



## State of New Jersey

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

Site Remediation Program  
401 E. State Street, 6<sup>th</sup> Floor  
P. O. Box 028  
Trenton, New Jersey 08625-0028  
Tel. #(609) 292-1250

BOB MARTIN  
Commissioner

7/14/15

PPG Industries, Inc.  
Mr. Keith Prins  
Director, New Jersey Chrome  
One PPG Place  
Pittsburgh, PA 16066

Re: **Consent Judgment Compliance Letter**  
Remedial Action Type: **Unrestricted**  
Scope of Remediation: Entire Site for Chromate Chemical Processing Waste (CCPW)  
and CCPW-Related Metals Only in Soil  
Hudson County Chromate (HCC) Site 186  
947 Garfield Avenue, Jersey City, NJ  
Hudson County  
Block 19802 Lot 2 (Formerly Block 1967 Lot A.2)  
Program Interest #G000011477  
Case Type: COPR

Dear Mr. Prins:

NJDEP has reviewed the site remediation documents submitted by PPG Industries, Inc. pursuant to Paragraph 23.E of the 2011 Consent Judgment (*Remedial Investigation Report* [RIR] dated February 2012; *Remedial Action Work Plan* [RAWP] dated April 2013; *Site 186 RAWP Addendum* [RAWP Addendum] dated October 2013, and *Remedial Action Report - Soil* [RAR] dated March 2014) and associated documents regarding remediation of chromate chemical production waste (CCPW) in soil at HCC Site 186. Based on the information provided, NJDEP concludes that the remediation of the CCPW in soils is protective of public health, safety and the environment. NJDEP further concludes that the remediation of the CCPW in soils 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 NJDEP 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, NJDEP has determined that the remediation of the CCPW is not subject to further review pursuant to N.J.S.A. 58:10C-21 and 58:10C-25.

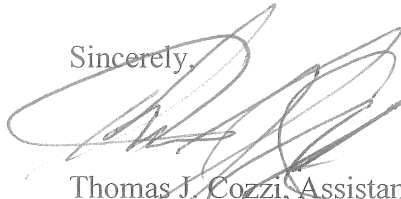
By operation of law, a Covenant Not to Sue pursuant to N.J.S.A. 58:10B-13.2 applies to this CCPW remediation. The Covenant Not to Sue is subject to any conditions and limitations contained herein, and remains effective only as long as the real property referenced above continues to meet those conditions. 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 by NJDEP 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. NJDEP 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.

Thank you for your attention to these matters. If you have any questions regarding this matter, please contact me at (609) 984-2905.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas J. Cozzi', written over a horizontal line.

Thomas J. Cozzi, Assistant Director  
Site Remediation DEP

C: 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  
W. Michael McCabe, Site Administrator  
Brian McPeak, Planning Progress