

**Brownfields Project #:** 06005-02-41  
**Brownfields Property:** Burlington-Jamestown, 6008 High Point Road  
**Property Owner (In whole or part):** Alberdingk Boley, Inc.



**LAND USE RESTRICTIONS ("LUR") UPDATE**

LUR 1: No use may be made of the Brownfields Property other than for an industrial facility for the manufacture of polyurethane and polyacrylate emulsions without the prior approval of the Department of Environment and Natural Resources ("DENR").

In compliance   X   Out of compliance       

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 2: Surface water and groundwater at the Brownfields Property may not be used for any purpose without the approval of DENR.

In compliance   X   Out of compliance       

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 3: No activities that encounter, expose, remove or use groundwater (for example, installation of water supply wells, fountains, ponds, lakes or swimming pools, or construction or excavation activities that encounter or expose groundwater) may occur on the Brownfields Property without prior sampling and analysis of groundwater to the satisfaction of DENR or its successor in function in any areas proposed for such activities, and submittal of the analytical results to DENR or its successor in function. If such results disclose to DENR or its successor in function contamination in excess of North Carolina's groundwater quality standards, the proposed activities may not occur without the approval of DENR or its successor in function on such conditions as DENR or its successor in function imposes, including at a minimum legal approval of plans and procedures to protect public health and the environment during the proposed activities.

In compliance   X   Out of compliance       

Remarks: \_\_\_\_\_

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LUR 4: Soil underlying paved surfaces and buildings at the Brownfields Property may not be exposed without prior sampling and analysis of such soil to the satisfaction of DENR or its successor in function, and submittal of the analytical results to DENR or its successor in function. If such results disclose contamination in excess of the applicable standards as determined by DENR or its successor in function, the soil may not be exposed without the approval of DENR or its successor in function on such conditions as DENR or its successor in function imposes, including at a minimum legally approved plans and procedures to protect public health and the environment during the activities that would expose such soil;

In compliance   X   Out of compliance       

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 5: Soil not previously sampled for contaminants may not be exposed without a minimum of five (5) business days advance written notice to DENR or its successor in function. At the time such soil is exposed, DENR or its successor in function may inspect and sample, or require sampling of, the exposed soil for contaminants. If soil contamination is discovered that DENR or its successor in function determines would likely contaminate groundwater even if capped, or that may pose an imminent threat to public health or the environment if exposed, as much soil as DENR or its successor in function requires shall be removed and disposed of in accordance with applicable law, and any other actions that DENR or its successor in function requires to make the Brownfields Property suitable for the uses specified in the Brownfields Agreement (“Agreement”) while fully protecting public health and the environment shall be taken. If soil contamination is discovered that DENR or its successor in function determines would not contaminate groundwater if capped, or pose an imminent threat to public health or the environment if exposed, as much soil as DENR or its successor in function requires shall be removed and disposed of in accordance with applicable law or capped to the satisfaction of DENR or its successor in function.

In compliance   X   Out of compliance       

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 6: Soil, landscaping and contours at the Brownfields Property may not be disturbed without the approval of DENR, except for mowing and pruning of above-ground vegetation.

In compliance  Out of compliance \_\_\_\_\_

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 7: No mining may be conducted on or under the Brownfields Property, including, without limitation, extraction of coal, oil, gas or any other minerals or non-mineral substances.

In compliance  Out of compliance \_\_\_\_\_

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 8: No basements may be constructed on the Brownfields Property unless they are, as determined by DENR, vented in conformance with applicable building codes.

In compliance  Out of compliance \_\_\_\_\_

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 9: None of the contaminants known to be present in the environmental media at the Brownfields Property, including those listed in the tables in paragraphs (2)a. and b. of the Notice of Brownfields Property ("Notice"), may be used or stored at the Property without the prior approval of DENR, except in *de minimis* amounts for cleaning and other routine housekeeping activities.

In compliance  Out of compliance \_\_\_\_\_

Remarks: \_\_\_\_\_

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LUR 10: The Brownfields Property may not be used for agriculture, grazing, timbering or timber production.

In compliance  Out of compliance

Remarks: \_\_\_\_\_

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LUR 11: The Brownfields Property may not be used as a playground, or for child care centers or schools.

In compliance  Out of compliance

Remarks: \_\_\_\_\_

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LUR 12: The Brownfields Property may not be used for kennels, private animal pens or horse-riding.

In compliance  Out of compliance

Remarks: \_\_\_\_\_

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LUR 13: The Brownfields Property may not be used as a park or for sports of any kind, including, but not limited to, golf, football, soccer and baseball, without the approval of DENR.

In compliance  Out of compliance

Remarks: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LUR 14: During January of each year following recordation of the Notice, the then current owner of any part of the Brownfields Property shall submit a notarized Land Use Restrictions Update to DENR certifying that the Notice remains recorded at the Guilford County Register of Deeds office, and that the land use restrictions are being complied with.

In compliance  X  Out of compliance \_\_\_\_\_

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Notarized signing and submittal of this Land Use Restrictions Update constitutes certification that the Notice remains recorded at the Guilford County Register of Deeds office and that the Land Use Restrictions are being complied with.

This Land Use Restrictions Update is certified by  Kay Jacobs ,  
owner of at least part of the Brownfields Property.

Name typed or printed of party making certification:  Kay Jacobs

In the case of owners that are entities:

Signature of individual signing: \_\_\_\_\_  
Name typed or printed: \_\_\_\_\_  
Title: \_\_\_\_\_

In the case of all owners:

Date: \_\_\_\_\_

[Insert notary block from among the following that is pertinent to type of party submitting LURU: corporation, LLC, partnership or individual.]  
[use for corporations]

[Alberdingk Boley Inc]

By: Kay Jacobs 03 JAN 13  
Name typed or printed: Kay Jacobs  
Title typed or printed: Director of Manufacturing

ATTEST:

Kay Jacobs  
Name typed or printed: Kay Jacobs  
Secretary, \_\_\_\_\_ (Alberdingk Boley Inc)

NORTH CAROLINA  
Guilford COUNTY

I, Anita L Russell, a Notary Public of the county and state aforesaid, certify that Kay Jacobs personally came before me this day and acknowledged that he/she is the Secretary of Alberdingk Boley Inc (corporation name), a NC (state) corporation, and that by authority duly given and as the act of the corporation, the foregoing Land Use Restriction Update was signed in its name by its Dir. of Manufacturing and attested by him/her as its Secretary.

WITNESS my hand and official stamp or seal, this 3<sup>rd</sup> day of January, 2013.

Anita L Russell  
Name: Anita L. Russell  
Notary Public

My Commission expires: April 26, 2014

[Stamp/Seal]

ANITA L. RUSSELL  
Notary Public - North Carolina  
Guilford County  
My Commission Expires April 26, 2014



EQUIPMENT NUMBER	MW-2, MW-3, MW-28, MW-29
DESCRIPTION	Groundwater Monitoring Well
MANUFACTURER	
MODEL NUMBER	
SERIAL NUMBER	MW-2, MW-3, MW-28, MW-29
LOCATION	Outside Resin Room

MONTH OF (January, 2012)

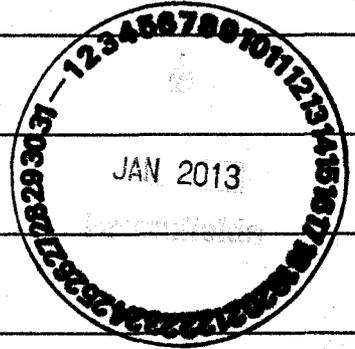
Free Product in monitoring well MW-2

Free Product in monitoring well MW-3

$7/8 = 1 \text{ inch} = 3/4 = 1/2 = 1/2 = 1/4 = \text{Less Than } 1/4$

Free Product in monitoring well MW-28

Free Product in monitoring well MW-29



Resin Room

MW-29

MW-3

MW-28

MW-2

Finished Product Tank Farm

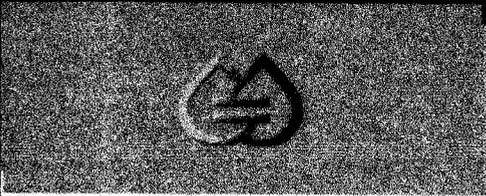
General comments or deficiencies:

*Robert A. Boley* 1/30/12  
Sign / Date



ALBERDINGK BOLEY

MAINTENANCE WORK ORDER



EQUIPMENT NUMBER	MW-2, MW-3, MW-28, MW-29
DESCRIPTION	Groundwater Monitoring Well
MANUFACTURER	
MODEL NUMBER	
SERIAL NUMBER	MW-2, MW-3, MW-28, MW-29
LOCATION	Outside Resin Room

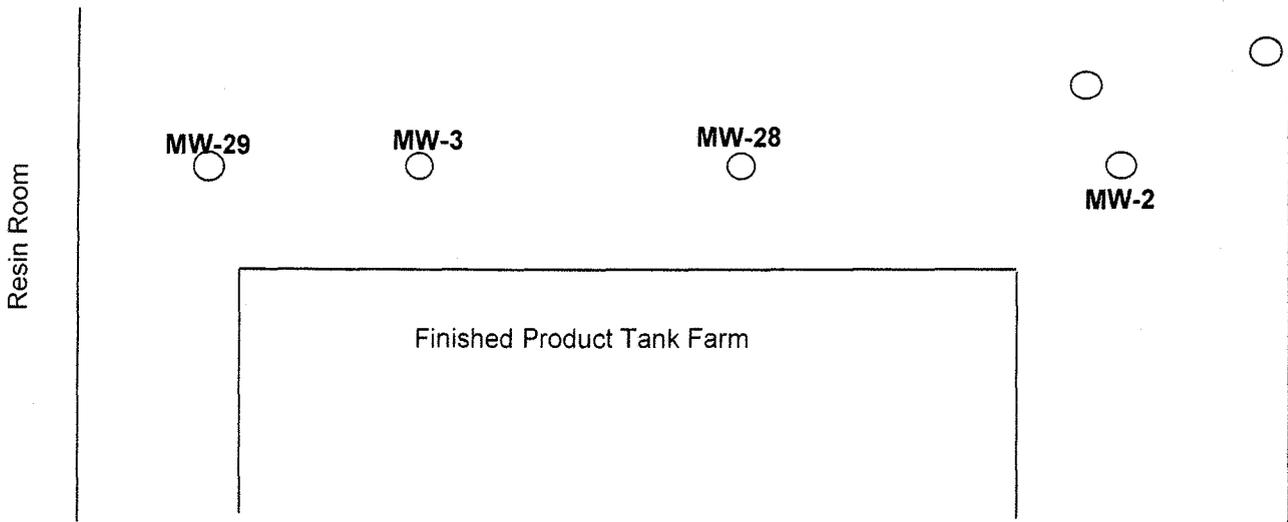
MONTH OF (February, 2012)

Free Product in monitoring well MW-2  
0-0-0-0

Free Product in monitoring well ~~MW-3~~ MW-28  
0-0-0-

Free Product in monitoring well ~~MW-28~~ MW-3  
3-2-1-1-1-1/2-1/4

Free Product in monitoring well MW-29  
0-0-0-0-0-0



General comments or deficiencies:

*Alberdingk Allen* 2/28/12  
Sign / Date



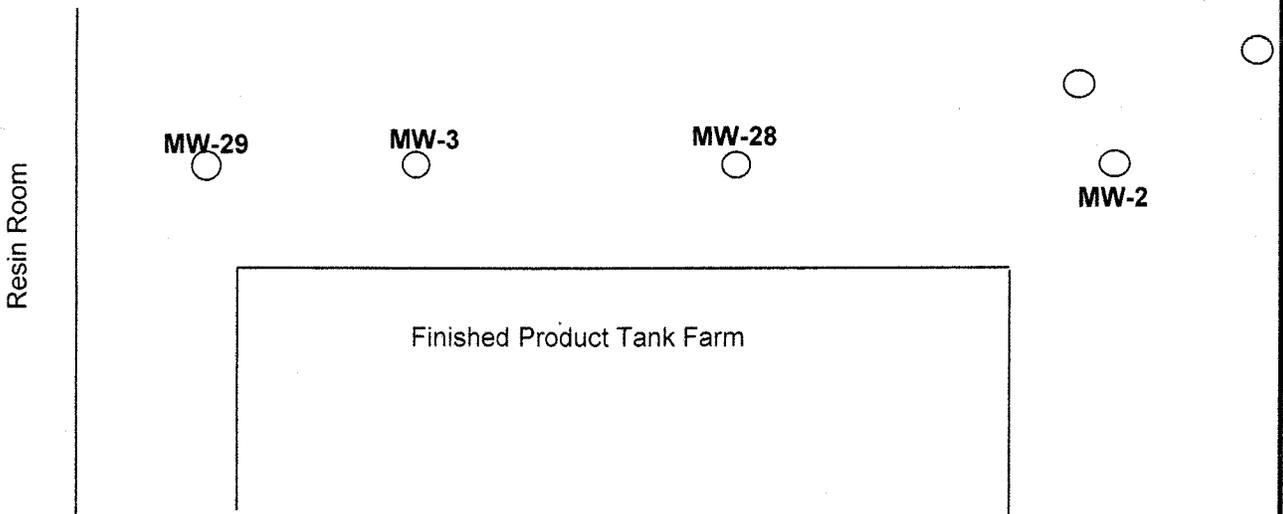
ALBERDINGK BOLEY

# MAINTENANCE WORK ORDER

EQUIPMENT NUMBER	MW-2, MW-3, MW-28, MW-29
DESCRIPTION	Groundwater Monitoring Well
MANUFACTURER	
MODEL NUMBER	
SERIAL NUMBER	MW-2, MW-3, MW-28, MW-29
LOCATION	Outside Resin Room

MONTH OF (March, 2012)

- Free Product in monitoring well MW-2  
0-0-0-0-
- Free Product in monitoring well MW-3  
0-0-0-0 mw-28
- Free Product in monitoring well MW-28  
2-1-14-14 mw-3
- Free Product in monitoring well MW-29  
0-0-0-0



General comments or deficiencies:

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Bill Fralin 3/30/12  
Sign / Date



ALBERDINGK BOLEY

# MAINTENANCE WORK ORDER

EQUIPMENT NUMBER	MW-2, MW-3, MW-28, MW-29
DESCRIPTION	Groundwater Monitoring Well
MANUFACTURER	
MODEL NUMBER	
SERIAL NUMBER	MW-2, MW-3, MW-28, MW-29
LOCATION	Outside Resin Room

MONTH OF (April, 2012)

Free Product in monitoring well MW-2

0-0-0-0

Free Product in monitoring well ~~MW-3~~

MW-28

0-0-0-0

Free Product in monitoring well ~~MW-28~~

2 1/2 - 1 - 1/4 - 1/4 - 0 MW-3

Free Product in monitoring well MW-29

0-0-0-0-0

Resin Room

MW-29

MW-3

MW-28

MW-2

Finished Product Tank Farm

General comments or deficiencies:

*Bill Fralins 4/30/12*

Sign / Date



ALBERDINGK BOLEY

### MAINTENANCE WORK ORDER

EQUIPMENT NUMBER	MW-2, MW-3, MW-28, MW-29
DESCRIPTION	Groundwater Monitoring Well
MANUFACTURER	
MODEL NUMBER	
SERIAL NUMBER	MW-2, MW-3, MW-28, MW-29
LOCATION	Outside Resin Room

MONTH OF (May, 2012)

Free Product in monitoring well MW-2

-0- -0- -0-

Free Product in monitoring well MW-3

1/2 1/2 1/4 1/2 1/4 1/4 1/8

Free Product in monitoring well MW-28

-0- 0- -0-

Free Product in monitoring well MW-29

-0- -0- -0-

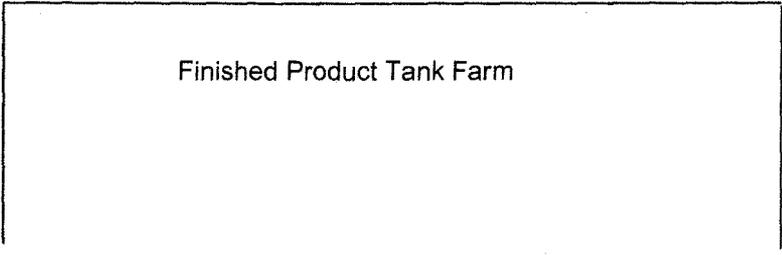
Resin Room

MW-29

MW-3

MW-28

MW-2



General comments or deficiencies:

Blank lines for general comments or deficiencies.

*[Signature]* 5/25/12  
 Sign / Date



ALBERDINGK BOLEY

### MAINTENANCE WORK ORDER

EQUIPMENT NUMBER	MW-2, MW-3, MW-28, MW-29
DESCRIPTION	Groundwater Monitoring Well
MANUFACTURER	
MODEL NUMBER	
SERIAL NUMBER	MW-2, MW-3, MW-28, MW-29
LOCATION	Outside Resin Room

MONTH OF (June , 2012)

Free Product in monitoring well MW-2

∅ ∅

Free Product in monitoring well MW-3

3/4 1/2 1/2 1/4 1/8 1/8

Free Product in monitoring well MW-28

∅ ∅

Free Product in monitoring well MW-29

∅ ∅

Resin Room

MW-29

MW-3

MW-28

MW-2

Finished Product Tank Farm

General comments or deficiencies:

*R. Bayat* 6/27/12  
Sign / Date



ALBERDINGK BOLEY

### MAINTENANCE WORK ORDER

EQUIPMENT NUMBER	MW-2, MW-3, MW-28, MW-29
DESCRIPTION	Groundwater Monitoring Well
MANUFACTURER	
MODEL NUMBER	
SERIAL NUMBER	MW-2, MW-3, MW-28, MW-29
LOCATION	Outside Resin Room

MONTH OF (July, 2012)

Free Product in monitoring well MW-2

3/4, 3/4, 1/2, 1/4, 1/8

Free Product in monitoring well MW-3

∅ ∅

Free Product in monitoring well MW-28

∅ ∅

Free Product in monitoring well MW-29

3/4, 3/4, 1/2, 1/4, 1/8

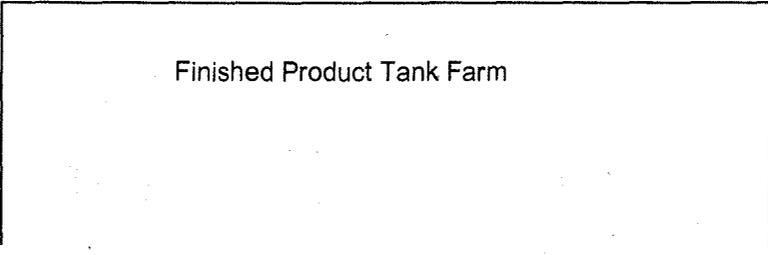
Resin Room

MW-29

MW-3

MW-28

MW-2



General comments or deficiencies:

Upstra / George 7/31/12  
Sign / Date



ALBERDINGK BOLEY

### MAINTENANCE WORK ORDER

EQUIPMENT NUMBER	MW-2, MW-3, MW-28, MW-29
DESCRIPTION	Groundwater Monitoring Well
MANUFACTURER	
MODEL NUMBER	
SERIAL NUMBER	MW-2, MW-3, MW-28, MW-29
LOCATION	Outside Resin Room

MONTH OF (AUGUST, 2012)

Free Product in monitoring well MW-2

0-0-0-0

Free Product in monitoring well MW-3

1/2 - 1/4 - 1/4 - 0

Free Product in monitoring well MW-28

0-0-0-0

Free Product in monitoring well MW-29

0-0-0-0

Resin Room

MW-29

MW-3

MW-28

MW-2

Finished Product Tank Farm

General comments or deficiencies:

*Bill Halin* 8/31/12

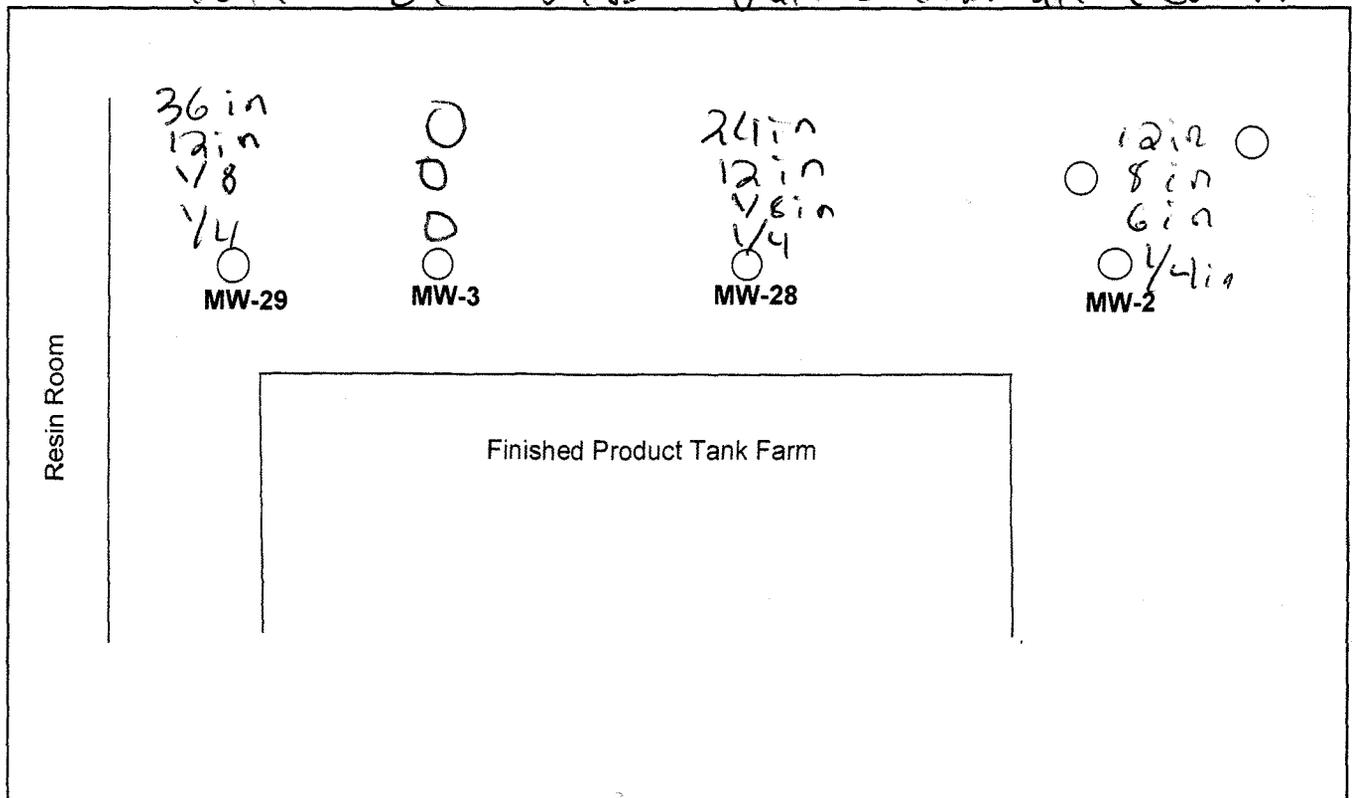
Sign / Date

Reviewer	Production Manager	Revision:	Date Effective:	Page
Approver	Director of Manufacturing	A	08/23/2011	1 of 1

Date: 9/28/12 Time: 7:50 pm  
 Name: C. Hayes A. Allen Shift: 2nd

MONITORING WELL	Amount of Free product in well	General Comments or Noted Deficiencies
MW-2	1/4	
MW-3	1/4	
MW-28	0	
MW-29	1/4	
<b>TOTAL</b>	<b>8 LBS.</b>	

Total of 8lbs pulled from all 4 wells



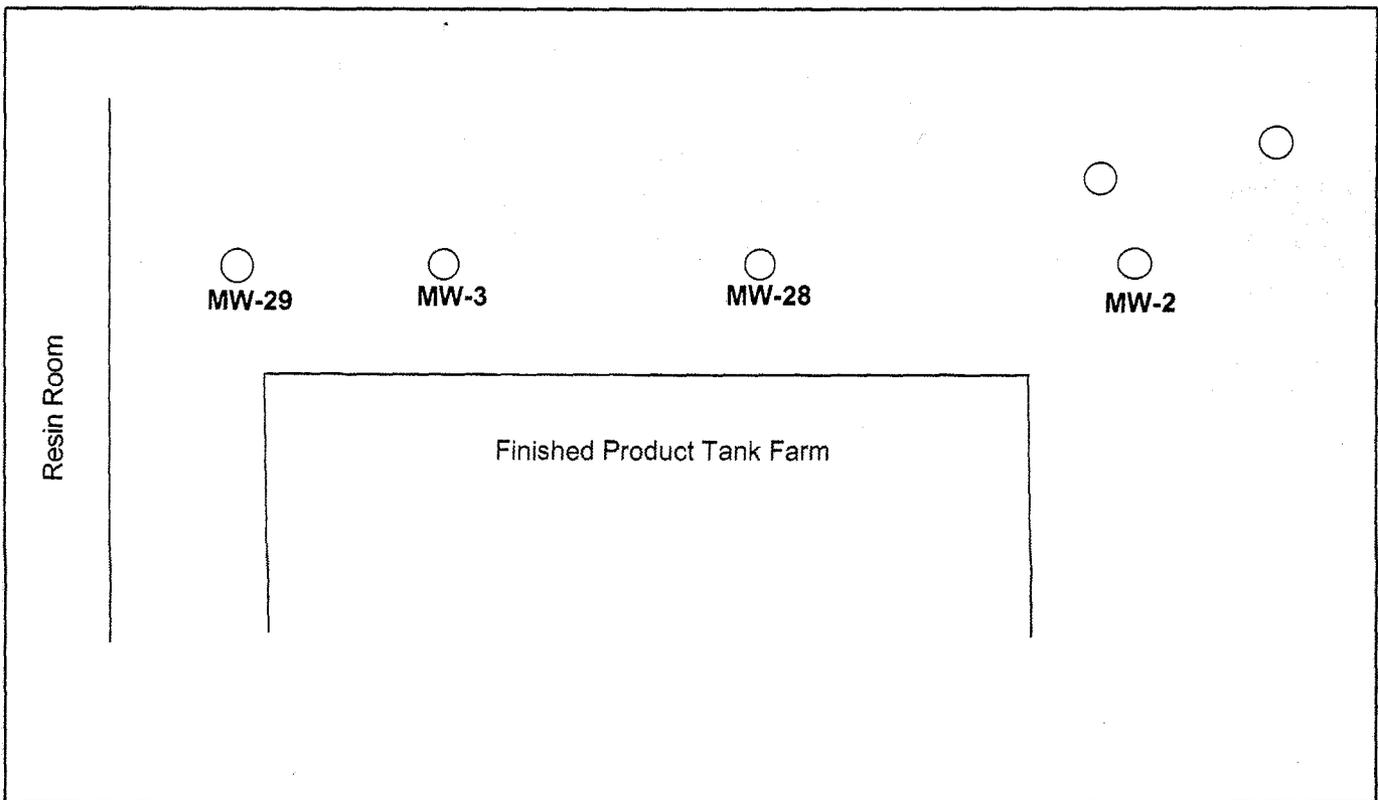
RETURN FORM TO ENVIRONMENTAL REPRESENTATIVE FOR RECORDS RETENTION



Reviewer	Production Manager	Revision:	Date Effective:	Page
Approver	Director of Manufacturing	A	08/23/2011	1 of 1

Date: 11/1/12 Time: 11:50 A.M.  
 Name: Bill FRALIN Shift: DAY

MONITORING WELL	Amount of Free product in well	General Comments or Noted Deficiencies
7 MW-2	1 LB	0-0-0-
8 MW-3	1 LB	3-1/2 -1/4 1/4
9 MW-28	2 LBS	0-0-0-0
10 MW-29	1 LBS	0-0-0
TOTAL	5 LBS	

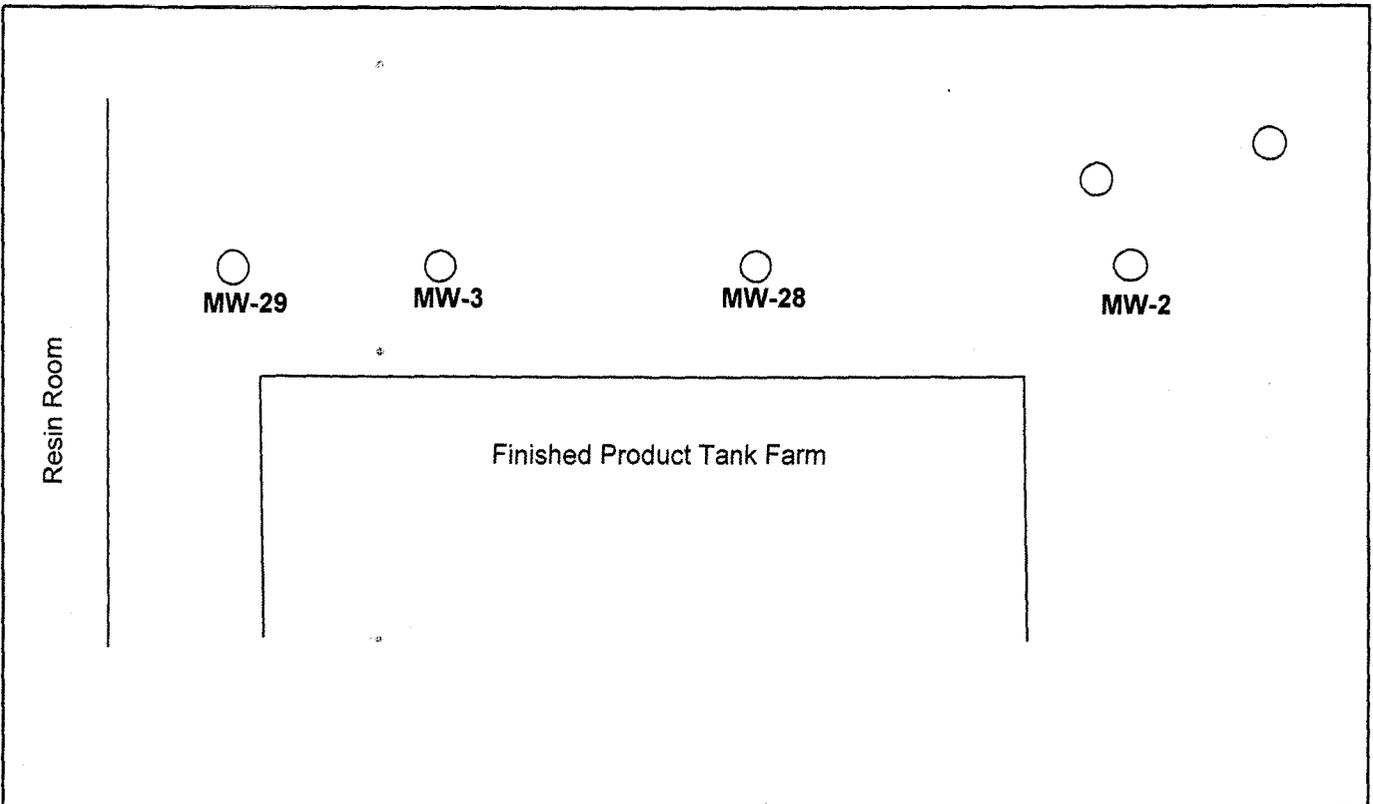


RETURN FORM TO ENVIRONMENTAL REPRESENTATIVE FOR RECORDS RETENTION

<i>Reviewer</i>	<b>Production Manager</b>	<i>Revision:</i>	<i>Date Effective:</i>	<i>Page</i>
<i>Approver</i>	<b>Director of Manufacturing</b>	A	08/23/2011	1 of 1

Date: 11/30/12 Time: 1 pm  
 Name: L. Ashworth Shift: 1<sup>st</sup>

MONITORING WELL	Amount of Free product in well	General Comments or Noted Deficiencies
MW-2	1 #	0-0-0-0
MW-3	1 #	1-1/2-1/2-1/4
MW-28	1 #	0-0-0-0
MW-29	1 #	0-0-0-0
<b>TOTAL</b>	<b>4</b>	



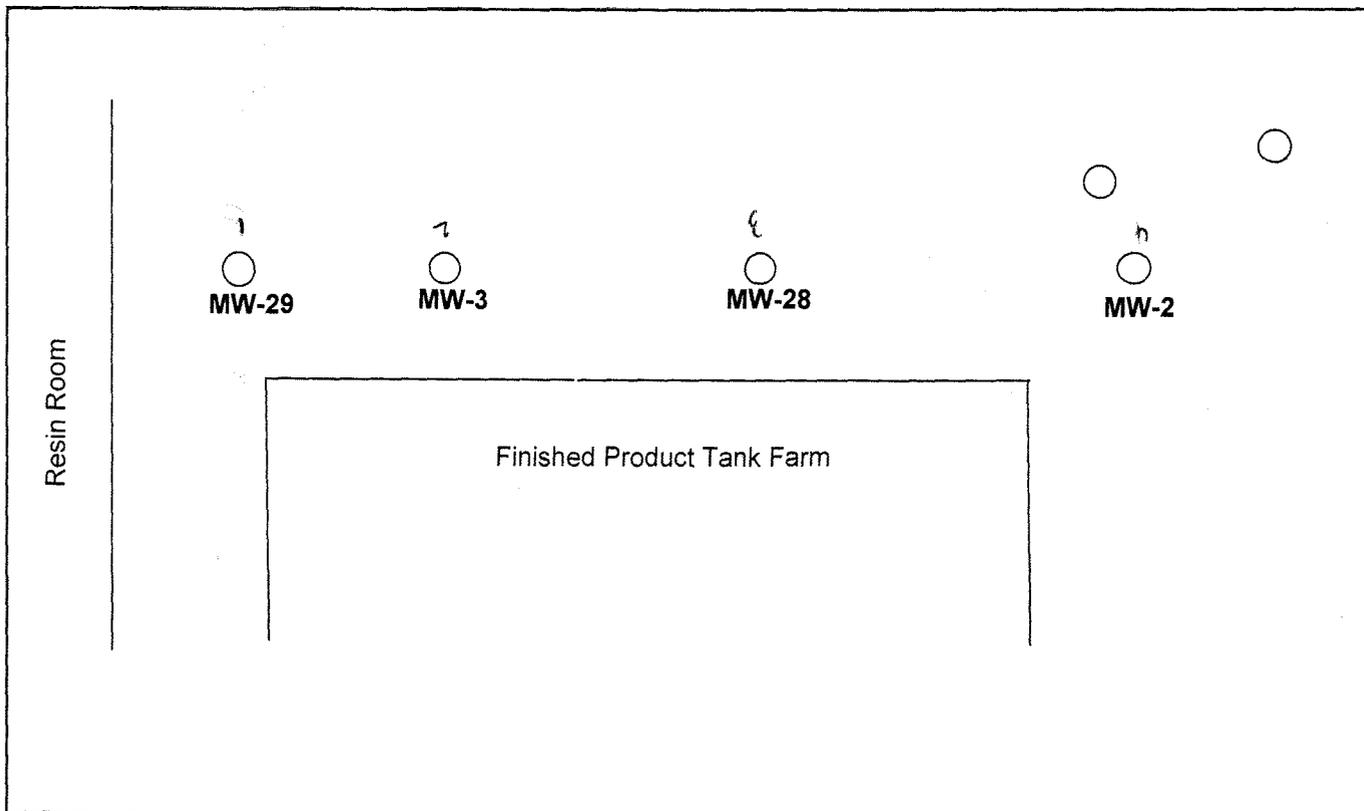
**RETURN FORM TO ENVIRONMENTAL REPRESENTATIVE FOR RECORDS RETENTION**



Reviewer	Production Manager	Revision:	Date Effective:	Page
Approver	Director of Manufacturing	A	08/23/2011	i of 1

Date: 12/31/12 Time: 10:57 Am.  
 Name: Bill Fralin Shift: DAY  
Seth Greene

MONITORING WELL	Amount of Free product in well	General Comments or Noted Deficiencies
4 MW-2	2	0000
2 MW-3	10	2" 2" 1.5" 1" .25" .25"
3 MW-28	3	0000
1 MW-29	2	0000
TOTAL	17 LBS	



RETURN FORM TO ENVIRONMENTAL REPRESENTATIVE FOR RECORDS RETENTION