

June 22, 2016

Mr. David Donnelly  
Executive Director  
Jersey City Redevelopment Agency  
66 York Street, 3rd Floor  
City of Jersey City, New Jersey 07302

Re: Response Action Outcome

**Remedial Action Type:**  
**Scope of Remediation:**

*Unrestricted Use*  
*Areas of Concern:* Former Morris Canal identified as **AOC-1**; Chromium Site 121 identified as **AOC-2** and Chromium Site 207 identified as **AOC-3** and no other areas

**Case Name:**  
**Address:**  
**Municipality:**  
**County:**  
**Block: 17301**  
**Block: 18901**  
**Block: 19803**  
**Preferred ID:**  
**Well Permit #:**

**Berry Lane Park**  
**One Berry Road**  
**City of Jersey City**  
**Hudson**  
**Lots: 10**  
**Lots: 1 and 2 and 18**  
**Lots: 1, 4, 5, 8 through 21**  
**568229**  
**E201317042 through E201317045,**  
**E201317049, E201317050, E201317052 and**  
**E201317053**

Dear Mr. Donnelly:

As a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey, I hereby issue this Response Action Outcome for the remediation of the *areas of concern* specifically referenced above. I *personally reviewed and accepted all of the referenced remediation* and based upon this work, it is my professional opinion that this remediation has been completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C), that is protective of public health, safety and the environment. Also, full payment has been made for all Department fees and oversight costs pursuant to N.J.A.C. 7:26C-4.

This remediation includes the completion of a *Site Investigation, Remedial Investigation and Remedial Action* as defined pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E),

**DRESDNER  
ROBIN**

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Engineering  
Environmental  
Planning  
Land Survey  
Landscape  
Architecture  
Real Estate  
Consulting

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1 Evertrust Plaza  
Suite 901  
Jersey City, NJ 07302  
201.217.9200  
Fax: 201.217.9607

603 Mattison Ave  
Suite 4800  
Asbury Park, NJ 07712  
732.988.7020  
732.988.7032 FAX

4300 Haddonfield Rd  
Suite 115  
Pennsauken, NJ 08109  
856.488.6200  
856.488.4302 FAX

55 Lane Road  
Suite 220  
Fairfield, NJ 07004  
973.696.2600  
973.696.1362 FAX

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DresdnerRobin.com



My decision in this matter is made upon the exercise of reasonable care and diligence and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals in good standing practicing in the State at the time these professional services are performed.

As required pursuant to N.J.A.C. 7:26C-6.2(b)2ii, a copy of all records related to the remediation that occurred at this location is being simultaneously filed with the New Jersey Department of Environmental Protection (Department). These records contain all information upon which I based my decision to issue this Response Action Outcome.

By operation of law a Covenant Not to Sue pursuant to N.J.S.A. 58:10B -13.2 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 Response Action Outcome.

### CONDITIONS

Pursuant to N.J.S.A. 58:10B-12o, *Jersey City Redevelopment Agency* and any other person who is liable for the cleanup and removal costs, and remains liable pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. shall inform the Department in writing, on a form available from the Department, within 14 calendar days after its name or address changes. Any notices you submit pursuant to this paragraph shall reference the above case numbers and shall be sent to:

New Jersey Department of Environmental Protection  
Bureau of Case Assignment and Initial Notice  
Mail Code 401-05H  
401 East State Street, 5th floor  
PO Box 420  
Trenton, New Jersey 08625-0420

### NOTICES

#### Well Decommissioning

Pursuant to N.J.A.C. 7:9D-3 any wells installed as part of this remediation that will no longer be used for remediation have been properly decommissioned. If any wells have been properly decommissioned, the well driller's well decommissioning report has been submitted to the Bureau of Water Allocation and Well Permitting. Pursuant to N.J.S.A. 58:4A, any monitoring wells remaining onsite shall be properly decommissioned prior to the termination of the applicable remedial action permit. A New Jersey licensed well driller shall decommission the well(s) in accordance with the requirements of N.J.A.C. 7:9D-3 and submit the decommissioning report on your behalf to the Bureau of Water Allocation and Well Permitting. More information about regulations regarding the maintenance and decommissioning of wells in New Jersey can be found at [www.nj.gov/dep/watersupply](http://www.nj.gov/dep/watersupply). For a list of New Jersey licensed well drillers, click on the "reports" button in the left column and select "access the well permit reports." Questions can be emailed to [wellpermitting@dep.state.nj.us](mailto:wellpermitting@dep.state.nj.us).

Soils Only Response Action Outcome when Ground Water Contamination remains from that Area(s) of Concern or Site

This Response Action Outcome only applies to the soils at the referenced location. By issuing this Response Action Outcome, I have relied on both the implementation of the remedial action for soil and on the ground water data to support the determination that soil contamination is no longer affecting ground water. Please be advised that if changes in future ground water data no longer support this conclusion, additional soil remediation may be necessary. Also, any redevelopment on this site should take into consideration the potential for vapor intrusion from the ground water contamination. Please note that you may have an affirmative obligation, pursuant to the Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-1.3, to remediate the remaining contamination, within specific regulatory and mandatory timeframes and within the statutory timeframe specified at N.J.S.A. 58:10C-27.

Known On-site Contamination Source Not Remediated - Historic Fill (Area of Concern RAO)

Please be advised that this Response Action Outcome does not include the remediation of contamination in the form of historic fill. In the event that an Entire Site RAO is to be issued, the historic fill must be remediated in accordance with N.J.A.C. 7:26E.

Known Onsite Contamination Source Not Yet Remediated

This Response Action Outcome specifically does not address the *AOC-11 Previous Site Operations – McConnell Coal and Oil and Roberto's Boat Repair, AOC-13 Previous Site Operations – Automotive Salvage Yard, AOC-21 Railroads/Rail Tracks, AOC-23 Storm water collection system, AOC-31 One 275-gallon Unregulated Waste Oil Aboveground Storage Tank, AOC-36 One 3,000-gallon Leaded/Unleaded Gasoline UST, AOC-63 Two 3,000-gallon No. 2 Fuel Oil USTs, AOC-69 One 550-gallon heating oil UST contaminated with benzene, total xylenes, naphthalene, 2-methylnaphthalene, dieldrin, Polychlorinated Biphenyls and Extractable Petroleum Hydrocarbons*. This aspect of this site was reported to the Department and assigned the Department's Hotline incident numbers *10-10-19-1659-41* and *12-08-23-1026-50*. This contamination is being addressed under Department Program Interest # **568229**. Please note that you may have an affirmative obligation, pursuant to the Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-1.3, to remediate the remaining contamination, within specific regulatory and mandatory timeframes and within the statutory timeframe specified at N.J.S.A. 58:10C-27.

Ground Water Contamination not yet Investigated

This Response Action Outcome does not address the ground water contamination (specifically, *benzene, ethylbenzene, toluene, total xylenes, naphthalene, 2-methylnaphthalene, Total Volatile Organic Tentatively Identified Compounds and Total Base Neutral Tentatively Identified Compounds*) at this site. This contamination was reported to the Department and assigned the Department's Hotline incident number *10-07-0808-57-58*. Pursuant to the Technical Requirements for Site Remediation, N.J.A.C. 7:26E-4.3, a remedial investigation of ground water (including a background investigation pursuant to N.J.A.C. 7:26E-3.9 if an offsite source is being claimed) is required. In order to identify any onsite areas of concern that may be contributing to the noted contamination a preliminary assessment and site investigation (as applicable), pursuant to N.J.A.C. 7:26E-3 should be conducted. This contamination is being

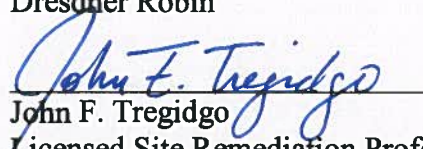
addressed under Department Program Interest # **568229**. Please note that you may have an affirmative obligation, pursuant to the Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-1.3, to remediate the contamination (not otherwise determined to be from an offsite source) within specific regulatory and mandatory timeframes and within the statutory timeframe specified at N.J.S.A. 58:10C-27. Be advised that ground water contamination exists above the Ground Water Quality Standards (N.J.A.C. 7:9C-1.7) which may limit ground water use at this site. Also, any redevelopment on this site should take into consideration the potential for vapor intrusion from the ground water contamination.

In concluding that this remediation has been completed, I am offering no opinions concerning whether either primary restoration (restoring natural resources to their pre-discharge condition) or compensatory restoration (compensating the citizens of New Jersey for the lost interim value of the natural resources) has been completed.

Pursuant to N.J.S.A. 58:10C-25, the Department may audit this Response Action Outcome and associated documentation up to three years following issuance. Based on a finding by the Department that a Response Action Outcome is not protective of public health, safety and the environment, the Department can invalidate the Response Action Outcome. Other justifications for the Department's invalidation of this Response Action Outcome are listed in the Administrative Requirements for the Remediation of Contaminated Sites at N.J.A.C. 7:26C-6, including, but not limited to, a Department audit following issuance of this document may be initiated at any time if: a) undiscovered contamination is found that was not addressed by the Response Action Outcome, b) if the Site Remediation Professional Licensing Board conducts an investigation of the Licensed Site Remediation Professional issuing the Response Action Outcome or, c) if the license of that person is suspended or revoked.

Thank you for your attention to these matters. If you have any questions, please contact me at (973) 559-7431.

Sincerely,  
Dresdner Robin

  
John F. Tregidgo

Licensed Site Remediation Professional #585012

cc: Mayor Steven M. Fulop, Mayor of Jersey City  
Mr. Rolando R. Lavarro, Jr., Jersey City Council President  
Ms. Vera Smith, Jersey City Health Officer  
Mr. Robert Byrne, Jersey City Clerk  
Ms. Darice Toon, Director Hudson County Department of Health and Human Services  
Ms. Carrie Nawrocki, Executive Director Hudson Regional Health Commission  
Ms. Barbara Netchert, Clerk of Hudson County  
Mr. Tom Cozzi, New Jersey Department of Environmental Protection  
NJDEP Bureau of Case Assignment and Initial Notice