

## Ortlieb, Erich

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**From:** Jerri Weigand <Jerri.Weigand@dep.nj.gov>  
**Sent:** Tuesday, December 16, 2014 12:44 PM  
**To:** Kim McEvoy  
**Cc:** John Doyon; David A. Lawyer (dlawyer@njeda.com); Donna Mahon; Pettit, Chris; William Lindner; Rikkia Thompson (rthompson@njeda.com); Margie M. Piliere (MPiliere@njeda.com)  
**Subject:** RE: Out of Compliance Status Matlack/ Superior/DC Plastics

Kim,  
I think I got this one! Let me know if you agree.

The conditions to bring DC back into compliance are:

- 1) Pay the LSRP fees. Bill has emailed the DC attorney and asked for a pdf of the check to show the fees are submitted. Bill will track this and let us know when the proof of payment is received. Once we are sure payment was submitted, we can task this out with the ERR condition #2 below.
- 2) Since the Hazardous Discharge Site Remediation Fund (HDSRF) loan was recommended for approval by DEP, there should be money to conduct the remedial investigation and remedial action. So, the **ERR condition is to begin the Remedial Investigation immediately and submit the completed RI by the due date of 5/7/16.**

The RI involves specific steps outlined by Office of Brownfield Reuse in the approval recommendation letter and EDA should require documentation that some of the RI steps are complete or under way in order to document compliance with this condition and award the SBL money at the conclusion of the environmental review. (Typically, the responsible party pays for the work out of pocket, then submits invoices which are reviewed by DEP/Brownfield office (John Doyon. ) EDA administers the HDSRF money and reimburses for the work done after DEP Office of Brownfield Reuse reviews. John Doyon is checking with EDA to determine the status of the HDSRF loan. Assuming everything is in place, we can add condition #2 to the ERR. Just FYI, the HDSRF loan includes ~\$120,000 for remedial investigation (RI) and ~\$80,000 for remedial action (RA = actual cleanup).

So, as soon as we confirm LSRP fees and status of HDSRF loan, we can task this out.

*Jerri*

**Jerri Lynn Weigand**  
**Program Manager**  
**Sandy Recovery – Environmental and Historic Review Program**  
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**From:** Donna Mahon  
**Sent:** Tuesday, December 16, 2014 10:42 AM  
**To:** Pettit, Chris; William Lindner  
**Cc:** Jerri Weigand; Kim McEvoy  
**Subject:** RE: Out of Compliance Status Matlack/ Superior

Chris, meanwhile, Kim is going to draft the language to be inserted in the ERR so we can move it to QA.

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**From:** Pettit, Chris [<mailto:Chris.Pettit@icfi.com>]  
**Sent:** Tuesday, December 16, 2014 9:08 AM  
**To:** William Lindner; Donna Mahon  
**Subject:** RE: Out of Compliance Status Matlack/ Superior

Makes sense to me. Thanks

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**From:** William Lindner [<mailto:William.Lindner@dep.nj.gov>]  
**Sent:** Tuesday, December 16, 2014 9:07 AM  
**To:** Donna Mahon; Pettit, Chris  
**Subject:** FW: Out of Compliance Status Matlack/ Superior

I sent this to attorney for Superior yesterday. Hopefully the best option. Our financial guy (Al Inserra) advised us that the check could take months to get from treasury to us so the option below seemed best.

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**From:** William Lindner  
**Sent:** Monday, December 15, 2014 2:52 PM  
**To:** 'dbuongiorno@wolffsamson.com'; Alphonse Inserra  
**Cc:** Kim McEvoy; Alphonse Inserra  
**Subject:** Out of Compliance Status Matlack/ Superior

Good Afternoon Diana,

I know that you spoke with my colleague Jerri Weigand last week regarding the David Moskovits property in Bayonne. Jerri indicated that Mr. Moskovits will be sending a check to clear up his NJDEP compliance issue. It is my understanding that he will be forwarding a check for \$8,055.

I met with Alphonse Inserra of NJDEP this morning. He indicated that you have also been corresponding with him. He is now up to date on this issue as it relates to the EDA application.

Please provide a PDF copy of the check and attach it to the reply of this email. Once we have the copy we can move the project forward in regards to the EDA loan that Mr. Moskovits has applied for. Please “reply all” so that Alphonse Inserra will also be aware of the update in status.

Please let me know if you have an questions.

Thank You,

Bill Lindner  
NJDEP  
Sandy Recovery