



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM

401 East State Street

P.O. Box 420, Mail Code 401-06

Trenton, New Jersey 08625-0420

Tel. (609) 292-1250 • Fax (609) 609-777-1914

www.nj.gov/dep

PHILIP D. MURPHY

Governor

SHEILA Y. OLIVER

Lt. Governor

SHAWN M. LATOURETTE

Commissioner

June 30, 2022

PPG Industries, Inc.
Ms. Jody Overmyer
Senior Remediation Project Manager, 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 Building No. 2 Boiler Room Subslab Soil and Interior Concrete Surfaces (AOC 3)**

Hudson County Chromate (HCC) Site 156 – Metropolis Towers

Building No. 2 Boiler Room

270-280 Luis Munoz Marin Boulevard

Jersey City, Hudson County, NJ

SRP PI# G000008770, Activity# RPC040001

Dear Ms. Overmyer:

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 (RIR)/Remedial Action Work Plan (RAWP)/Remedial Action Report (RAR)* dated September 2020, associated documents regarding remediation of chromate chemical production waste (CCPW) and CCPW-related metals in Building No. 2 Boiler Room Subslab Soil and Interior Concrete Surfaces, 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) 3 in the Building No. 2 Boiler Room, identified as the "Boiler Room Basement" on the attached figure (Exhibit A-3 in Appendix J1 of the RAR).

Based on the information provided, the Department concludes that the remediation of CCPW and CCPW-related metals in soil and concrete surfaces in AOC 3 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 and concrete surfaces in AOC 3 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 and concrete surfaces in AOC 3 as shown on the attached Exhibit A-3 in Appendix J1 of the September 2020 RIR/RAWP/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 soil Remedial Action Permit associated with the Deed Notice 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
Ian Curtis, NJDEP Case Manager
Kirstin Pointin-Hahn, NJDEP BCAIN
Ronald J. Riccio, Site Administrator
James D. Ray, MDM&C LLP
Peter Baker, Law Department, City of Jersey City



LEGEND

-  SITE BOUNDARY
-  PARCEL BOUNDARY
-  BOILER ROOM BASEMENT



SITE 156 BLOCK 13101, LOT 2 PI NUMBER G000008770 JERSEY CITY, HUDSON COUNTY, NEW JERSEY			PROPERTY MAP DEED NOTICE	
DATE: 08/18/2020	DRAWN BY: AC	CHECKED BY: CS	EXHIBIT A-3	

Path: Q:\1920 GIS\MXD\Site 156\DNIB-1A-1 Restricted Area Map.mxd