



State of New Jersey

Department of Environmental Protection
SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM
Division of Remediation Management
Remediation Oversight Element
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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CATHERINE R. MCCABE
Commissioner

June 28, 2019

PPG Industries
Mr. Mark Terril
Director, Environmental Affairs
One PPG Place
Pittsburgh, PA 16066
Via email

Approval

Re: **Consent Judgment Compliance Letter**

Remedial Action Type: **Unrestricted Use**

Scope of Remediation:

- Area of Concern 1 for Chromate Chemical Processing Waste (CCPW) and CCPW-Related Metals Only in Soil Beyond AOC 3 Footprint, and
- Area of Concern 2 for CCPW and CCPW-Related Metals Only in Groundwater

Hudson County Chromate Site (HCC) 156 - Metropolis Towers Site
270-280 Luis Munoz Marin Boulevard
Block 13101 Lot 1 and a Portion of Block 13101 Lot 2
Jersey City, Hudson County, NJ
SRP PI# G000008770

Dear Mr. Terril:

The New Jersey Department of Environmental Protection (Department) has reviewed the site soil and groundwater remediation documents submitted by PPG Industries, Inc. pursuant to Paragraph 23.E of the 2011 Consent Judgment (*Remedial Action Work Plan [RAWP]* dated November 2012, *Remedial Action Report [RAR]* dated July 2018, and *Remedial Investigation Report for Groundwater Area of Concern (AOC 2) [GW RIR]* dated June 2018), associated documents regarding remediation of chromate chemical production waste (CCPW) and CCPW-related metals in soil at HCC Site 156, 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) 1 at the referenced blocks and lots within the limits of excavation as depicted on the attached figure (Figure 2 of the GW RIR). The GW RIR concluded that no further investigation or action is warranted for AOC 2 at the Site.

Based on the information provided, the Department concludes that the remediation of the CCPW and CCPW-related metals in soil in AOC 1 and groundwater in AOC 2 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) (“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. 7L26C. As a result, the Department has determined that the remediation of the CCPW and CCPW-related metals in soil in AOC 1 and groundwater AOC 2 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 1 and groundwater in AOC 2 as shown on the attached Figure 2 of the June 2018 GW RIR. 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 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 serves as the functional equivalent to No Further Action (“NFA”) letters 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 NJDEP.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne C. Howitz". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Wayne C. Howitz, Assistant Director
Site Remediation DEP

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

BLOCK # 13003
 LOT # 1

BLOCK # 12902
 LOT # 1

BLOCK # 13101
 LOT # 3

BLOCK # 13101
 LOT # 1

BLOCK # 13101
 LOT # 2

BLOCK # 13103
 LOT # 1

BLOCK # 13102
 LOT # 2

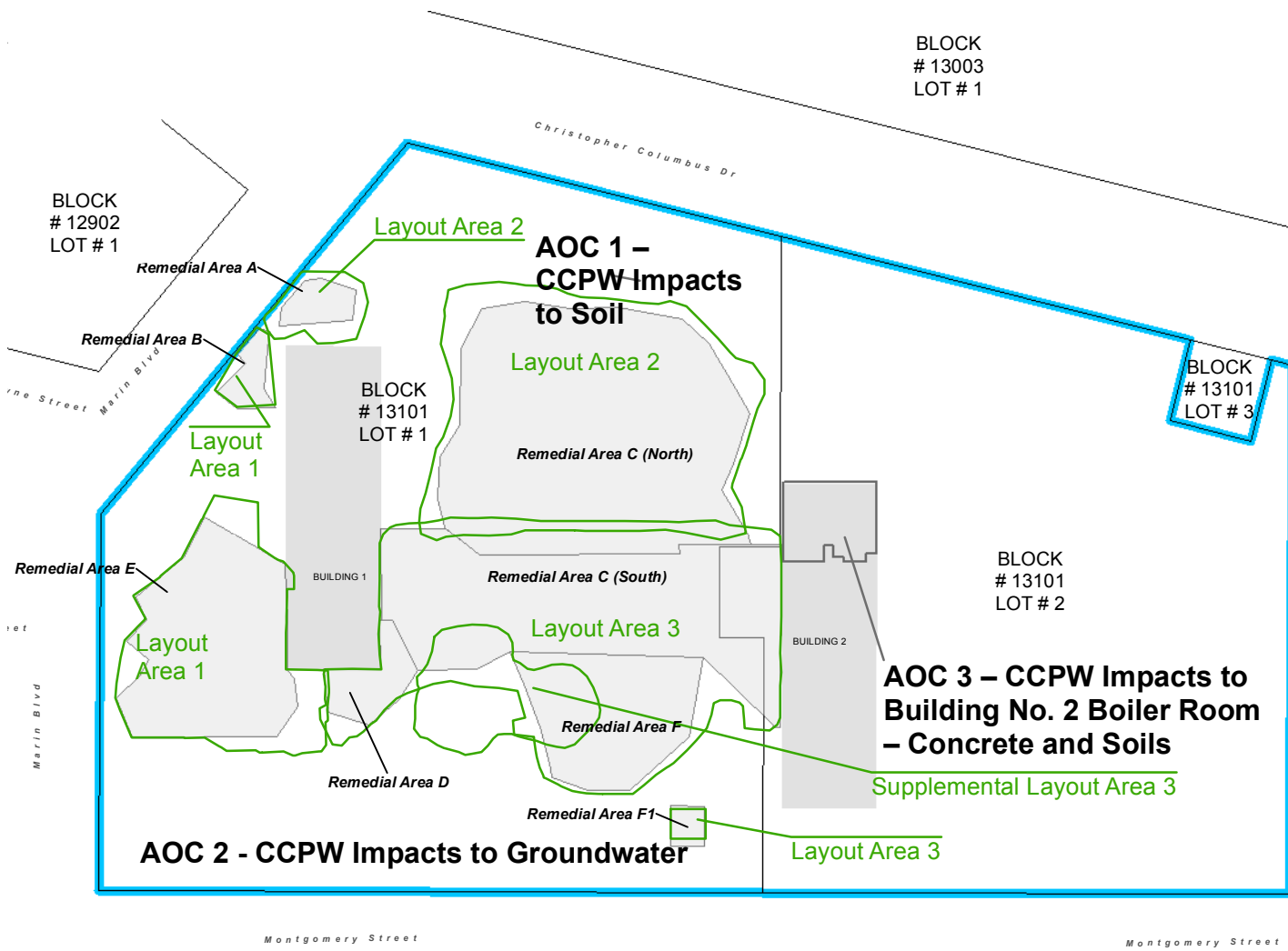
BLOCK # 13102
 LOT # 3

Abbreviations:
 AOC - Area of Concern
 CCPW - Chromate Chemical Production Waste

Notes:
 1. AOC 1 is defined by the Layout Areas.
 2. AOC 2 is site-wide.

Legend

- LAYOUT AREA
- REMEDIAL AREA
- AOC 3 EXTENT
- BUILDING
- PROPERTY BOUNDARY
- SITE BOUNDARY



PPG
 SITE 156
 METROPOLIS TOWERS
 JERSEY CITY, NEW JERSEY

**AREAS OF CONCERN AND
 REMEDIAL LAYOUT AREAS**

DATE: 04/05/2018

FIGURE 2