



# State of New Jersey

## DEPARTMENT OF ENVIRONMENTAL PROTECTION CONTAMINATED SITE REMEDIATION & REDEVELOPMENT DIVISION OF REMEDIATION MANAGEMENT

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**PHILIP D. MURPHY**

*Governor*

**TAHESHA L. WAY**

*Lt. Governor*

**SHAWN M. LATOURETTE**

*Commissioner*

November 25, 2024

PPG Industries, Inc.  
Mr. Scott Krall  
Global Director, Environmental Affairs  
440 College Park Drive  
Monroeville, PA 15146  
*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)**

Conrail Right-of-Way

Portion of Block 27401 Lot 45

Jersey City, Hudson County, NJ

SRP PI# G000008728

Dear Mr. Krall:

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) dated March 2013, the *Remedial Action Work Plan* (RAWP) dated September 2013, and the *Remedial Action Report* (RAR) dated October 2024, 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 soil Area of Concern (AOC) AOC 1 at the referenced portion of the block and lot as depicted on the attached figure (Figure 1-2 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 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 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 as shown on the attached Figure 1-2 of the October 2024 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, contact me at (609) 292-1251.

Sincerely,



Gwen B. Zervas, P.E., Director  
Division of Remediation Management

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  
Brittany Murray, City of Jersey City

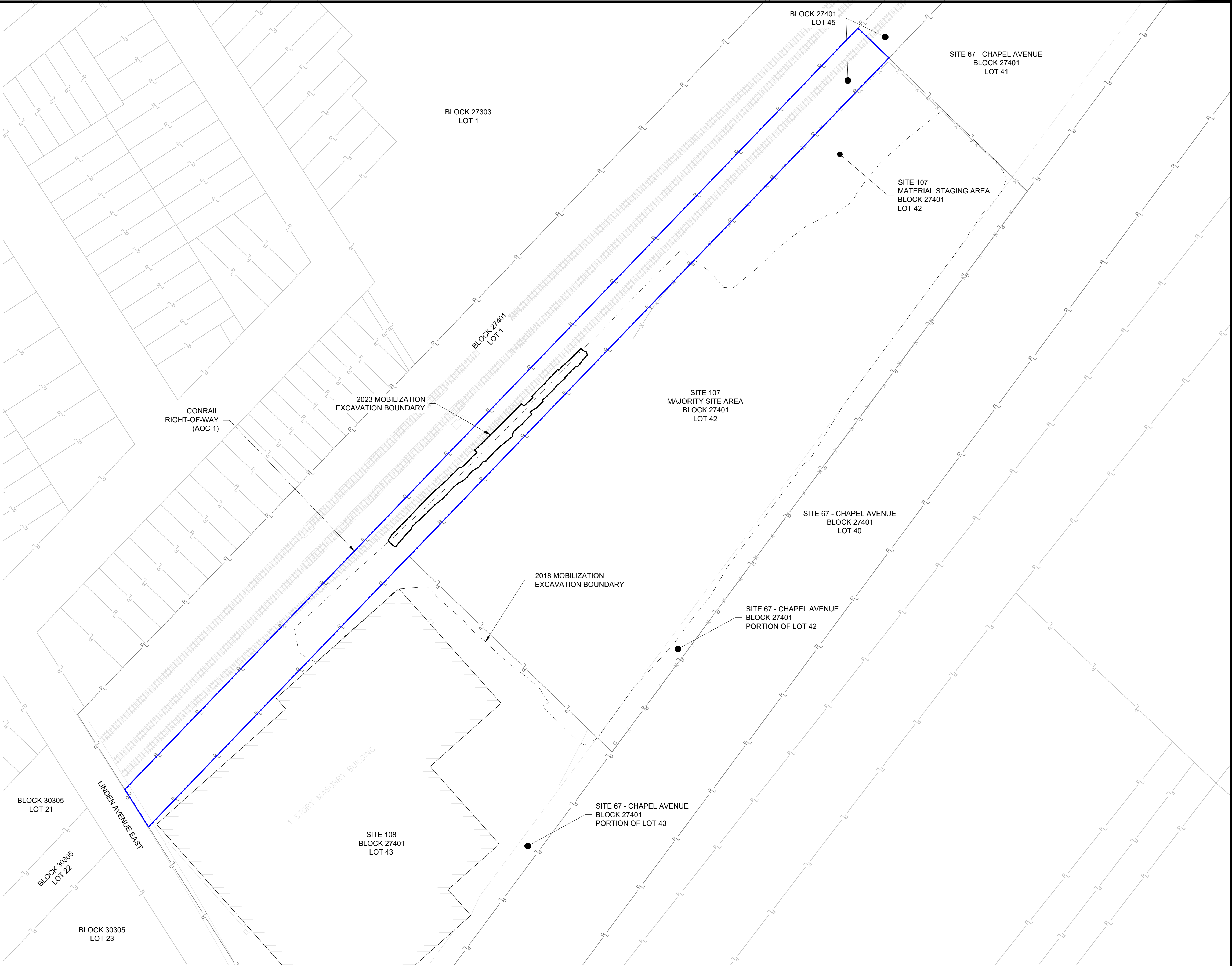


LEGEND

- PROPERTY LINE
- APPROXIMATE PROPERTY LINE (NOTE 3)
- FENCE LINE
- RIGHT-OF-WAY LINE
- 2018 MOBILIZATION EXCAVATION BOUNDARY
- 2023 MOBILIZATION EXCAVATION BOUNDARY
- CONRAIL RIGHT-OF-WAY (AOC 1) BOUNDARY
- EXISTING BUILDING
- RAILROAD TRACKS

NOTES:

- ELEVATIONS REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1988 IN U.S. SURVEY FEET.
- PROPERTY LINES, BUILDING EXTENTS, UTILITIES, AND SITE FEATURES ARE SOURCED FROM A SURVEY CONDUCTED ON OCTOBER 30, 2019 BY MASER CONSULTING, P.A.
- APPROXIMATE PROPERTY BOUNDARIES ARE SOURCED FROM THE HUDSON COUNTY PARCEL DATA AVAILABLE THROUGH THE NEW JERSEY OFFICE OF GEOGRAPHIC INFORMATION SYSTEMS.
- THE 2018 MOBILIZATION BOUNDARY IS SOURCED FROM SURVEYS CONDUCTED BETWEEN JUNE 2018 AND SEPTEMBER 2019 BY MASER CONSULTING, P.A.
- THE 2023 MOBILIZATION BOUNDARY IS SOURCED FROM TOPOGRAPHIC SURVEYS CONDUCTED BETWEEN JULY AND NOVEMBER 2023 BY BORBAS SURVEYING & MAPPING.



PPG  
CONRAIL RIGHT-OF-WAY (AOC 1)  
JERSEY CITY, NEW JERSEY

SITE MAP  
CONRAIL RIGHT-OF-WAY (AOC 1)

DATE: 10/14/2024

DRWN: MDN

FIGURE 1-2