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Other Email :

Form Name: BWSC106 Release Abatement Measure Transmittal Form

RTN: 3-13302

Location: RAYTHEON COMPANY

Address: 430 BOSTON POST RD, WAYLAND, 017780000

Person Making Submittal
TWENTY WAYLAND LLC
FRANK DOUGHERTY
10 MEMORIAL BLVD SUITE 901
PROVIDENCE, RI 029030000

LSP
LSP #: 9092
LSP Name: JAMES B OBRIEN

Person Making Certification
TWENTY WAYLAND LLC
Frank Dougherty
TWENTY WAYLAND LLC
Frank Dougherty

Ancillary Document Uploaded/Mailed

BWSC-106 Sec.B Q.4 - RAM Status Report - Uploaded (RAM Status 5.pdf)

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Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup

BWSC106

**RELEASE ABATEMENT MEASURE (RAM)
TRANSMITTAL FORM**

Release Tracking Number

3

-

13302

Pursuant to 310 CMR 40.0444 - 0446 (Subpart D)

A. SITE LOCATION:

1. Site Name/Location Aid: **RAYTHEON COMPANY**
2. Street Address: **430 BOSTON POST RD**
3. City/Town: **WAYLAND** 4. ZIP Code: **01778-0000**
5. UTM Coordinates: a. UTM N: b. UTM E:
- ☒ 6. Check here if a Tier Classification Submittal has been provided to DEP for this disposal site.
☐ a. Tier IA ☒ b. Tier IB ☐ c. Tier IC ☐ d. Tier II
7. If a Tier I Permit has been issued, provide Permit Number: **13393 AND W045278**

B. THIS FORM IS BEING USED TO: (check all that apply)

1. List Submittal Date of Initial RAM Plan (if previously submitted): **09/15/2011**
(mm/dd/yyyy)
- ☐ 2. Submit an **Initial Release Abatement Measure (RAM) Plan**.
a. Check here if the RAM is being conducted as part of the construction of a permanent structure. If checked, you must specify what type of permanent structure is to be erected in or in the immediate vicinity of the area where the RAM is to be conducted.
☐ b. Specify type of permanent structure: (check all that apply) ☐ i. School ☐ ii. Residential ☐ iii. Commercial
☐ iv. Industrial ☐ v. Other Specify:
- ☐ 3. Submit a **Modified RAM Plan** of a previously submitted RAM Plan.
- ☒ 4. Submit a **RAM Status Report**.
- ☐ 5. Submit a **Remedial Monitoring Report**. (This report can only be submitted through eDEP, concurrent with a RAM Status Report.)
a. Type of Report: (check one) ☐ i. Initial Report ☐ ii. Interim Report ☐ iii. Final Report
b. Number of Remedial Systems and/or Monitoring Programs:
- A separate BWSC106A, RAM Remedial Monitoring Report, must be filled out for each Remedial System and/or Monitoring Program addressed by this transmittal form.
- ☐ 6. Submit a **RAM Completion Statement**.
- ☐ 7. Submit a **Revised RAM Completion Statement**.
8. Provide Additional RTNs:
☐ a. Check here if this RAM Submittal covers additional Release Tracking Numbers (RTNs). RTNs that have been previously linked to a Primary Tier Classified RTN do not need to be listed here. This section is intended to allow a RAM to cover more than one unclassified RTN and not show permanent linkage to a Primary Tier Classified RTN.
b. Provide the additional Release Tracking Number(s) covered by this RAM Submittal. - -

(All sections of this transmittal form must be filled out unless otherwise noted above)



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**RELEASE ABATEMENT MEASURE (RAM)
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Pursuant to 310 CMR 40.0444 - 0446 (Subpart D)

C. RELEASE OR THREAT OF RELEASE CONDITIONS THAT WARRANT RAM:

1. Identify Media Impacted and Receptors Affected: (check all that apply)

- ☐ a. Air ☐ b. Basement ☐ c. Critical Exposure Pathway ☒ d. Groundwater ☐ e. Residence
☐ f. Paved Surface ☐ g. Private Well ☐ h. Public Water Supply ☐ i. School ☐ j. Sediments
☒ k. Soil ☐ l. Storm Drain ☐ m. Surface Water ☐ n. Unknown ☐ o. Wetland ☐ p. Zone 2
☐ q. Others Specify:

2. Identify all sources of the Release or Threat of Release, if known: (check all that apply)

- ☐ a. Above-ground Storage Tank (AST) ☐ b. Boat/Vessel ☐ c. Drums ☐ d. Fuel Tank
☐ e. Pipe/Hose/Line ☐ f. Tanker Truck ☐ g. Transformer ☐ h. Under-ground Storage Tank (UST)
☐ i. Vehicle ☒ j. Others Specify: **INDUSTRY FACILITY PROCESSES**

3. Identify Oils and Hazardous Materials Released: (check all that apply)

- ☒ a. Oils ☒ b. Chlorinated Solvents ☐ c. Heavy Metals
☐ d. Others Specify:

D. DESCRIPTION OF RESPONSE ACTIONS: (check all that apply, for volumes list cumulative amounts)

- | | |
|--|---|
| <input checked="" type="checkbox"/> 1. Assessment and/or Monitoring Only | <input type="checkbox"/> 2. Temporary Covers or Caps |
| <input type="checkbox"/> 3. Deployment of Absorbent or Containment Materials | <input type="checkbox"/> 4. Temporary Water Supplies |
| <input type="checkbox"/> 5. Structure Venting System | <input type="checkbox"/> 6. Temporary Evacuation or Relocation of Residents |
| <input type="checkbox"/> 7. Product or NAPL Recovery | <input type="checkbox"/> 8. Fencing and Sign Posting |
| <input type="checkbox"/> 9. Groundwater Treatment Systems | <input type="checkbox"/> 10. Soil Vapor Extraction |
| <input type="checkbox"/> 11. Bioremediation | <input type="checkbox"/> 12. Air Sparging |



RELEASE ABATEMENT MEASURE (RAM)
TRANSMITTAL FORM

Release Tracking Number

3 - 13302

Pursuant to 310 CMR 40.0444 - 0446 (Subpart D)

D. DESCRIPTION OF RESPONSE ACTIONS (cont.): (check all that apply, for volumes list cumulative amounts)

☐ 13. Excavation of Contaminated Soils

☐ a. Re-use, Recycling or Treatment

☐ i. On Site Estimated volume in cubic yards

☐ ii. Off Site Estimated volume in cubic yards

ii.a. Receiving Facility: Town: State:

ii.b. Receiving Facility: Town: State:

iii. Describe:

☐ b. Store

☐ i. On Site Estimated volume in cubic yards

☐ ii. Off Site Estimated volume in cubic yards

ii.a. Receiving Facility: Town: State:

ii.b. Receiving Facility: Town: State:

☐ c. Landfill

☐ i. Cover Estimated volume in cubic yards

Receiving Facility: Town: State:

☐ ii. Disposal Estimated volume in cubic yards

Receiving Facility: Town: State:

☐ 14. Removal of Drums, Tanks or Containers

a. Describe Quantity and Amount:

b. Receiving Facility: Town: State:

c. Receiving Facility: Town: State:

☐ 15. Removal of Other Contaminated Media

a. Specify Type and Volume:

b. Receiving Facility: Town: State:

c. Receiving Facility: Town: State:

☐ 16. Other Response Actions:

Describe:

☐ 17. Use of Innovative Technologies:

Describe:



Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup

BWSC106

RELEASE ABATEMENT MEASURE (RAM)
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- 13302

Pursuant to 310 CMR 40.0444 - 0446 (Subpart D)

E. LSP SIGNATURE AND STAMP :

I attest under the pains and penalties of perjury that I have personally examined and am familiar with this transmittal form, including any and all documents accompanying this submittal. In my professional opinion and judgment based upon application of (i) the standard of care in 309 CMR 4.02(1), (ii) the applicable provisions of 309 CMR 4.02(2) and (3), and 309 CMR 4.03(2), and (iii) the provisions of 309 CMR 4.03(3), to the best of my knowledge, information and belief,

> if Section B of this form indicates that a **Release Abatement Measure Plan** is being submitted, the response action(s) that is (are) the subject of this submittal (i) has (have) been developed in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, (ii) is (are) appropriate and reasonable to accomplish the purposes of such response action(s) as set forth in the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (iii) comply(ies) with the identified provisions of all orders, permits, and approvals identified in this submittal;

> if Section B of this form indicates that a **Release Abatement Measure Status Report** and/or **Remedial Monitoring Report** is being submitted, the response action(s) that is (are) the subject of this submittal (i) is (are) being implemented in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, (ii) is (are) appropriate and reasonable to accomplish the purposes of such response action(s) as set forth in the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (iii) comply(ies) with the identified provisions of all orders, permits, and approvals identified in this submittal;

> if Section B of this form indicates that a **Release Abatement Measure Completion Statement** is being submitted, the response action(s) that is (are) the subject of this submittal (i) has (have) been developed and implemented in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000, (ii) is (are) appropriate and reasonable to accomplish the purposes of such response action(s) as set forth in the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (iii) comply(ies) with the identified provisions of all orders, permits, and approvals identified in this submittal:

I am aware that significant penalties may result, including, but not limited to, possible fines and imprisonment, if I submit information which I know to be false, inaccurate or materially incomplete.

1. LSP #: 9092

2. First Name: JAMES B

3. Last Name: OBRIEN

4. Telephone: (781) 952-6000

5. Ext.:

6. FAX:

7. Signature: JAMES B OBRIEN

8. Date: 1/28/2014

(mm/dd/yyyy)

9. LSP Stamp:





Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup

BWSC106

**RELEASE ABATEMENT MEASURE (RAM)
TRANSMITTAL FORM**

Release Tracking Number

3 - **13302**

Pursuant to 310 CMR 40.0444 - 0446 (Subpart D)

F. PERSON UNDERTAKING RAM:

1. Check all that apply: ☐ a. change in contact name ☐ b. change of address ☐ c. change in the person undertaking response actions
2. Name of Organization: **TWENTY WAYLAND LLC**
3. Contact First Name: **FRANK** 4. Last Name: **DOUGHERTY**
5. Street: **10 MEMORIAL BLVD SUITE 901** 6. Title: **DIR OF DEVELOPMENT**
7. City/Town: **PROVIDENCE** 8. State: **RI** 9. ZIP Code: **02903-0000**
10. Telephone: **(401) 273-8600** 11. Ext.: 12. FAX:

G. RELATIONSHIP TO RELEASE OR THREAT OF RELEASE OF PERSON UNDERTAKING RAM:

- ☒ 1. RP or PRP ☐ a. Owner ☐ b. Operator ☐ c. Generator ☐ d. Transporter
- ☒ e. Other RP or PRP Specify: **NON-SPECIFIED PRP**
- ☐ 2. Fiduciary, Secured Lender or Municipality with Exempt Status (as defined by M.G.L. c. 21E, s. 2)
- ☐ 3. Agency or Public Utility on a Right of Way (as defined by M.G.L. c. 21E, s. 5(j))
- ☐ 4. Any Other Person Undertaking RAM Specify Relationship:

H. REQUIRED ATTACHMENT AND SUBMITTALS:

- ☐ 1. Check here if any Remediation Waste, generated as a result of this RAM, will be stored, treated, managed, recycled or reused at the site following submission of the RAM Completion Statement. You must submit a Phase IV Remedy Implementation Plan along with the appropriate transmittal form (BWSC108).
- ☐ 2. Check here if the Response Action(s) on which this opinion is based, if any, are (were) subject to any order(s), permit(s) and/or approval(s) issued by DEP or EPA. If the box is checked, you MUST attach a statement identifying the applicable provisions thereof.
- ☐ 3. Check here to certify that the Chief Municipal Officer and the Local Board of Health have been notified of the implementation of a Release Abatement Measure.
- ☐ 4. Check here if any non-updatable information provided on this form is incorrect, e.g. Release Address/Location Aid. Send corrections to the DEP Regional Office.
- ☐ 5. If a RAM Compliance Fee is required for this RAM, check here to certify that a RAM Compliance Fee was submitted to DEP, P. O. Box 4062, Boston, MA 02211.
- ☒ 6. Check here to certify that the LSP Opinion containing the material facts, data, and other information is attached.



Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup

BWSC106

**RELEASE ABATEMENT MEASURE (RAM)
TRANSMITTAL FORM**

Release Tracking Number

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-

13302

Pursuant to 310 CMR 40.0444 - 0446 (Subpart D)

I. CERTIFICATION OF PERSON UNDERTAKING RAM:

1. I, **FRANK DOUGHERTY**, attest under the pains and penalties of perjury (i) that I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this transmittal form, (ii) that, based on my inquiry of those individuals immediately responsible for obtaining the information, the material information contained in this submittal is, to the best of my knowledge and belief, true, accurate and complete, and (iii) that I am fully authorized to make this attestation on behalf of the entity legally responsible for this submittal. I/the person or entity on whose behalf this submittal is made am/is aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for willfully submitting false, inaccurate, or incomplete information.

2. By: **FRANK DOUGHERTY**

Signature

3. Title: **DIR OF DEVELOPMENT**

4. For: **TWENTY WAYLAND LLC**

(Name of person or entity recorded in Section F)

5. Date: **1/27/2014**

(mm/dd/yyyy)

☐ 6. Check here if the address of the person providing certification is different from address recorded in Section F.

7. Street:

8. City/Town:

9. State:

10. ZIP Code:

11. Telephone:

12. Ext.:

13. FAX:

YOU ARE SUBJECT TO AN ANNUAL COMPLIANCE ASSURANCE FEE OF UP TO \$10,000 PER BILLABLE YEAR FOR THIS DISPOSAL SITE. YOU MUST LEGIBLY COMPLETE ALL RELEVANT SECTIONS OF THIS FORM OR DEP MAY RETURN THE DOCUMENT AS INCOMPLETE. IF YOU SUBMIT AN INCOMPLETE FORM, YOU MAY BE PENALIZED FOR MISSING A REQUIRED DEADLINE.

Date Stamp (DEP USE ONLY:)

Received by DEP on

1/28/2014 1:34:21 PM

Release Abatement Measure Status Report No. 5

Former Raytheon Facility
430 Boston Post Road
Wayland, Massachusetts
Release Tracking Number (RTN): 3-13302

Prepared For:

Mr. Frank Dougherty
Twenty Wayland
10 Memorial Boulevard, Suite 901
Providence, RI 02903

Submitted To:

Massachusetts Department of
Environmental Protection
Northeast Regional Office
205B Lowell Street
Wilmington, MA 01887
Attention: Bureau of Waste Site Cleanup

Prepared By:

VERTEX Environmental Services, Inc.
One Congress Street, 10th Floor
Boston, MA 02114

Project No. 19163

January 27, 2014



VERTEX®

January 27, 2014

Massachusetts Department of Environmental Protection
Northeast Regional Office
205B Lowell Street
Wilmington, MA 01887

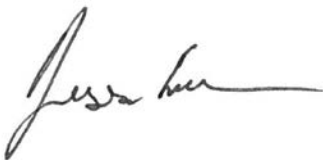
RE: Release Abatement Measure Status Report No. 5
Former Raytheon Facility
430 Boston Post Road
Wayland, Massachusetts
VERTEX Project No. 19163
Release Tracking Number (RTN): 3-13302

VERTEX Environmental Services, Inc. (VERTEX) is pleased to submit this Release Abatement Measure (RAM) Status Report No. 5 for the release listed under the above referenced RTN (the "Subject Site"). This document has been prepared for Twenty Wayland in accordance with the provisions contained in Section 40.0445 of the Massachusetts Contingency Plan (MCP).

Please do not hesitate to contact us should you have any questions or require additional information.

Sincerely,

Vertex Environmental Services, Inc.



Jesse Freeman, EIT
Sr. Project Manager



James B. O'Brien, LSP #9092
President



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FIGURES

Figure 1: Site Locus

Figure 2: Site Schematic

APPENDICES

Appendix A: Notice of Activity and Use Limitation

1.0 INTRODUCTION

At the request of Twenty Wayland, LLC (Twenty Wayland), Vertex Environmental Services Inc. (VERTEX) has prepared this Release Abatement Measure (RAM) Status Report No. 5 for the release listed by the Massachusetts Department of Environmental Protection (MassDEP) under Release Tracking Number (RTN) 3-13302 located at 430 Boston Post Road, Wayland Massachusetts (the Subject Site). Refer to **FIGURE 1** for the general site locus. This RAM Status Report pertains to a portion of the property affected by the release listed under the above referenced RTN (the “RAM Area”) and had been prepared pursuant to the provisions contained in Section 40.0445 of the Massachusetts Contingency Plan (MCP). Raytheon Company (Raytheon) is the Responsible Party for the site under RTN 3-13302.

The RAM activities are being performed in accordance with the provisions contained in a RAM Plan dated September 20, 2011 that was prepared by VERTEX pursuant to 310 CMR 40.0444, previously submitted to the MassDEP and in conjunction with on-going construction activities at the above referenced property. The initial RAM Status Report was submitted to the MassDEP on January 19, 2012. The last RAM Status Report was submitted to MassDEP on January 23, 2013. The monitoring period described in this RAM Status Report is from December 31, 2012 through June 27, 2013.

1.1 RESPONSIBLE PARTY FOR THE SITE AND LSP-OF-RECORD

The Responsible Party for the Site is as follows:

Raytheon Company
880 Technology Drive
Billerica, MA 01821
Contact: Mr. Louis J. Burkhardt
Tel: 978-436-8238

The LSP-of-Record is as follows:

John C. Drobinski, LSP # 2196
Environmental Resources Management
399 Boylston Street
Boston, MA 02116

RESPONSIBLE PARTY FOR THE RAM PLAN AND RAM LSP

The Responsible Party for the implementation of the RAM Plan is as follows:

Twenty Wayland, LLC
c/o KGI Properties
10 Memorial Boulevard, Suite 901
Providence, Rhode Island 02903
Contact: Mr. Frank Dougherty
Tel: 401-273-8600

The LSP for the implementation of the RAM Plan is as follows:

James B. O'Brien, LSP #9092
Vertex Environmental Services, Inc.
400 Libbey Parkway
Weymouth, Massachusetts 02189
Tel: 781-952-6000

2.0 GENERAL SITE AND RELEASE INFORMATION

2.1 CURRENT SITE CONDITIONS AND PHYSICAL SETTING

The Subject Site is bounded by Boston Post Road (Route 20) and a Massachusetts Bay Transportation Authority (MBTA) easement to the south, Old Sudbury Road (Route 27) to the east, the Sudbury River and its associated wetlands to the west, and undeveloped land and wetlands to the north. The general site location is shown on **FIGURE 1**. The Subject Site was formerly operated as a research and design facility by Raytheon Company between 1955 and 1995 for electronic testing and chemical process research. In 1995, Raytheon ceased operations as the Subject Site and decommissioned the facility. The portion of the Subject Site that is proposed for redevelopment was occupied by three (3) vacant one and two-story buildings that reportedly did not have basements, and associated paved and landscaped areas. The Subject Site topography within the proposed RAM area is relatively flat, with elevations varying from approximately EL. 133 to EL. 135 as referenced to the National Geodetic Vertical Datum (NGVD) 1929. The limits of the RAM area are depicted on the enclosed **FIGURE 2**.

The RAM activities that are the subject of the September 20, 2011 RAM Plan and this status report are associated with the construction activities being performed by Twenty Wayland. In addition to these RAM activities, additional response actions are being performed by the LSP-of-Record on behalf of Raytheon. A description of the compliance history for the site and the additional response actions being conducted by Raytheon is presented in Sections 2.2 through 2.4.

The September 2011 RAM Plan pertains to most of the former Raytheon property which includes the western portion of the property that contains wetlands or other undeveloped areas. However, current site development plans indicate that construction activities within the western portion of the former Raytheon property would be limited at this time to general regrading or resurfacing in preparation to potential future development. As noted on **FIGURE 2**, there are no identified ecological receptors such as wetlands, surface water bodies or terrestrial habitats located within the eastern portion of the Subject Site.

Since the Subject Site is not fully a construction site any more there is no chain link fence and a gate with a guard to limit access. There are retail/restaurants located within the site and are open for business. Areas still under construction are still using restriction methods to prevent unauthorized asses.

The Great Meadows National Wildlife Refuge (GMNWR), which includes the Sudbury River (a Class B Surface Water) and adjacent wetlands, abuts the Subject Site to the north and west and is managed by the U.S. Fish and Wildlife Service for protection of fresh-water wetlands and other terrestrial habitats. Open space maintained by the Wayland Conservation Commission is located to the north and northwest of the Subject Site.

2.2 SUMMARY OF RELEASE INFORMATION

RTN 3-13302 was issued to Raytheon on January 2, 1996 in response to the discovery of petroleum impacts identified in a groundwater monitoring well that was located adjacent to a former 20,000-gallon No. 6 fuel oil underground storage tank (UST). This RTN is currently utilized as the primary RTN for MCP response actions related to Tier IB Permit No. 133939 issued to Raytheon as submitted by the LSP-of-Record.

The following RTNs were assigned to separate releases, but have been closed by linking to the primary RTN 3-13302 or by filing a Response Action Outcome (RAO) Statement. A portion of the Disposal Site listed under RTN 3-13302 is located within the limits of the proposed RAM (refer to **FIGURE 2**).

- **RTN 3-1783** was issued on January 15, 1987 in response to an EPA listing due to a “waste storage impoundment” identified in aerial photographs which were reported as correlated with wastewater treatment impoundments associated with the former Raytheon facility Sanitary Treatment Plant. This RTN was closed following the submission of a Class B-1 RAO to the MassDEP on July 31, 1995.

- **RTN 3-13574** was issued March 28, 1996 as a result of the discovery of volatile organics (VOCs) contamination in tested groundwater samples at concentrations in excess of the MCP Reportable Concentrations (RC) for groundwater category RCGW-1. This RTN was closed by the MassDEP on November 28, 2000.
- **RTN 3-14042** was issued July 25, 1996 as a result of the discovery of polychlorinated biphenyls (PCBs) contamination in tested soil samples at levels in excess of the applicable RC. This RTN was closed by the MassDEP on November 28, 2000.
- **RTN 3-19482** was issued May 9, 2000 in response to the discovery of PCBs and metals impacts to wetland. This RTN was closed by the MassDEP on November 28, 2000.
- **RTN 3-22665** was issued March 12, 2003 in response to the discovery of chromium in groundwater at concentrations above the applicable RC. Subsequent investigation by others concluded that the chromium in groundwater was attributed to a naturally-occurring chemical oxidation due to in-situ remediation activities. This RTN was closed by the MassDEP on December 10, 2003.

In 2002, Environmental Resource Management (ERM) submitted to MassDEP a Phase IV Remedy Implementation Plan (RIP) for two distinct remedial actions at the Subject Site under RTN 3-13302. ERM proposed wetland remediation on the western portion of the property which is outside of the proposed RAM limits and in-situ groundwater remediation on the southern and eastern portions of the Subject Site, which are partially contained within the proposed RAM limits. In situ chemical oxidation of the groundwater was conducted by ERM during May through July 2004. The Disposal Site listed under RTN 3-13302 is currently in Phase V - Remedy Operation Status, and ERM continues to perform semi-annual groundwater quality monitoring on behalf of Raytheon.

2.3 RTN 3-22408 (LINKED TO RTN 3-13302)

The Disposal Site listed under RTN 3-22408 consists of three (3) distinct and separate affected areas for which MCP response actions are conducted under Tier 1B permit No. W045278. The three distinct and separate areas are located outside the proposed RAM limits for RTN 3-13302. The Contaminants of Concern (COCs) listed under RTN 3-13302 include chlorinated VOCs, arsenic and methyl-tertiary-butyl-ether (MTBE). In 2007, ERM submitted a Partial Class B-1 RAO for the arsenic release in the western portion of the property which is located outside of proposed RAM limits. ERM attributed the detected levels of arsenic in groundwater to naturally-occurring arsenic in soil that was mobilized as a result of natural reducing conditions in the wetlands associated with the Sudbury River.

Subsequently, ERM submitted a Phase IV - Remedy Implementation Plan (RIP) for the remaining portions of RTN 3-22408. ERM proposed excavation and removal of soil impacted by CVOCs from the northern portion of the property, outside the limits of the RAM proposed herein. ERM also proposed the implementation of in-situ bioremediation of the groundwater within the area impacted chlorinated VOCs, which is also outside the limits of the proposed RAM. In July 2008, ERM submitted a Modified Phase IV RIP. On November 26, 2007 a partial RAO for the arsenic release, and a Downgradient Property Status Opinion for the methyl-tertiary-butyl-ether (MTBE) release were submitted to the MassDEP. On June 9, 2009, RTN 3-22408 was linked to the parent RTN 3-13302 and MCP response actions are on-going under RTN 3-13302 as directed by the LSP-of-Record.

2.4 ACTIVITY AND USE LIMITATION (AUL)/ DEED RESTRICTION

Four (4) Notices of AUL and/or Deed Restrictions have been recorded for the Subject Site. A summary of the Notices of AUL/Deed Restrictions are presented below.

- Site-Wide AUL (Deed Restriction): On October 21, 1997, a Deed Restriction titled “form 1075 Notice of Activity and Use Limitation herein referred to as the “site-wide” AUL was recorded to restrict certain activities and uses at the Subject Site to mitigate potential human exposure and maintain the condition of No Significant Risk of harm to human health upon

which the AUL is based. This “site-wide” AUL applies the entire property, including the area subject to this RAM Plan (the Subject Site). Activities and uses that are considered in the site wide AUL as consistent with a condition of No Significant Risk of harm to human health include any commercial and/or industrial uses including such uses as offices, retail, wholesale, storage and warehouses or manufacturing.

In summary, the site-wide AUL restricts residential or other uses where children would be present at high frequency and potentially exposed at high intensity. Other restricted activities include the growing of fruit or vegetables for human consumption, excavation, below-grade construction, and below-grade utility maintenance unless determined by an LSP that such activities would not pose a substantial hazard or significant risk to human health, public safety, welfare, or the environment. The existing site-wide AUL will be revised to allow residential usage of the Subject Site.

The site-wide AUL contains provisions for the management of contaminated soil or groundwater during construction, if encountered. This RAM Plan contains provisions for the management of impacted soil and/or groundwater during the redevelopment of the Subject Site consistent with the requirements of the site-wide AUL.

UST Area AUL: A Notice of AUL was recorded on April 13, 1999 for approximately 0.8-acre portion of the Subject Site (refer to **FIGURE 2**). This Notice of AUL was recorded as part of a Class A-3 Response Action Outcome (RAO) Statement for the release of petroleum hydrocarbons associated with a former fuel oil UST and listed under RTN 3-13302. This Notice of AUL is generally consistent with the provisions contained in the Site-Wide Notice of AUL. This RAM Plan contains provisions for the management of impacted soil and/or groundwater, if encountered, during the redevelopment of the Subject Site consistent with the requirements of the Notice of AUL.

- Hamlen Property AUL: A Notice of AUL was filed on January 9, 2006 for an approximately 5.5-acre portion of the former Hamlen property to address a release of PCBs. Based on information regarding the proposed Subject Site redevelopment, this

Notice of AUL pertains to a release which occurred on a portion of the property that is located outside of proposed RAM limits to the west. Thus, this Notice of AUL is not considered relevant to the RAM.

- Twenty Wayland AUL: A Notice of AUL was filed on December 21, 2011 for approximately 35.5 acres of the Subject Site. This Notice of AUL describes the activities permitted and not permitted in the approximately 35.5 acres of the subject site during the implementation of the RAM Plan and the subsequent construction activities which are not subject to the RAM Plan. Specifically the Notice of AUL allows for the commercial/industrial use of the Subject Site, and residential use in a portion of the Subject Site. In addition, the Notice of AUL contains provisions for the management, notification to the LSP-of-Records of impacted media encountered during the implementation of the RAM Plan. A copy of the December 21, 2011 Notice of AUL is attached in **APPENDIX A**.

3.0 STATUS OF MCP RESPONSE ACTIONS

RAM activities commenced on October 31, 2011. A summary of RAM activities that occurred between October 31, 2011 and June 27, 2013 were included in previous RAM Status Reports. RAM activities performed at the Subject Site during this monitoring period (June 28, 2012 through December 31, 2013) include the following:

- Visual inspections of sub-slab depressurization system (SSDS); and
- Visual inspections of Vapor Barrier Systems.

3.1 RAM PLAN PROVISIONS

The RAM Plan provided procedures for management of impacted soil and/or groundwater (if encountered) consistent with the requirements of the existing Site-Wide Notice of AUL, as they pertain to the RAM area. The provisions included the following:

- Implementation of a program of environmental monitoring;
- Notification procedures to be implemented upon discovery of conditions or contamination that require such notification;
- Conduct MCP response actions under a supervision of an LSP;
- Implementation of a Soil Management Plan (SMP) including procedures for handling, storage, transportation and off-site disposal of impacted soil and/or groundwater, if encountered, and;
- Implementation of a Health and safety Plan (HASP) in accordance with applicable state and federal regulations.

The RAM plan contains provisions for the management of impacted soil if such soil is encountered during the proposed construction activities. In addition, in accordance with the

existing Site-Wide Notice of AUL, temporary construction dewatering requirements were also addressed in the RAM Plan.

Federal permits are not anticipated to be required for the RAM activities. The RAM activities will be performed in coordination with Raytheon and their environmental consultant ERM under the two existing Tier IB permits for the site (No. 133939 and No. W045278). As Raytheon, through the LSP-of-Record, will continue and maintain the overall applicability of the RAM Plan to the existing Tier IB Permit, Twenty Wayland LLC will not need to be named on the Tier IB permit to implement the RAM Activities.

The RAM Plan was prepared for the management of impacted soil and/or groundwater during the redevelopment of the Subject Site consistent with the requirements of the site-wide AUL. Therefore, in coordination with Raytheon and the LSP-of-Record, residual impacts not removed as part of the construction activities will be managed in accordance with the site-wide AUL and/or under the direction of the LSP-of-Record.

3.2 NOTICE OF AUL

The RAM Plan was prepared by VERTEX and reviewed by the LSP-of-Record. As part of that review, the provisions identified in the December 21, 2011 Notice of AUL were considered when preparing the RAM Plan. Therefore RAM activities were and will be performed in accordance with the December 21, 2011 Notice of AUL and with the provisions identified in Section 3.1 above.

3.3 RAM ACTIVITIES

The following is a summary of RAM Activities conducted during this monitoring period. Historical RAM Activities are summarized in previous RAM Status reports. In late 2013, a portion of the site was sold from Twenty Wayland, LLC to Brendan Homes, Inc. Since the RAM plan was prepared for site development being conducted by Twenty Wayland, LLC, the portion of the property sold to Brendan Homes, Inc. is no longer included in the RAM Area as described in the RAM Plan. Development being conducted by Brendan Homes, Inc. is not being

overseen/and or monitoring by VERTEX or its LSP. The site is still within the RTN boundary for RTN 3-13302, for which Raytheon is the Responsible Party. The area sold to Brendan Homes, Inc. is shown on Figure 2.

3.3.1 Soil Excavation

In most areas, paved roadway, parking lots and buildings are currently present, with several businesses currently in operation. As such VERTEX is performing oversight on an on-call basis, for activities that require RAM Oversight. During this monitoring period, VERTEX was not notified of activities requiring RAM oversight, (e.g., earthwork activities).

3.3.2 Bills of Lading Administration

In accordance with the provisions of the MCP, soil historically shipped off-site was transported and disposed under Bill-of-Lading (BOL). Based upon the current development phase, additional transport and disposal of soil from the site is not anticipated. A copy of the completed BOLs, were included previous RAM Status Reports.

3.3.3 Venting Systems

As part of the construction activities during this monitoring period, sub-slab depressurization system (SSDS) piping, and vapor barriers were installed at select buildings at the Site. The SSDS piping and vapor barriers are being installed as voluntary precautionary measures as requested by the LSP of Record and are not required as a vapor mitigation measure. As part of the SSDS system installation, VERTEX has provided design specification to Twenty Wayland and has performed visual inspections of the SSDS piping and vapor barrier installations. Copies of the VERTEX visual inspection letters for the SSDS piping that included the design specification plans for the SSDS systems were included in previous RAM Status Reports.

4.0 FUTURE MCP RESPONSE ACTIONS AND SCHEDULE

Response actions under the MCP are currently on-going and will continue at the Subject Site in order to address the above referenced release in accordance with relevant provisions contained in the MCP. It is the intent of the RP for the site (Raytheon) to perform the MCP response actions in accordance with relevant provisions contained in 310 CMR 40.0000. VERTEX has concluded that additional activities are not required to meet the RAM Plan Objectives for those areas where soil impacts were encountered because of the following:

- Residual impacts and response actions not associated with the construction activities (i.e., groundwater impacts and soil impacts in areas where construction activities are not performed) are being managed by Raytheon and the LSP-of-Record in accordance with a Phase V program and the site wide AUL and the December 21, 2011 Notice of AUL;
- The LSP-of-Record is notified of impacts encountered during the implementation of the RAM Plan; and
- Potentially impacted soil is excavated when encountered as part of the construction activities.

5.0 LSP OPINION

It is the opinion of the LSP that the RAM is being conducted in conformance with the RAM Plan and in accordance with the provisions contained in 310 CMR 40.0000.

6.0 QUALIFICATION

Our professional services have been performed, our findings obtained, and our recommendations prepared in accordance with customary principles and practices in the fields of environmental science and engineering. This warranty is in lieu of all other warranties either expressed or implied. VERTEX is not responsible for the independent conclusions, opinions or recommendations made by others based on the field exploration and laboratory test data presented in this report.

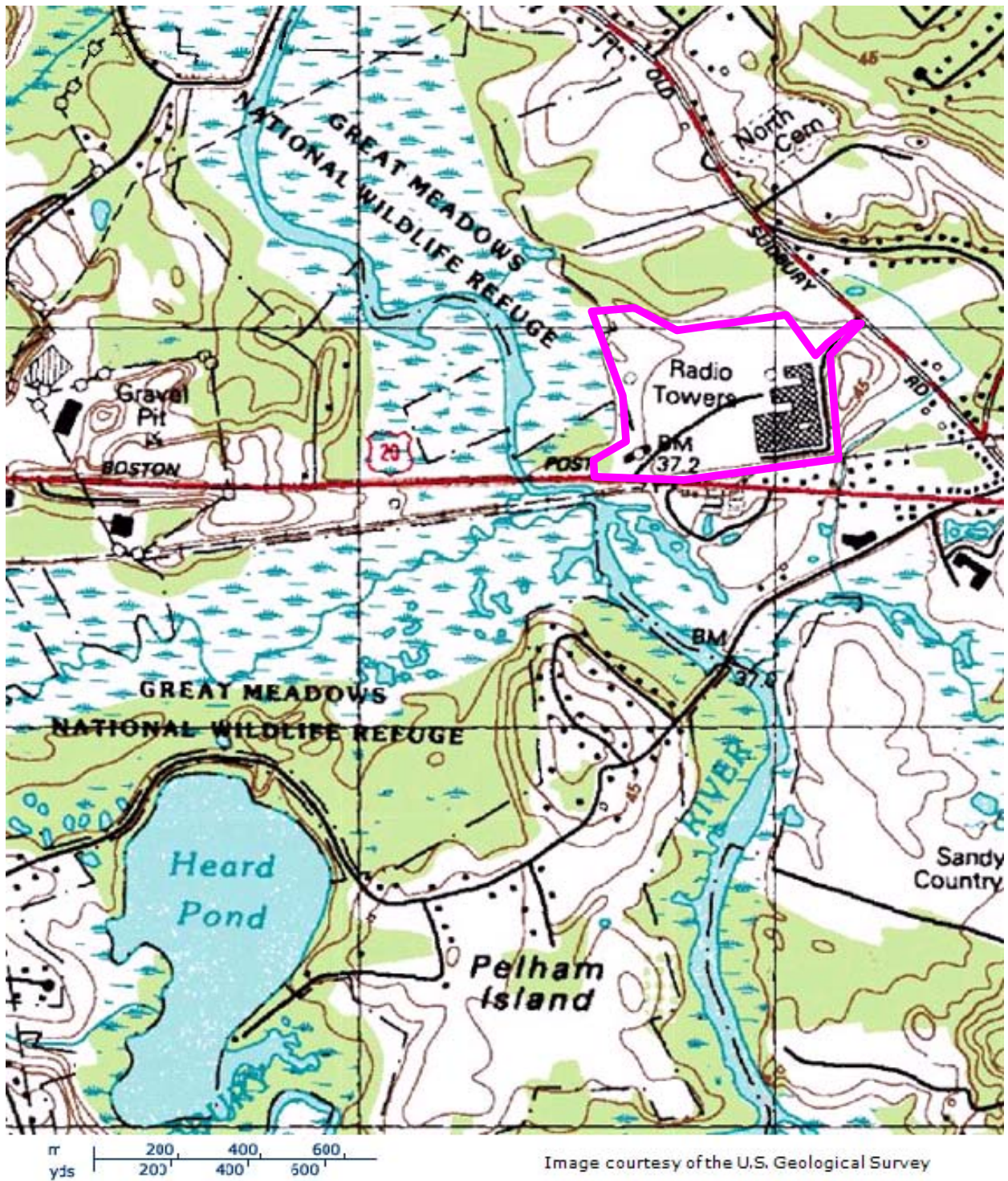
It must be recognized that environmental investigations are inherently limited in the sense that conclusions are drawn and recommendations developed from information obtained from limited research and site investigation. All site subsurface conditions were not field investigated as part of this study and may differ from the conditions implied by the limited subsurface investigation. Additionally, the passage of time may result in a change in the environmental characteristics at this site and surrounding properties. This report does not warrant against future operations or conditions, nor does this report warrant against operations or conditions present of a type or at a location not investigated.

Our professional opinion and the conclusions contained herein are based solely on the scope of work conducted as described in this RAM Status Report. The reference to various MCP risk-based cleanup standards contained in this report is not intended to demonstrate the presence or absence of significant risk of harm, as defined in the MCP, but rather to provide a qualitative assessment of the results of the chemical analyses performed on soil and groundwater samples obtained from the Subject Site.

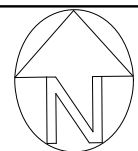
Figures

Figure 1: Site Locus

Figure 2: Site Schematic



USGS Topographic Map, 1987
Wayland, MA Quadrangle
Contour Interval: As Shown



SITE LOCUS MAP

Former Raytheon Facility
430 Boston Post Road
Wayland, MA

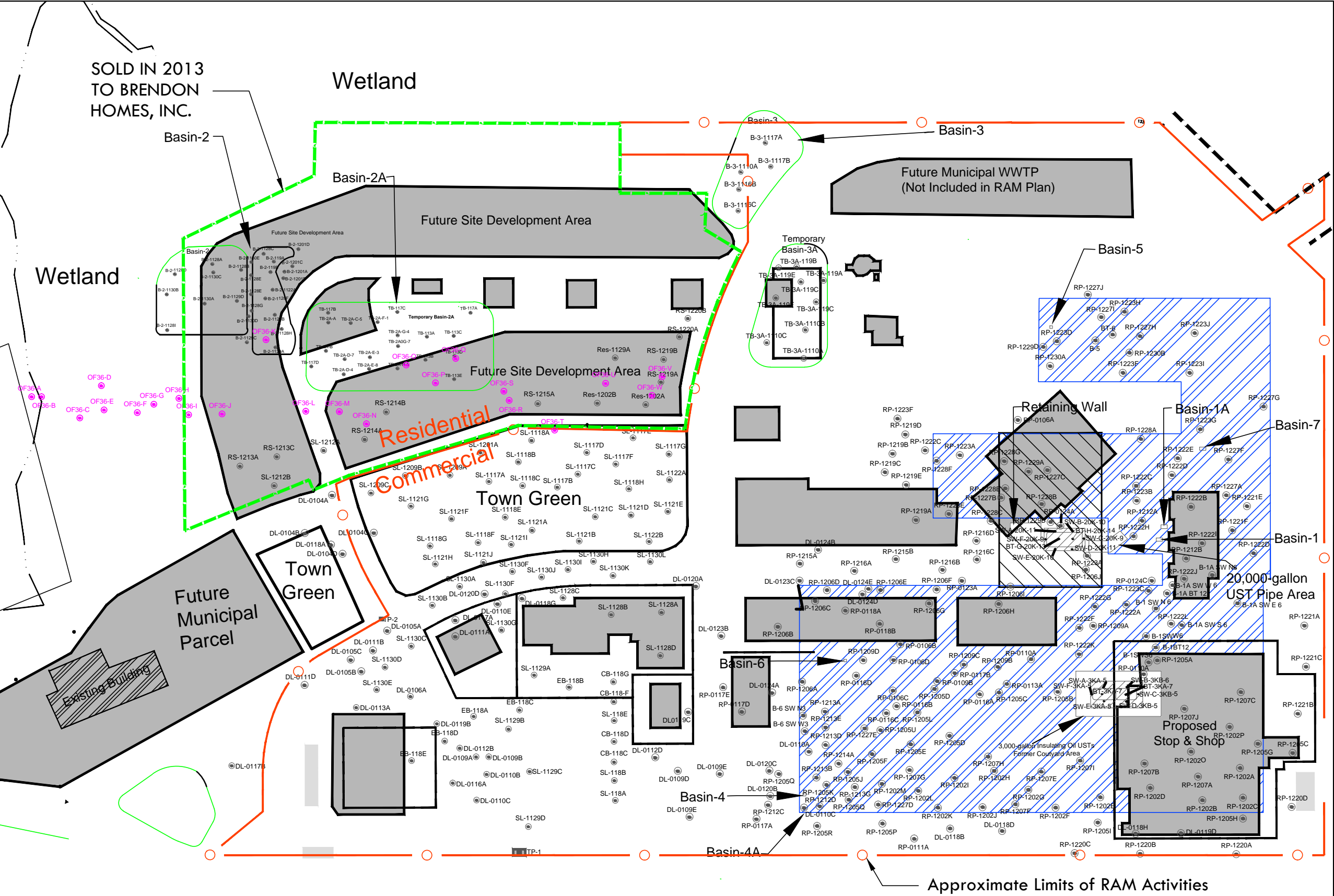
SCALE: AS SHOWN

July 2011

VERTEX Proj. No. 19163

VERTEX

Environmental Services, Inc.
FIGURE NO. 1



LEGEND

- Proposed Building
- Former Raytheon Building
- Former 20,000 gallon UST AUL Area
- Proposed Future Site Development Area
- Approximate Sample Location
- Approximate UST Sample Location
- Approximate Test Pit Location
- Approximate Location of Residential and Commercial Line

NOT TO SCALE

VERTEX
The Vertex Companies, Inc.
VERTEX@vertexeng.com

Boston Denver San Francisco

Project: Former Raytheon Facility
430 Boston Post Road
Wayland, MA

Drawing Title:
Site Schematic - Approximate Sample Locations

Date:
July 2013

Figure No:
2

Job Number:
19163

Notes: Plan based upon RJ O'Connel and Associates Wayland Town Center Site Plan C-3, Phase I Plan Application Drawings

Appendix A: Notice of Activity and Use Limitation



2011 01585834

Bk: 1307 Pg: 76 Cert#: 234881

Doc: NOT 12/21/2011 01:01 PM

RECORDING INFORMATION AREA

Form 1075**NOTICE OF ACTIVITY AND USE LIMITATION**

M.G.L. c. 21E, § 6 and 310 CMR 40.0000

Disposal Site Name: Former Raytheon Facility, 430 Boston Post Road, Wayland, MA
DEP Release Tracking Nos.: 3-13302 & 3-22408

This Notice of Activity and Use Limitation ("Notice") is made as of this 21st day of ~~DECEMBER~~ 2011, by Twenty Wayland, LLC, a Massachusetts limited liability company, with an address care of KGI Properties, LLC, 10 Memorial Blvd, Ste 901, Providence, RI 02903, and Wayland Town Center LLC, a Delaware limited liability company, with an address care of KGI Properties, LLC, 10 Memorial Blvd., Suite 901, Providence, RI 02903, together with their successors and assigns (collectively "Owner").

WITNESSETH:

WHEREAS, Twenty Wayland, LLC and Wayland Town Center LLC collectively are the owners in fee simple of that certain parcel of land located at 400-440 Boston Post Road in Wayland, Middlesex County, Massachusetts, with the buildings and improvements thereon ("Property") pursuant to a deed to Twenty Wayland, LLC recorded with the Middlesex County (South) Registry of Deeds in Book 45981, Page 177 and filed with the Middlesex County (South) Registry District of the Land Court as Document No. 1386382 (see Certificate of Title No. 234881), and a deed of a portion of said land by Twenty Wayland, LLC to Twenty Wayland Commercial LLC recorded with the Middlesex County (South) Registry of Deeds in Book 57767, Page 545, and a subsequent deed of such portion of said land from Twenty Wayland Commercial LLC to Wayland Town Center LLC recorded with the Middlesex County (South) Registry of Deeds in Book 57767, Page 547.

WHEREAS, the Property is more particularly bounded and described in Exhibit A, attached hereto and made a part hereof. The Property is shown on a sketch plan attached hereto (titled, "Exhibit A: Sketch Plan") and filed herewith for registration with the

1
234881-1307-76

MP

Middlesex County (South) Registry District of the Land Court and recorded herewith with the Middlesex County (South) Registry of Deeds.

WHEREAS, a portion of the Property is subject to this Notice of Activity and Use Limitation ("Portion of the Property"). The Portion of the Property is more particularly bounded and described in Exhibit A-1, attached hereto and made a part hereof. The Portion of the Property is shown on a plan recorded with the Middlesex County (South) Registry of Deeds in Plan ~~Book~~^{Year} 2011, Plan 860, and on a sketch plan attached hereto (titled, "Exhibit A-1: Sketch Plan") and filed herewith for registration and recorded herewith.

WHEREAS, the Property comprises part of a disposal site as the result of a release of oil and/or hazardous material. Exhibit B is a sketch plan showing the relationship of the Portion of the Property subject to this Notice of Activity and Use Limitation to the boundaries of said disposal site existing within the limits of the Property and to the extent such boundaries have been established. Exhibit B is attached hereto and made a part hereof.

WHEREAS, one or more response actions have been selected for the Property in accordance with M.G.L. c. 21E ("Chapter 21E") and the Massachusetts Contingency Plan, 310 CMR 40.0000 ("MCP"). Said response actions are based upon (a) the restriction of human access to and contact with oil and/or hazardous material in soil and/or groundwater and/or (b) the restriction of certain activities occurring in, on, through, over or under the Property. The basis for such restrictions is set forth in an Activity and Use Limitation Opinion ("AUL Opinion"), dated ~~DECEMBER 14~~^{DECEMBER 14}, 2011 (which is attached hereto as Exhibit C and made a part hereof).

NOW, THEREFORE, notice is hereby given that the activity and use limitations set forth in said AUL Opinion are as follows:

1. Activities and Uses Consistent with the AUL Opinion. The AUL Opinion provides that a condition of No Significant Risk to health, safety, public welfare or the environment exists for any foreseeable period of time (pursuant to 310 CMR 40.0000) so long as any of the following activities and uses occur on the Portion of the Property:
 - (i) The Portion of the Property may be used for passive recreation;
 - (ii) The Portion of the Property may be used for commercial/industrial uses;
 - (iii) Such other activities or uses which, in the opinion of an LSP, shall present no greater risk of harm to health, safety, public welfare or the environment than the activities and uses set forth in this Paragraph; and
 - (iv) Such other activities and uses consistent with those set forth in this

Paragraph and not expressly prohibited by this Notice.

2. Activities and Uses Inconsistent with the AUL Opinion. Activities and uses which are inconsistent with the objectives of this Notice of Activity and Use Limitation, and which, if implemented at the Portion of the Property, may result in a significant risk of harm to health, safety, public welfare or the environment or in a substantial hazard, are as follows:
 - (i) Residential, with the exception of up to 12 units on the second floor of a building located in the "Building 2F Building Envelope," as shown on Exhibit D, so long as there is an appropriate sub-slab vapor barrier installed;
 - (ii) Childcare, daycare, agricultural, horticultural, or gardening, unless previously approved by the LSP in accordance with the obligations and conditions set forth in the AUL Opinion;
 - (iii) Groundwater withdrawal or use except for assessment or remedial purposes;
 - (iv) Septic systems unless previously approved by the LSP in accordance with the obligations and conditions set forth in the AUL Opinion;
 - (v) Other activities or uses that, in the opinion of the LSP, would likely result in significant risk from exposures to oil and/or hazardous material if such activities or uses were to take place on the Portion of the Property.
3. Obligations and Conditions Set Forth in the AUL Opinion. If applicable, obligations and/or conditions to be undertaken and/or maintained at the Portion of the Property to maintain a condition of No Significant Risk as set forth in the AUL Opinion shall include the following:
 - (i) Certification in the form of documentation bearing the original signature, date and Seal of the LSP must be obtained by the Owner prior to implementation of the following activities and uses:
 - a) Expansion or relocation of existing buildings;
 - b) Use of the Portion of the Property for residential, childcare, daycare, recreational, agricultural, horticultural, or gardening activities, or for unrestricted public access;
 - c) Subsurface activities, including excavation or new construction below grade; and

- d) Land development or construction involving changes in surface conditions (i.e., topography, surface cover, etc.), including installation of pavement or building foundations;
 - (ii) Parties conducting activities and uses described in Section 1 above, that, in the opinion of the LSP, may include disturbance of contaminated media, waste or debris, or that could render subsurface contaminated media, waste or debris accessible to exposure, shall submit, for approval by the LSP, a contingency plan for the management of contaminated media, waste or debris, if encountered, including:
 - a) Procedures for monitoring of contaminated media, waste or debris;
 - b) Procedures for notification to the LSP of the discovery of contaminated media, waste or debris;
 - c) A certification that all response actions will be conducted under the supervision of the LSP;
 - d) A soils management plan including contingencies for handling contaminated soil and/or groundwater if activities may extend below the water table;
 - e) A certification that response personnel will comply with applicable safety regulations, including 29 CFR 1910.120; and
 - f) A certification that contaminated waste, debris or media or remediation waste (pursuant to 310 CMR 40.0000) generated by such activities shall be handled, stored, transported and disposed in accordance with the applicable federal, state and local regulations;
 - (iii) The responsible parties and their representatives shall be granted unrestricted access to the Property in order to conduct any and all activities associated with the performance of response actions as defined under the MCP, or any other applicable regulation;
4. Proposed Changes in Activities and Uses. Any proposed changes in activities and uses at the Property which may result in higher levels of exposure to oil and/or hazardous material than currently exist shall be evaluated by an LSP who shall render an opinion, in accordance with 310 CMR 40.1080 *et seq.*, as to whether the proposed changes will present a significant risk of harm to health, safety, public welfare or the environment. Any and all requirements set forth in

the opinion to meet the objective of this Notice shall be satisfied before any such activity or use is commenced.

5. Violation of a Response Action Outcome. The activities, uses and/or exposures upon which this Notice is based shall not change at any time to cause a significant risk of harm to health, safety, public welfare, or the environment or to create substantial hazards due to exposure to oil and/or hazardous material without the prior evaluation by an LSP in accordance with 310 CMR 40.1080 *et seq.*, and without additional response actions, if necessary, to achieve or maintain a condition of No Significant Risk or to eliminate substantial hazards.

If the activities, uses, and/or exposures upon which this Notice is based change without the prior evaluation and additional response actions determined to be necessary by an LSP in accordance with 310 CMR 40.1080 *et seq.*, the owner or operator of the Property subject to this Notice at the time that the activities, uses and/or exposures change, shall comply with the requirements set forth in 310 CMR 40.0020.

6. Incorporation Into Deeds, Mortgages, Leases, and Instruments of Transfer. This Notice shall be incorporated either in full or by reference into all future deeds, easements, mortgages, leases, licenses, occupancy agreements or any other instrument of transfer, whereby an interest in and/or a right to use the Property or a portion thereof is conveyed. All exhibits attached hereto are hereby incorporated herein by reference.

Owner hereby authorizes and consents to the filing and recordation and/or registration of this Notice, said Notice to become effective when executed under seal by the undersigned LSP, and recorded and/or registered with the appropriate Registry of Deeds and/or Land Registration Office.

[Remainder of page intentionally left blank; signature blocks follow on next page]

WITNESS the execution hereof under seal this 31 day of October, 2011.

Owner:

TWENTY WAYLAND, LLC

By:

Anthony J. DeLuca, Manager and Authorized Signatory

WAYLAND TOWN CENTER LLC

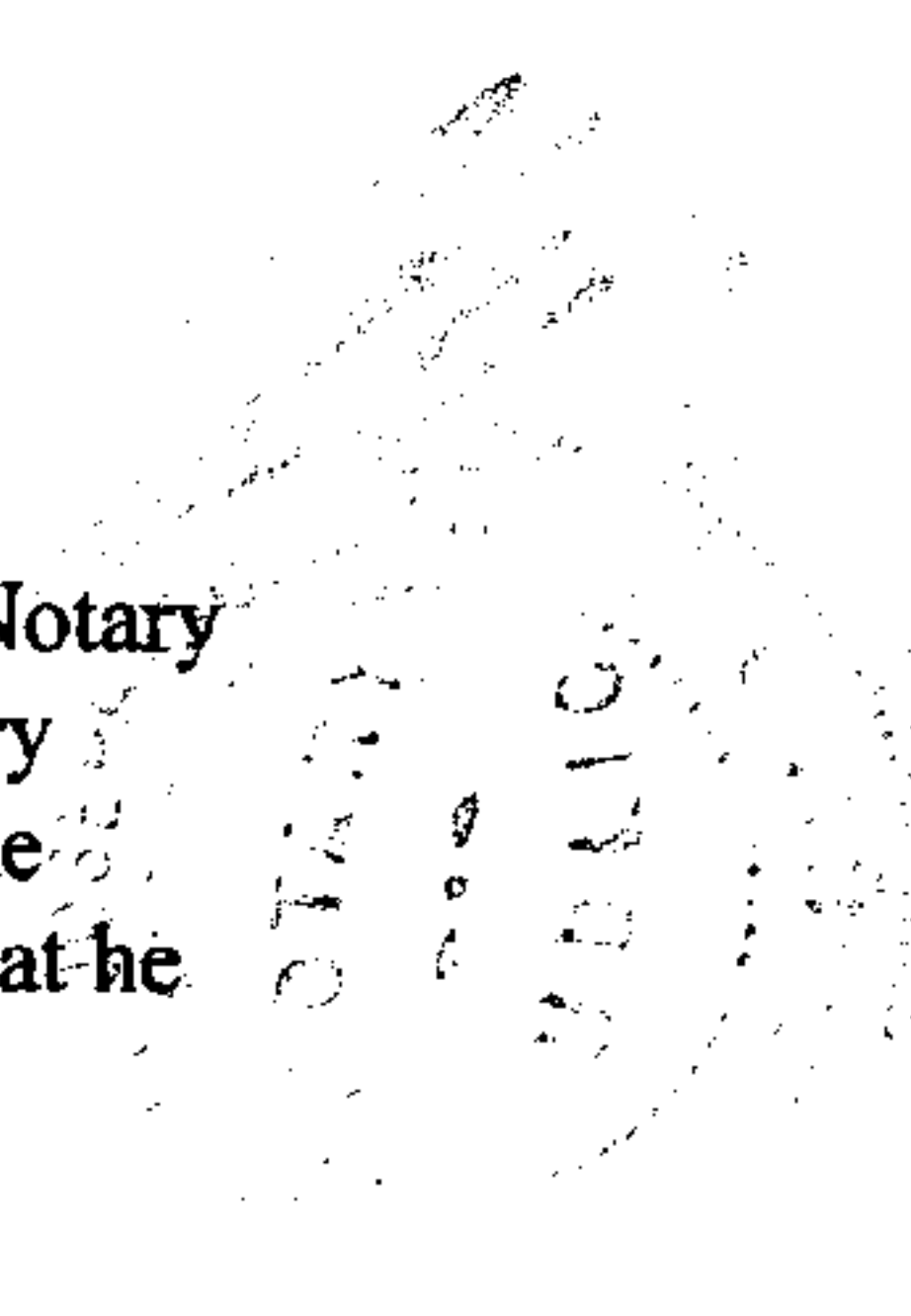
By:

Anthony J. DeLuca, Authorized Signatory

Providence, ss.

STATE OF RHODE ISLAND
COMMONWEALTH OF MASSACHUSETTS

On this 31 day of October, 2011, before me, the undersigned, a Notary Public, personally appeared Anthony J. DeLuca, and proved to me through satisfactory evidence of identification, which was a MA driver's license, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose, as Manager and Authorized Signatory of Twenty Wayland, LLC.


Notary Public: Scott Joseph Summer
My Commission Expires: 7-11-13
[SEAL]

Providence, ss.

STATE OF RHODE ISLAND
COMMONWEALTH OF MASSACHUSETTS

On this 31 day of October, 2011, before me, the undersigned, a Notary Public, personally appeared Anthony J. DeLuca, and proved to me through satisfactory evidence of identification, which was a MA driver's license, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose, as Authorized Signatory of Wayland Town Center LLC.

C. Scott Jr.
Notary Public:

My Commission Expires: 7-11-13
[SEAL]

The undersigned LSP hereby certifies that he executed the aforesaid Activity and Use Limitation Opinion attached hereto as Exhibit C and made a part hereof and that in his opinion this Notice of Activity and Use Limitation is consistent with the terms set forth in said Activity and Use Limitation Opinion.

Date: 12/14/, 2011

LSP OF RECORD

John C. Drobinski LSP Reg. No. 2196
[LSP SEAL]

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 14th day of December, 2011, before me, the undersigned notary public, personally appeared John C. Drobinski, proved to me through satisfactory evidence of identification, which were personally known, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Mary A. McCormack
Notary Public: MARY A. MCCORMACK
My Commission Expires: 8/3/18
[SEAL]

Upon recording, return to:

RALPH MANN, SAWYER & BREWSTER
160 FEDERAL STREET
BOSTON, MA 02110
ATTN: D.J. USSOFF



MARY A. MCCORMACK

Notary Public

Commonwealth of Massachusetts

My Commission Expires

August 3, 2018

EXHIBIT A

Description of the Property owned by Twenty Wayland, LLC

The following described land situated in Wayland, Middlesex County, Massachusetts, and bounded and described as follows:

Parcel One:

The land in said Wayland situated on the westerly side of Sudbury Road, being that parcel of land enclosed by lines and marked "A" on a plan by Rowland H. Barnes & Co., C.E.'s dated December, 1940 on file at the Engineers' Office for the Land Court in Boston, said plan being Plan #17983A, filed with Certificate #49312, Book 326, Page 97, in the South Registry District for Middlesex County, said parcel being bounded and described as follows:

NORTHEASTERLY by the westerly side of Sudbury Road, 931.66 feet;
SOUTHERLY by land formerly of Grace A. and Blanche E. Heard, 413.88 feet;
EASTERLY by land formerly of said Heard, 162.99 feet;
SOUTHERLY by land formerly of Wentzel, 1,017.69 feet;
WESTERLY by land formerly of Wentzel, 211.30 feet;
SOUTHERLY by land formerly of Wentzel, 622.50 feet;
WESTERLY by land of Mainstone Farm Trust, 328.00 feet;
SOUTHERLY again by land of said Trust, 842 plus or minus feet;
WESTERLY by Sudbury River; and
NORTHERLY by land now or formerly of Ruth N. Burbank, 2,185 plus or minus feet.

Meaning and intending to describe the remaining portion of parcel "A," being Lot 1 on Land Court Plan #17983G dated May 29, 2000, revised August, 2000.

Parcel Two

A certain parcel of land shown as Lots "B" and "C" on a Plan of Land in Wayland-Mass., Scale 1" = 100', May 14, 1954, Albert A. Miller, Wilbur C. Nylander, Civil Engr's & Surveyors - Lexington, Mass., recorded with Middlesex South District Registry of Deeds as Plan #763 of 1954, Book 8256, Page 439 and together bounded as follows:

NORTHEASTERLY by Sudbury Road by two lines measuring together 429 and 54/100 feet;

Cert # 234881

SOUTHEASTERLY by land shown on said plan as Audrey A. and Natile K. Bill by the middle of a brook 403 and 75/100 feet;

NORTHEASTERLY by the same 250 and 49/100 feet;

SOUTHERLY by land or location of Boston & Maine Railroad as shown on said plan by six lines measuring together 2,064 and 94/100 feet and by State Highway (Route 20) 438 and 92/100 feet;

WESTERLY by land shown on said plan as Town of Wayland 48 and 53/100 feet;

SOUTHERLY by the same 117 and 21/100 feet;

WESTERLY by land shown on said plan as Commonwealth of Massachusetts 1 and 37/100 feet;

SOUTHERLY by the same 123 and 73/100 feet;

NORTHERLY by land shown on said plan as Mainstone Farm Trust 549 and 52/100 feet and by land formerly of Joseph H. Decatur by two lines measuring together 622 and 50/100 feet;

NORTHEASTERLY and NORTHERLY by land formerly of Martin Cerel and David Yorks by eight lines shown on said plan as a stone wall measuring together 1,228 and 99/100 feet;

EASTERLY by land formerly of Blanche E. Heard and shown as "Parcel A" on said plan 20 and 00/100 feet;

NORTHERLY by the same 499 and 89/100 feet.

Parcel Three:

A certain parcel of land shown as Lot "A" on said Plan of Land in Wayland – Mass., Scale 1" = 100', May 14, 1954, Albert A. Miller, Wilbur C. Nylander, Civil Engr's & Surveyors - Lexington, Mass., and bounded as follows:

NORTHEASTERLY by Sudbury Road by two lines measuring together 192 and 87/100 feet;

SOUTHERLY by land formerly of Herbert S. Wentzel and Mary E. Wentzel, shown on said plan and Parcel "B" 499 and 89/100 feet;

WESTERLY by land formerly of said Wentzel, 20 and 00/100 feet and by land formerly of Martin Cerel and David Yorks by a line as shown on said plan as a stone wall 182 and 99/100 feet;

NORTHERLY by land of the same 413 and 88/100 feet.

Parcel Four:

A certain parcel of land situated in said Wayland bounded and described as follows:

Beginning on land of the Boston & Maine Railroad and at other land formerly of Raytheon Manufacturing Company at a point 41 and 25/100 feet northerly from Station 699 plus 00 on the center line of location of the Central Massachusetts Branch of said Boston & Maine Railroad, measuring at rights angles thereto, thence running South 80° 25' 30" West by said other land of said Railroad 627 and 50/100 feet to a point at said land formerly of Raytheon Manufacturing Company; thence turning and running by said last-mentioned land on three courses as follows: North 73° 07' 40" East 204 and 66/100 feet, North 78° 40' 30" East 239 and 11/100 feet and South 89° 24' East 188 and 47/100 feet to the point of beginning, be all of said measurements more or less, said parcel containing about 12,811 square feet and being shown upon plan marked "Land in Wayland, Mass. Boston & Maine Railroad - To - Raytheon Manufacturing Company J.F. Kerwin, Eng'r of Design, April, 1955" recorded with Middlesex South Registry of Deeds as Plan #1721 of 1955 in Book 8562, Page 316.

Excepting and excluding the following parcels of land:

Parcel A shown on Land Court Plan No. 17983-G dated May 29, 2000, revised August 25, 2000.

Lot 2 and Lot 3 shown on Land Court Plan No. 17983-G dated May 29, 2000, revised August 25, 2000.

Lot AB-1 shown on plan dated May 1, 2000, and recorded as Plan No. 1426 of 2000 in Book 32174, Page 142.

A certain parcel acquired by the Town of Wayland by an Order of Taking filed with the Middlesex South Registry District of the Land Court as Document No. 1558125.

All of the above also being more particularly bounded and described as follows:

A certain parcel of Registered and Unregistered land situated on the northerly side of Boston Post Road in the Town of Wayland, County of Middlesex, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point in the northerly line of Boston Post Road (Route 20) at the intersection of the northerly line of the former railroad N/F of the MBTA: thence

N 74°46'46" W a distance of four hundred thirty eight and ninety-two hundredths feet (438.92') by the said northerly line of Boston Post Road to a point; thence

N 15°13'14" E a distance of forty-eight and sixty three hundredths feet (48.63') to a point; thence

N 74°46'46" W a distance of one hundred seventeen and twenty-one hundredths feet (117.21') to a point; thence

N 15°13'14" E a distance of one and thirty-seven hundredths feet (1.37') to a point; thence

N 74°46'46" W	a distance of one hundred twenty three and seventy-three hundredths feet (123.73') to a point; thence
N 71°29'32" E	a distance of five hundred forty nine and seventy-eight hundredths feet (549.78') to a point; thence
N 11°48'20" W	a distance of three hundred twenty eight and no hundredths feet (328.00') to a point; thence
S 71°01'00" W	a distance of eight hundred forty two feet, more or less (842') to a point at the Sudbury River; thence
Northerly	a distance of seven hundred sixty two feet, more or less (762') by the Sudbury River to a point; thence
N 80°45'43" E	a distance of one thousand one hundred seventy nine feet, more or less (1179') to a point; thence
S 33°00'48" E	a distance of four hundred sixty six and twenty four hundredths feet (466.24') to a point; thence
S 86°08'20" E	a distance of seven hundred thirty six and twenty four hundredths feet (736.24') to a point; thence
S 42°30'55" E	a distance of one hundred ninety and sixty hundredths feet (190.60') to a point; thence
N 59°03'55" E	a distance of three hundred fifty and eighty eight hundredths feet (350.88) to a point; thence
Northerly	and curving to the left along the arc of a curve having a radius of fifteen and no hundredths feet (15.00'), a distance of twenty four and eleven hundredths feet (24.11') to a point in the southwesterly line of Old Sudbury Road; thence
S 33°00'47" E	a distance of ninety and three hundredths feet (90.03') by the said southwesterly line of Old Sudbury Road to a point; thence
Westerly	and curving to the left along the arc of a curve having a radius of fifteen and no hundredths feet (15.00'), a distance of twenty three and two hundredths feet (23.02') to a point; thence
S 59°03'55" W	a distance of three hundred forty one and eighty six hundredths feet (341.86') to a point; thence
S 42°30'55" E	a distance of sixty three and forty hundredths feet (63.40') to a point; thence
S 03°51'08" W	a distance of seven hundred ninety three and sixty five hundredths feet (793.65') to a point in the northerly line of the Massachusetts Bay Transportation Authority; thence
N 86°09'36" W	a distance of one thousand five hundred thirty four and eighty three hundredths feet (1534.83') by the said northerly line of the M.B.T.A. to the point of beginning.

The above described parcel of land contains an area of 56.9 acres, more or less.

Excluded from the above described premises is a certain parcel of land shown as "N/F Town of Wayland, Parcel A" as shown on Plan No. 1206 of 1999. Said Parcel A was acquired by the town of Wayland by an Order of Taking filed as L.C. Document # 1122165, recorded in Deed Book 30797, Page 5. Said Parcel A which lies completely within the previously described parcel and consists of the existing sewer treatment plant, is bounded and described as follows:

Beginning at a point at the northwesterly corner of the hereinafter described premises, said point being located S 86° 08' 20" E a distance of two hundred eighty nine and thirty seven hundredths feet (289.37') and thence S 04° 38' 36" W a distance of one hundred seventy two and seventy four hundredths feet (172.74') from a concrete bound w/ drill hole set at a northerly corner of the aforementioned described premises; thence

S 85°21'24" E a distance of one hundred seventeen and no hundredths feet (117.00') to a point; Thence

S 04°38'36" W a distance of one hundred sixty three and no hundredths feet (163.00') to a point; Thence

N 85°21'24" W a distance of one hundred seventeen and no hundredths feet (117.00') to a point; Thence

N 04°38' 36" E a distance of one hundred sixty three and no hundredths feet (163.00') to the point of beginning.

The above described premises contains an area of 19,071 square feet.

Also excluded from the above described premises is a certain parcel acquired by the Town of Wayland by an Order of Taking filed as L.C. Document # 1558125.

[End]

EXHIBIT A-1

Description of Portion of the Property

subject to this Notice of Activity and Use Limitation

A certain parcel of land located on the property owned now or formerly by Twenty Wayland, LLC situated northerly of Boston Post Road (Route 20) and westerly of Old Sudbury Road (Route 27) in the Town of Wayland, County of Middlesex, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a stone bound found on the northerly side of Boston Post Road (Route 20) at the intersection of the northerly line of the railroad right of way now or formerly of the Massachusetts Bay Transit Authority; thence

N 55°10'40" E a distance of One Hundred Four and Seventy Hundredths feet (104.70') to a point; thence

N 03°50'24" E a distance of Fifty Two and Eighty Seven Hundredths feet (52.87')
to a point; thence

Northerly and curving to the right along the arc of a curve having a radius of Two Hundred Thirty Three and Zero Hundredths feet (233.00'), a length of One Hundred Twelve and Forty Two Hundredths feet (112.42') to a point; thence

Northeasterly and curving to the right along the arc of a curve having a radius of One Hundred Twenty Nine and Ninety Five Hundredths feet (129.95'), a length of Seventy Three and Forty Hundredths feet (73.40') to a point; thence

N 63°50'24" E a distance of One Hundred Nine and Sixty Three Hundredths feet (109.63') to a point; thence

N 26°09'36" W a distance of Thirty Six and Seventy Nine Hundredths feet (36.79') to a point; thence

Northerly and curving to the right along the arc of a curve having a radius of Four Hundred Sixty Two and Sixty One Hundredths feet (462.61'), a length of One Hundred Sixty One and Five Hundredths feet (161.05') to a point; thence

N 71°03'32" E	a distance of Forty Six and Seventy Two Hundredths feet (46.72') to a point; thence
N 76°50'11" E	a distance of Two Hundred Sixteen and Two Hundredths feet (216.02') to a point; thence
Easterly	and curving to the right along the arc of a curve having a radius of One Hundred Eleven and Thirty Six Hundredths feet (111.36'), a length of Thirty Three and Thirteen Hundredths feet (33.13') to a point; thence
S 86°09'36" E	a distance of Two Hundred Nine and Forty Three Hundredths feet (209.43') to a point; thence
Northerly	and curving to the right along the arc of a curve having a radius of Five Hundred Twenty and Zero Hundredths feet (520.00'), a length of Two Hundred Fifty One and Eighty Three Hundredths feet (251.83') and a chord length of Two Hundred Forty Nine and Thirty Eight Hundredths feet (249.38') with a chord bearing of N 19°33'54" E to a point; thence
N 03°50'24" E	a distance of One Hundred Nineteen and Thirty Eight Hundredths feet (119.38') to a point; thence
N 86°08'20" W	a distance of Eight Hundred Seventy Five and Thirty One Hundredths feet (875.31) to a point; thence
S 06°55'42" W	a distance of Five Hundred Fifteen and Fifteen Hundredths feet (515.15) to a point at land now or formerly of Raytheon Company; thence
N 11°48'20" W	a distance of Two Hundred Seventy and Seventy Six Hundredths feet (270.76') to a stone bound; thence
S 71°01'00" W	a distance of Eight Hundred Forty Two feet more or less (842'+/-) to a point along the easterly edge of the Sudbury River (the previous two (2) courses are by said land of Raytheon Company); thence
Northerly	along said easterly edge of the Sudbury River a distance of Seven Hundred Sixty Two feet more or less (762'+/-) to a point at land now or formerly of The United States of America Fish and Wildlife; thence

N 80°45'43" E	by land of said United States of America Fish and Wildlife and land now or formerly of the Town of Wayland a distance of Eight Hundred Thirty Three feet more or less (833'+/-) to a concrete bound found; thence
N 80°45'43" E	continuing by said land of The Town of Wayland a distance of Three Hundred Forty Five and Fifty Nine Hundredths feet (345.59') to a point at land now or formerly of Wayland Meadows Limited Partnership; thence
S 33°00'48" E	a distance of Four Hundred Sixty Six and Twenty Four Hundredths feet (466.24') to a concrete bound found; thence
S 86°08'20" E	a distance of Seven Hundred Thirty Six and Twenty Four Hundredths feet (736.24') to a concrete bound found; thence
S 42°30'55" E	a distance of One Hundred Ninety and Sixty Hundredths feet (190.60') to a point; thence
N 59°03'55" E	a distance of One Hundred Nine and Eighty Six Hundredths feet (109.86') to a point (the previous four (4) courses are by said land of Wayland Meadows Limited Partnership); thence
S 03°51'48" W	through said land now or formerly of Twenty Wayland, LLC a distance of Seventy Three and Three Hundredths feet (73.03') to a point at other land now or formerly of Wayland Meadows Limited Partnership; thence
S 59°03'55" W	a distance of Fifty Five and Eighty Nine Hundredths feet (55.89') to a point; thence
S 42°30'55" E	a distance of Sixty Three and Forty Hundredths feet (63.40') to a point; thence
S 03°51'08" W	a distance of Seven Hundred Ninety Three and Sixty Five Hundredths feet (793.65') to a stone bound found along the northerly line of the railroad right of way now or formerly of the Massachusetts Bay Transit Authority (the previous three (3) courses are by said other land of Wayland Meadows Limited Partnership); thence

N 86°09'36" W along said Northerly line of the railroad right of way a distance
of One Thousand Five Hundred Thirty Four and Eighty Three
Hundredths feet (1,534.83') to a point at the point of beginning.

The above described parcel contains an area of 35.5 acres more or less.

EXHIBIT A-1: SKETCH PLAN

Sketch Plan of the Portion of the Property
subject to this Notice of Activity and Use Limitation

[SEE ATTACHED]

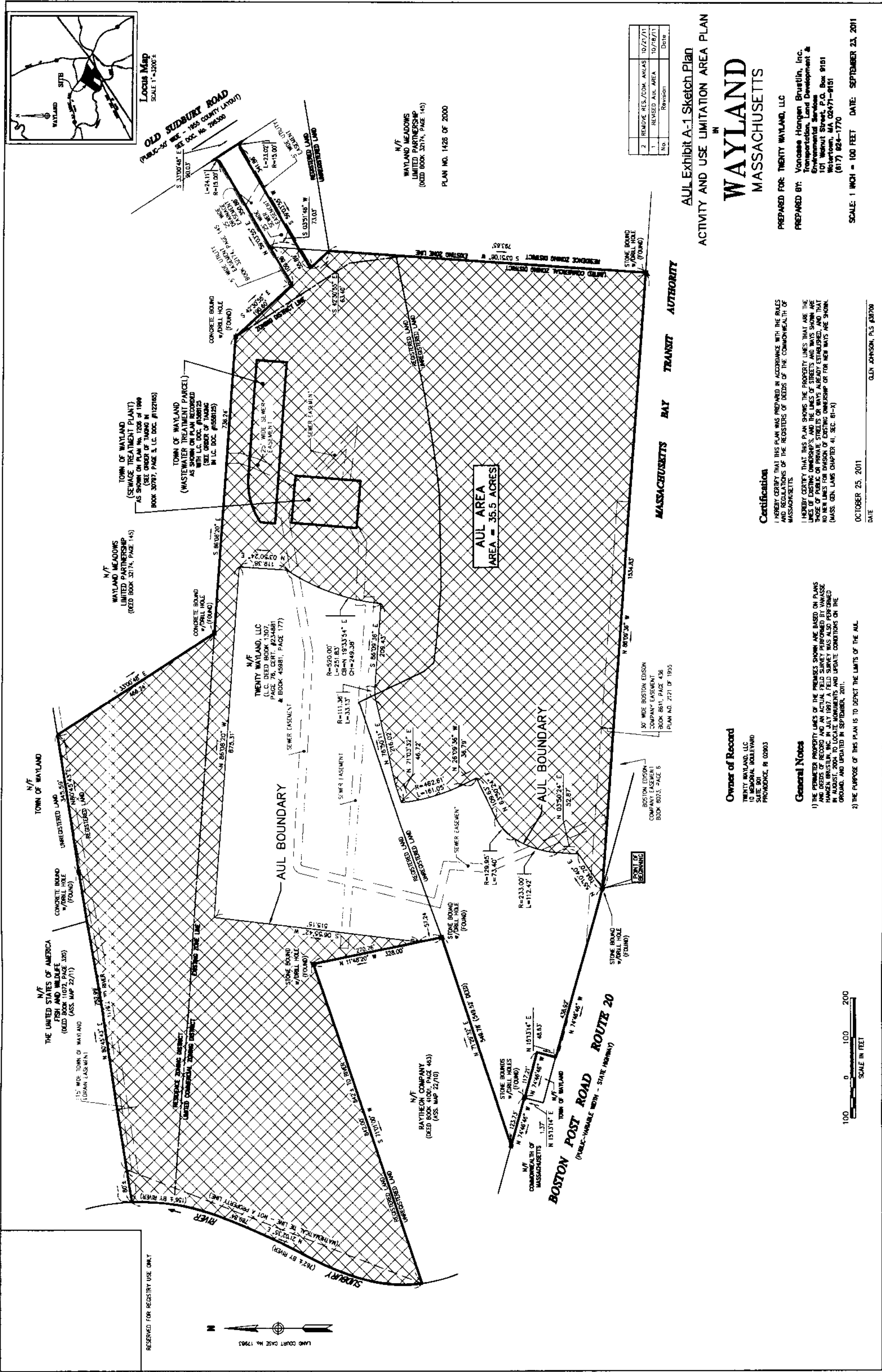
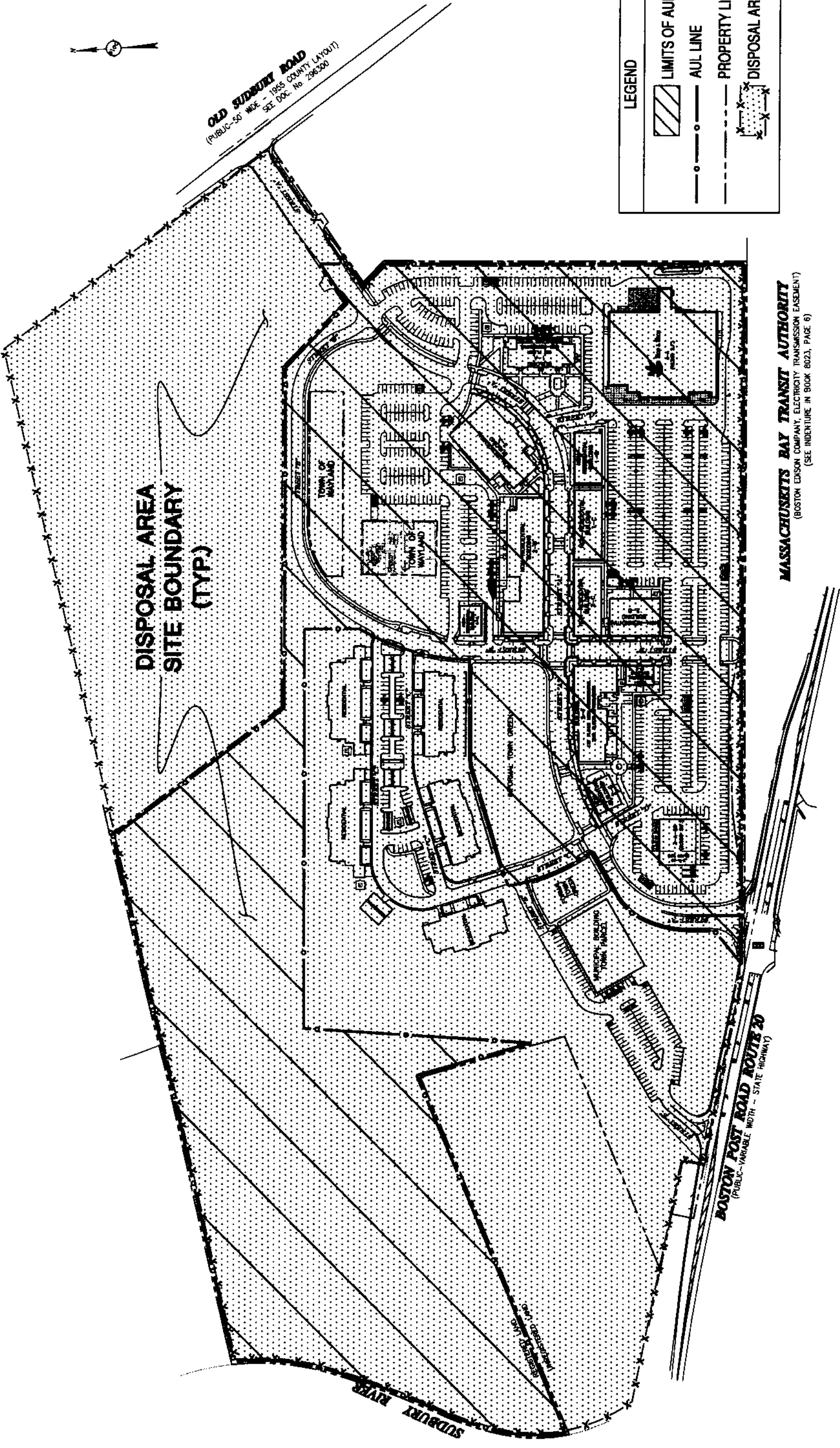


EXHIBIT B

Sketch plan showing the relationship of the Portion of the Property
subject to this Notice of Activity and Use Limitation
to the boundaries of the disposal site

[SEE ATTACHED]



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Planning
Graphics and Interiors
100 Elm Street, Somerville, MA 02144
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www.arrowstreet.com

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Civil Engineers & Land Planners
40 MONTFALC AVENUE
PROVIDENCE, RI 02903
ARCHITECTS
14 Franklin Street
Quincy, MA 01906

Proponent:
Twenty Wayland, LLC
10 MEMORIAL BOULEVARD
SUITE 901
PROVIDENCE, RI 02903

Project:
Project No. RJC 0002
Design By: MCH
Checked By: BPD
Issue Date: 20 SEPTEMBER 2011
Revision: 0001
MISC. REVISIONS
102011

Wayland Town Center
400 Boston Post Road
Wayland, Massachusetts

Drawing Title:
AUL Exhibit B
Scale: 1" = 100'
Drawing Number:

EXHIBIT C

ACTIVITY & USE LIMITATION OPINION

BOSTON POST ROAD, WAYLAND, MASSACHUSETTS

This Activity and Use Limitation (AUL) Opinion is issued in support of the Notice of Activity and Use Limitation (Notice) filed on the parcels located at 430 Boston Post Road, Wayland, Massachusetts (the "Property"). Pursuant to 310 CMR 40.0000, this AUL Opinion describes the basis for restrictions in activities on, and uses of, the portion of the Property subject to the Notice and obligations and conditions to be undertaken and/or maintained to ensure protection of health, safety, public welfare and the environment. This AUL Opinion is certified by the Licensed Site Professional (LSP)-of-Record for Comprehensive Response Actions conducted in accordance with Permit No. 133939 for Release Tracking Number (RTN) 3-13302 and Permit No. W045278 for RTN 3-22408, issued under the authority of the Massachusetts Department of Environmental Protection (MassDEP), Bureau of Waste Site Cleanup.

1.0 PHYSICAL DESCRIPTION AND LAND USE

The subject lands (Exhibit A to Notice) are a portion of the entire Property which is an approximately 83-acre parcel located at 430 Boston Post Road in Wayland, Massachusetts (Lot 23-52 and Lot 23-52C). The Property consists of two lots and is bounded to the west by the Sudbury River and Lot 22-10, to the north by undeveloped land including the Great Meadows National Wildlife Refuge, to the east by Lots 23-52E through 23-52M, and to the South by Route 20/Boston Post Road and a Massachusetts Bay Transit Authority right-of-way.

Prior to 1955 the Property was a wetland, floodplain, and farmland. Subsequent to 1955, the Property was used as an engineering research and development facility that was decommissioned in 1995. Portions of the Property are currently a wetland and floodplain subject to the restrictions of the Wetlands Protection Act.

2.0

BACKGROUND

Releases of oil and/or hazardous materials (OHM) to soil and groundwater were discovered on the Property during decommissioning of the former Raytheon Company facility. Concentrations of OHM were discovered on the Property during environmental investigation for RTNs 3-13302 and 3-22408. Massachusetts General Law, Chapter 21E, requires assessment and, if necessary, remedial actions in accordance with requirements of the Massachusetts Contingency Plan (MCP) 310 CMR 40.0000.

The MCP process allows up to 5 years for completion of those phases of assessment and/or remediation that are necessary to achieve regulatory closure. Assessment and/or remediation activities are conducted as "Comprehensive Response Actions" under the direction of the LSP-of-Record. Upon satisfying all applicable MCP requirements, a Response Action Outcome (RAO) Statement, certified by the LSP, is filed with the MassDEP Bureau of Waste Site Cleanup, officially closing the site out of the MCP process. Once closure is obtained it is binding, subject, however, to MassDEP audit for up to 5 years from the date of filing.

3.0

PURPOSE AND APPLICABILITY OF THE NOTICE OF ACTIVITY AND USE LIMITATION

The purpose of the Notice is to record on the registered property deed those activities and land uses that are consistent with continued protection of health, safety, public welfare and the environment, and those that are specifically prohibited and obligations and conditions necessary to ensure continued protection.

The Notice is applicable to the portion of the Property (Portion of the Property) as defined in Exhibit A-1 to the Notice.

The Notice of AUL is recorded by the Property owner as a precautionary measure to ensure appropriate use of the Property. In all cases, the LSP shall review this Notice of AUL and, if appropriate, terminate or amend this Notice of AUL prior to approval and filing of a RAO for the Property, or any portion thereof. All approvals and opinions required by a LSP to maintain compliance with this Notice and AUL Opinion shall be restricted to the LSP-of-Record for Comprehensive Response Actions, and any termination or amendment of this Notice of AUL pursuant to the prior sentence shall be based upon an opinion of the LSP-of-Record, only.

4.0 SUMMARY OF PCB IMPACTS, REMEDIAL ACTION, AND USE RESTRICTIONS ON PROPERTY

A remedial action was implemented within the wetland portions of two parcels (Lot 23-52C and Lot 22-10) that comprise a portion of the Property and land adjacent to the Property. This remedial action consisted of excavating wetland soils for removal of polyaromatic hydrocarbons (PAHs) and associated petroleum hydrocarbons, polychlorinated biphenyls (PCBs), and heavy metals (chromium, copper, arsenic, silver, and lead). The remedial action activities are summarized below.

Pre-Excavation Extent and Concentrations of Contamination in Remediation Area

The primary source of impact to wetland sediments appeared to be historic releases of OHM to the storm water conveyance system, discharging at the storm water outfall OF-1. The primary contaminants of concern (COCs) identified in source structures (dry wells and manholes) connected to the storm water conveyance system included PAHs and associated petroleum hydrocarbons, PCBs, and heavy metals (chromium, copper, arsenic, silver, and lead). Evaluation of the average concentrations of primary COCs versus distance from the outfall indicated concentrations were highest near the outfall, decreasing sharply within 200 feet from the outfall and then approaching background near the Sudbury River. The vertical extent of impact appeared to be largely limited to the top 18 inches of sediment, although local variations were noted. The sediment layer is confined by an underlying, silt and clay unit beneath the wetland.

Correlation of areas impacted by COCs in sediment with the results of vegetative mapping and analysis of plant tissue defined an area of stunted vegetation estimated at approximately 0.6 acres. This condition constituted a condition of "readily apparent harm", defined by 310 CMR 40.0955(3) as "stressed vegetation attributable to Site OHM" and is

interpreted to reflect the toxicity of heavy metals (e.g., chromium) to plants.

Specific details regarding the remediation area for the Toxic Substance Control Act (TSCA; 40 CFR 750 and 761) were presented in the Application for Risk-Based Disposal Approval submitted on 23 December 2002 (revisions and additional information submitted on 3 April 2003, 8 May 2003, and 28 August 2003) and the Phase IV Remedy Implementation Plan dated 27 December 2002. The Application for Risk-Based Disposal was approved by the U.S. EPA in a letter dated 2 October 2003.

Description of Remedial Actions Undertaken in Remediation Area

Comprehensive Remedial Actions were completed from October 2003 through October 2004 on the Property. Remedial activities required the excavation of approximately 3,500 cubic yards of sediment material from an area of 0.9 acres on the Property to a depth of approximately 2.4 feet. Following verification sampling of the excavated area, engineered soil was brought in as fill and the remediation area was largely returned to its original grades. The total PCBs concentration remaining was calculated from the results of confirmation sampling by summing analytical detections of PCBs and substituting one-half the method detection limit for samples without detections.

Wetland restoration was completed on 20 February 2004 using the planting specifications submitted in the permit applications. Minor substitutions were made based on species availability at that time of year. All substitutions were made using comparable species and were planted in the same zones. Wetlands monitoring, along with additional plantings and invasive species control, continued through 2008.

Description of Use Restrictions for the Remediation Area

Remediation and restoration of the wetland area provides a level of protection to human health consistent with U.S. EPA guidance. It restores the affected Portion of the Property to a condition of "no significant risk", meets the MCP performance standards for filing a Response Action Outcome and represents a Permanent Solution for the affected Portion of the Property.

The U.S. EPA approval for risk-based PCB remediation contained a provision requiring a Deed Notice or AUL be applied to the Property.

5.0 *PERMITTED ACTIVITIES AND USES SET FORTH IN THIS AUL OPINION*

This AUL Opinion provides that a condition of No Significant Risk to health, safety, public welfare and the environment exists for any foreseeable period of time (pursuant to 310 CMR 40.0000) so long as any of the following activities and uses occur on the Portion of the Property:

- (i) The Portion of the Property may be used for passive recreation;
- (ii) The Portion of the Property may be used for commercial/industrial uses;
- (iii) Such other activities or uses which, in the opinion of the LSP, shall present no greater risk of harm to health, safety, public welfare and the environment than the activities and uses set forth in this Paragraph;
- (iv) Such other activities and uses consistent with those set forth in this Paragraph and not expressly prohibited by this Opinion.

6.0 *ACTIVITIES AND USES INCONSISTENT WITH THIS AUL OPINION*

Activities and uses which are inconsistent with the objectives of the Notice of Activity and Use Limitation, and which, if implemented at the Portion of the Property, may result in a significant risk of harm to health, safety, public welfare or the environment or in a substantial hazard, are as follows:

- (i) Residential, with the exception of up to 12 units on the second floor of a building located in the "Building 2F Building Envelope" as shown on Exhibit D to the Notice, so long as there is an appropriate sub-slab vapor barrier installed;
- (ii) Childcare, daycare, agricultural, horticultural, or gardening, unless previously approved by the LSP in accordance with the obligations and conditions set forth in this AUL Opinion;
- (iii) Groundwater withdrawal or use on the Portion of the Property except for assessment or remedial purposes;

- (iv) Septic systems unless previously approved by the LSP in accordance with the obligations and conditions set forth in this AUL Opinion;
- (v) Other activities or uses that, in the opinion of the LSP, would likely result in significant risk from exposures to oil and/or hazardous material if such activities or uses were to take place on the Portion of the Property.

7.0

OBLIGATIONS AND CONDITIONS SET FORTH IN THIS AUL OPINION

If applicable, obligations and/or conditions to be undertaken and/or maintained at the Portion of the Property to maintain a condition of No Significant Risk as set forth in this AUL Opinion shall include the following:

- (i) Certification in the form of documentation bearing the original signature, date and Seal of the LSP must be obtained by the Owner prior to implementation of the following activities and uses:
 - a) Expansion or relocation of existing buildings;
 - b) Use of the Portion of the Property for residential, childcare, daycare, recreational, agricultural, horticultural, or gardening activities, or for unrestricted public access;
 - c) Subsurface activities, including excavation or new construction below grade; and
 - d) Land development or construction involving changes in surface conditions (i.e., topography, surface cover, etc.), including installation of pavement or building foundations;
- (ii) Parties conducting activities and uses described in 5.0 above, that, in the opinion of the LSP, may include disturbance of contaminated media, waste or debris, or that could render subsurface contaminated media, waste or debris accessible to exposure, shall submit, for approval by the LSP, a contingency plan for the management of contaminated media, waste or debris, if encountered, including:
 - a) Procedures for monitoring of contaminated media, waste or debris;
 - b) Procedures for notification to the LSP of the discovery of contaminated media, waste or debris;

- c) A certification that all response actions will be conducted under the supervision of the LSP;
 - d) A soils management plan including contingencies for handling contaminated soil and/or groundwater if activities may extend below the water table;
 - e) A certification that response personnel will comply with applicable safety regulations, including 29 CFR 1910.120; and
 - f) A certification that contaminated waste, debris or media or remediation waste (pursuant to 310 CMR 40.0000) generated by such activities shall be handled, stored, transported and disposed in accordance with the applicable federal, state and local regulations;
- (iii) The responsible parties and their representatives shall be granted unrestricted access to the Property in order to conduct any and all activities associated with the performance of response actions as defined under the MCP, or any other applicable regulation.

8.0

CERTIFICATION

The undersigned LSP-of-Record hereby certifies that the terms of this Activity and Use Limitation Opinion are consistent with those of the Notice for the subject Property located at 430 Boston Post Road, Wayland, Massachusetts.

Date: 12/14/, 2011

John C. Drobinski

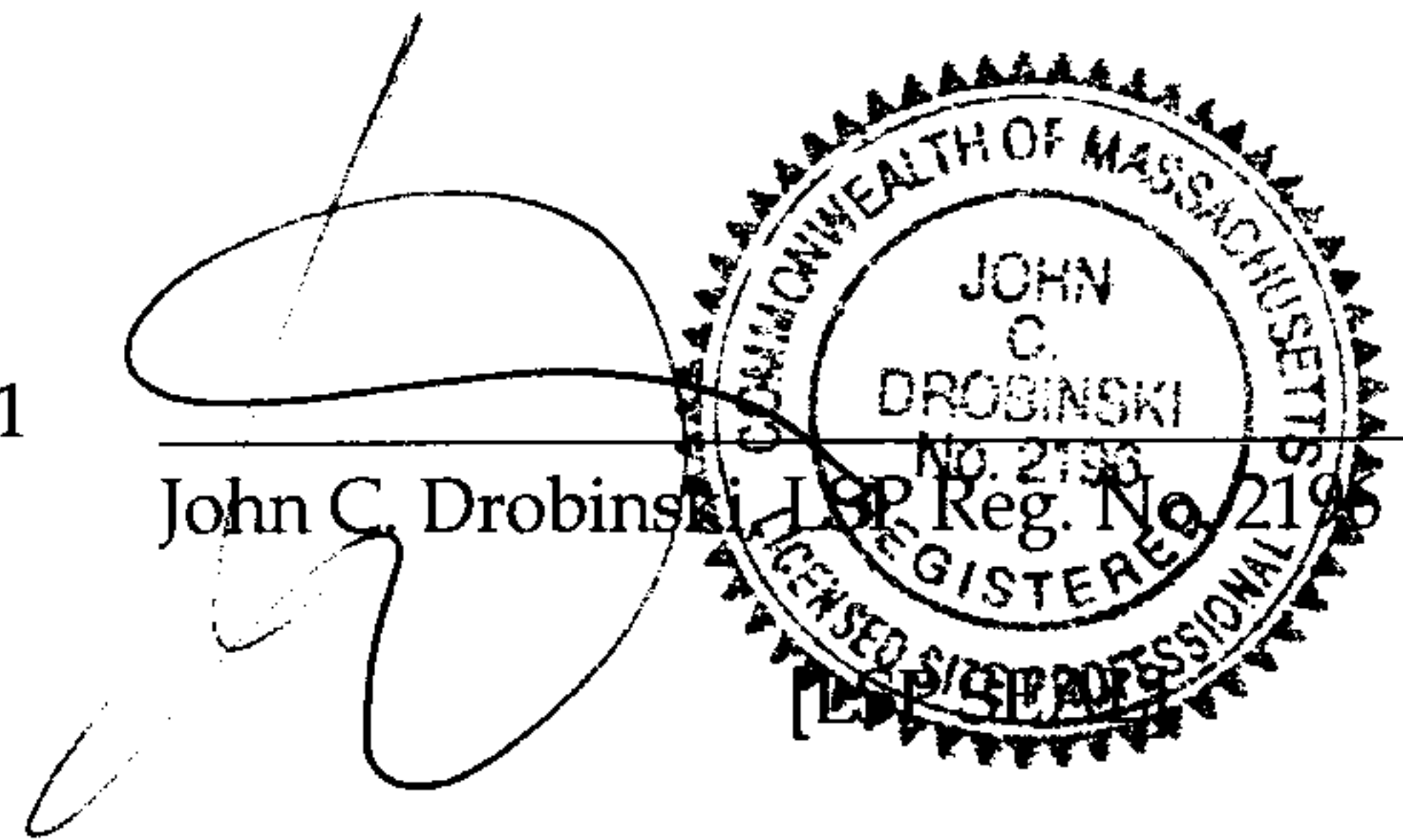
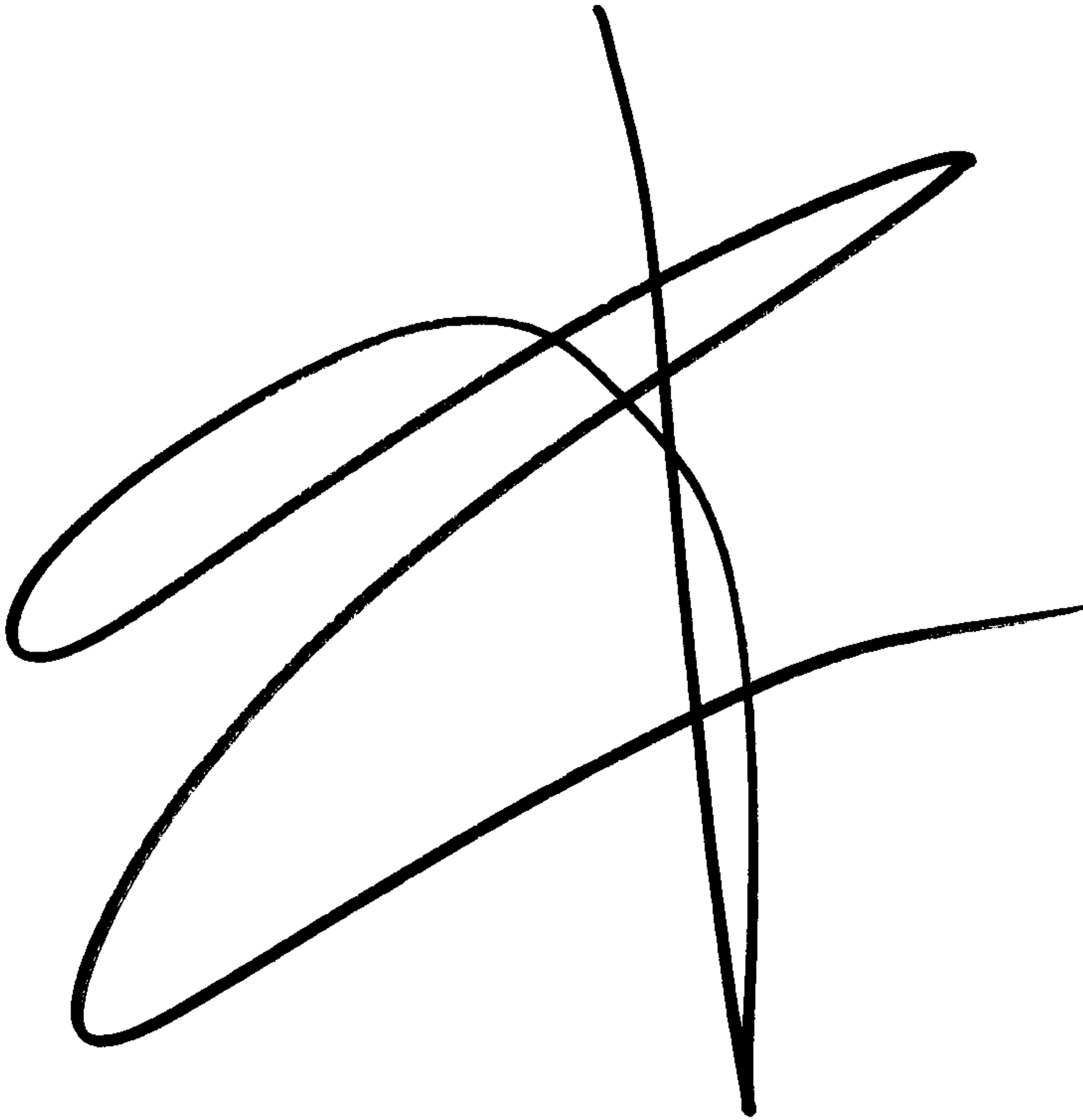


EXHIBIT D

Plan showing “Building 2F Building Envelope”

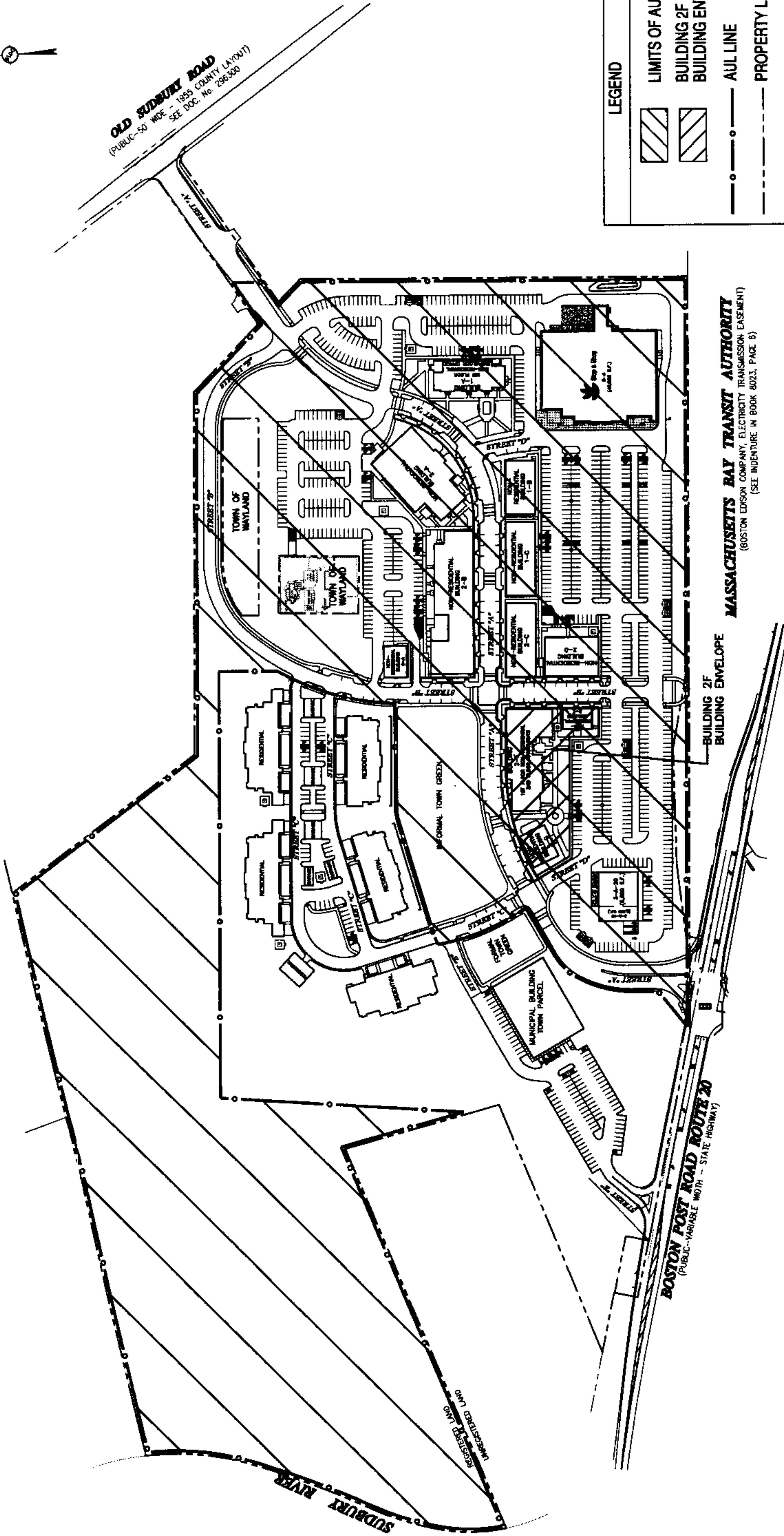
[SEE ATTACHED]

A0898587.DOCX;5





OLD SUDBURY ROAD
(PUBLIC-50 WIDE - 1989 COUNTY LAYOUT)
SEE DOC. No. 1985300



MASSACHUSETTS BAY TRANSIT AUTHORITY
(BOSTON EDISON COMPANY, ELECTRICITY TRANSMISSION EASEMENT)
(SEE INVENTURE IN BOOK 8023, PAGE 6)

BUILDING 2F
BUILDING ENVELOPE

BOSTON POST ROAD ROUTE 20
(PUBLIC-VARIABLE WIDTH - STATE HIGHWAY)

0.011 (1985/2004)
0.011 (1985/2004)

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Civil Engineers & Land Planners
1000 Washington Street, Suite 200
Providence, RI 02903
Phone: 401-853-3070 Fax: 401-853-3071
www.rjoconnell.com

Proponent:
Twenty Wayland, LLC
10 MEMORIAL BOULEVARD
SUITE 901
PROVIDENCE, RI 02903

Project:
Project No. RAC 0002
Drawn By: WEA
Checked By: BPD
Issue Date: 20 SEPTEMBER 2011
Revised: [blank]
UPDATE ALL LINE 10/1/11

Wayland Town Center
400 Boston Post Road
Wayland, Massachusetts

**ACTIVITY AND
USE LIMITATION**

Drawing Title:
**BUILDING 2F
BUILDING ENVELOPE**
SCALE 1" = 100'
Drawing Number
EX-D

Doc 01585834

Southern Middlesex Land Court
Registry District

RECEIVED FOR REGISTRATION

On: Dec 21, 2011 at 01:01P

Document Fee 75.00

Receipt Total: \$450.00

NOTED ON: CERT 234881 BK 01307 PG 76

ALSO NOTED ON: