

DRESDNER ROBIN

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Ms. Diana Jeffrey
Executive Director
Jersey City Redevelopment Agency
66 York Street, 3rd Floor
City of Jersey City, New Jersey 07302

December 5, 2018

Re: Response Action Outcome

Remedial Action Type:	<i>Unrestricted Use</i>
Scope of Remediation:	<i>Areas of Concern: Ground Water associated with 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</i>
Case Name:	Berry Lane Park
Address:	One Berry Road
Municipality:	City of Jersey City
County:	Hudson
Block: 18901	Lot: 1.01
Preferred ID:	568229

Dear Ms. Jeffrey:

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 and Remedial Investigation* as defined pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E).

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

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-6 One (1) 2,000-Gallon Leaded Gasoline UST, 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-32 Historic Operations/USTs, AOC-63 Two 3,000-gallon No. 2 Fuel Oil USTs, AOC-65 Woodward Metal Processing (Property 12), 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 10-10-19-1659-4 and 10-07-08-0857-58. 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 10-07-08-0857-58 and 10-07-09-1318-57. 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. Stacy Flanagan, Director, 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
Mr. E. Junior Maldonado, Clerk of Hudson County
Mr. Wayne Howitz, New Jersey Department of Environmental Protection
NJDEP Bureau of Case Assignment and Initial Notice