

ENVIRONMENTAL PROTECTION

SITE REMEDIATION AND WASTE MANAGEMENT

Notice to Receive Interested Party Comments on a Proposed Settlement Agreement to Recover Cleanup and Removal Costs for the Gloucester Titanium Company, Inc., Site in the City of Gloucester, Camden County

TAKE NOTICE that the New Jersey Department of Environmental Protection (the Department) hereby gives notice of a proposed Settlement Agreement concerning recovery of unreimbursed cleanup and removal costs and Hazardous Discharge Site Remediation Funds resulting from discharges at the Gloucester Titanium Company, Inc., site located at 851 Water Street, City of Gloucester, Camden County (the Site). The Site is also known and designated as Block 110, Lots 1, 10, 11, 12, 13, 18 and 19, and Block 120, Lot 1 on the Tax Map of the City of Gloucester, which the Department has designated as Site Remediation Program Interest No. 007115.

The Department, under the authority of Section 107 of CERCLA, 42 U.S.C. § 9607, the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11a et seq. (Spill Act), and the Industrial Site Recovery Act, N.J.S.A. 13:1K-6 et seq., proposes to enter into this Settlement Agreement with Gloucester Titanium Company, Inc., and the City of Gloucester (Settling Parties).

Under the terms of the proposed Settlement Agreement, the Settling Parties would agree to settle their alleged liability to the Department for the remediation of the Site resulting from discharges of hazardous substances at the Site through Gloucester Titanium Company, Inc.'s payment of \$1,500,000 to the Department. The City of Gloucester also would agree to pay to

the Department via a separate agreement with the Department the sum of \$360,818.50 in partial reimbursement of a grant awarded to the City from the Hazardous Discharge Site Remediation Fund. The Department's claims for natural resource damages to the Delaware River, including the cost of assessing natural resource injuries to the Delaware River, are expressly reserved in the Settlement Agreement.

It is the intent of the Department, Gloucester Titanium Company, Inc., and the City of Gloucester that this Settlement Agreement constitutes a judicially approved settlement within the meaning of N.J.S.A. 58:10-23.11f(b) of the Spill Act and 42 U.S.C. § 9613(f)2 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1984, as amended (CERCLA), 42 U.S.C. § 9601 et seq., for the purpose of providing protection from contribution actions or claims for matters addressed in this Settlement Agreement.

Copies of the proposed Settlement Agreement are available for inspection at the Departments' main office at 401 East State Street, in Trenton, New Jersey, and via the internet at www.nj.gov/dep/srp/legal. A copy of the Department's files concerning the Site is available for review by contacting the Office of Record Access, NJDEP, P.O. Box 420, Mail Code 401-06Q, Trenton, NJ 08625-0420 or via email at records.custodian@dep.state.nj.us.

Interested persons may submit comments on the entry of this Settlement Agreement to:

Kevin Kratina, Assistant Director
New Jersey Department of Environmental Protection
Site Remediation Program/ Enforcement & Information Support Element
Mail Code: 401-06A
PO Box 420
Trenton, NJ 08625-0420

All comments must be submitted within 30 calendar days of the date of this public notice. The Department will consider all comments received and may decide to withdraw or

withhold consent to the entry of the Settlement Agreement if comments received disclose facts or considerations which show that the Settlement Agreement is inappropriate, improper or inadequate.

Date

Kevin F. Kratina, Assistant Director
Enforcement & Information Support Element
Site Remediation Program