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Page: 1 of 20 02/08/2006 02:39 PM

Form 1075

NOTICE OF ACTIVITY AND USE LIMITATION

M.G.L. c. 21E, §6 and 310 CMR 40.0000

Disposal Site Name: Former Hamlen Property/Raytheon Company (FMR), 433 Boston Post Road, Wayland, MA

DEP Release Tracking Nos.: 3-13302

This Notice of Activity and Use Limitation ("Notice") is made as of this 27th day of January, 2006, by Raytheon Company with an address at 528 Boston Post Road, Sudbury, MA. 01776 together with his/her/its/their successors and assigns (collectively "Owner").

WITNESSETH:

WHEREAS, Raytheon Company, of Waltham, Middlesex County, Massachusetts is the owner in fee simple of that certain parcel of land located at 433 Boston Post Road, in Wayland, Middlesex County, Massachusetts, with the buildings and improvements thereon ("Property"), pursuant to a deed recorded with the Middlesex County Registry of Deeds in Book 41001, Page 463.

WHEREAS, said parcel of land, which is more particularly bounded and described in **Exhibit A**, attached hereto and made a part hereof ("Property") is subject to this Notice of Activity and Use Limitation. The Property is shown on a plan to be recorded herewith in the Middlesex County (South) Registry of Deeds and/ or on a sketch plan attached hereto and filed herewith for registration with the Middlesex County (South) Registry District of the Land Court.

WHEREAS, the Property comprises part of a disposal site as the result of a release of oil and/or hazardous material. Exhibit B-1 and Exhibit B-2 are sketch plans showing the relationship 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-1 and Exhibit B-2 are attached hereto and made a part hereof; and

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

RETURN TO: DJO
SAH - Rackemann, Sawyer & Brewster
One Financial Center - 29th Floor
Boston, MA 02111

Limitation Opinion ("AUL Opinion"), dated 9 January 2006, (which is attached hereto as **Exhibit B** and made a part hereof); and

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

1. Permitted Activities and Uses Set Forth in the AUL Opinion. The 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 Property:

- (i) The Property may be used for passive recreation such as fishing, boating, etc; and
- (ii) 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; and
- (iii) All 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 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, childcare, daycare, commercial, industrial, agricultural, horticultural, or gardening activities, unless previously approved by the LSP in accordance with the obligations and conditions set forth in the AUL Opinion;
- (ii) Groundwater use except for assessment or remedial purposes;
- (iii) 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 site activities or uses were to take place on 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 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) use of the Property for residential, childcare, daycare, recreational, agricultural, horticultural, or gardening activities, or for unrestricted public access;
 - b) land development or construction involving changes in surface conditions (i.e., topography, surface cover, etc.).
- (ii) Parties conducting activities and uses described in 3(i), 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;
 - 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 the 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 and 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, and the environment, or to create substantial hazards due to exposure to oil and/or hazardous material without the prior evaluation by the 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 the LSP in accordance with 310 CMR 40.1080 *et seq.*, the owner or operator of the Portion 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.

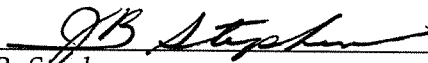
6. Incorporation Into Deeds, Mortgages, Leases, and Instruments of Transfer. This Notice shall be incorporated either in full or by reference into all deeds, easements, mortgages, leases, licenses, occupancy agreements or any other instrument of transfer, whereby an interest in and/or a right to use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

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(s).

WITNESS the execution hereof under seal this 27th day of January, 2006.

Owner: Raytheon Company

By:


Jay B. Stephens

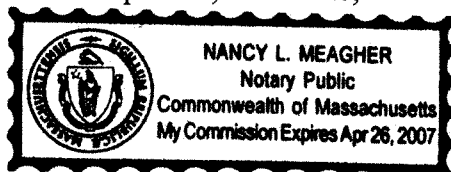
Senior Vice President and General Counsel

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

January 27, 2006

Then personally appeared the above named Jay B. Stephens as Senior Vice President and General Counsel of Raytheon Company, and acknowledged the foregoing to be their free act and deed, and the free act and deed of said corporation as said general partner, before me,



Nancy L. Meagher
Notary Public Nancy L. Meagher
My Commission Expires: 4-26-07

The undersigned LSP-of-Record hereby certifies that he executed the aforesaid Activity and Use Limitation Opinion attached hereto as Exhibit B and 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: 1/09/06

John C. Drobinski, LSP Reg. No. 2196

[LSP SEAL]



COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss

January 4, 2006

Then personally appeared the above named John C. Drobinski, and acknowledged the foregoing to be his free act and deed before me,

[Signature]
Notary Public
My Commission Expires: 3/24/11

Upon recording, return to:

EXHIBIT A

Property Description

Metes and Bounds Description

That certain parcel of unregistered vacant land in Wayland, Massachusetts, bounded and described in part by reference to plans of abutting land as follows:

Beginning at a drill hole at the southerly end of a 328 foot bound shown on Land Court Plan 17983A filed with South Middlesex District of the Land Court with Certificate of Title No. 49312 in Registration Book 326 at Page 97; thence running

N 11°48'20" W	by land of Raytheon Company, 328 feet to the northeast corner of the parcel; thence
S 71°01'00" W	by the Raytheon land, 842 feet, more or less, to the Sudbury River; thence
SOUTHERLY	by the River, about 200 feet to the Boston Post Road; thence
S 83°14'20" W	about 140 feet by the road as shown on a plan entitled "Plan of Road in the Town of Wayland Middlesex County Laid Out as a State Highway by the Department of Public Works Division of Highways" dated May 20, 1924 and filed with Middlesex South District Deeds in Plan Book 336 as Plan 17; thence
N 09°19'50" E	by the road as shown on the 1924 plan, about 40 feet; thence
S 78°06'00" E	by the road as shown on the 1924 plan, about 160 feet; and thence
N 69°42'20" E	by the Raytheon land, about 540 feet by estimation to the point of beginning.

Containing, according to assessment records, five and a half acres.

EXHIBIT B

LSP-of-Record Notice of AUL Opinion

EXHIBIT B

ACTIVITY & USE LIMITATION OPINION

433 BOSTON POST ROAD, WAYLAND, MASSACHUSETTS

This Activity & Use Limitation Opinion (AUL) Opinion is issued in support of the Notice of Activity and Use Limitation (Notice) filed on a the Property located at 433 Boston Post Road, Wayland Massachusetts. 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 this 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. 322-553 issued under the authority of the Massachusetts Department of Environmental Protection (MA DEP), Bureau of Waste Site Cleanup.

1.0

PHYSICAL DESCRIPTION AND LAND USE

The subject Property is an approximately 5.5 acre parcel located at 433 Boston Post Road in Wayland, Massachusetts (Exhibit A). The Property is bounded to the west by the Sudbury River, to north by undeveloped land including the Great Meadows National Wildlife Refuge, to the east by the former Raytheon Facility and to the South by Route 20. The property is the Former Hamlen Property.

Prior to 1955 the Property was a wetland and floodplain. Subsequent to 1955, the Property remained the same but was bordered by an engineering research and development facility that was decommissioned in 1995. The Property is 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 abutting Raytheon property during decommissioning of the former manufacturing facility. Concentrations of OHM were also discovered on the Property subsequent to the above investigation. 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 five 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 Licensed Site Professional (LSP) -of-Record. Upon satisfying all applicable MCP requirements, a Response Action Outcome (RAO) Statement, certified by the LSP, is filed with the MA DEP Bureau of Waste Site Cleanup, officially closing the site out of the MCP process. Once closure is obtained it is binding, subject however, to DEP audit for up to five 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, those that are specifically prohibited and obligations and conditions necessary to ensure continued protection.

This Notice is applicable to the Property as defined in Exhibit A. This Notice is being filed after completion of assessment and remedial actions required to achieve an RAO.

This Notice of AUL is recorded by the Property owner as a precautionary measure to ensure appropriate use of 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 Licensed Site Professional to maintain compliance with this Notice and AUL Opinion shall be restricted to the Licensed Site Professional 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

Pre-Excavation Extent and Concentrations of Contamination in Remediation Area

The primary source of impact to wetland sediments appeared to be historic releases of oil and/or hazardous material (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 polyaromatic hydrocarbons (PAHs) and associated petroleum hydrocarbons, polychlorinated biphenyls (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/clay unit beneath the wetland.

Correlation of areas of 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-acre in size. 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.

The remediation area was conducted in the Site wetland including the Former Hamlen Property and the Former Raytheon Property at 430 Boston Post Road in Wayland, Massachusetts. Pre-excavation total PCB minimum and maximum concentrations on the Former Hamlen Property

were 1.2 and 129 part per million (ppm), respectively (Figure 1). The total PCB concentration was calculated by summing analytical detections of PCBs and one-half the method detection limit for non-detect PCBs.

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 (revision 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.

Description of Remedial Actions Undertaken Remediation Area

Comprehensive Remedial Actions were completed from October 2003 through October 2004 on the Property. Remedial Activities required the excavation of approximately 3,494 cubic yards (yd³) of sediment material from a 0.9 acre to a depth of approximately 2.4 ft on the Property. Following verification sampling of the excavated area, engineered soil was brought in as fill and the remediation area was returned to its original grades.

Post-excavation total PCB minimum and maximum concentrations on the Former Hamlen Property were 0.116 and 3.1 ppm, respectively (Figure 2). The total PCB concentration was calculated by summing analytical detections of PCBs and one-half the method detection limit for non-detect PCBs.

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 will continue for the next five years. Additional plantings and invasive species control will be planned as needed. To date, plantings cover the entire remedial area.

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 EPA guidance. It restores the site to a condition of "no significant risk", meets the Massachusetts Contingency Plan (MCP) performance standards for filing of a Response Action Outcome and represents a Permanent Solution for the site.

The US EPA approval for risk-based PCB remediation contained the provision requiring a Deed Notice be applied to the property. This

Activities and Use Limitations for the Former Hamlen Property includes a description of Permitted Activities and Uses Set Forth in the AUL Opinion (Section 5.0), Activities and Uses Inconsistent with the AUL Opinion (Section 6.0), and Obligations and Conditions Set Forth in the AUL Opinion (Section 7.0).

5.0

***PERMITTED ACTIVITIES AND USES SET FORTH IN THE AUL
OPINION***

The 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 Property:

- (i) The Property may be used for passive recreation including boating, fishing, etc; and
- (ii) 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; and
- (iii) All activities and uses consistent with those set forth in this Paragraph and not expressly prohibited by this Notice.

6.0

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 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, childcare, daycare, agricultural, horticultural, gardening, commercial or industrial activities, unless previously approved by the LSP in accordance with the obligations and conditions set forth in the AUL Opinion;
- (ii) Groundwater use except for assessment or remedial purposes;

- (iii) 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 site activities or uses were to take place on the Portion of the Property.

7.0

OBLIGATIONS AND CONDITIONS SET FORTH IN THE AUL OPINION

If applicable, obligations and/or conditions to be undertaken and/or maintained at 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 laterally or vertically;
 - b) use of the Property for residential, childcare, daycare, recreational, agricultural, horticultural, or gardening activities, or for unrestricted public access;
 - c) subsurface activities including; excavation, 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 6.0(i) 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;
- 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

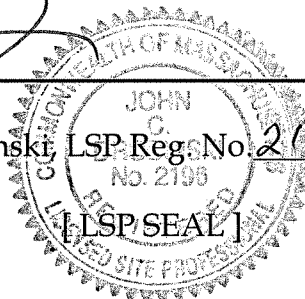
CERTIFICATION

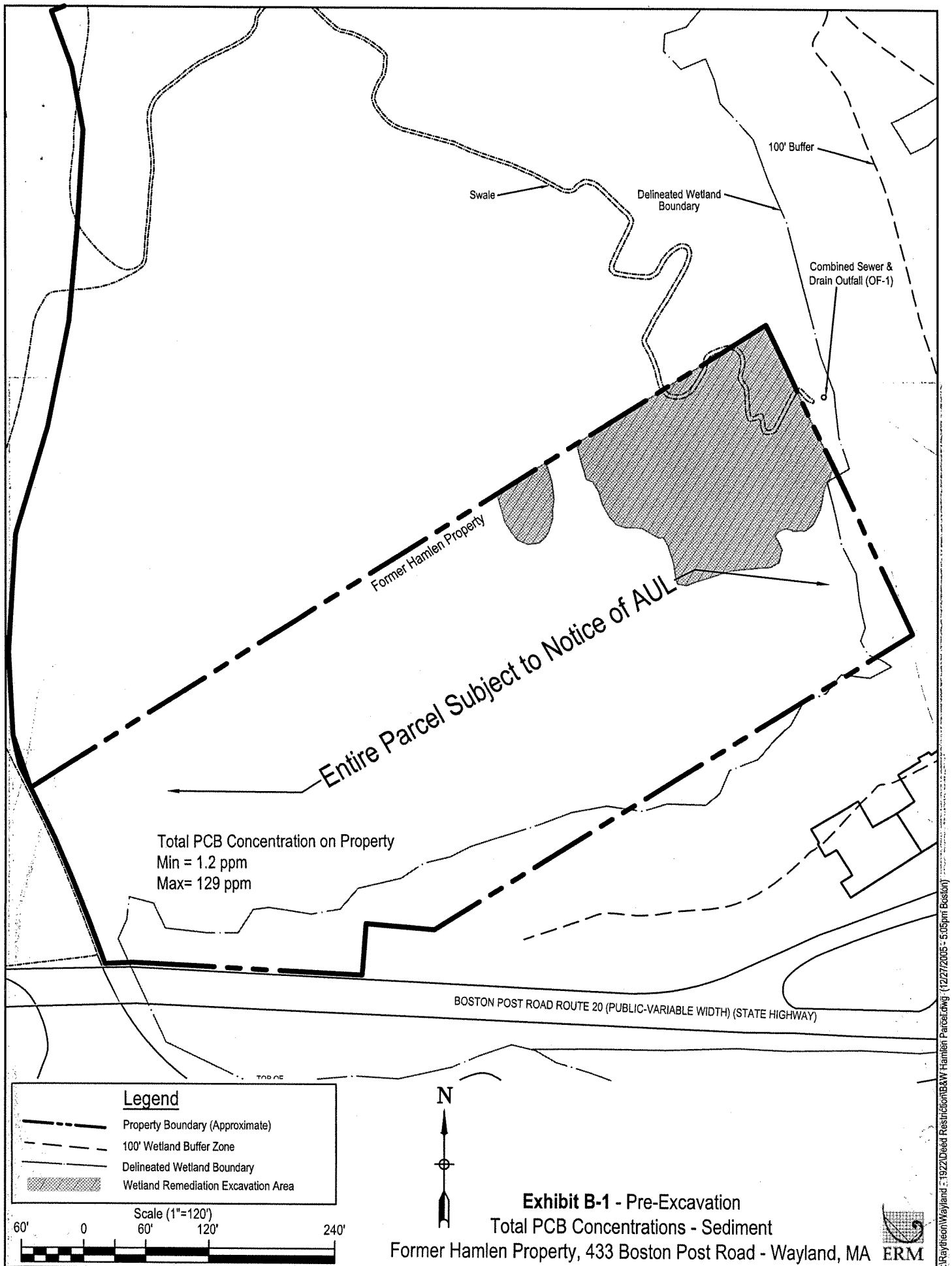
The undersigned LSP-of-Record hereby certifies that the terms of this Activity and Use Limitation Opinion are consistent with those of the Notice for the subject Property located at 433 Boston Post Road, Wayland, Massachusetts.

Date: 1/09/06



John C. Drobinski, LSP Reg. No. 2196





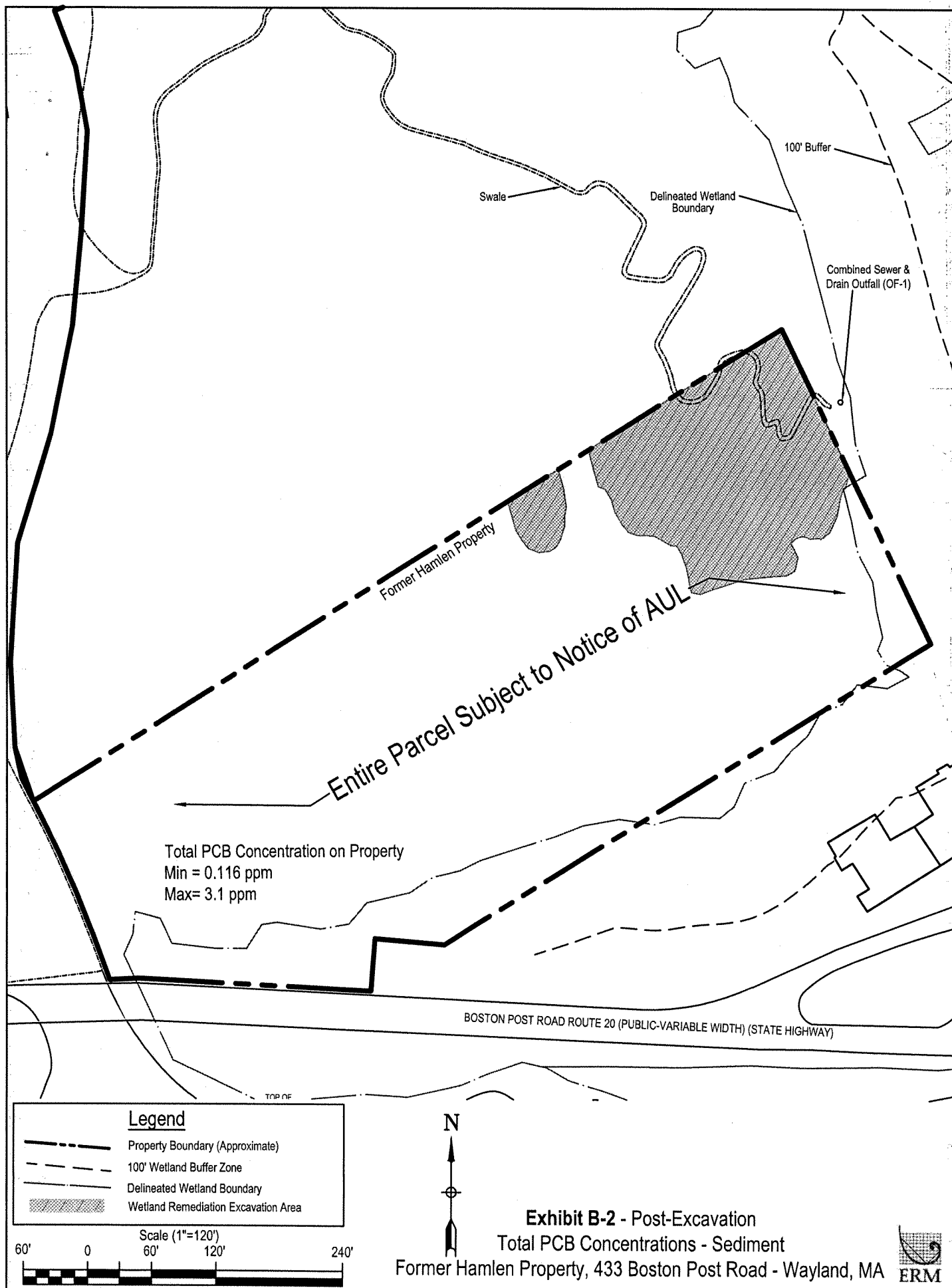


EXHIBIT C

BWSC Form 114, AUL Opinion Transmittal Form



ACTIVITY & USE LIMITATION (AUL) OPINION FORM

Pursuant to 310 CMR 40.1070 - 40.1084 (Subpart J)

3 - 13302

COMPLETE THIS FORM AND ATTACH AS AN EXHIBIT TO THE AUL DOCUMENT TO BE RECORDED AND/OR REGISTERED WITH THE REGISTRY OF DEEDS AND/OR LAND REGISTRATION OFFICE.

A. LOCATION OF DISPOSAL SITE AND PROPERTY SUBJECT TO AUL:

Disposal Site Name: Former Hamlen Property

Street: 433 Boston Post Road

Location

City/Town: Wayland

ZIP Code: 01778

Address of property subject to AUL, if different than above. Street:

City/Town: ZIP Code:

B. THIS FORM IS BEING USED TO: (check one)

- ☒ Provide the LSP Opinion for a **Notice of Activity and Use Limitation**, pursuant to 310 CMR 40.1074 (complete all sections of this form).
- ☐ Provide the LSP Opinion for an **Amended Notice of Activity and Use Limitation**, pursuant to 310 CMR 40.1081(4) (complete all sections of this form).
- ☐ Provide the LSP Opinion for a **Termination of a Notice of Activity and Use Limitation**, pursuant to 310 CMR 40.1083(3) (complete all sections of this form).
- ☐ Provide the LSP Opinion for a **Grant of Environmental Restriction**, pursuant to 310 CMR 40.1071, (complete all sections of this form).
- ☐ Provide the LSP Opinion for an **Amendment of Environmental Restriction**, pursuant to 310 CMR 40.1081(3) (complete all sections of this form).
- ☐ Provide the LSP Opinion for a **Release of Environmental Restriction**, pursuant to 310 CMR 40.1083(2) (complete all sections of this form).

C. LSP OPINION:

I attest under the pains and penalties of perjury that I have personally examined and am familiar with this submittal, 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 (iii) the provisions of 309 CMR 4.03(5), to the best of my knowledge,

> if Section B indicates that a **Notice of Activity and Use Limitation** is being registered and/or recorded, the Activity and Use Limitation that is the subject of this submittal (i) is being provided in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (ii) complies with 310 CMR 40.1074(1)(b);

> if Section B indicates that an **Amended Notice of Activity and Use Limitation** is being registered and/or recorded, the Activity and Use Limitation that is the subject of this submittal (i) is being provided in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (ii) complies with 310 CMR 40.1080(1) and 40.1081(1);

> if Section B indicates that a **Termination of a Notice of Activity and Use Limitation** is being registered and/or recorded, the Activity and Use Limitation that is the subject of this submittal (i) is being provided in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (ii) complies with 310 CMR 40.1083(3)(a);

> if Section B indicates that a **Grant of Environmental Restriction** is being registered and/or recorded, the Activity and Use Limitation that is the subject of this submittal (i) is being provided in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (ii) complies with 310 CMR 40.1071(1)(b);

> if Section B indicates that an **Amendment to a Grant of Environmental Restriction** is being registered and/or recorded, the Activity and Use Limitation that is the subject of this submittal (i) is being provided in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (ii) complies with 310 CMR 40.1080(1) and 40.1081(1);

> if Section B indicates that a **Release of Grant of Environmental Restriction** is being registered and/or recorded, the Activity and Use Limitation that is the subject of this submittal (i) is being provided in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000 and (ii) complies with 310 CMR 40.1083(3)(a).

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.

- ☒ 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.

See Section 4 of LSP Opinion

SECTION C IS CONTINUED ON THE NEXT PAGE.



ACTIVITY & USE LIMITATION (AUL) OPINION FORM

Pursuant to 310 CMR 40.1070 - 40.1084 (Subpart J)

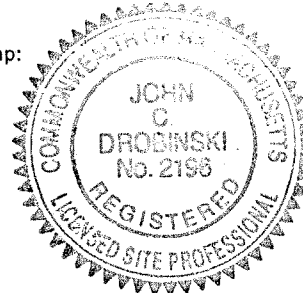
Release Tracking Number

3 - 13302

C. LSP OPINION: (continued)

LSP Name: John C. Drobinski LSP #: 2196

Stamp:



Telephone 617-646-7850 Ext.: _____

FAX: 617-267-6447

LSP Signature: _____

Date: 1/09/06

**YOU MUST COMPLETE ALL RELEVANT SECTIONS OF THIS
FORM OR DEP MAY FIND THE DOCUMENT TO BE INCOMPLETE.**

RECORDED IN BOOK
IS A TRUE COPY OF A PAPER
HEREBY CERTIFY THE FOREGOING
CAMBRIDGE, MA
SOUTH DIST. REGISTRY OF DEEDS
MIDDLESEX S.S.
COMMONWEALTH OF MASSACHUSETTS

FEB 08 2006

COMMONWEALTH OF MASSACHUSETTS.
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Reg. C. Brown
REGISTER