

NOTICE OF ACTIVITY AND USE LIMITATION
12 ATLANTIC AVENUE
MARBLEHEAD, MA 01945
RELEASE TRACKING NUMBER 3-36606

A release of oil and/or hazardous materials has occurred at this location, which is a disposal site as defined by M.G.L. c. 21E, § 2 and the Massachusetts Contingency Plan, 310 CMR 40.0000. On November 26, 2025, **12 ATLANTIC HOLDING COMPANY, LLC** recorded with the **Essex South District Registry of Deeds** a **NOTICE OF ACTIVITY AND USE LIMITATION** on the disposal site for Release Tracking Number (RTN) 3-36606, pursuant to 310 CMR 40.1070 through 40.1080.

The NOTICE OF ACTIVITY AND USE LIMITATION will limit the following site activities and uses on the above property:

- (i) Future use of the Property for single-family or multi-family residences, school, daycare, playground uses, or active or passive recreation;
- (ii) Future use of the soil at the Property for the cultivation of fruit or vegetables destined for human consumption, unless cultivated in clean soil in raised bed planters; and
- (iii) Temporary subsurface activities and/or construction at the Property which may result in direct contact with, disturbance of, or relocation of soil at the Property (except for emergency work as described in Paragraph 1 of the Activity and Use Limitation), including but not limited to, excavation associated with future construction and maintenance of buildings, installation of new utilities, and other improvements to support permitted uses, not conducted in accordance with the applicable Obligations and Conditions set forth in Paragraph 3 of the Activity and Use Limitation, or without a Licensed Site Professional Opinion rendered which states that such activities are consistent with maintaining a condition of No Significant Risk as provided in 310 CMR 40.0000.

Any person interested in obtaining additional information about the **NOTICE OF ACTIVITY AND USE LIMITATION** may contact **MR. FRANK CALANDRA, PE, LSP, THE VERTEX COMPANIES, LLC, 100 NORTH WASHINGTON STREET, SUITE 302, BOSTON, MA 02114, 617-275-5407**, Licensed Site Professional for 12 Atlantic Holding Company, LLC c/o Marblehead Smiley Face LLC.

The **NOTICE OF ACTIVITY AND USE LIMITATION** and the disposal site file can be viewed at the Massachusetts Department of Environmental Protection (MassDEP) website using **RTN 3-36606** at <https://eeaonline.eea.state.ma.us/portal/dep/wastesite/> or at the **MassDEP NORTHEAST REGIONAL OFFICE, 150 PRESIDENTIAL WAY, WOBURN, MA 01801, 978-694-3200**.