

PAUL CASTELEIRO, ESQ.
 200 Washington Street
 Suite 500 – 5th Flr.
 Hoboken, New Jersey 07030
 Tel: (201) 656-1696
 Fax: (201) 656-4688
 Attorney for Third-Party Defendant NOVELIS CORPORATION

NEW JERSEY DEPARTMENT OF	:	SUPERIOR COURT OF NEW
ENVIRONMENTAL PROTECTION and	:	JERSEY
THE ADMINISTRATOR OF THE NEW	:	LAW DIVISION: ESSEX COUNTY
JERSEY SPILL COMPENSATION FUND,	:	
	:	DOCKET NO. L-9868-05
Plaintiffs	:	
v.	:	
	:	CIVIL ACTION
OCCIDENTAL CHEMICAL	:	
CORPORATION, TIERRA SOLUTIONS,	:	CMO V THIRD-PARTY INITIAL
INC., MAXUS ENERGY CORPORATION,	:	DISCLOSURE
REPSOL YPF, S.A., YPF, S.A., YPF	:	
HOLDINGS, INC. and CLH HOLDINGS,	:	
INC.,	:	
Defendants.	:	
	:	
MAXUS ENERGY CORPORATION and	:	
TIERRA SOLUTIONS,	:	
INC.,	:	
Third-Party Plaintiffs,	:	
	:	
vs.	:	
	:	
3M COMPANY, <i>et al.</i> ,	:	
	:	
Third-Party Defendants.	:	

Under Case Management Order V, Third-Party Defendant Novelis Corporation (“Respondent”) provides its Initial Disclosure.

Reservations

1. Respondent reserves the right to object to the production of any documents or other

information on any ground, including relevance and undue burden, and to assert any applicable privilege, including the attorney-client privilege, the work product doctrine, the common interest doctrine, and any other applicable privilege or protection. These disclosures are not intended to prejudice or waive any privileges or objections Respondent may have with respect to any outstanding or subsequent requests for discovery.

2. Respondent's investigation in this matter is continuing. Accordingly, it reserves the right to supplement, clarify, and revise these disclosures to the extent additional information becomes available or is obtained through discovery. Further, Respondent reserves the right to amend these disclosures to the extent the claims brought by or alleged against Respondent in this litigation are amended.

3. The time period covered by the allegations in the Plaintiffs' Second Amended Complaint encompasses at least six decades. The geographic scope of the Second Amended Complaint is extensive, covering the 'Newark Bay Complex,' which spans the 'lower 17 miles of the Passaic River, Newark Bay, the lower reaches of the Hackensack River, the Arthur Kill, the Kill van Kull, and into adjacent waters and sediments.' See, Second Amended Complaint, ¶ 1. The scope of inquiry required by Third-Party Defendants is accordingly extensive and potentially burdensome. Respondent is therefore engaged in a continuing investigation and reserves the right to supplement and modify these disclosures.

Initial Disclosures of Novelis Corporation

4. Initial Disclosure “a”

a. The name, address and telephone number, as may be known, of each individual likely to have discoverable information, along with the subjects of that information, that relates to any alleged discharge or release of pollutants, contaminants and/or hazardous substances (“Pollutants”) into the Newark Bay Complex (as these terms are defined in the Second Amended Complaint and the Third-Party Complaints) from the site(s) and/or properties with which the disclosing party is associated in the Third-Party Complaint (“Alleged Discharges”);

Response to Initial Disclosure “a”

Name/Address/Phone	Subject
Gaberial A. DeSarno 1008 Broadway Boulevard Toms River, NJ 08757	Former employee; plant operations
John Vodarsik Contact Information: Unknown	Former employee; coating line operations
Richard J. Gerber 9715 Oakwood Hill Ct. Newport Richie, FL 34655 (727) 372-3015 (as of 6/5/2006)	Former employee; plant operations
William E. Vallier, Technical Manger Gentek Building Products, Inc. 11 Cragwood Road Woodbridge, New Jersey 07095	Gentek employee; timeline for cessation of operations.
Richard J. Sullivan No contact information	New Jersey Dept. of Health employee in 69/70; Discharge citation & abatement
Douglas M. Clark No contact information	New Jersey Dept. of Health employee in 69/70; Discharge citation & abatement
Thomas F. Harding No contact information	New Jersey Dept. of Health employee in 69/70; Discharge citation & abatement

5. Initial Disclosure “b”

b. The name, address and telephone number, as may be known, of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses (unless the use would be solely for impeachment);

Response to Initial Disclosure “b”

Respondent has not at this time identified any individuals responsive to this initial disclosure, other than those identified in Response to Initial Disclosure “a”, above.

6. Initial Disclosure “c”

c. The name, address and telephone number, as may be known, of any and all past or present owners, lessees or operators at the site(s) and/or properties with which it is associated in the Third-Party Complaint and the dates of such ownership, lease or operation, as may be known;

Response to Initial Disclosure “c”

Name/Address/Phone	Site Address	Dates at Site: Ownership/Opertor/Lease
Brixite Manufacturing Company Inc.	Tomkins Tidewater Terminal Jacobus Avenue South Kearney, New Jersey	1956 – 1964; Lessee
National Distillers and Chemical Corporation d/b/a as Wallmaster	Same	1964; Lessee
Alcan Building Products	Same	1965 – 1975: Lessee
River Terminal Development Corp. 100 Central Avenue Building 30, 6 th Floor South Kearney, NJ 07032	Same	Dates unknown; Owner/Operator;

7. Initial Disclosure “d”

d. With respect to any individual identified pursuant to paragraph (a), (b) or (c) above, (or any other individual known to have material knowledge of an alleged discharge or release of a Pollutant at or from a site and/or property, or into the Newark Bay Complex), any known inability to testify due to age, infirmity, or incompetency within 12 months following the date of the Initial Disclosure;

Response to Initial Disclosure “d”

Respondent has a good faith belief that each of the former Alcan Building Products employees identified in Response to Initial Disclosure “a” is likely to be either aged, infirm, or declining in competency.

8. Initial Disclosure “e”

e. A description by category and location (or copy at the discretion of the Third-Party Defendant) of all documents or electronically stored information that the disclosing party has in its possession, custody, or control with respect to Alleged Discharges including disclosure of the extent to which such documents or electronically stored information may fall within the Exempted Information.

Response to Initial Disclosure “e” (See, also footnote¹ below)

Documents by Category	Location	Applicable Exception
EPA and Alcan correspondence, 75/76, misc.	Novelis Corporation Law Department 6060 Parkland Blvd, Mayfield Heights, Ohio 44124	None noted
EPA 104(e) Requests and Alcan Responses dated March 2, 1995 and December 20, 1995		Exception “b”
EPA General Notice Letters, dated April 26, 1996 and September 15, 2003.		None noted

¹ Applicable Exception Codes are as follows:

a. Information, (“Information”), including, but not limited to, environmental, chemical and/or biological testing of groundwater, surface water, soil or sediment (hereinafter “Sampling Information”) contained in the nexus packages produced pursuant to paragraph 8 (e) of CMO V; and

b. Information previously produced to any branch, department, agency or instrumentality of the State of New Jersey including to the New Jersey Department of Environmental Protection (“NJDEP”) or Information produced to any other governmental agency or entity whose responsibility it is to oversee environmental compliance in the Newark Bay Complex Area, including, but not limited to, the United States Environmental Protection Agency and the United States Army Corps of Engineers (hereinafter “Governmental Recipients”);

c. Information produced to any Licensed Site Remediation Professional (hereinafter “LSRP”) who is duly licensed by the State of New Jersey at the time of receipt of such Information where such disclosure of Information is intended to be used in connection with any remedial investigation or remedial action having an assigned case number in the NJDEP’s NJEMS data system;

d. Sampling Information compiled with the expectation of being produced to a Governmental Recipient or an LSRP under Paragraphs 4(b) or 4(c) but which Sampling Information has not yet undergone quality assurance/quality control or similar analysis;

e. Information produced by a third-party defendant to any third-party plaintiff pursuant to the New Jersey Open Public Records Act or other freedom of information law or regulation;

f. Information previously produced to Defendants; and,

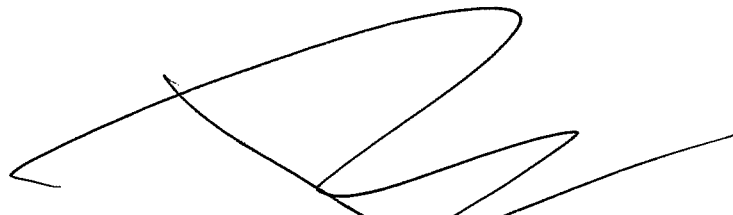
g. Information that falls within the attorney-client privilege and/or the attorney work product privilege.

EPA Fax, dated October 30, 2003.		None noted
New Jersey Department of Health, Order, dated October 3, 1969 and related correspondence. FOI Request to State of New Jersey, correspondence, 1996	Same	Exception "b" None noted
Excerpt (8 pgs); Report, U.S Department of Interior, November 1969 (cover page and Table 6) NOAA Notice Letter, dated August 2, 2007	Same	None noted None noted

9. Respondent's Initial Disclosures are made without prejudice to their right to change or supplement their responses, their right to assert privileges or objections with respect to any subsequent requests for discovery, and their right to introduce at trial additional evidence and documents as warranted by the development of the facts underlying this litigation.

Dated: January 28, 2010

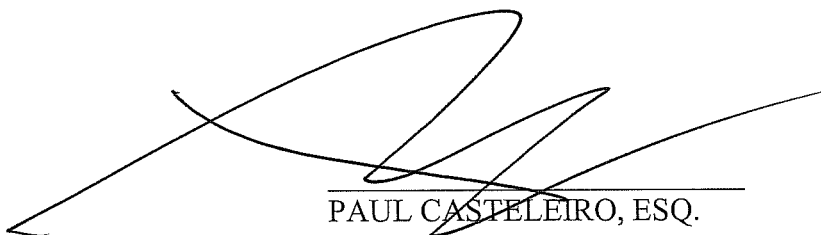
Respectfully submitted,



PAUL CASTELEIRO, ESQ.
200 Washington Street
Suite 500 – 5th Flr.
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Attorney for Novelis Corporation

CERTIFICATE OF SERVICE

I hereby certify that the foregoing “CMO V Third-Party Initial Disclosure” of Novelis Corporation was timely served upon counsel for all other parties in this action by (a) electronic service at www.sfile.com/njdepvocc for those parties having consented to such electronic service, or (b) by United States Postal Service, ordinary mail, postage prepaid for those parties that have not consented to electronic service.



PAUL CASTELEIRO, ESQ.