Given

UNION CARBIDE CORPORATION AS HOLDER

[Signature]
 Timothy A. King
 Authorized Representative for Union Carbide Corporation
 Union Carbide Corporation
 1254 Enclave Parkway
 Houston, TX 77077

Dated: 1/27/11

Peggy A. Given
 WITNESS: Peggy A. Given

CAMDEN COUNTY PLANNING AND BUILDING DEPARTMENT

[Signature]
 [Name of Person Acknowledging Receipt]
 [Title]

Dated: 3-22-11**STATE OF GEORGIA
ENVIRONMENTAL PROTECTION DIVISION**

F. Allen Barnes
 F. Allen Barnes
 Director, Georgia Environmental Protection Division

Dated: 3-25-2011

[Signature]
 WITNESS
[Signature]
 Notary CAMDEN COUNTY
 EXPIRES 16 JANUARY 2015

Yolanda P. Gunning
 WITNESS



Deborah H. Moore
 Notary 3-25-2011

CLERK'S NOTE: CONTINUE NEXT PAGE

1562 00634

[INDIVIDUAL ACKNOWLEDGMENT]

STATE OF West Virginia
COUNTY OF Kanawha

On this 27th day of January, 2011, I certify that Timothy A King personally appeared before me, and acknowledged that **he/she** is the individual described herein and who executed the within and foregoing instrument and signed the same at **his/her** free and voluntary act and deed for the uses and purposes therein mentioned.



Iris Jeanne Songer
Notary Public in and for the State of
West Virginia, residing at South Charleston
My appointment expires July 17, 2016

[CORPORATE ACKNOWLEDGMENT]

STATE OF West Virginia
COUNTY OF Kanawha

On this 27th day of January, 2011, I certify that Timothy A King personally appeared before me, acknowledged that **he/she** is the Authorized Representative of the corporation that executed the within and foregoing instrument, and signed said instrument by free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that **he/she** was authorized to execute said instrument for said corporation.



Iris Jeanne Songer
Notary Public in and for the State of
West Virginia, residing at South Charleston
My appointment expires July 17, 2016

[REPRESENTATIVE ACKNOWLEDGEMENT]

STATE OF _____
COUNTY OF _____

On this _____ day of _____, 20____, I certify that _____ personally appeared before me, acknowledged that **he/she** signed this instrument, on oath stated that **he/she** was authorized to execute this instrument, and acknowledged it as the _____ [type of authority] of _____ [name of party being represented] to be the free and voluntary act and deed of such party for the uses and purposes mentioned in the instrument.

Notary Public in and for the State of
Georgia, residing at _____
My appointment expires _____

CLERK'S NOTE: CONTINUE NEXT PAGE

EXHIBIT A

Legal Description for the Hazardous Waste Landfill

UCC-Woodbine (Camden County) Georgia

A parcel of land lying in Georgia Militia District 31, Camden County, Georgia containing 58.17 acres more or less, and being more particularly described as follows:

For a POINT OF REFERENCE commence at a point lying on the westerly line of said lands described in Reference Deed Book 262, Page 227, said point being described as the POINT OF BEGINNING of just mentioned lands; Thence South 16°50'37" West, along said westerly line, 171.97 feet; thence South 73°09'23" East, departing said westerly line, 635.80 feet to a 3 inch diameter, 6 foot high, metal fence post and the POINT OF BEGINNING of the herein described lands: Said POINT OF BEGINNING having a Northing of 346438.73 and an Easting of 851886.63, said coordinates expressed in U.S. Survey Feet and being referenced to the Georgia State Plane Coordinate System, East Zone, (1001), North American Datum of 1983, 2007 adjustment. Thence, from said POINT OF BEGINNING,

1. South 88°13'28" East, 804.79 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 346413.79 and Easting of 852691.04;
2. thence South 06°25'21" East, 893.63 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 345525.76 and an Easting of 852791.00;
3. thence North 86°24'59" East, 433.86 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 345552.88 and an Easting of 853224.01;
4. thence South 20°37'29" West, 431.76 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 345148.80 and an Easting of 853071.92;
5. thence South 53°25'54" East, 289.38 feet, to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 344976.39 and an Easting of 853304.34;
6. thence North 68°51'14" East, 542.03 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 345171.93 and an Easting of 853809.87;
7. thence North 01°34'43" West, 780.53 feet to a 2 inch diameter, 6 foot high, metal fence post, having a Northing of 345952.16 and an Easting of 853788.37;
8. thence North 09°24'51" West, 460.73 feet to a 2 inch diameter, 6 foot high, metal fence post, having a Northing of 346406.68 and an Easting of 853713.01;
9. thence North 14°37'48" West, 345.87 feet to a 2 inch diameter, 6 foot high, metal fence post, having a Northing of 346741.34 and an Easting of 853625.65;
10. thence North 04°05'48" West, 381.17 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 347121.54 and an Easting of 853598.42;
11. thence North 86°26'46" West, 1707.03 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 347227.35 and an Easting of 851894.67;
12. thence South 00°35'04" West, 788.67 feet to the point of beginning.

BOOK PAGE

1562 00636

EXHIBIT B

Survey Plat for the Hazardous Waste Landfill

UCC-Woodbine (Camden County) Georgia

Recorded MAR 29 2011

James L. Waldron
Clerk Superior Court

A MAP SHOWING A BOUNDARY SURVEY
OF
THE HAZARDOUS WASTE LANDFILL LOCATED ON
THE UCC-WOODBINE PROPERTY
CAMDEN COUNTY, GEORGIA

Description:

A parcel of land lying in Georgia Militia District 31, Camden County, Georgia containing 58.17 acres more or less, and being more particularly described as follows:

For a POINT OF REFERENCE commence at a point lying on the westerly line of said lands described in Reference Deed Book 262, Page 227, said point being described as the POINT OF BEGINNING of just mentioned lands; Thence South 16°50'37" West, along said westerly line, 171.97 feet; thence South 73°09'23" East, departing said westerly line, 635.80 feet to a 3 inch diameter, 6 foot high, metal fence post and the POINT OF BEGINNING of the herein described lands: Said POINT OF BEGINNING having a Northing of 346438.73 and an Easting of 851886.63, said coordinates expressed in U.S. Survey Feet and being referenced to the Georgia State Plane Coordinate System, East Zone, (1001), North American Datum of 1983, 2007 adjustment. Thence, from said POINT OF BEGINNING, South 88°13'28" East, 804.79 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 346413.79 and Easting of 852691.04; thence South 08°25'21" East, 893.63 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 345525.76 and an Easting of 852791.00; thence North 86°24'59" East, 433.86 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 345171.93 and an Easting of 853304.34; thence North 68°51'14" East, 542.03 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 345171.93 and an Easting of 853809.87; thence North 01°34'43" West, 780.53 feet to a 2 inch diameter, 6 foot high, metal fence post, having a Northing of 345952.16 and an Easting of 853788.37; thence North 09°24'51" West, 460.73 feet to a 2 inch diameter, 6 foot high, metal fence post, having a Northing of 346406.68 and an Easting of 853713.01; thence North 14°37'48" West, 345.87 feet to a 2 inch diameter, 6 foot high, metal fence post, having a Northing of 346741.34 and an Easting of 853625.65; thence North 04°05'48" West, 381.17 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 347121.54 and an Easting of 853598.42; thence North 86°26'46" West, 1707.03 feet to a 3 inch diameter, 6 foot high, metal fence post, having a Northing of 347227.35 and an Easting of 851894.67; thence South 00°35'04" West, 788.67 feet to the point of beginning.

NOTES:

- 1.) BEARINGS AND COORDINATES SHOWN HEREON REFER TO THE GEORGIA STATE PLANE COORDINATE SYSTEM, EAST ZONE (1001), NORTH AMERICAN DATUM OF 1983, 2007 ADJUSTMENT (NAD83/2007) AND ARE EXPRESSED IN U.S. SURVEY FEET.
- 2.) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE ABSTRACT.
- 3.) THE LOCATION OF THE INTERIOR CELL BOUNDARIES AS SHOWN HEREON WERE NOT LOCATED AS PART OF THIS SURVEY BUT WERE TAKEN FROM PREVIOUS SURVEYS DONE BY THIS FIRM.
- 4.) NO INTERIOR IMPROVEMENTS WERE LOCATED BY THIS SURVEY.
- 5.) NO ATTEMPT WAS MADE BY THIS SURVEYOR TO LOCATE ANY JURISDICTIONAL WETLANDS OR ENVIRONMENTALLY SENSITIVE AREAS, IF ANY.
- 6.) THIS IS A SURFACE SURVEY ONLY. UNDERGROUND IMPROVEMENTS, SUCH AS FOOTERS OR UTILITIES, WERE NOT LOCATED.
- 7.) INTERIOR AND EXTERIOR PERIMETER TRAIL ROADS ALONG THE FENCE/BOUNDARY ARE NOT SHOWN.
- 8.) THE FENCE SHOWN HEREON IS 6 FEET ABOVE THE GROUND AND APPROXIMATELY 2 FEET BELOW THE GROUND. ACCORDING TO PERSONNEL ON SITE, THE FENCE WAS ERRECTED AFTER THE SURVEY BY HENRY AND ASSOCIATES WAS PERFORMED AND THEREFORE IT IS THIS SURVEYOR'S OPINION THAT THE CORNERS SET FOR THE HENRY SURVEY WERE DESTROYED DUE TO THE TRENCING FOR THE FENCE INSTALLATION.
- 9.) THE HORIZONTAL CONTROL POINTS UTILIZED IN THE CALIBRATION FOR THIS SURVEY WERE AS FOLLOWS:
N.G.S. P.I.D. DH4658, N 419349.730, E 842908.420, (NAD83/2007)
N.G.S. P.I.D. AA2804, N 421827.750, E 899222.640, (NAD83/2007)
N.G.S. P.I.D. BC2488, N 247539.430, E 879666.760, (NAD83/2007)
N.G.S. P.I.D. AB4019, N 247772.130, E 819007.760, (NAD83/2007)
- 10.) THE ERROR OF CLOSURE FOR THE TRAVERSE FROM WHICH THIS SURVEY WAS PERFORMED IS 1:40,000', AND WAS ADJUSTED USING THE COMPASS RULE.
- 11.) THE ERROR OF CLOSURE FOR THE THE SUBJECT PARCEL SHOWN HEREON IS 1:785,945'.
- 12.) THE STATE PLANE COORDINATES SHOWN HEREON WERE DERIVED USING GLOBAL POSITION SYSTEMS, REAL TIME KINEMATIC METHOD, UTILIZING A REAL TIME NETWORK BY EGPS SOLUTIONS, INC. THE EQUIPMENT USED WAS TRIMBLE R8 RECEIVERS.

CERTIFICATION TO THE CLERK OF SUPERIOR COURT, CAMDEN COUNTY, GEORGIA:

THIS IS TO CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE PROVISIONS, RELATIVE TO THE ACT CREATED BY GEORGIA CODE SECTION 15-6-67 AMENDED (No. 1366-SENATE BILL No. 7.35), HAVE BEEN MET AND APPROVAL OF THIS PLAT BY THE APPROPRIATE LOCAL GOVERNING AUTHORITY IS NOT NECESSARY FOR RECORDING PURPOSES.

GEOMATICS CORP.

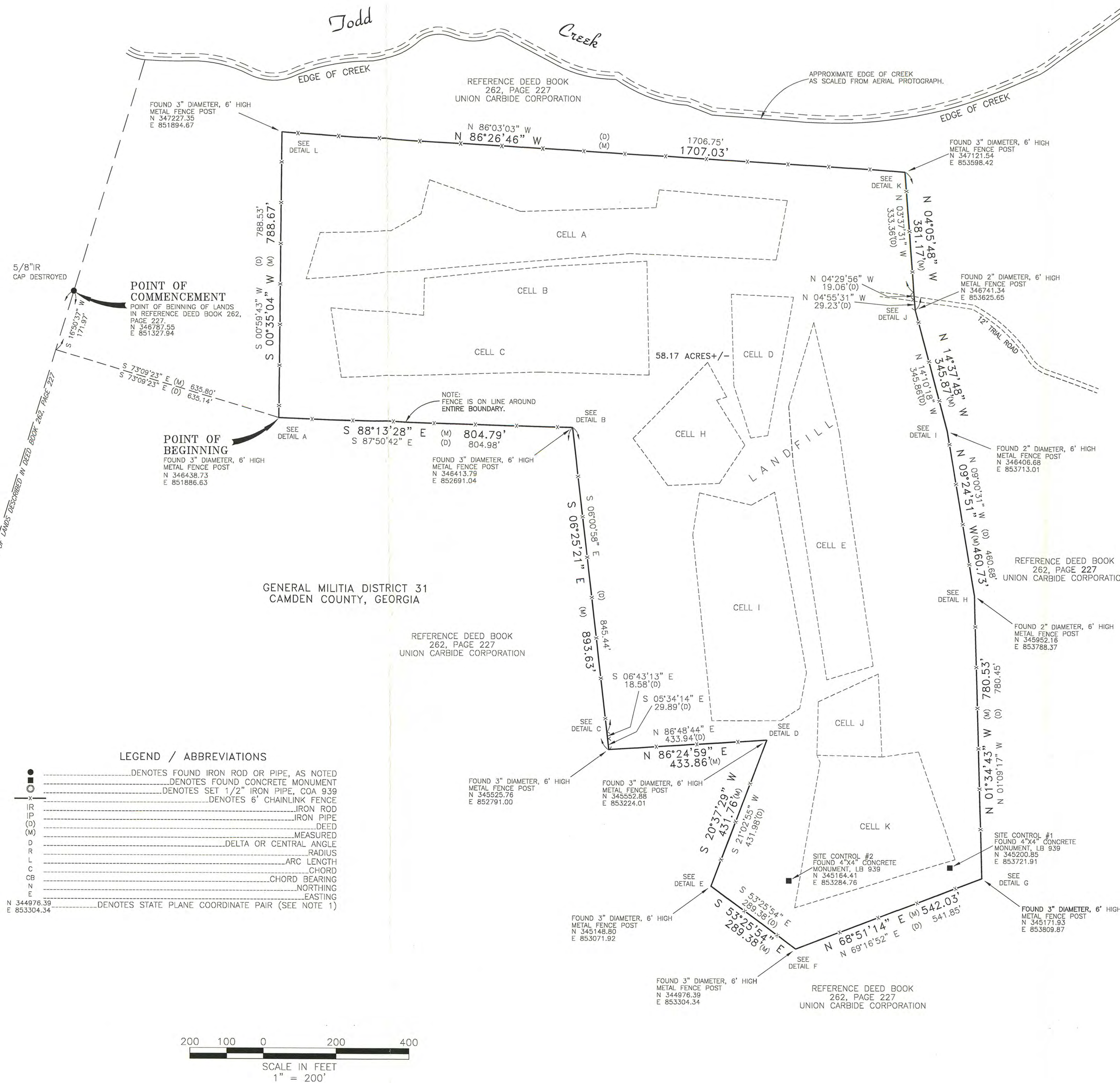
SURVEYING-MAPPING-GPS
2804 N. FIFTH STREET, UNIT 101
ST. AUGUSTINE, FL 32084
PHONE (904) 824-3006 FAX (904) 824-5753
840 SOUTH EDGEWOOD AVENUE, SUITE 221
JACKSONVILLE, FL 32205
PHONE (904) 384-0071
LICENSED BUSINESS
FLORIDA #0079 GEORGIA #939
SOUTH CAROLINA #3387 ALABAMA #794

PROJECT No: D-10-1560 UCC-Woodbine
HAZ-WASTE LANDFILL BOUNDARY MAP
SURVEY DATE: 12/22/2010
CAD FILE: 10-1560 UCC-Woodbine Boundary.dwg
CHECKED BY: P. Ferrari
DRAWN BY: A. Wollen
FIELD WORK: Durden / Ferrari
FB: 10-01, PGs: 47-55

CERTIFIED TO:
*UNION CARBIDE CORPORATION

I HEREBY CERTIFY THAT THE ABOVE WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THAT ALL IMPROVEMENTS AND CORNERS ARE LOCATED UPON SAME AS SHOWN AND THAT THERE ARE NO ENCRoACHMENTS UPON SAID LAND, EXCEPT AS SHOWN.

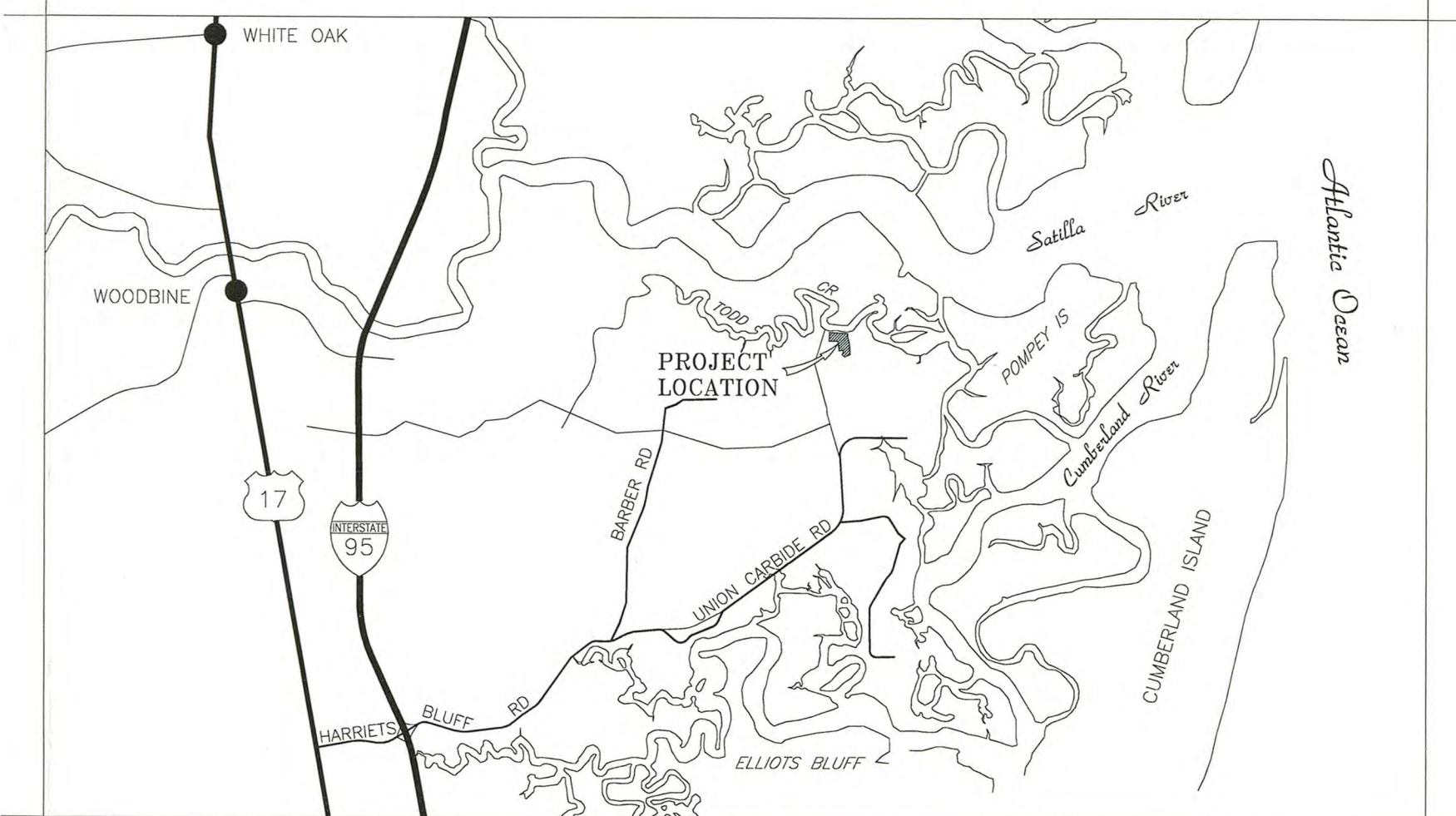
Pablo Ferrari, Georgia RLS #2820
Not Valid Without The Signature And Original Raised Seal Of A Georgia Registered Land Surveyor



CAUTIONARY NOTICE

- 1.) THE OWNER OR OPERATOR IS OBLIGATED TO RESTRICT DISTURBANCE OF THE SITE AS SPECIFIED IN 40 CFR, 264 SUBPART G.
- 2.) THE APPROXIMATE TWENTY ACRES OF LANDFILL CELLS CONTAIN THE FOLLOWING TYPE AND QUANTITY OF WASTE BURIED LESS THAN TWENTY FEET DEEP:
(a) CELLS A, B, C, F, & G: 2.8-2.9 MILLION POUNDS ALDICARB IN FINE FORM.
(b) CELLS A, B, C, F, & G: 37500 POUNDS ACETONE & METHYLENE CHLORIDE.
(c) CELLS E & I: ALDICARB RESIDUE IN EMPTY BOXES & BAGS.
(d) CELLS D, H, J, & K: NON-HAZARDOUS MATERIAL.

THE ABOVE CAUTIONARY NOTICE WAS TAKEN DIRECTLY FROM A PREVIOUS SURVEY CONDUCTED BY HENRY AND ASSOCIATES, DRAWING No. 0810-0031-01.



LOCATION MAP
-NOT TO SCALE-

