



## 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  
Fax. #(609) 777-1914

BOB MARTIN  
*Commissioner*

5/3/12

Mark Terril  
Director, Environmental Affairs  
PPG Industries, Inc.  
4325 Rosanna Drive, Building E  
Allison Park, PA 15101

Re: **Area of Concern - No Further Action Letter**

Remedial Action Type: **Unrestricted Use for the CCPW Area of Concern Only as Defined Below**

Hudson County Chromate Site 202  
Pacific Street and NJ Turnpike 14C  
Jersey City, Hudson County  
Program Interest #: G000044583  
Activity Number: PFR000001  
Document Title: HCC 202 Caven Point Realty  
Former Block 2033, Lot 13 (As referenced in the April 2012 Preliminary Assessment)

Dear Mr. Terril:

Pursuant to N.J.S.A. 58:10B-13.1 and N.J.A.C. 7:26C, the New Jersey Department of Environmental Protection (Department) issues this Area of Concern - No Further Action (AOC-NFA) letter for the remediation of the site specifically referenced above, so long as PPG Industries, Inc. (PPG) did not withhold any information from the Department. This action is based upon information in the Department's case file and PPG's final certified Preliminary Assessment Report dated April 2012. In issuing this AOC-NFA letter, the Department has relied upon the certified representations and information provided to the Department. To remain in compliance with the terms of this AOC-NFA letter, PPG as well as each subsequent owner, lessee and operator must comply with the conditions noted below.

By issuance of this AOC-NFA letter, the Department acknowledges the completion of a Preliminary Assessment, pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E), the Partial Consent Judgment for PPG Sites dated June 26, 2009, and the Consent Judgment dated September 7, 2011, for the entire site. CCPW is defined as

“chromate chemical production waste, a by-product generated from the production of sodium bichromate, including, but not limited to, chromium ore processing residue”.

By operation of law a Covenant Not to Sue pursuant to N.J.S.A. 58:10B-13.1 applies to this remediation. The Covenant Not to Sue is subject to any conditions and limitations contained herein. The Covenant Not to Sue remains effective only as long as the real property referenced above continues to meet the conditions of this No Further Action Letter.

### **NO FURTHER ACTION CONDITIONS**

Pursuant to N.J.S.A. 58:10B-12o, PPG and any other person who were liable for the cleanup and removal costs, and remains liable pursuant to the Spill Act, shall inform the Department in writing within 14 calendar days whenever its name or address changes. Any notices submitted pursuant to this paragraph shall reference the above case numbers and shall be sent to: Bureau of Case Assignment and Initial Notice – Case Assignment Section, 401-05H, P.O. Box 420, Trenton, N.J. 08625-0420.

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

Sincerely,



Thomas J. Cozzi, Assistant Director  
Site Remediation DEP

c: Jersey City Department of Health & Human Services  
Kabali Tayari, City of Jersey City  
Municipal Clerk, City of Jersey City  
Hudson Regional Health Commission  
David Doyle, Case Manager  
Kirstin Hahn, NJDEP BCAIN  
W. Michael McCabe, Site Administrator  
Brian McPeak, Planning Progress