



State of New Jersey

Department of Environmental Protection
SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM
Division of Remediation Management
Remediation Oversight Element
Mail Code 401-05A
P.O. Box 420
Trenton, NJ 08625
Tel: 609-984-1351
Fax: 609-984-6514

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CATHERINE R. MCCABE
Commissioner

January 15, 2021

PPG Industries, Inc.
Mr. Mark Terril
Director, Environmental Affairs
One PPG Place
Pittsburgh, PA 15222
Via email

Approval

Re: **Consent Judgment Compliance Letter**

Remedial Action Type: **Restricted Use – Soil**

Scope of Remediation: **Area of Concern for Chromate Chemical Production Waste (CCPW) and CCPW-Related Metals in Soil (AOC 135-1)**

Hudson County Chromate (HCC) Site 135 - Vittaroz (aka Former Narula Property)

51-99 Pacific Avenue

Block 21509 Lot 2

Jersey City, Hudson County, NJ

SRP PI# 246332; Activity #RPC000001

Dear Mr. Terril:

The New Jersey Department of Environmental Protection (Department) has reviewed the site soil remediation documents submitted by PPG Industries, Inc. pursuant to Paragraph 23.E of the 2011 Consent Judgment (as defined herein), including the *Remedial Investigation Report – Soil* (RIR) dated February 2012, the *Supplemental Soil Remedial Investigation Report – Soil* (SSRIR) dated August 2018, the *Remedial Action Work Plan* (RAWP) dated September 2018, and the *Remedial Action Report* (RAR) dated August 2019, associated documents regarding remediation of chromate chemical production waste (CCPW) and CCPW-related metals in soil at the referenced block and lot, information in the Department's case file, and the certified representations and information provided to the Department.

The Department concurs with PPG that all remedial actions are complete for Area of Concern (AOC) AOC 135-1 at the referenced block and lot within the limits of excavation as depicted on the attached figure (Figure 1-2 of the RAR).

Based on the information provided, the Department concludes that the remediation of CCPW and CCPW-related metals in soil in AOC 135-1 satisfies the requirements of the Consent Judgment in *New Jersey Department of Environmental Protection, et al. v. Honeywell International Inc., et al.*

Docket No C-77-05, Superior Court of New Jersey Chancery Division-Hudson County filed September 7, 2011 (2011 Consent Judgment), the Partial Consent Judgment Concerning the PPG Sites, filed June 26, 2009 and the July 19, 1990 Administrative Consent Order between the Department and PPG, the Technical Requirements for Site Remediation at N.J.A.C. 7:26E, and the Administrative Requirements for Remediation of Contaminated Sites at N.J.A.C. 7:26C. As a result, the Department has determined that the remediation of the CCPW and CCPW-related metals in soil in AOC 135-1 is not subject to further review pursuant to N.J.S.A. 58:10C-21 and 58:10C-25.

By operation of law, a Covenant Not to Sue pursuant to N.J.S.A. 58:10B-13.2 applies to this remediation of CCPW and CCPW-related metals in soil in AOC 135-1 as shown on the attached Figure 1-2 of the August 2019 RAR. The Covenant Not to Sue is subject to any conditions and limitations contained herein, and remains effective as long as the real property referenced above continues to meet those conditions. This includes the need to continue to comply with any permit PPG Industries, Inc. is required to obtain. Anticipated permits include, but are not limited to a Remedial Action Permit for soil, monitoring well installation permits for any new monitoring wells, and well decommissioning notice per N.J.A.C. 7:9D-3 for the eventual decommissioning of any site monitoring wells.

This letter is issued pursuant to Section 23G(b) of the 2011 Consent Judgment. It serves as the functional equivalent to a No Further Action (“NFA”) letter issued pursuant to N.J.S.A. §58:10B-13.1 and N.J.A.C. §7:26C before those provisions were amended effective in 2012 to no longer authorize NFA letters. The Department recognizes this letter as serving the same function as previously served by NFA letters, and satisfies the same legal obligations formerly met by NFA letters, for sites regulated directly by the Department.

If you have any questions regarding this matter, please contact me at (609) 984-1351.

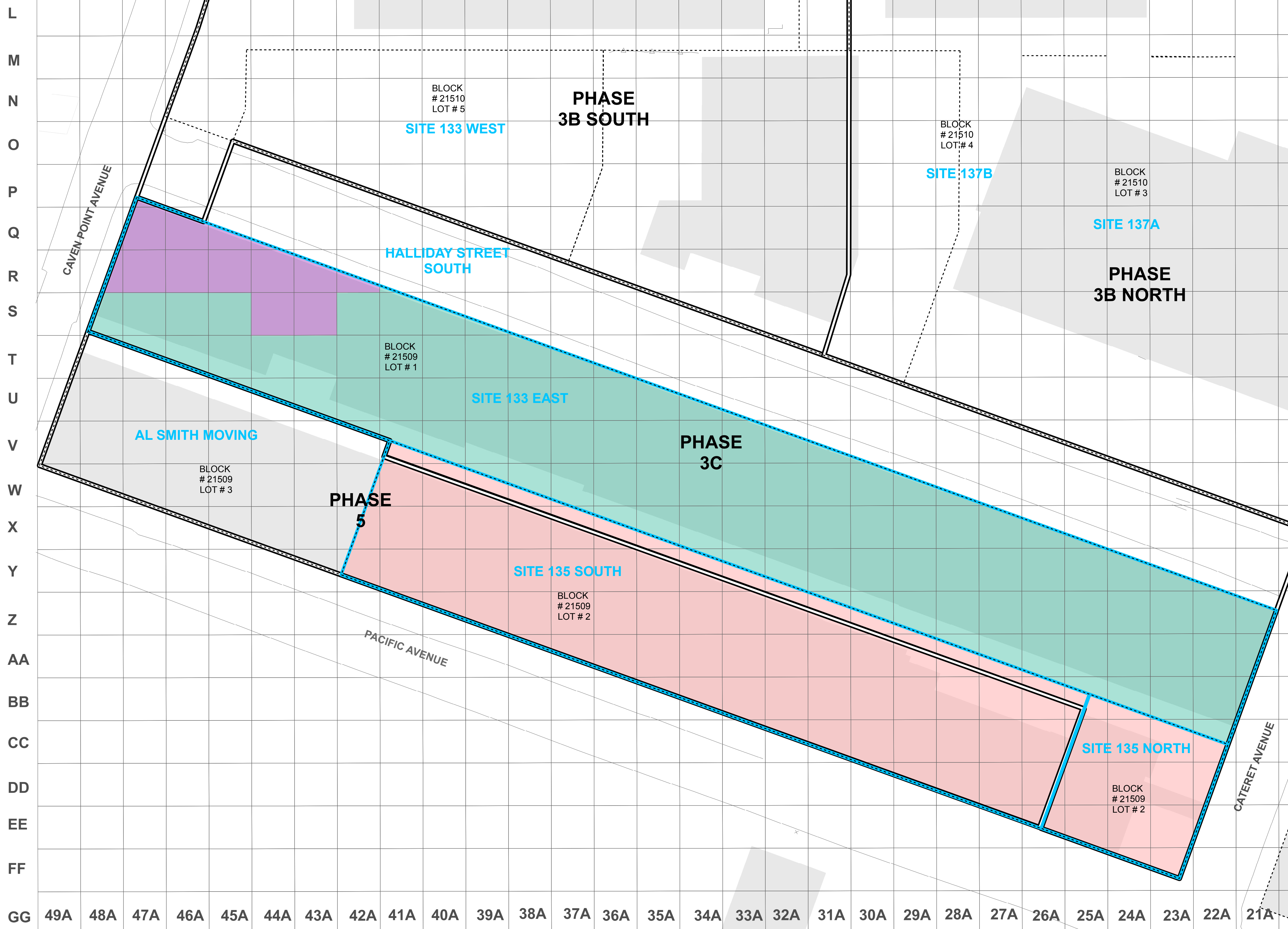
Sincerely,



Wayne C. Howitz, Assistant Director
Site Remediation NJDEP

cc: Jersey City Department of Health & Human Services
Municipal Clerk, City of Jersey City
Hudson Regional Health Commission
David Doyle, NJDEP Case Manager
Kirstin Pointin-Hahn, NJDEP BCAIN
Ronald J. Riccio, Site Administrator
James D. Ray, MDM&C LLP
J. Nicholas Strasser, Law Department, City of Jersey City





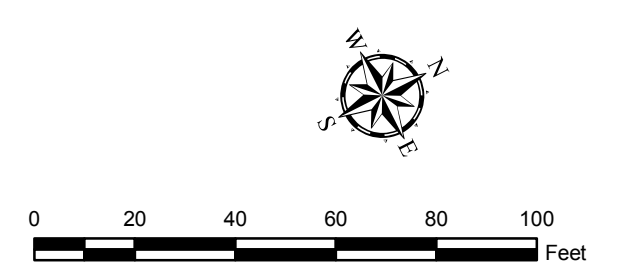
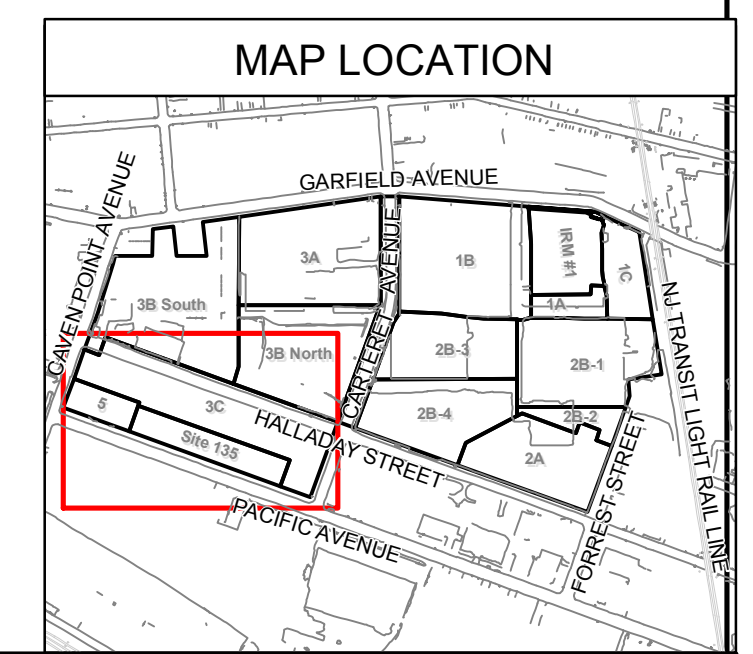
NOTES:

1. Source of block/lot information is Jersey City Parcel Data from New Jersey Geographic Information Network (NJGIN), last updated 10/6/2015 (available at: <http://data.jerseycitynj.gov/dataset/jersey-city-parcel-polygon>).
2. Property lines are sourced from the "Boundary and Line Delineation Map, PPG Site, Lot 1 & 2, Block 21509, Jersey City, Hudson County, New Jersey" prepared by Borbas Surveying and Mapping, LLC, dated July 21, 2014.

AOC - area of concern

- Legend**
- PROPERTY LINE
 - ▭ SITE BOUNDARIES
 - ▭ PHASE BOUNDARY
 - ▭ GRID
 - ▭ AOC 135-1
 - ▭ AOC 133E-1A AND AOC 133E-2A
 - ▭ AOC 133E-1B
 - ▭ FORMER BUILDING SLAB

GG 49A 48A 47A 46A 45A 44A 43A 42A 41A 40A 39A 38A 37A 36A 35A 34A 33A 32A 31A 30A 29A 28A 27A 26A 25A 24A 23A 22A 21A



PPG
 SITE 133 EAST AND SITE 135
 GARFIELD AVENUE GROUP
 JERSEY CITY, NEW JERSEY

DATE: 08/27/2018

SITE PLAN

FIGURE 1-2