



State of New Jersey

Department of Environmental Protection
SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM
Division of Remediation Management
Remediation Oversight Element

Mail Code 401-05A
P.O. Box 420
Trenton, NJ 08625
Tel: 609-984-1351
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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CATHERINE R. MCCABE
Commissioner

June 1, 2020

PPG Industries, Inc.
Mr. Mark Terril
Director, Environmental Affairs
One PPG Place
Pittsburgh, PA 16066
Via email

Approval

Re: **Consent Judgment Compliance Letter**

Remedial Action Type: **Restricted Use – Soil**

Scope of Remediation: **The Following Areas of Concern¹:**

- **Chromate Chemical Production Waste (CCPW) and CCPW--Related Metals in Soil at Site 114 Excluding AOC 114-1B (AOC 114-1A);**
- **Historic Fill Material in Soil (AOC 114-3);**
- **Underground Storage Tank (UST) -Impacted Soil in Grids B1B and E3B/E4B (AOC 114-4A);**
- **UST-Impacted Soil in Grids G1A and B10A (AOC 114-4B); and**
- **Soil Impacted by Other Historic Operations and Land Use (AOC 114-5)**

Hudson County Chromate (HCC) Site 114 – Garfield Avenue Site (aka PPG Main Plant)

880, 884, & 900 Garfield Avenue / 70 Carteret Avenue / 2 Dakota Street

Block 21501 Lots 16, 17, 18.01, 18.02, 19.01, 19.02, 20.01, and a Portion of 20.02²

Jersey City, Hudson County, NJ

SRP PI# G000005480; Activity #RPC000051

Notice of Intent: TMS # N11-7757, Activity # UCL110001

Notice of Intent: TMS # N13-8760, Activity # UCL130001

Dear Mr. Terril:

The New Jersey Department of Environmental Protection (Department) has reviewed the site soil remediation documents submitted by PPG Industries, Inc. (PPG) pursuant to Paragraph 23.E of the September 7, 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

¹ This JCO Compliance Letter addresses all soil contamination at Site 114 except (i) Soil AOC 114-1B (CCPW-impacted soils in portions of Grids A5B, A6B, A7B, and B7B within the Western Sliver) and (ii) Soil AOC 114-2 (manufactured gas plant (MGP) -impacted soil associated with the former MGP in the eastern portion of Site 114). The Western Sliver will become part of the Garfield Avenue Roadway. A separate Consent Judgment compliance letter will be issued for the Garfield Avenue Roadway when appropriate. It is anticipated that a Response Action Outcome (RAO) will be issued by the LSRP employed by PSE&G for AOC 114-2. Once the RAO is issued, the Department would be able to issue a separate letter for soil AOC 114-2 that references the RAO to document completion of the remedy.

² See attached R.O.W. Dedication Plat, Drawing V-111 for survey limits of Blocks/Lots covered under this Consent Judgment Compliance Letter.

August 2018, the *Remedial Action Work Plan* (RAWP) dated September 2018, and the *Remedial Action Report* (RAR) dated August 2019, associated documents regarding remediation of chromate chemical production waste (CCPW) and CCPW-related metals in soil, constituents related to underground storage tanks (USTs) in specific grid locations, other constituents related to historic site operations and land use at the referenced block and lots, and historic fill, information in the Department's case file, and the certified representations and information provided to the Department. The substantive elements of a Preliminary Assessment (PA) and Remedial Investigation (RI) were incorporated into the RIR because the site was designated as a chromate site by the Department.

The Department concurs with PPG that all remedial actions are complete for soil at Site 114 except Areas of Concern (AOCs) 114-1B and 114-2 at the referenced block and lots within the limits of excavation as depicted on the attached figure (Figure 1-2 of the RAR). Further, the Department finds that the PPG soil remedy is protective of human health and the environment.

More specifically, based on the information provided, the Department concludes that the remediation of CCPW and CCPW-related metals in soil in AOC 114-1A, historic fill material in soil in AOC 114-3, underground storage tank (UST) –related impacts in soil in AOCs 114-4A and 114-4B, and soil impacted by other historic operations and land uses in AOC 114-5 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 114-1A, historic fill material in soil in AOC 114-3, UST-related impacts in soil in AOCs 114-4A and 114-4B, and soil impacted by other historic operations and land use in AOC 114-5 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 114-1A, historic fill material in soil in AOC 114-3, UST-related impacts in soil in AOCs 114-4A and 114-4B, and soil impacted by other historic operations and land use in AOC 114-5 as shown on the attached Figure 1-2 of the 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, Remedial Action Permits for soil and groundwater, monitoring well installation permits for any new monitoring wells, and well decommissioning notices 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 an NFA letter, and satisfies the same legal obligations formerly met by an NFA letter, for sites regulated directly by the Department.



If you have any questions regarding this matter, please contact me at (609) 984-1351.

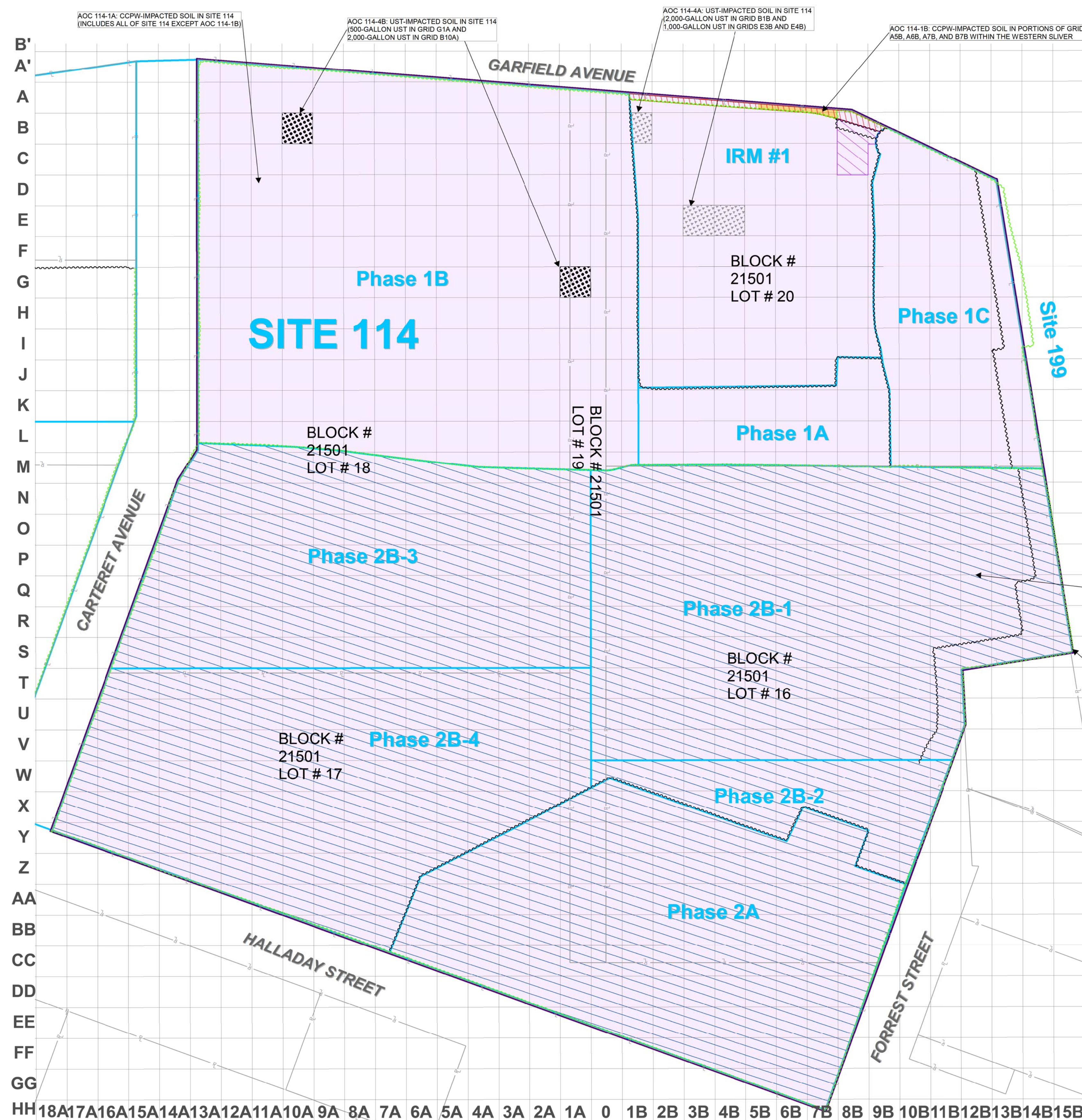
Sincerely,



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





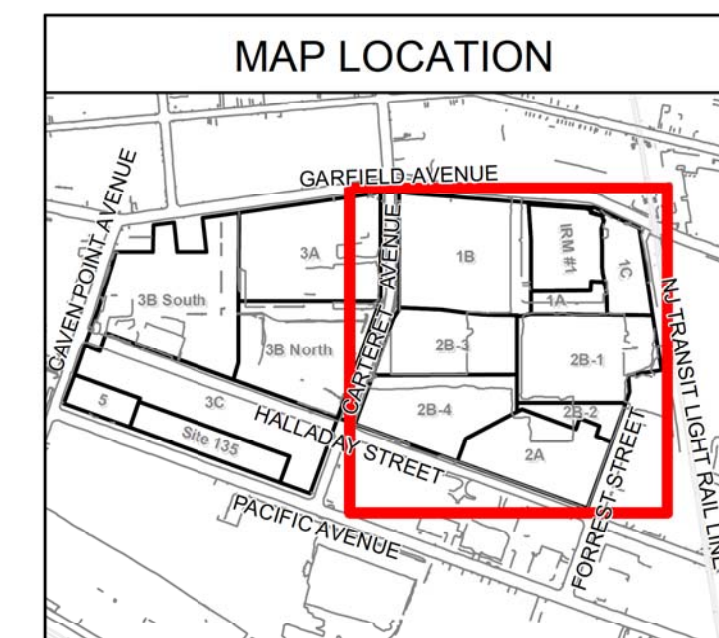
ABBREVIATIONS:
AOC - Area of Concern
CCPW - Chromate Chemical Production Waste
IRM - Interim Remedial Measure
MGP - manufactured gas plant
UST - underground storage tank

GENERAL NOTES:
G1. Source of block/lot information is Jersey City Parcel Data from New Jersey Geographic Information Network (NJGIN), last updated 10/6/2015 (available at: <http://data.jerseycitynj.gov/dataset/jersey-city-parcel-polygon>).
G2. Property lines are sourced from the "Deed Notice Boundary Survey Map, Tax Map Lot 16 Block 21501, PPG Industries Site 114, The City of Jersey City, Hudson Co., New Jersey" prepared by Borbas Surveying and Mapping, LLC, dated July 10, 2018.
G3. See Appendix D-1 for additional details regarding the Northwest Grids and Western Sliver.

LEGEND	
	PROPERTY LINE
	GRID LAYOUT
	PHASE BOUNDARY
	IN PLACE SHEET PILE (AS OF DECEMBER 2018)
	REMOVED SHEET PILE
	NORTHWEST GRIDS
	WESTERN SLIVER
	AOC 114-1A: CCPW-IMPACTED SOIL IN SITE 114 (INCLUDES ALL OF SITE 114 EXCEPT AOC 114-1B)
	AOC 114-1B: CCPW-IMPACTED SOIL IN PORTIONS OF GRIDS A5B, A6B, A7B, AND B7B WITHIN THE WESTERN SLIVER
	AOC 114-2: MGP-IMPACTED SOIL ASSOCIATED WITH THE FORMER MGP IN THE EASTERN PORTION OF SITE 114
	AOC 114-3: HISTORIC FILL MATERIAL IN SOIL IN SITE 114 (INCLUDES ALL OF SITE 114)
	AOC 114-5: SOIL IMPACTED BY OTHER HISTORICAL OPERATIONS AND LAND USE IN SITE 114 (INCLUDES ALL OF SITE 114)
	AOC 114-4A: UST-IMPACTED SOIL IN SITE 114 (2,000-GALLON UST IN GRID B1B AND 1,000-GALLON UST IN GRIDS E3B AND E4B)
	AOC 114-4B: UST-IMPACTED SOIL IN SITE 114 (500-GALLON UST IN GRID G1A AND 2,000-GALLON UST IN GRID B10A)

AOC 114-2: MGP-IMPACTED SOIL ASSOCIATED WITH THE FORMER MGP IN THE EASTERN PORTION OF SITE 114

AOC 114-3: HISTORIC FILL MATERIAL IN SOIL IN SITE 114 (INCLUDES ALL OF SITE 114)
AOC 114-5: SOIL IMPACTED BY OTHER HISTORICAL OPERATIONS AND LAND USE IN SITE 114 (INCLUDES ALL OF SITE 114)



APPROVED BY THE HUDSON COUNTY PLANNING BOARD IN ACCORDANCE WITH N.J.S.A. 40:27-6.2 ON

COUNTY PLANNER
DATE:

COUNTY ENGINEER
DATE:

I HEREBY CERTIFY THAT THE PROPER AUTHORITY HAS APPROVED THIS MAP AND THE SAME IS IN COMPLIANCE WITH N.J.S.A. 46:23-9.1 ET. SEQ.

JERSEY CITY PLANNING BOARD SECRETARY
DATE:

I HAVE CAREFULLY EXAMINED THIS MAP AND TO THE BEST OF MY KNOWLEDGE AND BELIEF FIND IT CONFORMS WITH THE PROVISIONS OF THE "MAP FILING LAW," THE RESOLUTION OF APPROVAL, AND APPLICABLE MUNICIPAL ORDINANCES AND REQUIREMENTS.

MUNICIPAL ENGINEER
DATE:

I CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF THAT THIS LAND SURVEY DATED 08/29/2018 AND REVISED THROUGH 11/05/2018 HAS BEEN MADE UNDER MY SUPERVISION AND MEETS THE MINIMUM SURVEY DETAIL REQUIREMENTS OF THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THAT THE OUTBOUND CORNER MARKERS AS SHOWN HAVE BEEN FOUND AND WILL BE SET.

GREG GLOOR, PLS
NJ LICENSE NO. 240503718900

THIS MAP WAS APPROVED AT A REGULAR MEETING OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY, HUDSON COUNTY, N.J., HELD ON _____, AND SAID MAP SHALL BE FILED IN THE REGISTER OF DEEDS OFFICE FOR SAID COUNTY ON OR BEFORE _____ IN ACCORDANCE WITH CHAPTER 358, P.L. 1953 AND AS AMENDED BY CHAPTER 141, P.L. 1960.

CHAIRPERSON
DATE

SECRETARY
DATE

THE MONUMENTS SHOWN ON THIS MAP SHALL BE SET WITHIN THE TIME LIMIT AS PROVIDED FOR IN THE "MUNICIPAL LAND USE LAW," P.L. 1975, c.291 (C.40:550-1 ET SEQ.) OR LOCAL ORDINANCE. I CERTIFY THAT A BOND HAS BEEN GIVEN TO THE MUNICIPALITY, GUARANTEEING THE FUTURE SETTING OF THE MONUMENTS AS DESIGNATED AND SHOWN ON THIS MAP.

MUNICIPAL CLERK
DATE

I HEREBY CERTIFY THAT THIS MAP HAS BEEN MADE UNDER MY SUPERVISION AND COMPLIES WITH THE PROVISIONS OF THE "MAP FILING LAW."

JOSEPH MELE, PE, PLS
NJ LICENSE NO. 246804723900
DATE: 2/18/2020

WE THE UNDERSIGNED, HAVING AN INTEREST IN THE TITLE OF THE PROPERTY COVERED BY THIS SUBDIVISION MAP, HEREBY CONSENT TO THE FILING OF THIS MAP IN THE OFFICE OF THE HUDSON COUNTY REGISTER.

NAME
DATE

AUTHORIZED AGENT FOR:
HAMPSHIRE URBAN RENEWAL DEVELOPMENT, LLC
22 MAPLE AVENUE
MORRISTOWN, NJ 07960

STATE OF NEW JERSEY, COUNTY OF HUDSON, SS:

BE IT REMEMBERED THAT ON THIS _____ BEFORE ME, THE SUBSCRIBER, A NOTARY OF NEW JERSEY PERSONALLY APPEARED

WHO I AM SATISFIED IS THE PERSON MENTIONED IN THE WITHIN INSTRUMENT TO WHOM I FIRST MADE KNOWN THE CONTENTS THERE OF AND THERE UPON HE/SHE ACKNOWLEDGED THAT HE/SHE SIGNED, SEALED AND DELIVERED THE SAME AS THEIR VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED.

SWORN AND SUBSCRIBED TO BEFORE ME THE DAY AND YEAR AFORESAID

NOTARY PUBLIC

WE THE UNDERSIGNED, HAVING AN INTEREST IN THE TITLE OF THE PROPERTY COVERED BY THIS SUBDIVISION MAP, HEREBY CONSENT TO THE FILING OF THIS MAP IN THE OFFICE OF THE HUDSON COUNTY REGISTER.

NAME
DATE

AUTHORIZED AGENT FOR:
GARFIELD JC PARTNERS, LLC
22 MAPLE AVENUE
MORRISTOWN, NJ 07960

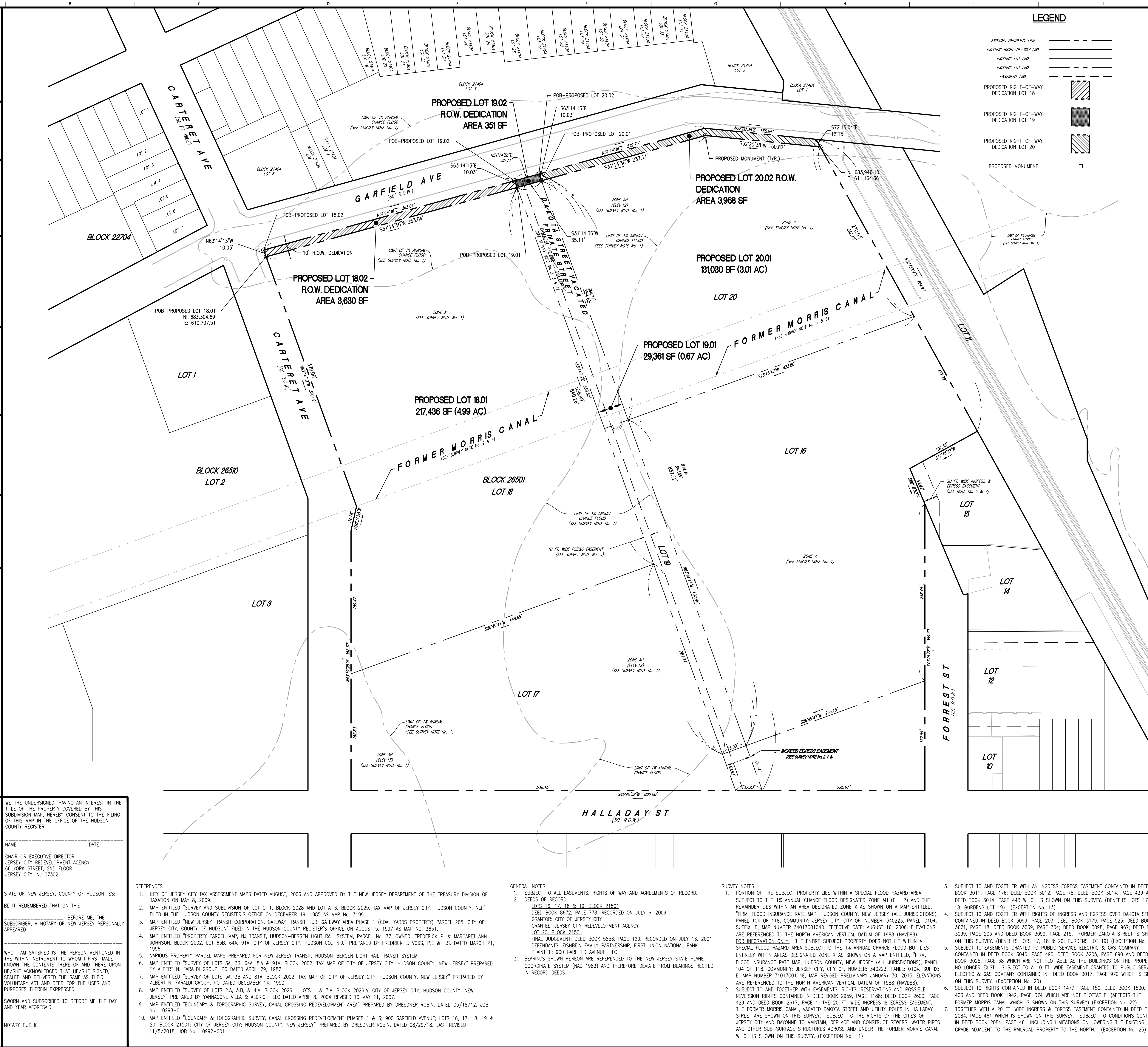
STATE OF NEW JERSEY, COUNTY OF HUDSON, SS:

BE IT REMEMBERED THAT ON THIS _____ BEFORE ME, THE SUBSCRIBER, A NOTARY OF NEW JERSEY PERSONALLY APPEARED

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SWORN AND SUBSCRIBED TO BEFORE ME THE DAY AND YEAR AFORESAID

NOTARY PUBLIC



DRESDNER ROBIN

DRESDNER ROBIN ENVIRONMENTAL MANAGEMENT, INC.
1 EVERTRUST PLAZA, SUITE 901, JERSEY CITY, NJ 07302
TEL: 201.217.9200 FAX: 201.217.9607
NJ CERTIFICATE OF AUTHORIZATION: 246A27928000

JERSEY CITY ■ FAIRFIELD ■ ASBURY PARK ■ CHERRY HILL

NO.	DATE	DESCRIPTION	BY
REVISIONS:			
OWNER/APPLICANT: HAMPSHIRE URBAN RENEWAL DEVELOPMENT, LLC & GARFIELD JC PARTNERS, LLC 22 MAPLE AVENUE MORRISTOWN, NJ 07960			

2/18/2020

JOSEPH MELE
PROFESSIONAL ENGINEER & LAND SURVEYOR
NJ LICENSE NUMBER 246804723900

DRAWING TITLE:
R.O.W. DEDICATION PLAT

PROJECT:
CANAL CROSSING REDEVELOPMENT

LOCATION:
900 GARFIELD AVENUE
LOTS 16-20, BLOCK 21501
CITY OF JERSEY CITY
HUDSON COUNTY,
NEW JERSEY, 07305

SCALE:
1"=50'
50 25 0 50
SCALE: 1"=50'

DRAWN BY: JPL	CHECKED BY: JM	DRAWING NUMBER: V-111
SCALE: 1"=50'	DATE: 02-18-2020	
JOB NO: 10992-002	SHEET 01 OF 01	