



# State of New Jersey

## DEPARTMENT OF ENVIRONMENTAL PROTECTION SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM

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**PHILIP D. MURPHY**

*Governor*

**SHAWN M. LATOURETTE**

*Commissioner*

**SHEILA Y. OLIVER**

*Lt. Governor*

June 23, 2022

PPG Industries, Inc.  
Ms. Jody Overmyer  
Senior Remediation Project Manager, 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: **Areas of Concern for Chromate Chemical Production Waste (CCPW) and CCPW-Related Metals in Soil within Halladay Street North and a portion of the former Halsted Corporation Property (AOC HSN-1A and AOC HSD-1B)<sup>1</sup>**

- Hudson County Chromate (HCC) Site 114 – Garfield Avenue Site (specific to Halladay Street North) and a Portion of the Former Halsted Corporation Property
- Portion of Halladay Street located north of its intersection with Carteret Avenue and up to its intersection with Forrest Street; also, a portion of Block 21502 Lots 12 through 17
- PPG Garfield Avenue Group, Hudson County Chromate Sites
- Jersey City, Hudson County, NJ
- SRP PI# G000005480, Activity Number RPC000051 and PI# 722429

Dear Ms. Overmyer:

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 February 2012, the *Supplemental Soil Remedial Investigation Report – Soil* (SSRIR) dated August 2018, the *Remedial Action Work Plan* (RAWP) dated September 2018, the *Remedial Action Report* (RAR) dated November 2021, associated documents regarding remediation of chromate chemical production waste (CCPW) and CCPW-related metals in soil within Halladay

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<sup>1</sup> This Consent Judgment Compliance Letter addresses all soil contamination governed by the 2009 Partial Consent Judgment and the 2011 Consent Judgment as defined herein at Halladay Street North and the former Halsted Corporation Property except soils impacted by Manufactured Gas Plant [MGP] constituents that emanated from Hudson County Chromate Site 114 (HCC Site 114). A separate Consent Judgment compliance letter will be issued for the soil AOCs associated with MGP impacts which emanated from HCC Site 114 when appropriate. It is anticipated that a Response Action Outcome (RAO) will be issued for MGP impacts in soil by the LSRP employed by PSE&G. Once the RAO is issued, the Department would be able to issue a separate letter for the soil AOCs impacted by MGP on these Sites that references the RAO to document completion of the remedy.

Street North and a portion of the former Halsted Corporation Property, 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) HSN-1A and AOC HSD-1B within Halladay Street North and a portion of the former Halsted Corporation Property 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 HSN-1A and AOC HSD-1B 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 HSN-1A and AOC HSD-1B 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 HSN-1A and AOC HSD-1B as shown on the attached Figure 1-2 of the November 2021 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,

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 NJDEP

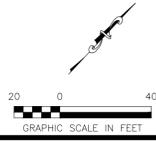
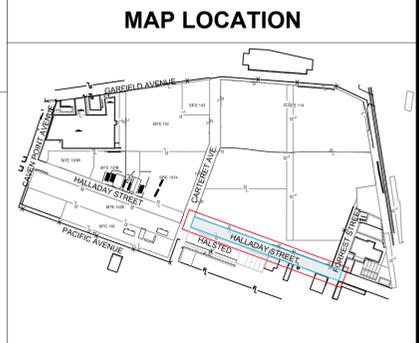
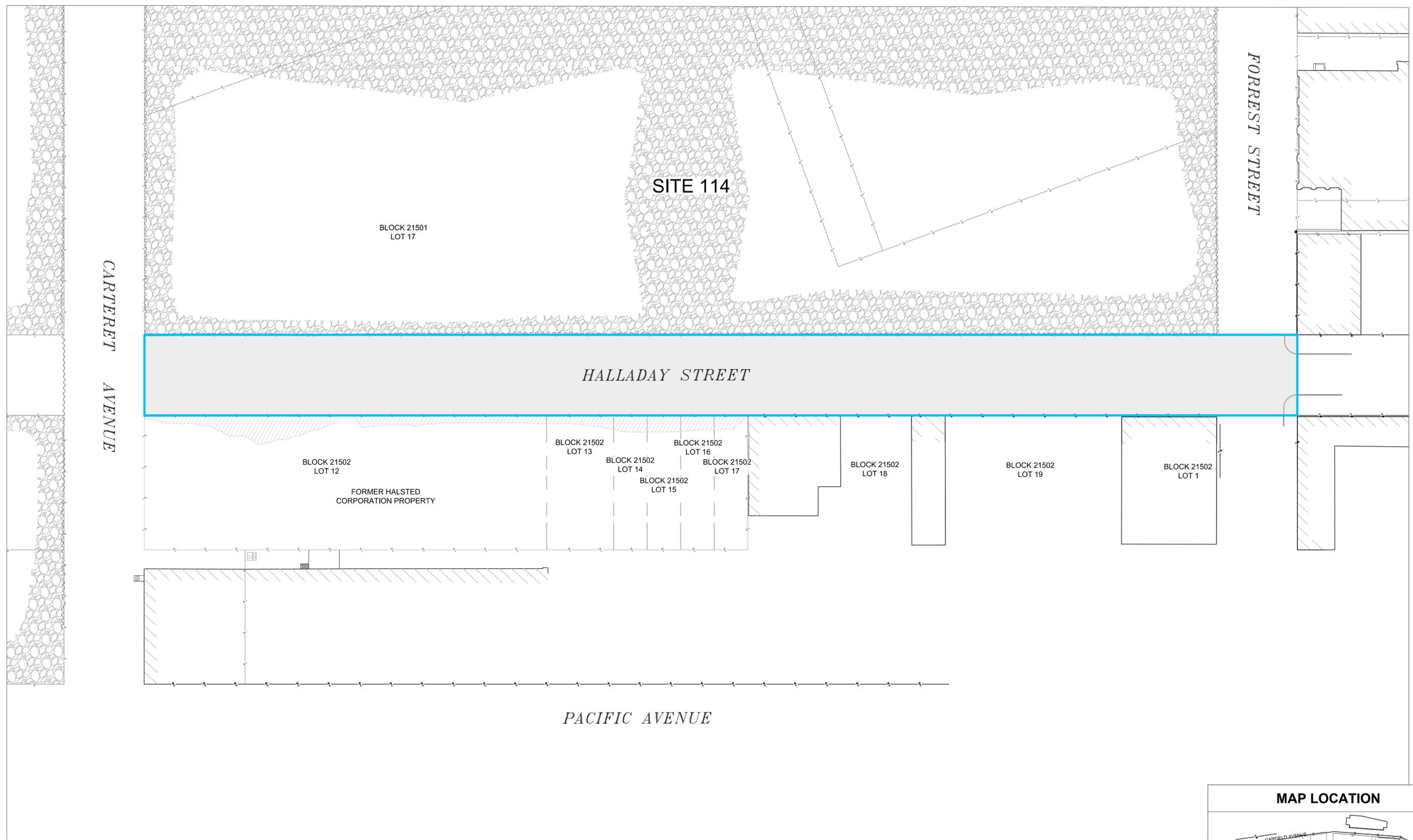
cc: Jersey City Department of Health & Human Services  
Municipal Clerk, City of Jersey City  
Hudson Regional Health Commission  
Ian Curtis, NJDEP Case Manager  
Kirstin Pointin-Hahn, NJDEP BCAIN  
Ronald J. Riccio, Site Administrator  
James D. Ray, MDM&C LLP  
Peter Baker, Law Department, City of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



**SITE PLAN LEGEND**

	PROPERTY LINE
	PROPERTY LINE (NOT SURVEYED)
	EDGE OF CONCRETE
	EXISTING SHEET PILE
	CURB
	EXISTING BUILDING
	LOT LINES (NOT SURVEYED)
	STONE
	AOC HSN-1A
	AOC HSD-1B
	HALLADAY STREET NORTH BOUNDARY

- NOTES:**  
AOC - AREA OF CONCERN
1. SOURCE OF BLOCK/LOT INFORMATION IS JERSEY CITY PARCEL DATA FROM THE NEW JERSEY GEOGRAPHIC INFORMATION NETWORK (NJGIN) AVAILABLE AT: <https://pin.state.nj.us/OCIS/IV>
  2. THE PROPERTY LINES ARE SOURCED FROM THE SURVEY "HALSTED CORPORATION" BUILDING LOT 12, BLOCK 21502, JERSEY CITY, HUDSON COUNTY, N.J. CONDUCTED BY BORBAS SURVEY AND MAPPING, DATED AUGUST 30, 2016.



PPG  
GARFIELD AVENUE GROUP  
JERSEY CITY, NEW JERSEY

DATE: 12/14/2021      DRWN: SAP

**SITE MAP**  
**HALLADAY STREET NORTH AND A PORTION**  
**OF THE FORMER HALSTED CORPORATION**  
**PROPERTY**

**FIGURE 1-2**

Fig. C:\Users\lamborn\AECOM\Director\PPG - 0251910 CAD\20 SHEETS\BAH\0251910-05-19 REV BAH Figure 1-2 Site Plan.dwg Layout: Figure 1-2 User: lamborn Plotted: Dec 14, 2021 - 10:41am vref.s