



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

SHAWN M. LATOURETTE
Acting Commissioner

March 3, 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: **Unrestricted Use – Soil**

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

Hudson County Chromate (HCC) Site 16 – Linden Avenue East

45 Linden Avenue East

Portion of Block 27401 Lot 35 (Former Block 1507 Lot 4L)

Jersey City, Hudson County, NJ

SRP PI# G000008644

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 May 2013, the *Remedial Action Work Plan* (RAWP) dated August 2013, and the *Remedial Action Report* (RAR) dated June 2020, 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)-1: Exterior Soil at the referenced block and lot within the limits of excavation as depicted on the attached figure (Figure 3 of the RAR).

Based on the information provided, the Department concludes that the remediation of CCPW and CCPW-related metals in soil in AOC-1: Exterior Soil 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-1: Exterior Soil 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: Exterior Soil as shown on the attached Figure 3 of the June 2020 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 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.

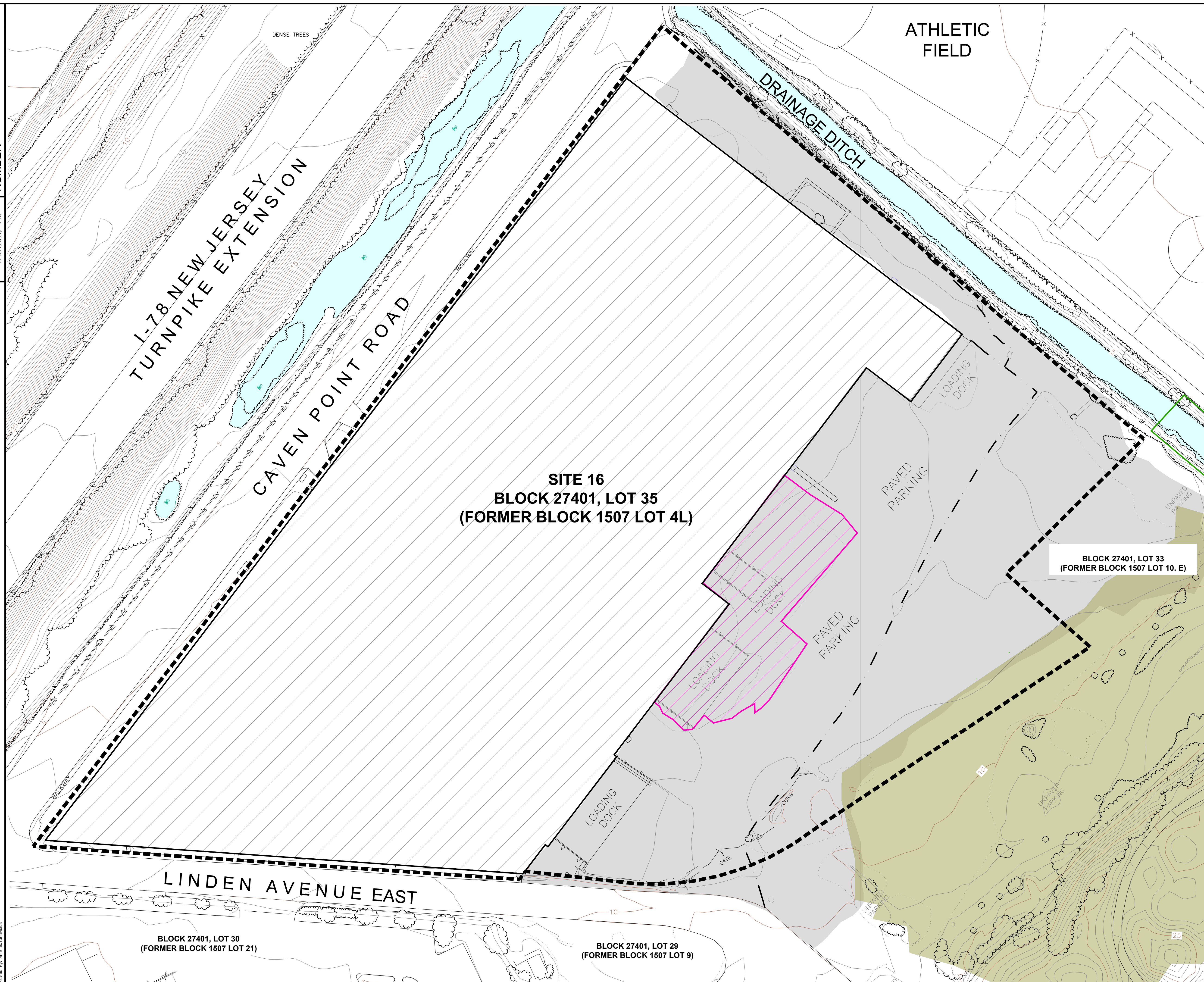
Sincerely,



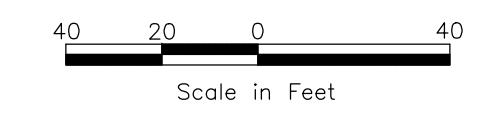
Wayne C. Howitz, Assistant Director
Site Remediation NJDEP

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





- LEGEND:
- SITE 16 PROPERTY BOUNDARY
 - AOC-1: EXTERIOR SOIL
 - PREVIOUSLY REMEDIATED SITE 112A AREA
 - AOC-3: INTERIOR SOIL AND BUILDING FOOTER
 - LINER INSTALLED BY AECOM, 2009
 - EDGE OF PAVED ASPHALT
 - CONTOUR LINE
 - RETAINING WALL
 - LOADING DOCK RETAINING WALL
 - GUARDRAIL
 - UNPAVED PARKING
 - GATE
 - FENCE
 - WATER DITCH
 - DRAINAGE DITCH
 - LANDSCAPED DRAINAGE DITCH ON GOLF COURSE
 - VEGETATION
 - TREES
 - GOLF TRAP
- AOC AREAS:**
- AOC-1: EXTERIOR SOIL (ONSITE)
 - AOC-2: GROUNDWATER (SITE-WIDE)
 - AOC-3: INTERIOR SOIL AND BUILDING FOOTING



Aptim Environmental & Infrastructure, Inc. 200 Horizon Center Trenton, New Jersey 08691	
DESIGNED BY: <i>M. Collier</i>	PPG INDUSTRIES, INC. JERSEY CITY, NEW JERSEY
DRAWN BY: <i>A.Y.</i>	FIGURE 3 AOC MAP
CHECKED BY: <i>K. Treacy</i>	HCC SITE 16 45 LINDEN AVENUE EAST JERSEY CITY, NEW JERSEY
APPROVED BY: <i>C. Leavy</i>	DATE: 9/27/18
SCALE: AS SHOWN	DRAWING NO. 146429-D5_D_N
	SHEET NO. 1 OF 2